



## Annual ChildFind Notice and Scholar Records Notice

It is the intent of this Annual Notice and policy to inform parent/guardian(s) and eligible children (i.e. scholars 18 and older) of their rights relevant to their privacy rights in the collection, maintenance, release and destruction of these records as required by the **Family Educational Rights and Privacy Act (FERPA)**, 20 U.S.C. '1232g. 34 C.F.R. part 99 and the No Child Left Behind Act of 2001.

Annual notice of this policy is given on Propel's website, in scholar agendas, in building handbooks and hard copies are available in the main lobby of the administration building.

The different categories of information maintained by Propel Schools are as follows; educational and health records, personally identifiable information and directory information. Information known as directory information can be released without consent. Parents may opt out of this by requesting in writing to the school principal that some or all directory information not be released. In addition, photographs and/or videos may be used in newspaper articles highlighting various school activities or television coverage of school events. If you do not wish your child to be photographed or videotaped for these purposes, you must inform Propel in writing.

**Education Records** include records directly related to a scholar that are maintained by Propel Schools. The Educational Records of Propel Schools may include all of the following (this list is not intended to be exhaustive): grades, standardized test results, scholar evaluation reports, samples of scholar work, records transferred from sending schools, discipline records, medical records and any other records created and maintained by Propel directly related to the scholar. Educational records do not include communications with legal counsel that are attorney client privileged. Educational Records do not include records maintained solely by the creator for their personal use, not shared with others. The contents of a scholar's educational file shall be determined by Propel Schools unless a specific parental request is made or a complaint is made, consistent with this Notice.

Propel Schools shall permit the parent/guardian(s) of a scholar or an eligible special education scholar, who is or has been in attendance in Propel, to inspect and review the education

records of the scholar upon written request. Propel Schools will comply with a written request to review records within a reasonable period of time (never to exceed 45 calendar days from the date of written request; 30 days if the scholar receives special education services) after the request has been made. When there are special cases and where necessary, a parental request to review records will be granted and arranged as soon as possible. Visits to review a scholar's records shall be arranged and facilitated by the building principal or designee, or any party selected by Propel Schools, for the purposes of security and assistance in explaining or interpreting the data. The right to inspect and review education records includes:

1. The right to a response from Propel Schools to reasonable requests, made in writing, for explanation and interpretations of the record; and
2. The right to obtain copies of records from Propel Schools where failure of Propel to provide the copies would effectively prevent a parent or eligible scholar from exercising the right to inspect and review the educational records (e.g. where the parent lives too far to come review the records personally). ***A reasonable fee of .25 will be charged per page for duplicate copies of documents already provided to parents/guardians***

In accordance with FERPA, Propel will not produce or compile documentation that does not already exist.

It is presumed by Propel that both natural parent/guardian(s) of a scholar has authority to inspect and review the education records of the scholar at the school in the child's attendance area (main office) by appointment unless there is evidence that there is a legally binding instrument, or a State law or court order governing such matters as divorce, separation or custody, which provides to the contrary. A Propel designee will sit with the parent when the parent reviews the records in a private conference area. As part of the notice of a parent's right to access, Propel Schools has the responsibility to inform all parents of provisions affecting parental access, and request verification of any court order denying either parent access to records. It is the responsibility of the parent seeking to deny access to the records to provide Propel Schools with a copy of the court order or other document that limits or controls access to scholar records. In cases where the request for access to records is made by a non-custodial parent, Propel Schools has the responsibility to verify the person's identity and notify the custodial parent of the request. If a parent seeking to deny access does not respond to the school's request within the 45 or 30 day timeframe, the school must grant the request.

### **Legal Custody and Court Orders**

Propel Schools will do everything possible to ensure the safety and rights of all family members are protected. Parents/guardians who are involved in custody situations with their children must submit a copy of the standing and current court order to the school office immediately. Court order statements will be fully honored by Propel Schools. Please inform the school and provide updated documentation when necessary. Documentation must be

submitted each school year.

