



**YORK ACADEMY REGIONAL
CHARTER SCHOOL
HANDBOOK
2019-2020**

Revised
September 2019

The York Academy Regional Charter School will provide students with a challenging learning environment that opens doors for growth, opportunity, and executive excellence

Table of Contents

Purpose of Handbook	2
York Academy's Vision	2
York Academy's Mission	2
York Academy's Belief Statements	2
Equal Opportunity/Anti-Discrimination Policy	2
Admissions Process	3
Communication	3
Transfer/Withdrawal	3
School Hours	4
Student Arrival/Departure	4
Emergency Procedures, Early Dismissal and School Closing Information	4
Illness and Medication	5
School Visitors	7
Subpoenas and Court Orders	8
Transportation	9
Students Assistance Program (S.A.P.)	9
Family Educational Rights and Privacy Act (FERPA)	9
Military Access to Education Records	12
Promotion/Retention	13
Curriculum Review	13
Exemption from Instruction for Religious Beliefs	13
Annual Public Notice of Special Education Services and Programs and Rights for Students with Disabilities And Notification of Rights under the Family Educational Rights and Privacy Act	14
Qualifying for Special Education and Related	14
504 Services	15
Least Restrictive Environment "LRE"	15
Screening and Evaluation Procedures for Children to Determine Eligibility	17
Educational Placement	19
Parents and Surrogate Parents	20
Prior Written Notice	20
Disagreements with an Evaluation	23
Annual Notice of Rights Regarding Student Records	24
Procedures for Disciplinary Exclusion of Children with Disabilities	27
Child Find Policy and Public Outreach Awareness System	32

York Academy Regional Charter School Handbook

Purpose of Handbook

The purpose of this handbook is to provide clarity on the daily operations as well as policies and procedures of the York Academy Regional Charter School ("York Academy"). The Board/Chief Executive Officer retains the right to amend the handbook as necessary as policies change and/or new ideas and programs are instituted. Students and families will be notified accordingly. York Academy policies can be viewed upon request.

York Academy's Vision

The students of the York Academy will experience an extraordinary educational program shaped by: the International Baccalaureate (IB) standard and practices, a respect and appreciation of people from different backgrounds, an intrinsic desire to always strive to meet the high expectations they have set for themselves, and providing them with them confidence to pursue their dreams.

York Academy's Mission

The mission of York Academy Regional Charter School, is as follows: With an unrelenting focus on academic excellence, the York Academy challenges students to live as global citizens within a diverse environment.

York Academy's Belief Statements

We believe that ...

- York Academy Regional Charter School faculty and staff members deliver the International Baccalaureate Programmes that benefit all students by providing an approach that supports and results in student growth, development, and achievement.
- All students can learn in a safe, caring, nurturing, and student-centered environment.
- All teachers provide collaborative, constructivist, life-long learning experiences embedded in all areas of the curriculum.
- Education takes place in every aspect of a child's day, and it is the responsibility of all members of the York Academy Regional Charter School community to support student learning.
- All parents and guardians, as a child's first teacher, have a major influence on a child's success at York Academy Regional Charter School.
- York Academy Regional Charter School faculty and staff members prepare students for post-secondary education to be successful in a 21st century, global environment.
- All members of the York Academy Regional Charter School community create a positive environment where diversity is accepted, respected, and appreciated.

Equal Opportunity/Anti-Discrimination Policy

York Academy shall not discriminate against any person on the basis of race, sex, color, religion, sexual orientation, national origin, disability, genetic information, or any other classification otherwise protected by applicable state and/or federal laws. The Board of Trustees recognizes school administrators' and employees' obligations to comply with all applicable federal, state, and local laws in providing equal opportunity to all students. Pursuant to 22 Pa. Code §12.4 and consistent with the Pennsylvania Human Relations Act (43 P.S. §§ 951 - 963), York Academy does not discriminate on the basis of race, sex, color, religion, sexual orientation, national origin, disability, or any other classification otherwise protected by law in the administration of its educational policies, admission policies, hiring policies, and other school administered programs and operations. A student will not be denied access to a free and full public education, nor may a student be subject to disciplinary action on account of race, sex, color, religion, sexual orientation, national origin, genetic information, or disability.

Admissions Process

If interested in admission to York Academy, parents are encouraged to attend an enrollment session and submit an application and required information according to the submission instructions by the deadline established by York Academy administration. There will be no exceptions made for applications submitted after the established deadline. In the event that there are more applications received than space permits, the school will hold a lottery.

Preferences will be given to students in the following order:

1. Currently enrolled students are given the first opportunity to move into their next grade level (if promoted).
2. Siblings of currently enrolled students who live in the three chartering districts are given first preference for any available openings, provided that the parent/guardian has attended one of the Informational Sessions, completed the pre-enrollment form, and submitted it appropriately with all the required documentation. This same process is followed for siblings from other districts. If there are openings available after the siblings are enrolled, new students will be enrolled.
3. Founders interested in enrolling their children at York Academy in are guaranteed spots, provided that the parent/guardian has attended one of the Informational Sessions, completed the pre-enrollment form, and submitted it appropriately with all the required documentation.
4. A lottery will be held if the number of new students who register during the open enrollment period exceeds the number of open spots available in a class to determine the order in which new students will be enrolled or placed on the waiting list. Students entering from the three charting districts are given first preference under the lottery system. (York Academy reserves the right to verify residency at any time during the enrollment process.)

For more information regarding the admissions process, visit York Academy's website: www.yorkacademy.com

Communication

Parents and guardians are required to notify the school of their most current home address and phone numbers (personal and business) at all times during the school year. Students will only be released to you or someone on your list of emergency contacts with the proper identification. Please be certain that the office has the correct information for your local emergency contacts, and be sure that your contacts know that they are your emergency contacts. Emergency information forms are sent home the first week of school. These are to be filled out completely and returned to the teacher. Please notify the office of any changes during the year. It is imperative that the office has emergency numbers to contact parents during the day. Cellular phone numbers and email addresses should be included with your information. Current and required health forms must be on file with the school nurse in order for students to participate in extracurricular activities or field trips.

Please remember that it is vitally important to keep us informed of any changes to phone numbers for home, work, and cell phone. It is imperative that emergency contact information is kept up to date so that a responsible adult can be reached at all times.

Transfers/Withdrawals

Should it become necessary for a student to withdraw or transfer from school, you will need to contact the school office and fill out a student withdrawal form.

School Hours

The student's day is from 8:00 AM until 3:30 PM at the Lower School and 8:45 AM until 3:45 PM at the Upper School. Students should be in their classrooms at the school's start time or they are considered tardy and must be signed in by a parent or guardian in the front office.

Student Arrival/Departure

Students may begin to arrive at the school no earlier than 7:30 AM to attend breakfast. If you pick up your child after school and your child is usually a bus rider, please be sure to contact the school office and inform them of the change no later than 1:30 PM. If you must pick up your child during the day please report to the front office and sign out the child. The office will notify the teacher to send your child to the office.

Emergency Procedures, Early Dismissal, and School Closing Information

York Academy has put together a comprehensive Emergency Plan to keep students and staff safe and secure at all times while in school. There are times, however, when school may be cancelled or dismissed early due to circumstances out of our control. There are several things that you, as a parent, can do to assist the school in ensuring the safety of your child(ren).

Parent/Child Emergency Plan

- Establish a plan with your child in the event that the school starts late or is dismissed early.
- Instruct your child as to where to go or what to do if a parent/guardian is not home.
- Help your child memorize important family information: name, address, phone number, and where to meet in case of an emergency.

In Case of Emergency

- Do NOT call the school: The phone lines must be kept open for emergency communications. Check with the local radio and TV stations and social media for updated information.
- Do NOT drive to the school: You may impede the ability of emergency vehicles to get to the school. Your child (ren) may be moved to a safer location, so you need to listen to the radio and TV for instructions and/or location of the Parent/Child Reunification Area.
- Always carry ID: Students will only be released to you or someone on your list of emergency contacts with the proper identification.
- Automated Phone System : In case of an Emergency we will make an attempt to contact parents/guardians using the York Academy Automated phone system; however, please do not make your Emergency Plan contingent on you receiving a phone call as this service may not be available in every emergency situation.
- Keep your information updated: Notify the school of all changes; address, phone number, emergency contact information.

Do not wait for an emergency to occur to find out that your contact information is not accurate.

In case of an Emergency, Early Dismissal, Late Start, or Cancellation, we will alert the following media:

- www.yorkacademy.com (York Academy's website)
- York Academy social media

Your child will be sent home by his/her regular means of transportation that day unless otherwise notified.

Emergency Preparedness/Disaster Drills:

York Academy will conduct routine drills as per PDE regulations and requirements and identified needs by the York Academy School Safety Committee. All York Academy students and their families should be aware that the drills will be conducted in the safest manner possible and may involve realistic scenarios to better prepare students and faculty.

School Closings Due to Inclement Weather:

- York Academy will follow Central York School District's closings for inclement weather under most circumstances; however, parents/students should look for announcements that specifically indicate that York Academy is closed.
- In the event that a student's home school district has closed due to inclement weather but York Academy remains open, parents/guardians will be responsible for transporting their child to and from school. If the parent/guardian is unable to arrange transportation or otherwise decides to not have his/her child attend school that day, the absence will be excused; however, the student will still be responsible for any academic material covered.

Illness and Medication

It is the responsibility of the parent and/or guardian to ensure that a child attends school in good health and is prepared to learn. Lingering illnesses should be treated by a doctor. If a child becomes ill during the course of the school day, he/she will report to the nurse's office. If the determination is made that the child should be sent home, the parent, guardian, or listed emergency contact will be called and **must** come to school to pick up the sick child, or the student will not be released from school premises. **Illness and injury should be part of your emergency plan with your child and should be created before the start of the school year.**

It is imperative that all health information and records are current. Please contact the school nurse if there are any changes in your child's health that must be addressed immediately.

