

## **NOTIFICATION OF RIGHTS UNDER FERPA FOR ELEMENTARY AND SECONDARY SCHOOLS**

The Family Education Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records. These rights are:

1. The right to inspect and review the student’s education records within 45 days of the day the school receives a request for access.

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

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

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

3. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the school has contacted as its agent to provide a service instead of using its own employees or officials (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the school discloses education records without consent to officials of another school in which a student (both nondisabled and disabled) seeks or intends to enroll.

4. Directory information to be released, only with written consent of the parent or eligible student, will include the student's name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees and awards received and the most recent previous educational agency or institute
5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school district to comply with the requirements of FERPA. The name and address of the office that administers FERPA are:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-5920

## NOTICE AND CONSENT/OPT-OUT FOR SPECIFIC ACTIVITIES

The Protection of Pupil Rights Amendment (PPRA, 20 U.S.C. § 1232h, requires USD 234 to notify you and obtain consent or allow you to opt your child out of participating in certain school activities. These activities include a student survey, analysis, or evaluation that concerns one or more of the following eight areas (“protected information surveys”):

1. Political affiliations or beliefs of the student or student’s parent;
2. Mental or psychological problems of the student or student’s family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

This requirement also applies to the collection, disclosure or use of student information for marketing purposes (“marketing surveys”), and certain physical exams and screenings.

Following is a schedule of activities requiring parental notice and consent or opt-out for the upcoming school year. This list is not exhaustive and, for surveys and activities scheduled after the school year starts, USD 234 will provide parents, within a reasonable period of time prior to the administration of the surveys and activities, notification of the surveys and activities and be provided an opportunity to opt their child out, as well as an opportunity to review the surveys. (Please note that this notice and consent/opt-out transfers from parents to any student who is 18 years old or an emancipated minor under State law.)

**Date:** 2011-12

**Grades:** Six through Twelve

**Activity:** Communities That Care Survey (KCTA) Youth Survey

**Summary:** The Kansas Communities That Care (KCTC) Youth Survey is administered annually free of charge throughout the state since 1994. The anonymous survey tracks teen use of harmful substances such as alcohol, tobacco, and other drugs. In addition, the survey provides a baseline for teen participation in, perception of, and attitudes toward both prosocial and antisocial behavior at the peer, school, family and community levels. It is provided a measure level of risk and protective factors that include behavior, attitudes, and opinions of Kansas teens.

### **Opt-Outs:**

Contact D. J. Brown, Fort Scott Middle School Principal, at 620-223-3262, [djbrown@usd234.org](mailto:djbrown@usd234.org), 1105 E. 12<sup>th</sup> Street, Fort Scott, KS, 66701, or Bob Beckham, Fort Scott High School Principal, at 223-0600, [bbeckham@usd234.org](mailto:bbeckham@usd234.org), 1005 S. Main Fort Scott, KS 66701.



## **FORT SCOTT PUBLIC SCHOOLS**

### **Student Permanent Files**

Educational records are maintained at the four district schools as follows:

Fort Scott High School  
1005 S. Main  
Fort Scott, KS 66701

Fort Scott Middle School  
1105 E. 12<sup>th</sup>  
Fort Scott, KS 66701

Winfield Scott Elementary School  
316 W. Tenth  
Fort Scott, KS 66701

Eugene Ware Elementary School  
900 E. Third  
Fort Scott, KS 66701

### **Immunization and Tuberculin Tests**

Any pupil entering school for the first time in this state shall, prior to admission, be required to present to the appropriate school authorities, certification from a licensed physician or local health department that he has received or is in the process of receiving immunizations against poliomyelitis, pertussis, tetanus, diphtheria, measles, mumps, and rubella, by such means of immunization as are provided by the Kansas State Board of Health, except under waiver conditions provided by law. Students not complying with this law may be kept from attending school.

### **Special Education Programs**

Fort Scott Unified School District 234 has special education programs for all school age children. These services are available to private and parochial school students as well as public school students. These programs include autism, developmentally delayed (students age 3-9 only), emotional disturbance, hearing impairment, multiple disabilities, other health impairment, speech/language disabilities, visual impairment, deaf-blindness, giftedness, specific learning disability, mental retardation, orthopedic impairment, traumatic brain injury.

Fort Scott USD 234 will transfer records of disabled or exceptional students, including the IEP and supporting documents and any other records relating to the provision of special education or related services to the student, when they transfer to another school district either in or out of the state of Kansas.

Fort Scott USD 234 provides Title I developmental math and reading support for qualified elementary students. These services are available to private and parochial students as well as public school students.

If information is needed concerning the above, please contact Dr. Diane Gross, Superintendent of Schools, or Rick Scholes, Assistant Director of Special Education, 424 S. Main, Fort Scott, Kansas, 223-0800.

In compliance with Section 504 of the Rehabilitation Act of 1973, there shall be no

discrimination against handicapped persons in any program or activity in Unified District 234 schools.

In compliance with Title federal regulations, there shall be no discrimination with regard to sex. All district action will be in compliance with Title IX.

### **Notice of Nondiscrimination**

In accordance with federal and state law, it is the policy of USD 234 that no student, applicant, employee, or other person be discriminated against or harassed on the basis of race, color, religion, sex, national origin, ancestry, age, or disability. This policy covers all aspects of admission, access, treatment, and employment in all school district programs and activities.

USD 234 has procedures regarding the referral, evaluation, and placement of individuals with disabilities who are eligible for services under federal law.

The person responsible for coordinating school compliance with the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, Title XI of the Civil Rights Act of 1964, and Title IX of the Education Amendments of 1972 is: Dr. Diane Gross, USD 234, 424 S. Main, Fort Scott, Kansas, 66701, 620-223-0800.

Contact this person if you have questions about equal opportunity and nondiscrimination or contact the Kansas State Board of Education or the Office of Civil Rights.

Janet Braun, Board President  
USD 234 Board of Education