**Under federal law, parental consent is not required for the release of Directory information, which is information contained in an education record of a scholar that would not generally be considered harmful or an invasion of privacy if disclosed.**

Propel Schools designates the following as **Directory Information means:** information contained in an education record of a scholar that would not generally be considered harmful or an invasion of privacy if disclosed.

(a) Directory information includes, but is not limited to, the scholar's name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; grade level; enrollment status (e.g., undergraduate or graduate, full-time or part-time); dates of attendance; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; and the most recent educational agency or institution attended.

(b) Directory information does not include a scholar's ---  
1. Social security number; or  
2. scholar identification (ID) number, except as provided in paragraph (c) of this section.

(c) Directory information includes a scholar ID number, user ID, or other unique personal identifier used by the scholar for purposes of accessing or communicating in electronic systems, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user.

**A written record of this information, or electronic copy of the same, including grade level completed and year completed, may be maintained at least 100 years after a scholar attains age 21. A parent/guardian or eligible scholar may notify Propel in writing of their refusal to allow Propel to release directory information without prior consent.** Such written refusal for consent must be sent to the Director of Pupil Services, Propel Schools, 3447 East Carson Street, Suite 200, Pittsburgh, PA 15203.

Pursuant to Section 9528 of the *No Child Left Behind Act*, Propel is required to release scholar directory information (access to names, addresses, and phone numbers of high school juniors and seniors) to **military recruiters and college admissions officers**. The *No Child Left Behind* law requires high schools to release information to colleges or other higher learning institutions upon request. Any parent/guardian or scholar who has reached age eighteen may notify Propel **in writing of their refusal** for this information to be released. Letters

seeking the withholding of information to military recruiters should be sent to: Director of Pupil Services, Propel Schools, 3447 East Carson Street, Suite 200, Pittsburgh, PA 15203.

Per federal guidance, **scholar medical records**, maintained by the nurses' office, are considered educational records and will be shared with staff who Propel determines have a legitimate educational interest in the information and a need to know medical information to protect the safety and health of the scholar. **Once provided to Propel, specific parental consent will not be sought to share information on a need to know basis. Parental requests to maintain the confidentiality of specific medical information must be made in writing to the nurse's office.** Requests for complete confidentiality of medical information will be granted at the discretion of the nurse. These requests will be granted unless dangerous to the scholar.

If Propel reported a crime committed by a scholar with a disability Propel will ensure that copies of the special education records and disciplinary records of the scholar will be transmitted properly and only to the extent possible that the transmission is permitted by the Family Educational Rights and Privacy Act.

Propel can communicate about sex offenders from agency to agency.

Propel shall obtain the written consent of the parent(s)/guardian(s) of a scholar age eighteen before disclosing personally identifiable information, other than directory information, from the education records of a scholar to a third party. Consent is not required where the disclosure is to the parent/guardian(s) of a scholar who is not an eligible scholar or the scholar himself or herself.

### **Personally Identifiable Information**

The term includes, but is not limited to ---

- A. The scholar's name;
- B. The name of the scholar's parent or other family members;
- C. The address of the scholar or scholar's family;
- D. A personal identifier, such as the scholar's social security number, scholar number, or biometric record;
- E. Other indirect identifier,; such as the scholar's date of birth, place of birth, and mother's maiden name; that other information, alone or in combination, is linked or linkable to a specific scholar that any reasonable person in the school community, who does not have personal knowledge of the scholar be able to identify the scholar to whom the education record relates.

### **Uses of Personally Identifiable Information:**

Propel Schools may disclose personally identifiable information from the education records of a scholar without written consent of the parent/guardian(s) or the scholar or the eligible scholar in several situations. See 34

C.F.R. Part 99. Some important examples of when no consent to release information is needed include (list is not exhaustive):

