

2011-12 Annual Notice of Special Education Services and Program for Benton School District

In compliance with state and federal law, notice is hereby given by the Benton Area School District that it conducts ongoing identification activities as part of its school program for the purpose of identifying disabled students who may be in need of special education and related services (Chapter 14, Pennsylvania Regulations 14.121; Part 300 Federal Regulations 300.125). Furthermore, Federal Regulations under Individuals with Disability Education Act require child find from birth to 21 years of age. This notice is to help find these children, offer assistance to parents and describes the parents' rights with regard to confidentiality of information that will be obtained during this process. The content of this notice has been written in English. If anyone does not understand this notice, please contact Superintendent Penny Lenig-Zerby at the Benton Area School District and request an explanation.

Identification Activity

Child Find refers to activities undertaken by the school district to identify, locate and evaluate children who reside in the Benton Area School District, including children attending private schools, charter schools and county jails, who are suspected of having disabilities, regardless of the severity of their disability, and determine the child's need for special education and related services. The purpose is to locate these children so that a free appropriate public education (FAPE) can be made available. The types of disabilities to cause a child to need services are: autism, deaf-blindness, deafness, emotional disturbance, hearing impairment, mental retardation, multiple disabilities, orthopedic impairment, other health impairment due to chronic or acute health problems, specific learning disabilities, speech or language, traumatic brain injury and visual impairment including blindness, and in the case of a child that is of preschool age, developmental delay.

Identification activities are performed throughout the year to find a child who is suspected of having a disability that would interfere with his or her learning unless special education programs and services are made available. These activities are called screening activities. Examples of screening activities conducted in the District include: hearing and vision screenings, review of state testing, assessments of student academic functioning, observations of students displaying difficulty with behavior and determining the student's response to attempted interventions. Input from parents is also an information source used for identification.

Potential signs of developmental delays and risk factors that might indicate disabilities include:

Early warning signs: Preschool

- ☹ Late talking compared to other children
- ☹ Pronunciation problems
- ☹ Slow vocabulary growth, often unable to find the right word
- ☹ Difficulty rhyming words
- ☹ Trouble learning numbers, the alphabet, days of the week
- ☹ Extremely restless and easily distracted
- ☹ Trouble interacting with peers
- ☹ Poor ability to follow directions or routines

Early warning signs: Kindergarten through fourth grade

- ☹ Slow to learn the connection between letters and sounds
- ☹ Confuses basic words

- ✂ Makes consistent reading and spelling errors including letter reversals (b/d), inversions (m/w), transpositions (felt/left), and substitutions (house/home)
- ✂ Transposes number sequences and confuses arithmetic signs (+, -, x, /, =)
- ✂ Slow recall of facts
- ✂ Slow to learn new skills, relies heavily on memorization
- ✂ Impulsiveness, lack of planning
- ✂ Unstable pencil grip
- ✂ Trouble learning about time
- ✂ Poor coordination, unaware of physical surroundings, prone to accidents (www.ldonline.org)

Later warning signs include:

- ✂ Frequently spells the same word differently in a single piece of writing
- ✂ Avoids reading and writing tasks
- ✂ Difficulty putting thoughts on paper
- ✂ Trouble summarizing
- ✂ Difficulty with open-ended questions on tests
- ✂ Weak memory skills
- ✂ Poor grasp of abstract concepts
- ✂ Works slowly
- ✂ Vulnerable to peer pressure
- ✂ Difficulty organizing and/or concentrating on homework
- ✂ Misreads information/poor reasoning ability

If your child is experiencing any of these difficulties; and you believe that your school-age child may be in need of special education services and related programs, or your young child (age 3 to school – age) may be in need of early intervention or screening, evaluation processes designed to assess the needs of your child and his/her eligibility are available to you at no cost, upon written request. You may request screening and evaluation at any time, whether or not your child is enrolled in the district’s public school program. A Permission to Evaluate – Evaluation Request form can be obtained from the Director of Special Education or any building principal. Once the Request form has been received, a Permission to Evaluate - Consent form will be sent to you within a reasonable amount of time. Upon receipt of the Consent form, an evaluation will be conducted within 60 days. If you disagree with the results of the multidisciplinary team evaluation, you have the right to access an outside evaluation of your child. The Benton Area School District complies with all federal and state regulations and requirements regarding access to and provision of independent evaluations. In compliance with state and federal law the Benton Area School District will provide to each protected handicapped student, without discrimination or cost to the student or family, those related aids, services, or accommodations which are needed to provide equal opportunity to participate in and obtain the benefits of the school program and extracurricular activities to the maximum extent appropriate to the student’s abilities. In order to qualify as a protected handicapped student, the child must be school age with a physical or mental disability, which substantially limits or prohibits participation in or access to any aspect of the school program. These services and protections for “protected handicapped students” are distinct from those applicable to all eligible or exceptional students enrolled (or seeking enrollment) in special education programs. For additional information on the rights of parents and children, provision of services, evaluation, and screening (including purpose, time and location), and right to due process procedures, you may contact in writing **Penny Lenig-Zerby** or any building principal.

Notification of Rights under FERPA for Elementary and Secondary Schools

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (“eligible students”) certain rights with respect to the student’s educational records. These rights are: (1) The right to inspect and review the student’s education records within 30 school days of the day the School receives a request for access. Parents or eligible students should submit to the School principal (or Director of Special Education) a written request that identifies the record(s) they wish to inspect. The School Principal or Director of Special Education 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 School to amend a record should write the School Principal or Director of Special Education, 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 advise them 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 consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is a disclosure to school officials with legitimate education 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); a person serving on the School Board; a person or company with whom the School has contracted as its agent to provide a service instead of using its own employees or officials (such as an attorney, auditor, medical consultant or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate education interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. (4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-8520

The Benton Area School District may disclose certain information, known as directory information, in its discretion without consent. Parents or eligible students may refuse to let the district release any or all of this information. If you do not want this information released, you must send written notice annually to the District Office before October 1st. Forms are available from that office. The following information regarding students is considered directory information: name, photo, email address, home address, telephone number, date and place of birth, major field of study, dates of attendance, grade level, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received and the most recent previous educational agency or institution attended by the student.

Notification 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. 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. 20202-5901

Services for Protected Handicapped Students

In compliance with state and federal law the Benton Area School District will provide to each protected handicapped student, without discrimination or cost to the student or family, those related aids, services, or accommodations which are needed to provide equal opportunity to participate in and obtain the benefits of the school program and extracurricular activities to the maximum extent appropriate to the student’s abilities. In order to qualify as a protected handicapped student, the child must be school age with a physical or mental disability, which substantially limits or prohibits participation in or access to any aspect of the school program. These services and protections for “protected handicapped students” are distinct from those applicable to all eligible or exceptional students enrolled (or seeking enrollment) in special education programs. For additional information on the rights of parents and children, provision of services, evaluation, and screening (including purpose, time and location), and rights to due process procedures, you may contact the Director of Special Education or any building principal.

Confidentiality: All information gathered about your child is subject to the confidentiality provisions contained in federal and state law. The district has policies and procedures in effect governing the collection, maintenance, distributions, and disclosure to third parties of this information. For information about these policies and procedures, as well as rights of confidentiality and access to educational records, you may contact in writing the Superintendent or any building principal.

Contact: Penny Lenig-Zerby at 570-925-6651, Ext. 1004, William Pasukinis (Elementary Principal) at 925-6651, Ext. 2002, or Joseph Goode (Middle School/High School Principal) at 925-6651, Ext. 3003.