

HOWARD SCHOOL DISTRICT 48-3

STATEMENT OF COMPLIANCE

- A. It is the policy of the Howard School District that all educational programs or activities and employment opportunities will be offered without regard to sex, race, color, national origin or handicap and that no student, parent, employee or any other person will be subject to discrimination.

Any person with a question or complaint should contact the designated coordinator for the Title IX and Section 504 Compliance Activities, Superintendent, Todd Lee Howard School District 48-3, 500 N. Section Line, Howard, SD 57349, telephone 605-772-5515, or Regional Director, U.S. Department of Education, Office for Civil Rights, 10220 North Executive Hills Blvd., 8th Floor, Kansas City, MO 64153-1367. Phone 816-880-4200, TDD 816-891-0582, Fax 816-891-0644.

(Approved by board action May 3, 1990)

2. Family Educational Rights and Privacy Act - 1974

A. ACCESS RIGHTS

In accordance with the Family Educational Rights and Privacy Act of 1974, parents are granted full and free access to information which is collected and maintained regarding their children regarding the local or state agency which maintains it; parents therefore have access to all personally identifiable data maintained by the local and/or state agency, excluding only a teacher's personal notes which are not made available to any other person. If any record contains data on more than one child, parents have the right to access only the data relating to their own child.

The local educational agency and/or parents have the right to have records interpreted for them. Parents also have the right to obtain copies of those records, (which may be at the parent's expense but in no case shall exceed the actual cost to the agency of reproducing such copies) without unnecessary delay and in no case shall exceed fifteen days.

Access to records shall be granted without necessary delay and prior to any hearing relating to the identification, evaluation, or placement of the child, and in no case shall exceed forty-five days after the request has been made.

II. HEARING RIGHTS

In accordance with the Family Educational Rights and Privacy Act, parents have the right to a hearing to challenge the content of the student's educational records in order to ensure that the records are not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student and to correct such data. "A Guide to Student Rights and Responsibilities in South Dakota" further states that "all records shall be open to challenge by a student or his/her parents or guardian."

A parent who believes that the data is inaccurate or misleading or violates the privacy or other rights of the child may request the participating agency which maintains the data to make appropriate amendments to the data. The agency shall decide whether a reasonable period of time of receipt or the request, which in no case shall exceed thirty days. If the agency decides to refuse to amend the data in accordance with the request it shall so inform the parent in writing of the refusal and advise the parent in writing of the right to a hearing.

III. CONSENT

In accordance with the Family Educational Rights and Privacy Act, the following procedures will be used to insure that parental consent will be obtained concerning personally identifiable data. These procedures do not apply to basic tests administered to all children in school and instruments whose results are not personally identifiable.

When a child is referred for interview or evaluation procedures which are used selectively (such as psychological, speech and hearing, individual achievement or other evaluations), advance written permission for such procedures to be used shall be obtained from the parent. The parent shall be informed of the reason for referral: the type of instruments to be used; the right to refuse or to permit the evaluation (with the understanding that the local education agency may then request a hearing to present its reasons to obtain approval to conduct the evaluation); a statement of the right to review all relevant records and to be fully informed of the results of the evaluation; a declaration that the child's educational status will not be changed without the knowledge and written approval of the parent, or until the notice and due process procedures have been exhausted.

Howard School District belongs to a cooperative service called Prairie Lakes Educational Cooperative. This cooperative facilitates Howard school with educational information inclusive of Special Education, 504 educational process, Title IX, and Medicaid reimbursements. Prairie Lakes Educational Cooperative does not give out student directory information to anyone for publication. Information is released for Medicaid reimbursements only to the State Medicaid office in Pierre.