The school nurse will immediately notify a parent/guardian in case of sudden illness or an accident of a serious nature. If a parent or guardian is unable to be reached, children who become severely injured or ill will be transported to the hospital.

Students are **not permitted to carry or have in their possession at any time** any type of medication—prescription, non-prescription, herbal supplements, or vitamins—on school premises with the following exception: emergency medication such as an inhaler or epinephrine auto-injector as prescribed by the student's health care provider and authorized by their parent/guardian and the school nurse. The nurse's office will hold all other medications for each student, accompanied by a doctor's order. **No student will be permitted to take medication in school without the approval from the student's physician AND the parent/guardian.** If your child has been prescribed medication to be taken during the school day, your child's doctor must complete a form that specifies the medicine to be taken, the dosage, date and time the medication needs to be administered, and the way it needs to be administered. This form has to be on file at the school before any medication can be administered to a student. The form is available in the nurse's office and on the York Academy website. If at all possible, medication should be given at home. For example, antibiotics three times a day can be taken before school, immediately after school, and at bedtime unless otherwise specified by your physician.

Medication must be brought to the school nurse by an adult in the pharmacy's original container and properly labeled by a registered pharmacist. All medications will remain in a secure location. The medication bottle must have a Safe-T-Closure cap and the label must include: patient name, pharmacy name, prescription number, pharmacy phone number, name of medication and dosage name of prescribing doctor, and instructions for administration.

This procedure must be repeated each time there is a change in dosage and at the beginning of every school year. These guidelines apply to the administration of all over the counter medications and usage

of medical devices or equipment (e.g., nebulizer, Epinephrine Auto-injector, catheter, patch, etc.),

Unused medication must be picked up by the last day of school, or it will be discarded.

If your child exhibits the following symptoms:

1. Fever - Any child with a temperature of 100 degrees or above should stay home until his/her temperature is normal for 24 hours without the use of fever reducing medication. If the fever is accompanied by a sore throat, earache, nausea, or a rash, your child may be contagious. Consult your physician as needed.
2. Diarrhea or Vomiting - Children need to stay home if either occurred during the previous day or the middle of the night. If your child is sent home from school due to vomiting or diarrhea, your child may not return to school for at least 24 hours after the last episode of vomiting or diarrhea.
3. Strep Throat or Scarlet Fever - Both are highly contagious. Children will need antibiotics and may return to school with a doctor's permission while they are being treated. Remember to complete the prescribed medication. Children may return to school after 24 hours from the institution of antimicrobial therapy or after no less than 7 days if no physician is in attendance.
4. Conjunctivitis (Pink Eye) - This can be highly contagious depending on the cause. Children can return to school with the permission of the treating doctor and 24 hours of treatment. Practice good hand washing. A doctor's note is required to return to school.
5. Colds - What seems like a mild cold with symptoms such as a runny nose may indeed be allergies. If the child does not have a fever or a severe cough, you do not have to keep the child home. On the other hand, colds, especially those with a fever, can be signs of a more serious problem. These children should stay home.

We do not offer cold medicine at school. If you choose to medicate your child for a cold, please administer the medication at home before your child comes to school.

Notes for Excused Absences:

If your child stayed home or was sent home from the nurse's office, a note is still required from the parents to the teacher when the child returns to school. This excuse can also be completed electronically on the York Academy website. If your child is home for 3 days or more, a doctor's note is required.

Emergency Plan:

Please make sure that you have developed an emergency plan determining who will be picking up a sick child from school. Should you receive a call from the nurse's office, it is important for your child to be picked up **within 30 minutes.**

We thank you for your support in keeping the York Academy community healthy. Good hand washing practices and adherence to these policies will cut down on communicable illnesses in our school. **These guidelines are designed for the safety of your child and are strictly enforced. If you have any questions/concerns please contact the school nurse.**

Administration of Medication and Equipment for Diabetes, Asthma, and Severe Allergic Reactions

Students who require the ability to self-administer emergency medication must have an Emergency Care Plan in place. This plan includes a statement from the treating physician, certified registered nurse practitioner, or physician assistant indicating that the student has successfully demonstrated capability of independent monitoring and responsible behavior in self-administering treatment or prescribed medication.

Self-administration of emergency medications also requires the student to demonstrate competency in self-management skills to the school nurse.

If an Emergency Care Plan is in place, diabetic and asthmatic students and those subject to severe allergic reactions may possess on their person, including book bags and handbags, all necessary supplies, equipment, and prescribed medication to perform self-monitoring and treatment. A student with asthma shall be permitted to use an asthma inhaler, and a student with diabetes shall be permitted to perform blood glucose checks, treat hypoglycemia and hyperglycemia, and otherwise attend to the care and management of his or her diabetes in the classroom, in any area of the school or school grounds, and at any school-related activity. A student with medically certified severe and possibly life-threatening allergic reaction(s) and of school age may possess an epinephrine auto-injector.

As part of a student's responsible behavior, the student is to notify the school nurse immediately following each use of medication or equipment for the student's asthma or diabetes related condition.

The student is restricted from making medication or any medical equipment available to other students. The student's privilege to self-administer medication or equipment may be revoked or restricted if the student abuses or ignores Charter school policies. The Student/Parent Code of Conduct is applicable to such misconduct.

SCHOOL VISITORS

The Board welcomes and encourages interest in school educational programs and other school-related activities. The Board recognizes that such interest may result in visits to school by parents/guardians, community members, educators and other officials. To ensure order in the schools and to protect students and employees, it is necessary for the Board to establish policy governing school visits.

Visits should have legitimate purpose and not interfere with the continuity of instruction.

The Chief Executive Officer or designee has the authority to prohibit the entry of any individual to a school or school event, in accordance with Board guidelines and state and federal law and regulations.

The Chief Executive Officer or designee shall develop administrative regulations to implement this policy and control access to school buildings and school classrooms.

Observation of school personnel to determine his/her competency is reserved for the employee's supervisor or administrator.

The Chief Executive Officer reserves the right to refuse admission to the school for any excessive number of visitors or to visitors who disregard school policy and/or administrative procedure.

Persons wishing to visit the school should make arrangements 24 hours in advance with the school Head of School and classroom teacher.

Upon arrival at the school, visitors must register at the front desk where they will be required to provide a government issued photo identification as well as sign-in and sign-out. While in the school buildings, all visitors are required to wear a visitor badge.

Visitors must remain with the assigned escort and may not be left un-attended at any time. All staff members shall be responsible for requiring a visitor to demonstrate that s/he is a registered visitor if necessitated by any level of doubt as to the visitor's status.

No visitor may confer with a student in school without the approval of the CEO or designee.

Should an emergency require that a student be called to the school office to meet a visitor, the CEO or designee shall be present during the meeting.

Failure to comply with these procedures shall result in more limited access to the school as determined by the CEO, consistent with Board policies, school rules and federal and state law and regulations.

Classroom Visitations

Parents/Guardians may request to visit their child's classroom, but the request must be made 24 hours in advance to the visit, in accordance with established administrative regulations.

The CEO or Head of School must grant prior approval for the visit, and shall notify the classroom teacher prior to the visit.

Parents/Guardians shall be limited to one (1) 30-minute class period per month, per child in the school for classroom visitations, in order to minimize disruption of the classroom schedule and the educational program.

Parental participation in classroom activities or programs such as room parents, back-to-school events, and chaperones for field trips shall not constitute a classroom visit for purposes of this policy.

The CEO, Head of School, or the teacher has the authority to ask a visitor to leave if the visitor disrupts the classroom routine, educational program or daily schedule, or if a visitor violates Board policy. Failure to leave when asked or repeated, documented disruptions may result in loss of classroom visitation privileges.

Under exceptional circumstances and upon request of the classroom teacher or parent/guardian, the Chief Executive Officer or Head of School may authorize additional or longer classroom visits by a parent/guardian.

Military Personnel

Members of the active and retired Armed Forces, including the National Guard and Reserves, shall be permitted to:

- Visit and meet with district employees and students when such visit is in compliance with Board policy and district procedures.
- Wear official military uniforms while on district property.

Photographs, Video, or other electronic recording

The unauthorized use of any form of photography and/or recording equipment by visitors is prohibited. Prior approval, by the Chief Executive Officer, is required for use of photography and/or any other type of recording equipment.

Trespassing on School Property

There shall be posted at all entrances to the school, and at other appropriate places, a notice that all visitors must report to the school office upon entering the school.

Subpoenas and Court Orders

It is the policy of York Academy not to accommodate verbal or written parental requests related to custody/domestic matters absent a court order or subpoena. Any such signed court order or subpoena shall be delivered to the Head of School by the parent(s)/guardian(s) for inclusion in the student's educational file.

In the event that York Academy is presented with a valid protection from abuse order or order terminating legal custody related to a York Academy student, the Head of School may notify the police in the event that York Academy employees are contacted by the subject of the order regarding the student or in the event the parent/guardian who is the subject of a protection from abuse order comes to and/or on the York Academy facility/grounds.

Transportation

Upon enrollment at York Academy, and every year thereafter, each student will fill out a Request for Transportation Form. York Academy administration will communicate with the student's home district to make the necessary arrangements for transportation. Each school year, information regarding bus transportation is sent home to parents. Parents who move to a new home, within or outside of the original sending district, must inform York Academy of the family's new address. York Academy administration will contact the student's sending district to inform them of the change.

Students Assistance Program (S.A.P.)

In Pennsylvania, every school has a Student Assistance Program (SAP). A SAP team, made up of school and community agency staff, assists school personnel in identifying issues including alcohol, tobacco, other drugs, and mental health issues which pose a barrier to a student's success. All members of the SAP Team are trained to implement the SAP process. The primary goal of the Student Assistance Program (SAP) is to help students overcome these barriers so they may achieve success, remain in school, and advance.