1. To other school officials, including teachers, school counselors, nurses, and I.U. personnel within Propel who have been determined by Propel to have legitimate educational interests or are providing instruction or services to scholars. Propel Schools has determined that all school employees involved in the direct supervision of a scholar (academic or non-academic) (including support staff) have a legitimate educational interest in academic and health related scholar information if the information is necessary to ensure appropriate fulfillment of their professional duties and to ensure the health and safety of the scholar.
2. To officials of another school or school system or post-secondary schools in which the scholar seeks or intends to enroll, subject to the requirements set forth in 99.34. Parents may request a copy of the record sent.
3. To appropriate parties in a health or safety emergency, subject to the conditions set in 99.36, if knowledge of the information is necessary to protect the health or safety of the scholar or other individuals.
4. Information designated by Propel's Directory Information.
5. Generally, schools must have written permission from the parent/guardian or eligible scholar in order to release any information from a scholar's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
  - Specified officials for audit and evaluation purposes
  - Appropriate parties in connection with financial aid to a scholar
  - Organizations conducting studies for or on behalf of the school
  - Accrediting organizations
  - To comply with a judicial order or lawfully issued subpoena
  - State and local authorities, within the juvenile justice system, pursuant to specific state law
  - Contracted, consultant, volunteer, or other party to whom an agency or institution has outsourced institutional services or functions may be considered a school official under this paragraph---
    1. Performs an institutional service or function for which the agency or institution would otherwise use employees;
    2. Is under the direct control of the agency or institution with respect to the use and maintenance of education records; and
    3. Is subject to the requirements of §99.33 (a) governing the use and disclosure of personally identifiable information from education records.

Propel Schools will use reasonable methods to ensure that school officials obtain access to only those education records in which they have legitimate educational interests. When providing records to authorized third parties, Propel will make a reasonable attempt to notify the parent/guardian(s) of the scholar or the eligible scholar of the transfer of the records at the last known address of the parent(s)/guardian(s) or eligible scholar. Per state

law, Propel will not provide any notice of transfer of records of a scholar to a school in which a scholar seeks or intends to enroll.

Under federal and state law, Propel Schools will maintain a list of all persons who have requested or obtained access to personally identifiable information contained in the scholar's educational record. The list will include the name of the party making the request, the basis upon which the party claims the right to access the information, and the date the request was made. The list will be available to the scholar's parent/guardian upon request.

Propel maintains scholar records in the individual Propel buildings and in electronically stored information (ESI) format. Special education scholar records, scholar health records, and 504 scholar service plans are kept in separate locked files in the individual schools until the time when the scholar is no longer active. Once a scholar becomes inactive in Propel their records are transferred to a locked storage space.

PLEASE NOTE: PROPEL SCHOOLS MAY DESTROY RECORDS UNDER THE FOLLOWING CIRCUMSTANCES AND TIMELINES

- A. Records that include a scholar's name, address, grades, attendance records, classes attended, grade level completed and year completed may be destroyed once 100 years have passed since the scholar's 24<sup>th</sup> birthday.
- B. **Special Education records**, Section 504 records, Response to Intervention (RTI) records, and health records **may be destroyed once 10 years have passed from the date a scholar has graduated or reached graduation age** (if exiting Propel before graduation) as long as there is no outstanding request to inspect and review the records and the records are no longer deemed useful to Propel Schools.
- C. **Notice of destruction of these records is provided annually via this publication.** Educational records of a scholar are longer needed by Propel Schools to provide educational services at the end of one year following a scholar's graduation from Propel. A parent/guardian may submit a written request for the destruction of all education records at that time.
- D. Destruction will proceed where parents or eligible scholars have not requested copies by November 1<sup>st</sup> of the year the records may be destroyed as per paragraphs A&B above. Parents or scholars over eighteen have the right to request a copy of their record before destruction.

Parents are reminded that copies of the records might be needed for the acquisition of Social Security benefits or for other purposes.

