

Henry School Public Notice of Rights

Public Notice of Non-Discrimination

In an effort to provide a safe, respectful educational environment, the Henry district prohibits discrimination in its policies, employment practices and programs on the basis of race, color, creed, religion, national origin, citizenship, ancestry, gender, marital status, pregnancy, sexual orientation, age, disability, veteran's status, or any other protected class in the offering of all benefits, services, and educational and employment opportunities.

In addition, the district does not discriminate in the opportunities for students on the basis of parental status, marital status, or pregnancy, nor shall such students be excluded from any program or activity, including any class or any extra-curricular activity.

Prohibited acts of discrimination also include racial, sexual, ethnic or other types of slurs, insults, intimidation, harassment and other such conduct directed toward another person.

Individuals with concerns or inquiries about discrimination including harassment are encouraged to attempt to resolve the grievance informally by working with the school administrator most directly involved in the situation. If an acceptable resolution is not achieved, the district has designated Landon Hammer to administer and respond to inquiries and formal complaints regarding the application of its non-discrimination policies.

Sources: Title II of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973 (discrimination based on disability); Title VI of the Civil Rights Act of 1964 (discrimination based on national origin or race); Title IX of the Education Amendments for 1972 (discrimination based on gender); and the Age Discrimination Act of 1975 (discrimination based on age).

Public Notice for Directory Information

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that the Henry School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the Henry School District may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the Henry School District to include this type of information from your child's education records in certain school publications. Examples include:

- A playbill, showing your student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with the following information – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.

If you do not want the Henry School District to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing by 8-30-26 (date). The Henry School District has designated the following information as directory information: [Note: an LEA may, but does not have to, include all the information listed below.]

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|--------------------------|---|
| -Student's name | -Participation in officially recognized activities and sports |
| -Address | -Weight and height of members of athletic teams |
| -Telephone listing | -Degrees, honors, and awards received |
| -Electronic mail address | -The most recent educational agency or institution attended |
| -Photograph | -Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student's SSN, in whole or in part, cannot be used for this purpose.) |
| -Date and place of birth | |
| -Major field of study | |
| -Dates of attendance | |
| -Grade level | |

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These laws are: Section 9528 of the Elementary and Secondary Education Act (20 U.S.C. § 7908) and 10 U.S.C. § 503(c).

Public Notice for Child Find

The Henry School District believes in providing an appropriate education for all children enrolled in the district.

Today, superintendent Landon Hammer of the Henry School District is announcing that the district is conducting its annual Special Education and Section 504 "Child Find" search to identify and evaluate children within the district boundaries, under the age 21, who may not be receiving an appropriate education. The district principal(s) and special education staff are the designated contact persons for any individual who would like to refer a child within the boundaries of the school district for additional educational services.

Any person who knows of a child within the district who may be in need of additional educational services or has unmet educational needs may give the child's name to either the building principal(s), special education staff, or they may call the school district's administrative office at 605-532-5344 to make a referral.
(Phone number)

After obtaining parental consent, the district will conduct an evaluation of the child's needs, at no cost, and hold a meeting with the child's parents or guardian to discuss appropriate educational planning for the child.

Superintendent Landon Hammer also stressed that parents or the child's guardian are not expected to diagnose a child's educational needs before they ask for help. The superintendent emphasized, "It is the philosophy of the school district to ensure that every child, regardless of their disability, have an opportunity to receive an appropriate education."

PUBLIC NOTICE FOR SPEECH/LANGUAGE AND HEARING SCREENINGS

The Henry School District in cooperation with the Combelt Educational Cooperative will be conducting its annual Speech/Language and Hearing screening tests during the first nine weeks of school. The Speech, Language and Hearing screening tests will be conducted at the following student grade levels:

KINDERGARTEN STUDENTS - All Kindergarten students will be screened for both Speech/Language and Hearing difficulties.

1st, 3rd, 5th, 7th and 11th GRADE STUDENTS - All 1st, 3rd, 5th, 7th and 11th grade students will be screened for Hearing difficulties only.

In the event a student has difficulty during the screening, school district staff or cooperative personnel will contact the student's parents or guardian to make arrangements to re-test the area of concern. The screening tests are the responsibility of the local school district and will be provided at no cost to all participating students.

For further information please contact:

_____	Elementary Principal
<u>Landon Hammer</u>	High School Principal
<u>Henry</u>	School District
<u>Henry</u>	South Dakota <u>57243</u>
<u>605-532-5364</u>	Phone Number

Public Notice of Rights Under the Protection of Pupil Rights Amendment (PPRA)

PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

- Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)–
 1. Political affiliations or beliefs of the student or student's parent;
 2. Mental or psychological problems of the student or student's family;
 3. Sex behavior or attitudes;
 4. Illegal, anti-social, self-incriminating, or demeaning behavior;
 5. Critical appraisals of others with whom respondents have close family relationships;
 6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 7. Religious practices, affiliations, or beliefs of the student or parents; or
 8. Income, other than as required by law to determine program eligibility.
- Receive notice and an opportunity to opt a student out of –
 1. Any other protected information survey, regardless of funding;
 2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
 3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
- Inspect, upon request and before administration or use –
 1. Protected information surveys of students;
 2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
 3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

The Henry School District has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The Henry School District will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. The Henry School District will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. The Henry School District will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales, or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Public Notice of Rights under the Family Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days after the day the Henry School District receives a request for access.

Parents or eligible students should submit to the school principal [or appropriate school official] a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask the Henry School District to amend a record should write the school principal [or appropriate school official], clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

in connection with an audit or evaluation of Federal- or State-supported education

programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)

- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))

- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to §99.38. (§99.31(a)(5))

- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))

- To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))

- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))

- To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))

- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))

- Information the school has designated as "directory information" under §99.37. (§99.31(a)(11))