Anyone who is concerned about a student can make an anonymous referral by completing a SAP Referral Form available in the Guidance Office.

Family Educational Rights and Privacy Act (FERPA)

Family Educational Rights and Privacy Act (FERPA) (20 USC. § 1232g;) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. FERPA gives parents and students over the age of 18 (eligible students) certain rights with respect to student records. These rights are briefly summarized below and are explained more fully in the Board's Student Record Policy which is on file at the school, on the school website, and available upon request and in the Annual Notification of Rights under FERPA.

Parents or eligible students have the right to inspect and review the student's education records maintained by the school within forty-five (45) days of the day the school receives a written request for access. Parents or eligible students should submit to a school a written request that identifies the record(s) they wish to inspect. The Chief Executive Officer or designee will make arrangements for access and notify the parent or eligible student of the time and place where the record(s) may be inspected. Schools are not required to provide copies of records unless for reasons such as great distance or if it is impossible for parents or eligible students to review the records. Schools may charge a reasonable fee for copies.

Parents or eligible students have the right to request that a school amend records which they believe to be inaccurate or misleading. Parents or eligible students should write to the Chief Executive Officer clearly identifying the part of the record(s) they want amended and specify why the record is inaccurate or misleading. If a school decides not to amend the record(s) as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision in writing and advise of the right to a hearing regarding the request for amendment.

Additional information regarding the hearing procedures shall be provided to parents or eligible students when notified of the right to a hearing. After a hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.

Parents or eligible students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by a school to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

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

Generally, schools must have written permission from parents or eligible students in order to release any information from a student's education records; however, FERPA allows schools to disclose that information, without consent, to the following parties or under the following conditions:

- School officials with legitimate educational interests;
- Other schools, school systems or institutions of postsecondary education to which a student is transferring;
- Authorized representatives of the U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education, or State and local educational authorities. Disclosures may be made 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. The entities and officials identified here may re-disclose student information to outside entities and/or individuals that are designated as "authorized representatives" to conduct an audit or evaluation, or enforcement or compliance activity on their behalf. A designation of an "authorized representative," other than an employee, shall be memorialized in a written agreement. The same agreement shall contain provisions intended to guard the privacy of student information. Student records for children seven (7) years or older are exempt from the use of authorized representatives for agencies running programs to improve social, emotional, and physical development;
- Appropriate parties in connection with financial aid for which a student has applied or has received, if the information is necessary to determine eligibility for aid, determine the amount of aid, determine the conditions of aid, or enforce the terms and conditions of aid;
- Organizations conducting certain studies for or on behalf of the school, to develop, validate or administer predictive tests; administer student aid programs; or improve instruction. The U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education, or State and local educational authorities may re-disclose student information to organizations conducting studies identified here. Any re-disclosure of student information, whether by schools or the entities and officials identified here, requires a written agreement. The written agreement shall contain provisions intended to guard the privacy of student information.
- Accrediting organizations;
- To parents of dependent students for IRS tax purposes;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies;

- State and local authorities within a juvenile justice system, pursuant to specific State law;
- As per the Uninterrupted Scholars Act of 2013, an agency caseworker or other representative of a State or local child welfare agency has the right to access a student's records when such agency or organization is legally responsible for the care and protection of the student, provided that the education records, or the personally identifiable information contained in such records, will not be re-disclosed, except to an individual or entity engaged in addressing the student's education needs and authorized by such agency or organization to receive such disclosure. Additionally, schools do not need to notify the parent of the release of records under a court order "when a parent is a party to a court proceeding involving child abuse and neglect or dependency matters, and the order is issued in the context of that proceeding."

Schools must maintain records of each request for access and disclosure of information from a student's education records except for disclosures to school officials with legitimate educational interests, disclosures to parties with written consent from parents or eligible students, disclosures of directory information (defined below), disclosures under select judicial orders or lawfully issued subpoenas, and disclosures to parents or eligible students. Parents and eligible students have a right to inspect and review the records of requests for access and disclosures. Directory information means information contained in the educational record of a student, which is not considered harmful or an invasion of privacy if disclosed, so that it may be disclosed without prior parental consent unless you have advised York Academy Regional Charter School to the contrary in accordance with York Academy procedures. The primary purpose of directory information is to allow the Charter School to include this type of information from your child's education records in certain school-related publications or notices.

As part of the York Academy's annual notification under FERPA, we designate for the new school year the following types or categories of information as "directory information:" Student's name, address, date and place of birth, grade level, photograph, participation in officially recognized activities and sports, weight and height of member of athletic teams, degrees, honors, or awards received, naming of the student to Honor Roll, National Honor Society or as Valedictorian, telephone listing, dates of attendance, most recent educational agency of Institution attended, electronic mail or Major field of study.

Examples on how and where the York Academy may disclose directory information include disclosing the directory information in the following by way of example:

- Newsletters;
- A playbill, showing your student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs;
- Sports activity sheets, such as for basketball, showing weight and height of team members;
- Companies or outside organizations that manufacture class rings or yearbooks;
- Newspapers or other news sources;
- Class lists;
- Staff and student directories and/ or listings
- School website, social media and;
- School bulletin boards

These examples are for illustration only and are not an exclusive list of the manner in which directory information may be disclosed. This notice provides you as a parent or eligible student with an opportunity to

object in writing to any or all of those types of information that the school has designated as directory information. You have the right to refuse to permit the release by notifying the School in writing that you do not want any or all of those types of information to be designated as directory information for your child or yourself.

Please note that an opt out of directory information disclosures does not prevent York Academy from identifying a student by name or from disclosing a student's name, identifier, or institutional email address in class in which the student is enrolled. The right to opt out of directory information disclosures does not include a right to remain anonymous in class and may not be used to impede routine classroom communications and interactions, whether class is held in a specified physical location or on-line through electronic communications; likewise, an opt out of directory information disclosures does not prevent York Academy from requiring a student to wear, to display publicly, or to disclose a student ID card or badge that exhibits information that York Academy designated as "directory information" for the new school year.

ATTENTION: YOUR ACTION IS REQUIRED IF YOU WISH YOUR "DIRECTORY" INFORMATION NOT TO BE PUBLISHED.

Please submit any refusal with the types of information you wish removed from the list of directory information along with the name(s) and grade(s) of your child(ren) and mail your written objections on or before September 1st, to the Chief Executive Officer of York Academy Regional Charter School at: 32 West North Street, York, PA 17401.

If you have any questions regarding this notice, please call or write to the CEO of York Academy Regional Charter School at: 32 West North Street, York, PA 17401. If you do not submit a written refusal on or before September 1st, then the School may disclose directory information without your prior consent.

THE CONTENT OF THIS NOTICE HAS BEEN WRITTEN IN STRAIGHTFORWARD, SIMPLE ENGLISH. IF A PERSON DOES NOT UNDERSTAND ANY OF THIS NOTICE, HE OR SHE SHOULD ASK THE CEO FOR AN EXPLANATION. THE SCHOOL WILL ARRANGE FOR AN INTERPRETER FOR PARENTS WITH LIMITED ENGLISH PROFICIENCY. IF A PARENT IS DEAF OR BLIND OR HAS NO WRITTEN LANGUAGE, THE SCHOOL WILL ARRANGE FOR COMMUNICATION OF THIS NOTICE IN THE MODE NORMALLY USED BY THE PARENT (E.G., SIGN LANGUAGE, BRAILLE, OR ORAL COMMUNICATION). IF A STUDENT HAS A DISABILITY, ADDITIONAL INFORMATION IS AVAILABLE IN THE SCHOOL'S ANNUAL PUBLIC NOTICE OF SPECIAL EDUCATION SERVICES AND PROGRAMS AND RIGHTS FOR STUDENTS WITH DISABILITIES.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

Military access to education records

The Solomon Amendment ([10 U.S.C. § 982](#); [32 C.F.R. 216](#), 65 F.R. 2056) is not a part of FERPA, but it allows military organizations access to information ordinarily restricted under FERPA for the purpose of military recruiting.

Specifically, the Solomon Amendment permits Department of Defense entities to physically access institutional facilities to recruit students, and to obtain students' names, addresses, phone numbers, age, class, and degree program once every term. The Solomon Amendment only applies to enrolled students over age 17.

Promotion/Retention

Retention as an intervention to improve student achievement may not be effective and should only be considered very judiciously. As part of this process, parents shall be informed as soon as possible that their child is not progressing in a manner that would indicate a likelihood of success at the next grade level. The final decision regarding non-promotion must be a team decision. All decisions to promote or retain will be made with the welfare of the student as the primary consideration; however, the school does not advocate social promotion for regular education students.

Curriculum Review

Upon request by a parent or guardian, York Academy will make available existing information about curriculum, including academic standards to be achieved, instructional materials and assessment techniques (not assessment instruments). The request must be made in writing to the CEO, detailing the specific material sought for review. The parent/guardian will be invited to come in to York Academy to review the materials. No materials may be removed or photocopied.

Exemption from Instruction for Religious Beliefs

Students may be excused from specific instruction that conflicts with their religious beliefs. The request must be made in writing to the CEO, detailing the specific instruction that the student is to be excused from and that it conflicts with the student's and/or parents' religious beliefs. The request will be forwarded to the appropriate teacher. It is the responsibility of the student to request permission to leave the class when the specific instruction objected to is about to be presented. The Head of School will determine where the student will report when he or she is excused.

Copies of policies are available for review by contacting the office of the Chief Executive Officer.

Annual Public Notice of Special Education Services and Programs and Rights for Students with Disabilities And Notification of Rights under the Family Educational Rights and Privacy Act

All children with disabilities residing in the Commonwealth, regardless of the severity of their disabilities, and who are in need of special education and related services, are to be located, identified, and evaluated. This responsibility is required by a federal law called the Individuals with Disabilities Education Improvement Act of 2004, 20 U.S.C. 1200 et. seq. ("IDEA 2004").