**Amendment of Education Records**

A Parent/guardian or eligible scholar has the right to request amendment of a scholar's educational file if it is believed that any information is inaccurate, or in violation of a

scholar's rights. The educational agency shall decide within a reasonable time whether to amend the record. If Propel decides not to amend the educational record it shall notify the parent/scholar of the right to and arrange an informal hearing. The hearing will be conducted by an official of Propel Schools without an interest in the outcome, who will be either the Director of Special or their designee. The parent may present relevant evidence. Propel will issue a written decision based on the hearing. Informal inquiries may be sent to: [ferpa@ed.gov](mailto:ferpa@ed.gov) or [ppra@ed.gov](mailto:ppra@ed.gov). The website address is: [www.ed.gov/policy/gen/guide/fpcd](http://www.ed.gov/policy/gen/guide/fpcd)

Complaints regarding violation of rights accorded parent(s)/guardian(s) and eligible scholars with respect to scholar records are to be submitted to the Director of Pupil Services, Propel Schools, 3447 East Carson Street, Suite 200, Pittsburgh, PA 15203, in writing. All Complaints will be investigated and responded to in writing within a reasonable period of time. If complaints cannot be satisfactorily resolved by Propel Schools, complaints can be filed with the following:

**Family Policy Compliance Office  
U.S. Department of Education 400 Maryland Avenue,  
SW Washington, D.C. 20202-4605**

Questions regarding the above information or requests for a copy of the records policy may be referred to: Director of Pupil Services, Propel Schools, 3447 East Carson Street, Suite 200, Pittsburgh, PA 15203.

### **SCREENING AND EVALUATION**

Propel Schools has a three-part screening process in place that identifies any scholar who may need special education.

Level 1: Review of group-based data

Level 2: Review of hearing, vision, motor, speech and language

Level 3: School Based Intervention Teams (MTSS)

MTSS Process:

1. Identify the scholar's needs for academic and behavioral support and identify the strategies that have been tried within the classroom.
2. Determine more specific interventions to be implemented
3. Implement the interventions
4. Determine if the interventions are addressing the scholar's needs
5. If the interventions work, continue the interventions

6. If the interventions do not work, determine if the interventions need more time to be implemented or refer the scholar for a multidisciplinary evaluation (MDE)

### **The Multidisciplinary Evaluation (MDE)**

Parents or guardians may request that their child be screened or evaluated for special education services. Requests for screening or evaluation should be made in writing and directed to the attention of the Director of Pupil Services, Propel Schools, 3447 East Carson Street, Suite 200, Pittsburgh, PA, 15203.

**Parent or guardians should request an evaluation for special education services if their child demonstrates warning signs of a developmental delay.**

What are the warning signs of a developmental delay? There are several general “warning signs” of possible delay. These include:

#### Behavioral Warning Signs

- Does not pay attention or stay focused on an activity for as long a time as other children of the same age
- Displays violent behaviors on a daily basis
- Stares into space, rocks body, or talks to self more often than other children of the same age
- Gets unusually frustrated when trying to do simple tasks that most children of the same age can do
- Shows aggressive behaviors and acting out and appears to be very stubborn compared with other
- Avoids or rarely makes eye contact with others
- Does not seek love and approval from a caregiver or parent
- Focuses on unusual objects for long periods of time; enjoys this more than interacting with others children

#### Gross Motor Warning Signs

- Has stiff arms and/or legs
- Has a floppy or limp body posture compared to other children of the same age
- Uses one side of body more than the other
- Has a very clumsy manner compared with other children of the same age

#### Vision Warning Signs

- Seems to have difficulty following objects or people with his/her eyes
- Rub eyes frequently



- Turns, tilts or holds head in a strained or unusual position when trying to look at an object
- Seems to have difficulty finding or picking up small objects dropped on the floor (after the age of 12 months)
- Has difficulty focusing or making eye contact
- Closes one eye when trying to look at distant objects
- Eyes appear to be crossed or turned
- Brings objects too close to eyes to see
- One or both eyes appear abnormal in size or coloring

Hearing Warning Signs

- Talks in a very loud or very soft voice
- Seems to have difficulty responding when called from across the room, even when it is for something interesting
- Turns body so that the same ear is always turned toward sound
- Has difficulty understanding what has been said or following directions after once he/she has turned 3 years of age
- Doesn't startle to loud noises
- Ears appear small or deformed
- Fails to develop sounds or words that would be appropriate at his/her age

Approved By	Date
Dr. Tina Chekan, CEO/Superintendent	1/25/21
Board of Trustees	1/25/21