Chapter 711 of Title 22 of the Pennsylvania Code requires the publication of a notice to parents regarding public awareness activities sufficient to inform parents of York Academy Regional Charter School ("the Charter School") children of available special education services and programs and how to request those services and programs and of systematic screening activities that lead to the identification, location, and evaluation of children with disabilities enrolled in the Charter School.

In addition, the federal Family Educational Rights and Privacy Act of 1974 (FERPA), which protects confidentiality, requires educational agencies to notify parents annually of their confidentiality rights.

The Charter School fulfills its duties with this annual notice and has incorporated several sections of the PaTTAN Procedural Safeguards Notice and other applicable guidelines from the Pennsylvania Department of Education into the Board approved Child Find Notice, and Policies and Procedures described below. **The Charter School also directs parents to the procedural safeguards notice from PaTTAN available at the school's main office for additional information regarding rights and services.** Parents may contact the Special Education Coordinator at **32 West North Street, York, PA 17401 (717) 801-3900** at any time to request a copy of the procedural safeguards notice or with any other questions about special education, services, screenings, policies, or procedures. The Procedural Safeguards Notice is provided to parents of special education students by the Charter School once per school year or: (1) upon initial referral or parent request for evaluation; (2) upon filing by parents of their first State complaint under 34 CFR §§300.151 through 300.153 and upon filing by parents of their first due process complaint under §300.507 in a school year; (3) when a decision is made to take a disciplinary action that constitutes a change of placement; and (4) upon parent request. [34 CFR §300.504(a)].

The purpose of this annual notice is to comply with the Charter School's obligations under Chapter 711 of Title 22 of the Pennsylvania Code and to describe: (1) the types of disabilities that might qualify the child for special education, (2) the special education programs and related services that are available, (3) the process by which the Charter School screens and evaluates such students to determine eligibility, (4) the special rights that pertain to such children and their parents or legal guardians, and (5) the confidentiality rights that pertain to student information.

A copy of this Annual Notice is also available on the school's website at: www.yorkacademy.com

Qualifying for Special Education and Related Services

Under the federal Individuals with Disabilities Education Improvement Act of 2004, or "IDEA 2004," children qualify for special education and related services if they have one or more of the following disabilities and, as a result, need special education and related services: intellectual disability; hearing impairment, including

deafness; speech or language impairment; visual impairment, including blindness; emotional disturbance; orthopedic impairment; autism; traumatic brain injury; other health impairment; specific learning disability; deaf blindness; or multiple disabilities.

IDEA 2004 provides legal definitions of the disabilities that qualify a student for special education which may differ from those terms used in medical or clinical practice or common usage.

Section 504 Services

Under Section 504 of the Federal Rehabilitation Act of 1973, some school age children with disabilities who do not meet the eligibility criteria outlined above might be eligible for special protections and for adaptations and accommodations in instruction, facilities, and activities. Children are entitled to such protections, adaptations, and accommodations if they have a mental or physical disability that substantially limits or prohibits participation in or access to an aspect of the school program and otherwise qualify under the applicable state and federal laws, including Chapter 711 of Title 22 of the Pennsylvania Code and Section 504.

The Charter School must ensure that qualified handicapped students have equal opportunity to participate in the school program and activities to the maximum extent appropriate for each individual student. In compliance with applicable state and federal laws, the Charter School provides to each qualifying 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 activities to the maximum extent appropriate to the student's abilities and to the extent required by the laws.

These services and protections for "protected handicapped students" may be distinct from those applicable to eligible or thought-to-be eligible students. The Charter School or the parent may initiate an evaluation if they believe a student is a protected handicapped student. For further information on the evaluation procedures and provision of services to protected handicapped students, parents should contact the school's Special Education Coordinator at **32 West North Street, York, PA 17401, (717) 801-3900**

Least Restrictive Environment "LRE"

The Charter Schools ensure that children with disabilities are educated to the maximum extent possible in the regular education environment or "least restrictive environment." To the maximum extent appropriate, students with disabilities are educated with students who are not disabled. Special classes, separate schooling or other removal of students with disabilities from the general educational environment occurs only when the nature or severity of the disability is such that education in general education classes, even with the use of supplementary aids and services, cannot be achieved satisfactorily. Programs and services available to students with disabilities might include: (1) regular class placement with supplementary aides and services provided as needed in that environment; (2) regular class placement for most of the school day with itinerant service by a special education teacher either in or out of the regular classroom; (3) regular class placement for most of the school day with instruction provided by a special education teacher in a resource classroom; (4) part time special education class placement in a regular public school or alternative setting; and (5) special education class placement or special education services provided outside the regular class for most or all of the school day, either in a regular public school or alternative setting. This is a team decision.

Depending on the nature and severity of the disability and least restrictive environment consideration, the Charter School could provide special education programs and services as determined appropriate by the IEP team in locations such as: (1) the classroom/building the child would attend if not disabled, (2) an alternative regular class either in or outside the school, (3) a special education center operated by an IU, (4) an approved

private school or other private facility licensed to serve children with disabilities, (5) a residential school, (6) approved out-of-state program, or (7) the home. This is a team decision. Special education services are provided according to the educational needs of the child, not the category of disability. Types of service that may be available, depending upon the child's disability and needs might include, but are not limited to: learning support, life skills support, emotional support, deaf or hearing impaired support, blind or visually impaired support, physical support, autistic support, multiple disabilities support, speech and language support, extended school year support, and vision support. This is a team decision.

Related services are designed to enable the child to participate in or access his or her program of special education. Examples of related services that a child may require include, but are not limited to: speech and language therapy, transportation, occupational therapy, physical therapy, school nursing services, audiology counseling services, parent counseling or training, certain medical services for diagnostic or evaluation purposes, social work, recreation, and transition. Some students may also be eligible for extended school year services if determined needed by their IEP teams in accordance with Chapter 711 regulations.

The Charter School, in conjunction with the parents, determines the type and intensity of special education and related services that a particular child needs based on the unique program of special education and related services that the school develops for that child. The child's program is described in writing in an individualized education program, or "IEP," which is developed by an IEP team. The participants in the IEP team are dictated by IDEA 2004. The parents of the child have the right to be notified of and to be offered participation in all meetings of their child's IEP team. The IEP is revised as often as circumstances warrant but reviewed at least annually. The law requires that the program and placement of the child, as described in the IEP, be reasonably calculated to ensure meaningful educational benefit to the student. In accordance with IDEA 2004, there may be situations in which the Charter School may hold an IEP team meeting if the parents refuse or fail to attend the IEP team meeting.

IEPs generally contain: (1) a statement of the student's present levels; (2) a statement of measurable annual goals established for the child; (3) a statement of how the child's progress toward meeting the annual goals will be measured and when periodic reports will be provided; (4) a statement of the special education and related services and supplementary aids and services and a statement of the program modifications or supports for school personnel that will be provided, if any; (5) an explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in activities; (6) a statement of any individual appropriate accommodations that are necessary to measure the performance of the child on state and school assessments; and (7) the projected date for the beginning of the services and modifications and the anticipated frequency, location and duration of those services or modifications.

Beginning not later than the first IEP to be in effect when the child turns 14, or younger if determined appropriate by the IEP Team, and updated annually thereafter, the IEP must include appropriate measurable postsecondary goals and transition services needed to assist in reaching those goals. The Charter School must invite the child to the IEP team meeting at which the transition plan is developed.

Beginning not later than one year before the child reaches the age of majority under state law, the IEP must include a statement that the child has been informed of the child's rights, if any, that will transfer to the child on reaching the age of majority.

Screening and Evaluation Procedures for Children to Determine Eligibility

Screening:

The Charter School has established a system of screening which may include pre-referral intervention services to accomplish the following:

1. Identification and provision of initial screening for students' prior to referral for a special education evaluation.
2. Provision of peer support for teachers and other staff members to assist them in working effectively with students in the general education curriculum.
3. Identification of students who may need special education services and programs.

The screening process includes:

Hearing and vision screening in accordance with Section 1402 of the Public School Code of 1949 (24 P. S. § 14-1402) for the purpose of identifying students with hearing or vision difficulty so that they can be referred for assistance or recommended for evaluation for special education.

Screening at reasonable intervals to determine whether all students are performing based on grade appropriate standards in core academic subjects.

The Charter School has established and implements procedures to locate, identify, and evaluate children suspected of being eligible for special education. These procedures involve screening activities that may also include but are not limited to: review of data and student records, motor screening, and speech and language screening. The school assesses the current achievement and performance of the child, designs school-based interventions, and assesses the effectiveness of interventions. If the concern can be addressed without special education services, or is the result of limited English proficiency or appropriate instruction, a recommendation may be made for interventions other than a multidisciplinary team evaluation. Parents have the right to request a multidisciplinary team evaluation at any time, regardless of the outcome of the screening process.

Except as indicated above or otherwise announced publicly, screening activities take place regularly at periods throughout the school year. Screening is conducted at the Charter School unless other arrangements are necessary or arranged.

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation is not to be considered an evaluation for eligibility for special education and related services.

If parents need additional information regarding the purpose, time, and location of screening activities, they should call or write to the Special Education Coordinator,

**York Academy Regional Charter School
32 West North Street
York, PA 17401
(717) 801-3900**

Screening or pre-referral intervention activities may not serve as a bar to the right of a parent to request an evaluation, at any time, including prior to or during the conduct of screening or pre-referral intervention activities.

Disproportionality:

In accordance with Chapter 711, in the event that the Charter School would ever meet the criteria in 34 CFR 300.646(b)(2) (relating to disproportionality), as established by the State Department of Education, the services that would be required would then include:

- A verification that the student was provided with appropriate instruction in reading, including the essential components of reading instruction (as defined in section 1208(3) of the Elementary and Secondary Education Act (ESEA) (20 U.S.C.A. § 6368(3)), and appropriate instruction in math.
- For students with academic concerns, an assessment of the student's performance in relation to State-approved grade level standards.
- For students with behavioral concerns, a systematic observation of the student's behavior in the school environment where the student is displaying difficulty.
- A research-based intervention to increase the student's rate of learning or behavior change based on the results of the assessments under paragraph (2) or (3) or both.
- Repeated assessments of achievement or behavior, or both, conducted at reasonable intervals, reflecting formal monitoring of student progress during the interventions.
- A determination as to whether the student's assessed difficulties are the result of a lack of instruction or limited English proficiency.
- A determination as to whether the student's needs exceed the functional ability of the regular education program to maintain the student at an appropriate instructional level.
- Documentation that information about the student's progress as identified in paragraph (5) was periodically provided to the student's parents.

Evaluation:

An evaluation under IDEA 2004 involves the use of a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child, including information provided by the parent, which may assist in determining whether the child is a child with a disability and the content of the child's IEP. The Charter School does not use any single measure or assessment as a sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child. Technically sound instruments are used to assess the relative contribution of cognitive and behavioral factors in addition to physical or developmental factors.

Parental consent must be obtained by the Charter School prior to conducting an initial evaluation to determine if the child qualifies as a child with a disability and before providing special education and related services to the child.

Parental consent for an evaluation shall not be construed as consent for their child to receive special education and related services. The screening of a child by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation is not considered to be an evaluation for eligibility for special education and related services; therefore, parental consent is not required in this instance.

The law contains additional provisions and due process protections regarding situations in which parental consent for an initial evaluation is absent or refused discussed more fully below and in the PaTTAN Procedural Safeguards Notice. If you have any questions about where to obtain a copy of the PaTTAN Procedural Safeguards Notice, kindly contact the Chief Executive Officer at 32 West North Street, York, PA 17401.

The evaluation process is conducted by a Multidisciplinary Team (MDT) which includes a teacher, other qualified professionals who work with the child, the parents and other members as required by law. The

Multidisciplinary Evaluation (MDE) process must be conducted in accordance with specific timelines and must include protective procedures. For example, tests and procedures used as part of the Multidisciplinary Evaluation may not be racially or culturally biased.

The MDE process culminates with a written report called an Evaluation Report (ER). This report makes recommendations about a student's eligibility for special education based on the presence of a disability and the need for specially designed instruction.

Parents who think their child is eligible for special education may request, at any time, that the Charter School conduct a Multidisciplinary Evaluation. **Requests for a Multidisciplinary Evaluation must be made in writing to the Chief Executive Officer at 32 West North Street, York, PA 17401.**

If a parent makes an oral request for a Multidisciplinary Evaluation, the Charter School shall provide the parent with a form(s) for that purpose. If the public school denies the parents' request for an evaluation, the parents have the right to challenge the denial through an impartial hearing or through voluntary alternative dispute resolution such as mediation.

Reevaluations are conducted if the Charter School determines that the educational or related service needs, including improved academic achievement and functional performance, of the child warrant a reevaluation; or if the child's parent or teacher requests a reevaluation. A reevaluation may occur not more than once a year, unless the parent and the Charter School agree; and must occur once every 3 years, unless the parent and the Charter School agree that a reevaluation is unnecessary. Students with intellectual disability must be reevaluated every two years under state law.

Educational Placement

The determination of whether a student is eligible for special education is made by an Individualized Education Program (IEP) team. The IEP team includes: the parents of a child with a disability; not less than one regular education teacher, if the child is, or may be, participating in the regular education environment; not less than one special education teacher, or when appropriate, not less than one special education provider; a representative of the school who is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of children with disabilities, is knowledgeable about the general education curriculum, and is knowledgeable about the availability of resources of the Charter School; an individual who can interpret the instructional implications of evaluation results, who may be a member of the team described above; other individuals, at the discretion of the parent or the agency, who have knowledge or special expertise regarding the child, including related services personnel as appropriate; and whenever appropriate, a child with a disability. IEP team participation is directly addressed by the regulations. If the student is determined to be eligible for special education, the IEP team develops a written education plan called an IEP. The IEP shall be based in part on the results of the Multidisciplinary Evaluation. When the IEP team decides that a student is not eligible for special education, recommendations for educational programming in regular education may be developed from the ER.

Placement must be made in the "least restrictive environment", as described more fully above, in which the student's needs can be met with special education and related services. All students with disabilities must be educated to the maximum extent appropriate with children who are not disabled.

Parents and Surrogate Parents

For purposes of this Notice, the Charter School considers parents to be biological or adoptive parents of a child; a foster parent; a guardian generally authorized to act as the child's parent, or authorized to make educational decisions for the child; an individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare; or a surrogate parent.

A surrogate parent must be appointed when no parent can be identified; a public agency, after reasonable efforts, cannot locate a parent; the child is a ward of the State under the laws of Pennsylvania, or the child is an unaccompanied homeless youth as defined by the McKinney-Vento Homeless Assistance Act, 42 U.S.C. Sec. 11434a(6). A person selected as a surrogate parent must not be an employee of the State Education Agreement (SEA), the Charter School or any other agency that is involved in the education or care of the child; has no personal or professional interest that conflicts with the interest of the child the surrogate parent represents; and has knowledge and skills that ensure adequate representation of the child. The surrogate parent may represent the child in all matters relating to the identification, evaluation, and educational placement of the child and the provision of FAPE to the child. Reasonable efforts must be made to ensure the assignment of a surrogate parent not more than 30 days after it is determined that the child needs a surrogate parent.

Prior Written Notice

The Charter School will notify the parent whenever the Charter School:

1. Proposes to initiate or to change the identification, evaluation, or educational placement of the child, or the provision of a free appropriate public education (FAPE) to the child; or
2. Refuses to initiate or to change the identification, evaluation, or educational placement of your child, or the provision of FAPE to the child.
3. Change of placement for disciplinary reasons.
4. Due process hearing, or an expedited due process hearing, initiated by the Charter School.
5. Refusal of the Charter School to agree to an independent educational evaluation (IEE) at public expense.

In Pennsylvania, prior written notice is provided by means of a Prior Written Notice Form/Notice of Recommended Educational Placement (NOREP). You should be given reasonable notice of this proposal or refusal so that if you do not agree with the Charter School you may take appropriate action. Reasonable Notice means ten days.

The prior written notice must:

Describe the action that the Charter School proposes or refuses to take;

1. Explain why the Charter School is proposing or refusing to take the action;
2. Describe each evaluation procedure, assessment, record, or report the Charter School used in deciding to propose or refuse the action;
3. Include a statement that you have protection under the procedural safeguards provisions in Part B of IDEA;
4. Tell how you can obtain a description of the procedural safeguards if the action that the Charter School is proposing or refusing is not an initial referral for evaluation;
5. Include resources for you to contact for help in understanding Part B of the IDEA;
6. Describe any other choices that your child's IEP Team considered and the reasons why those choices were rejected; and
7. Provide a description of other reasons why the Charter School proposed or refused the action.

The notice must be:

1. Written in language understandable to the general public; and
2. Provided in your native language or other mode of communication you use, unless it is clearly not feasible to do so.
3. If your native language or other mode of communication is not a written language, the Charter School will ensure that:
 - A. The notice is translated for you orally or by other means in your native language or other mode of communication;
 - B. You understand the content of the notice; and
 - C. There is written evidence that 1 and 2 have been met.

Native language, when used with an individual who has limited English proficiency, means the following:

1. The language normally used by that person, or, in the case of a child, the language normally used by the child's parents;
2. In all direct contact with a child (including evaluation of a child), the language normally used by the child in the home or learning environment.

For a person with deafness or blindness, or for a person with no written language, the mode of communication is what the person normally uses (such as sign language, Braille, or oral communication).

Parental Consent**WHEN IS PARENTAL CONSENT NEEDED?****Initial Evaluations (34 CFR §300.300)**

The Charter School cannot conduct an initial evaluation of your child to determine whether your child is eligible under Part B of the IDEA to receive special education and related services without first providing you with prior written notice of the proposed action and without obtaining your consent as described under the heading Parental Consent.

We will make reasonable efforts to obtain your informed consent for an initial evaluation to decide whether your child is a child with a disability. Your consent for initial evaluation does not mean that you have also given your consent to start providing special education and related services to your child. If you have refused to provide consent or failed to respond to a request to provide consent for an initial evaluation, we may, but are not required to, seek to conduct an initial evaluation of your child by utilizing mediation or due process complaint, resolution meeting, and impartial due process hearing procedures. We will not violate our obligations to locate, identify and evaluate your child if we do not pursue an evaluation of your child in these circumstances.

Special rules for initial evaluation of wards of the State

Under Pennsylvania law, if a child is designated a ward of the State, the whereabouts of the parent are not known or the rights of the parent have been terminated in accordance with State law. Therefore, someone other than the parent has been designated to make educational decisions for the child. Consent for an initial evaluation should, therefore, be obtained from the individual so designated.

Ward of the State, as used in the IDEA, encompasses two other categories, so as to include a child who is:

1. A foster child who does not have a foster parent;
2. Considered a ward of the State under State law; or
3. In the custody of a public child welfare agency.

Consent for Initial Placement in Special Education (34 CFR §300.300)

We must obtain your informed consent before providing special education and related services to your child for the first time. We must make reasonable efforts to obtain your informed consent before providing special education and related services to your child for the first time.

If you do not respond to a request to provide your consent for your child to receive special education and related services for the first time, or if you refuse to give such consent, we may not use the procedural safeguards (i.e. mediation, due process complaint, resolution meeting, or an impartial due process hearing) in order to obtain agreement or a ruling that the special education and related services as recommended by your child's IEP Team may be provided to your child without your consent.

If you refuse to give your consent for your child to start receiving special education and related services, or if you do not respond to a request to provide such consent and we do not provide your child with the special education and related services for which consent is sought, the Charter School:

1. Is not in violation of the requirement to make FAPE available to your child for its failure to provide those services to your child; and
2. Is not required to have an IEP meeting or develop an IEP for your child for the special education and related services for which your consent was requested.

Consent for Reevaluations (34 CFR §300.300)

We must obtain your informed consent before your child is reevaluated, unless:

1. The Charter School took reasonable steps to obtain your consent for your child's reevaluation; and
2. You did not respond.

What is Documentation of Reasonable Efforts to Obtain Parental Consent? (34 CFR §300.300)

We will maintain documentation of reasonable efforts to obtain parental consent for initial evaluations, to provide special education and related services for the first time, to reevaluation and to locate parents of wards of the State for initial evaluations. The documentation will include a record of attempts in these areas, such as:

1. Detailed records of telephone calls made or attempted and the results of those calls;
2. Copies of correspondence sent to the parents and any responses received; and
3. Detailed records of visits made to the parent's home or place of employment and the results of those visits.

When is Consent Not Required to Evaluate?

Review existing data as part of your child's evaluation or a reevaluation; or give your child a test or other evaluation that is given to all children unless, before that test or evaluation, consent is required from all parents of all children.

When there is Refusal to Consent to a Reevaluation?

If you refuse to consent to your child's reevaluation, we may, but are not required to, pursue your child's reevaluation by using the mediation, due process complaint, resolution meeting, and impartial due process hearing procedures to seek to override your refusal to consent to your child's reevaluation. As with initial evaluations, we do not violate obligations under Part B of the IDEA if we decline to pursue the reevaluation in this manner.

We may not use your refusal to consent to one service or activity to deny you or your child any other service, benefit, or activity.

Disagreements with an Evaluation

1. Independent Educational Evaluations (IEE) (34 CFR §300.502)

A. General

The parents of a child with a disability have the right to obtain an IEE of their child if they disagree with the evaluation that was obtained by the Charter School. If you request an IEE, the Charter School must provide you with information about where you may obtain an IEE and about the Charter School's criteria that apply to IEEs.

B. Definition

- i. *Independent educational evaluation* means an evaluation conducted by a qualified examiner who is not employed by the Charter School responsible for the education of your child.
- ii. *Public expense* means that the Charter School either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to you, consistent with the provisions of Part B of the IDEA, which allow each state to use whatever state, local, federal, and private sources of support are available in the state to meet the requirements of Part B of the Act.

C. Parent right to evaluation at public expense

You have the right to an IEE of your child at public expense if you disagree with an evaluation of your child obtained by the Charter School, subject to the following conditions:

- i. If you request an IEE of your child at public expense, the Charter School must, without unnecessary delay, either: (a) File a due process complaint to request a hearing to show that its evaluation of your child is appropriate; or (b) Provide an IEE at public expense, unless the Charter School demonstrates in a hearing that the evaluation of your child that you obtained did not meet the Charter School's criteria.
- ii. If the Charter School requests a hearing and the final decision is that the Charter School's evaluation of your child is appropriate, you still have the right to an IEE but not at public expense.
- iii. If you request an IEE of your child, the Charter School may ask why you object to the evaluation of your child obtained by the Charter School; however, the Charter School may not require an explanation and may not unreasonably delay either providing the IEE of your child at public expense or filing a due process complaint to request a due process hearing to defend the Charter School's evaluation of your child.
- iv. You are entitled to only one IEE of your child at public expense each time the Charter School conducts an evaluation of your child with which you disagree.
- v. The Charter School criteria:
 - a. If an IEE is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the Charter School uses when it initiates an evaluation (to the extent those criteria are consistent with your right to an IEE).
 - b. Except for the criteria described above, the Charter School may not impose conditions or timelines related to obtaining an IEE at public expense.

2. Parent-initiated evaluations

If you obtain an IEE of your child at public expense or you share with the Charter School an evaluation of your child that you obtained at private expense:

- A. The Charter School must consider the results of the evaluation of your child, if it meets the Charter School's criteria for IEEs, in any decision made with respect to the provision of FAPE to your child; and

- B. You or the Charter School may present the evaluation as evidence at a due process hearing regarding your child.
- 3. **Requests for evaluations by hearing officers**
If a hearing officer requests an IEE of your child as part of a due process hearing, the cost of the evaluation must be at public expense.

Annual Notice of Rights Regarding Student Records

CONSENT FOR DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION (34 CFR §300.622)

Unless the information is contained in educational records, and the disclosure is authorized without parental consent under FERPA, your consent must be obtained before personally identifiable information is disclosed to parties other than officials of participating agencies. Except under the circumstances specified below, your consent is not required before personally identifiable information is released to officials of participating agencies for purposes of meeting a requirement of Part B of the IDEA.

Your consent, or consent of an eligible child who has reached the age of majority under State law, must be obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services.

ACCESS TO CONFIDENTIAL INFORMATION RELATED TO STUDENT (34 CFR §300.611)

1. **Related to the confidentiality of information, the following definitions apply:**
 - A. *Destruction* means physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.
 - B. *Education records* means the type of records covered under the definition of “education records” in 34 CFR Part 99 (the regulations implementing the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g (FERPA)).
 - C. *Participating agency* means any Charter School, agency, or institution that collects, maintains, or uses personally identifiable information, or from which information is obtained, under Part B of the IDEA.
 - D. **Personally identifiable (34 CFR §300.32)** means information that has:
 - i. Your child’s name, your name as the parent, or the name of another family member;
 - ii. Your child’s address;
 - iii. A personal identifier, such as your child’s social security number or student number; or
 - iv. A list of personal characteristics or other information that would make it possible to identify your child with reasonable certainty.
2. **Access Rights (34 CFR §300.613)**
 - A. **Parent Access**
The Charter School must permit you to inspect and review any educational records relating to your child that are collected, maintained, or used by the Charter School under Part B of the IDEA. The Charter School must comply with your request to inspect and review any educational records on your child without unnecessary delay or before any meeting regarding an IEP, or any impartial due process hearing (including a resolution meeting or a hearing regarding discipline), and in no case more than 45 calendar days after you have made a request.

- i. Your right to inspect and review education records includes:
- ii. Your right to a response from the Charter School to your reasonable requests for explanations and interpretations of the records;
- iii. Your right to request that the Charter School provide copies of the records if you cannot effectively inspect and review the records unless you receive those copies; and
- iv. Your right to have your representative inspect and review the records.
 - a. The Charter School may presume that you have authority to inspect and review records relating to your child unless advised that you do not have the authority under applicable State law governing such matters as guardianship, or separation and divorce.
 - b. If any education **record includes information on more than one child**, the parents of those children have the right to inspect and review only the information relating to their child or to be informed of that specific information.
 - c. On request, each Charter School must provide you with a **list of the types and locations of education records** collected, maintained, or used by the Charter School.

B. Other Authorized Access (34 CFR §300.614)

The Charter School must keep a record of parties obtaining access to education records collected, maintained, or used under Part B of the IDEA (except access by parents and authorized employees of the participating agency), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

3. Fees

The Charter School may charge a fee or copies of records (34 CFR §300.617) that are made for you under Part B of the IDEA if the fee does not effectively prevent you from exercising your right to inspect and review those records. The Charter School may not charge a fee to search for or to retrieve information under Part B of the IDEA.

4. Amendment of Records at Parent's Request (34 CFR §300.618)

If you believe that information in the educational records regarding your child collected, maintained, or used under Part B of the IDEA is inaccurate, misleading, or violates the privacy or other rights of your child, you may request the Charter School that maintains the information to change the information. The Charter School must decide whether to change the information in accordance with your request within a reasonable period of time of receipt of your request. If the Charter School refuses to change the information in accordance with your request, it must inform you of the refusal and advise you of the right to a hearing for this purpose.

5. Opportunity for a Records Hearing (34 CFR §300.619)

The Charter School must, on request, provide you an opportunity for a hearing to challenge information in educational records regarding your child to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of your child.

A. Hearing Procedures (34 CFR §300.621)

A hearing to challenge information in educational records must be conducted according to the following procedures for such hearings under the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. Section 1233g (FERPA):

- i. The educational agency or institution shall hold the hearing within a reasonable time after it has received the request for the hearing from the parent or eligible student.
- ii. The educational agency or institution shall give the parent or eligible student notice of the date, time, and place, reasonable in advance of the hearing.
- iii. The hearing may be conducted by any individual, including an official of the educational agency or institution who does not have a direct interest in the outcome of the hearing.
- iv. The educational agency or institution shall give the parent or eligible student a full and fair

opportunity to present evidence to challenge the content of the student's education records on the grounds that the information contained in the education records is inaccurate, misleading, or in violation of the privacy rights of the student. The parent or eligible student may, at their own expense, be assisted or represented by one or more individuals of his or her own choice, including an attorney.

- v. The educational agency or institution shall make its decision in writing within a reasonable period of time after the hearing.
- vi. The decision must be based solely on the evidence presented at the hearing and must include a summary of the evidence and the reasons for the decision.

B. Result of Hearing (34 CFR §300.620)

If, as a result of the hearing, the Charter School decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it must change the information accordingly and inform you in writing. If, as a result of the hearing, the Charter School decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of your child, you may place in the records that it maintains on your child a statement commenting on the information or providing any reasons you disagree with the decision of the participating agency.

Such an explanation placed in the records of your child must:

- i. Be maintained by the Charter School as part of the records of your child as long as the record or contested portion is maintained by the participating agency; and
- ii. If the Charter School discloses the records of your child or the challenged portion to any party, the explanation must also be disclosed to that party.

C. Safeguards (34 CFR §300.623)

The Charter School must protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages.

- i. One official at each the Charter School must assume responsibility for ensuring the confidentiality of any personally identifiable information.
- ii. All persons collecting or using personally identifiable information must receive training or instruction regarding your state's policies and procedures regarding confidentiality under Part B of the IDEA and FERPA.
- iii. Each Charter School must maintain, for public inspection, a current listing of the names and positions of those employees within the agency who have access to personally identifiable information.

6. Destruction of Information (34 CFR §300.624)

The Charter School must inform you when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to your child, and the information must be destroyed at your request.

However, a permanent record of your child's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

Procedures for Disciplinary Exclusion of Children with Disabilities.

There are special rules in Pennsylvania for excluding children with disabilities for disciplinary reasons:

AUTHORITY OF SCHOOL PERSONNEL (34 CFR §300.530)

1. Case-by-case determination

School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change of placement, made in accordance with the following requirements related to discipline, is appropriate for a child with a disability who violates a school code of student conduct.

2. General

To the extent that they also take such action for children without disabilities, school personnel may, for not more than **10 consecutive school days**, remove a child with a disability (other than a child with intellectual disability) who violates a code of student conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension. School personnel may also impose additional removals of the child of not more than **10 consecutive school days** in that same school year for separate incidents of misconduct as long as those removals do not constitute a change of placement (see **Change of Placement Because of Disciplinary Removals** for the definition below) or exceed 15 cumulative school days in a school year. Once a child with a disability has been removed from his or her current placement for a total of **10 school days** in the same school year, the Charter School must, during any subsequent days of removal in that school year, provide services to the extent required below under the sub-heading **Services**.

3. Additional authority

If the behavior that violated the student code of conduct was not a manifestation of the child's disability (see **Manifestation determination** below) and the disciplinary change of placement would exceed **10 consecutive school days**, school personnel may apply the disciplinary procedures to that child with a disability in the same manner and for the same duration as it would to children without disabilities, except that the school must provide services to that child as described below under **Services**. The child's IEP Team determines the interim alternative educational setting for such services. Under PA special education regulations, a disciplinary exclusion of a student with a disability for more than 15 cumulative school days in a school year will be considered a pattern so as to be deemed a change in educational placement (explained under Change of Placement Because of Disciplinary Removals). The Charter School is required to issue a NOREP/Prior

Written Notice to parents prior to a removal that constitutes a change in placement (removal for more than 10 consecutive days or 15 cumulative days).

4. Services

The services that must be provided to a child with a disability who has been removed from the child's current placement may be provided to an interim alternative educational setting. The Charter School is only required to provide services to a child with a disability who has been removed from his or her current placement for **10 school days or less** in that school year if it provides services to a child without disabilities who has been similarly removed. Students may have the responsibility to make up exams and work missed while being disciplined by suspension and may be permitted to complete these assignments within guidelines established by the Charter School.

A child with a disability who is removed from the child's current placement for **more than 10 consecutive school days** must:

- A. Continue to receive educational services, so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP; **and**
- B. Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not happen again.

After a child with a disability has been removed from his or her current placement for **10 school days** during one school year, or **if** current removal is for **10 consecutive school days** or less, **and** if the removal is not a change of placement (see definition below), **then** school personnel, in consultation with at least one of the child's teachers, determines the extent to which services are needed to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

If the removal is a change of placement (see definition below), the child's IEP Team determines the appropriate services to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

5. Manifestation Determination

Within **10 school days** of any decision to change the placement of a child with a disability because of a violation of a code of student conduct (except for a removal that does not constitute a change in educational placement i.e., is for **10 consecutive school days** or less and not a change of placement), the Charter School, the parent, and relevant members of the IEP Team (as determined by the parent and the Charter School) must review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine:

- A. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
- B. If the conduct in question was the direct result of the Charter School's failure to implement the child's IEP.

If the Charter School, the parent, and relevant members of the child's IEP Team determine that either of those conditions was met, the conduct must be determined to be a manifestation of the child's disability. If the Charter School, the parent, and relevant members of the child's IEP Team determine that the conduct in question was the direct result of the Charter School's failure to implement the IEP, the Charter School must take immediate action to remedy those deficiencies.

6. Determination that behavior was a manifestation of the child's disability

If the Charter School, the parent, and relevant members of the IEP Team determine that the conduct was a manifestation of the child's disability, the IEP Team must either:

- A. Conduct a functional behavioral assessment, unless the Charter School had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the child; **or**
- B. If a behavioral intervention plan already has been developed, review the behavioral intervention plan and modify it, as necessary, to address the behavior.

Except as described below under the sub-heading **Special circumstances**, the Charter School must return the child to the placement from which the child was removed unless the parent and the school agree to a change of placement as part of the modification of the behavioral intervention plan.

7. Special circumstances

Whether or not the behavior was a manifestation of the child's disability, school personnel may remove a student to an interim alternative educational setting (determined by the child's IEP Team) for up to 45 school days, if the child:

- A. Carries a weapon (see the **Definitions** below) to school or has a weapon at school, on school premises, or at a school function under the jurisdiction of the Charter School;
- B. Knowingly has or uses illegal drugs (see the **Definitions** below), or sells or solicits the sale of a controlled substance, (see the **Definitions** below), while at school, on school premises, or at a school function under the jurisdiction of the Charter School; **or**
- C. Has inflicted serious bodily injury (see the **Definitions** below) upon another person while at school, on school premises, or at a school function under the jurisdiction of the State Educational Agency or the Charter School.

8. Definitions

- A. *Controlled substance* means a drug or other substance identified under schedules I, II, III, IV, or V in section 202 (c) of the Controlled Substances Act (21 U.S.C. 812(c)).
- B. *Illegal drug* means a controlled substance; but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under that Act or under any other provision of federal law.
- C. *Serious bodily injury* has the meaning given the term "serious bodily injury" under paragraph (3) of subsection (h) of section 1365 of title 18, United States Code.
- D. *Weapon* has the meaning given the term "dangerous weapon" under paragraph (2) of the first subsection (g) of section 930 of title 18, United States Code.

9. Notification

On the date it makes the decision to make a removal that is a change of placement of the child because of a violation of the student code of conduct, the Charter School must notify the parents of that decision and provide the parents with a procedural safeguards notice.

Change of Placement Because Of Disciplinary Removals (34 CFR §300.536)

A removal of a child with a disability from the child's current educational placement is a **change of placement** requiring a NOREP/prior written notice if:

- 1. The removal is for more than 10 consecutive school days; **or**
- 2. The removal is for 15 cumulative school days total in any one school year;
- 3. The child has been subjected to a series of removals that constitute a pattern because:
 - A. The series of removals total more than 10 school days in a school year;
 - B. The child's behavior is substantially similar to the child's behavior in previous incidents that resulted in a series of removals;
 - C. Of such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another; **and**

Whether a pattern of removals constitutes a change of placement is determined on a case-by-case basis by the Charter School and, if challenged, is subject to review through due process and judicial proceedings.

Determination of Setting (34 CFR §300.531)

The IEP must determine the interim alternative educational setting for removals that are **changes of placement**, and removals under the headings **Additional authority** and **Special circumstances**, above.

1. **General**

The parent of a child with a disability may file a due process complaint (see above) to request a due process hearing if he or she disagrees with:

- A. Any decision regarding placement made under these discipline provisions; **or**
- B. The manifestation determination described above.

The Charter School may file a due process complaint (see above) to request a due process hearing if it believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others.

2. **Authority of hearing officer**

A hearing officer that meets the requirements described under the sub-heading **Impartial Hearing Officer** must conduct the due process hearing and make a decision. The hearing officer may:

- A. Return the child with a disability to the placement from which the child was removed if the hearing officer determines that the removal was a violation of the requirements described under the heading Authority of School Personnel or that the child's behavior was a manifestation of the child's disability; or
- B. Order a change of placement of the child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of the child is substantially likely to result in injury to the child or to others.

These hearing procedures may be repeated if the Charter School believes that returning the child to the original placement is substantially likely to result in injury to the child or to others.

Whenever a parent or a the Charter School files a due process complaint to request such a hearing, a hearing must be held that meets the requirements described under the headings **Due Process Complaint Procedures, Hearings on Due Process Complaints** except as follows:

- A. The SEA must arrange for an expedited due process hearing, which must occur within **20** school days of the date the hearing is filed, and must result in a determination within **10** school days after the hearing.
- B. Unless the parents and the Charter School agree in writing to waive the meeting, or agree to use mediation, a resolution meeting must occur within **7** calendar days of receiving notice of the due process complaint. The hearing may proceed unless the matter has been resolved to the satisfaction of both parties within **15** calendar days of receipt of the due process complaint.

A party may appeal the decision in an expedited due process hearing in the same way as they may for decisions in other due process hearings.

When, as described above, the parent or the Charter School has filed a due process complaint related to disciplinary matters, the child must (unless the parent and the State Educational Agency or the Charter School agree otherwise) remain in the interim alternative educational setting pending the decision of the hearing officer, or until the expiration of the time period of removal as provided for and described under the heading Authority of School Personnel, whichever occurs first.

Special Rules for Students with Intellectual disability

The disciplinary removal of a child with intellectual disability attending the Charter School for any amount of time is considered a change in placement and requires NOREP/prior written notice (if the disciplinary event does not involve drugs, weapons, and/or serious bodily injury). A removal from school is not a change in placement for a child who is identified with intellectual disability when the disciplinary event involves weapons, drugs, and/or serious bodily injury.

According to certain assurances the Commonwealth entered into related to the PARC consent decree, the Charter School may suspend on a limited basis a student with intellectual disability who presents a danger to himself or herself or others upon application and approval by the Bureau of Special Education and only to the extent that a student with a disability other than intellectual disability could be suspended.

Protections for Children Not Yet Eligible For Special Education and Related Services (34 CFR §300.534)

1. **General**

If a child has not been determined eligible for special education and related services and violates a code of student conduct, but the Charter School had knowledge (as determined below) before the behavior that brought about the disciplinary action occurred, that the child was a child with a disability, then the child may assert any of the protections described in this notice.

2. **Basis of knowledge for disciplinary matters the Charter School must be deemed to have knowledge that a child is a child with a disability if, before the behavior that brought about the disciplinary action occurred:**

- A. The parent of the child expressed concern in writing that the child is in need of special education and teacher of the child;
- B. The parent request an evaluation related to eligibility for special education and related services under Part B of the IDEA; or
- C. The child's teacher, or other the Charter School personnel, expressed specific concerns about a pattern of behavior demonstrated by the child directly to the Charter School's Director of Special Education or to other supervisory personnel of the Charter School.

3. **Exception**

A The Charter School would not be deemed to have such knowledge if:

- A. The child's parent has not allowed an evaluation of the child or refused special education services; or
- B. The child has been evaluated and determined to not be a child with a disability under Part B of the IDEA.

4. **Conditions that apply if there is no basis of knowledge**

If prior to taking disciplinary measures against the child, a the Charter School does not have knowledge that a child is a child with a disability, as described above under the sub-headings **Basis of knowledge for disciplinary matters** and **Exception**, the child may be subjected to the disciplinary measures that are applied to children without disabilities who engaged in comparable behaviors; however, if a request is made for an evaluation of a child during the time period in which the child is subjected to disciplinary measures, the evaluation must be conducted in an expedited manner. Until the evaluation is completed, the child remains in the educational placement determined by school authorities that can include suspension or expulsion without educational services. If the child is determined to be a child with a disability, taking into consideration information from the evaluation conducted by the Charter School and information provided by the parents; the Charter School must provide special education and related services in accordance with Part B of the IDEA, including the disciplinary requirements described above.

REFERRAL TO AND ACTION BY LAW ENFORCEMENT AND JUDICIAL AUTHORITIES (34 CFR §300.535)

1. **The state and federal regulations do not:**

- A. Prohibit an agency from reporting a crime committed by a child with a disability to appropriate authorities; or
- B. Prevent state law enforcement and judicial authorities from exercising their responsibilities with regard to the application of federal and state law to crimes committed by a child with a disability.

Subsequent to a referral to law enforcement, an updated functional behavior assessment and positive behavior support plan are required.

2. Transmittal of records

If the Charter School reports a crime committed by a child with a disability, the Charter School: must ensure that copies of the child's special education and disciplinary records are transmitted for consideration by the authorities to whom the agency reports the crime and may transmit copies of the child's special education and disciplinary records only to the extent permitted by FERPA.

THIS ANNUAL NOTICE AND STATEMENT OF POLICY AND PROCEDURES HAS BEEN WRITTEN IN ACCORDANCE WITH CHAPTER 711 OF TITLE 22 OF THE PA CODE AND INCORPORATED INFORMATION FROM APPLICABLE PDE AND STATE FORMS AND SOURCES INCLUDING THE PATTAN PROCEDURAL SAFEGUARDS NOTICE.

THE CONTENT OF THIS NOTICE HAS BEEN WRITTEN IN STRAIGHTFORWARD, SIMPLE ENGLISH LANGUAGE. IF A PERSON DOES NOT UNDERSTAND ANY OF THIS NOTICE, HE OR SHE SHOULD ASK THE SPECIAL EDUCATION COORDINATOR FOR AN EXPLANATION. THE CHARTER SCHOOL WILL ARRANGE FOR AN INTERPRETER FOR PARENTS WITH LIMITED ENGLISH PROFICIENCY. IF A PARENT IS DEAF OR BLIND OR HAS NO WRITTEN LANGUAGE, THE SCHOOL WILL ARRANGE FOR COMMUNICATION OF THIS NOTICE IN THE MODE NORMALLY USED BY THE PARENT (E.G., SIGN LANGUAGE, BRAILLE, OR ORAL COMMUNICATION).

THIS NOTICE IS ONLY A SUMMARY OF THE SPECIAL EDUCATION SERVICES, EVALUATION, AND SCREENING ACTIVITIES, AND RIGHTS AND PROTECTIONS PERTAINING TO CHILDREN WITH DISABILITIES, CHILDREN THOUGHT TO BE DISABLED AND THEIR PARENTS AND IS ONLY A SUMMARY OF THE CONFIDENTIALITY RIGHTS REGARDING STUDENT INFORMATION.

FOR MORE INFORMATION OR TO REQUEST EVALUATION OR SCREENING OF A THE CHARTER SCHOOL STUDENT, CONTACT THE SPECIAL EDUCATION COORDINATOR AT 1560 VALLEY PARKWAY, SUITE 200, BETHLEHEM, PA 18017, (610) 866-9660.

NOTHING IN THIS NOTICE IS INTENDED TO CONFLICT WITH OR SUPPLANT THE INFORMATION CONTAINED IN THE PENNSYLVANIA DEPARTMENT OF EDUCATION'S CURRENT "PROCEDURAL SAFEGUARDS NOTICE" WHICH IS AVAILABLE THROUGH THE SCHOOL FOR YOUR REVIEW OR WITH APPLICABLE STATE AND/OR FEDERAL LAWS.

Child Find Policy and Public Outreach Awareness System

In accordance with Chapter 711 of Title 22 of the Pennsylvania Code, the Chief Executive Officer ("CEO") or a designee shall ensure that children with disabilities, regardless of the severity of their disabilities, and who are enrolled at the Charter School and are in need of special education and related services, are identified, located, and evaluated and a practical method is developed and implemented to determine which children with disabilities are currently receiving needed special education and related services.

Child Find includes children who are suspected of having a disability under Section 300.8 of the federal regulations that implement IDEA 2004 and in need of special education, even though they are advancing from grade to grade, and highly mobile children, including migrant children and homeless youth, as appropriate.

Public Awareness

The CEO or a designee shall ensure that the following public awareness activities occur concerning programs and services for children with disabilities who are enrolled at the York Academy Regional Charter school ("the Charter School").

The Charter School shall publish annually a written notice (attached hereto), in means accessible to The Charter School families. Such notice must be included in the Charter School's Handbook and on the Charter School's website.

The Notice may also be made available in means accessible to the public, such as: at the Charter School's main office, in the Charter School's special education office, through local Intermediate Units and/or through other generally accessible print and electronic media deemed appropriate, and with the Board meeting minutes a description of: child identification activities, of the Charter School's special education services and programs, of the manner in which to request services and programs, and of the procedures followed by the Charter School to ensure the confidentiality of student information pertaining to students with disabilities pursuant to state and federal law.

Outreach Activities

The CEO or a designee shall ensure that the following outreach activities occur concerning programs and services for children with disabilities who attend the Charter School:

- Offer parents and family (including foster and surrogate parents) information regarding training activities and publicize the availability of such activities to all parents (trainings in the areas of behavior support, response to intervention, inclusive practices, transition, assistive technology, autism, and interagency coordination are important and parents may also be directed to PaTTAN training opportunities). Parent input is to be sought to determine what parent trainings are needed/desired;
- Provide to interested health and mental health professionals, daycare providers, county agency personnel and other interested professionals, including: professionals and agencies who work with homeless and migrant or other highly mobile youth, wards of the state, as well as to students attending private schools (where applicable), information concerning the types of special education programs and services available in and through the Charter School and information regarding the manner in which parents can request and access those services.
- Provide or obtain periodic training for the Charter School's regular education staff and special education staff concerning the identification and evaluation of and provision of special education programs and services to students with disabilities.
- The public outreach awareness system utilized by the Charter School shall include methods for reaching homeless children, wards of the state, and highly mobile children, including migrant children.
- The Charter School shall conduct child find activities to inform the public of its special education services and programs and the manner in which to request them.
- The Charter School's child find effort must include information regarding potential signs of developmental delays and other risk factors that could indicate disabilities.
- Efforts must be made to identify enrolled students who have a native language other than English and to ensure that notices and other outreach efforts are available to them in their native language as required by law and unless it is clearly and absolutely not feasible to do so.

Screening

The CEO or a designee shall establish a system of screening in order to:

- Identify and provide screening for students prior to referral for an initial special education multidisciplinary team evaluation;
- Provide peer support for teachers and other staff members to assist them in working effectively with students in the general education curriculum;

- Conduct hearing and vision screening in accordance with the Public School Code of 1949 for the purpose of identifying students with hearing or vision difficulty so that they can be referred for assistance or recommended for evaluation for special education if necessary;
- Identify students who may need special education services and programs.
- Maintain the confidentiality of information in accordance with applicable state and federal regulations.

Pre-Evaluation Screening

The pre-evaluation screening process shall include:

- For students with academic concerns, an assessment of the student's functioning in the curriculum including curriculum-based or performance-based assessments;
- For students with behavioral concerns, a systematic observation of the student's behavior in the classroom or area in which the student is displaying difficulty ("FBA" or functional behavior assessment);
- An intervention based on the results of the assessments conducted;
- An assessment of the student's response to the intervention, if applicable;
- A determination of whether or not the assessed difficulties of the student are the result of a lack of instruction or limited English proficiency;
- A determination of whether or not the student's needs exceed the functional capacity of the regular education program, without special education programs and services, to maintain the student at an instructional level appropriate to the level and pace of instruction provided in that program;
- Activities designed to gain the participation of parents;
- Controls to ensure that if screening activities have produced little or no improvement within the specified timeframe after initiation, the student shall be referred for a multidisciplinary team evaluation.

The screening activities shall not serve as a bar to the right of a parent to request a multidisciplinary team evaluation at any time. When the completion of screening activities prior to referral for a multidisciplinary team evaluation will result in serious mental or physical harm, or significant educational regression, to the student or others, the Charter School may initiate a multidisciplinary team reevaluation without completion of the screening process in accordance with Chapter 711. Whenever an evaluation is conducted without a pre-evaluation screening, the activities described shall be completed as part of that evaluation whenever possible.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.