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Notification of FERPA Rights

Kentucky School for the Deaf, Boyle County Schools, Danville Independent Schools

The Family Educational Rights and Privacy Act (FERPA) affords parents and "eligible students" (students over 18 years of age or students who are attending a postsecondary institution) certain rights with respect to the student's education records. They are:

1) The right to inspect and review the student's education records within forty-five (45) days of the day the District receives a request for access.

Parents or eligible students should submit to the school Principal/designee a written request that identifies the record(s) they wish to inspect. The Principal will make arrangements for access and notify the parent or eligible student of the time and place where the record(s) 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 in violation of the student's privacy or other rights.

Parents or eligible students may ask the District to amend a record that they believe is inaccurate, misleading, or in violation of privacy or other rights. They should write the school Principal, clearly identifying the part of the record they want changed, and specify why it is inaccurate, misleading, or in violation of their privacy or other rights. If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise him/her of the 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.

Exceptions that permit disclosure without consent include:

a. Disclosure to school officials with legitimate educational interests. A "school official" is a person employed by the District 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 District has contracted to perform a special task (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/her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibility to the District.

b. Upon request, disclosure of education records without parent/eligible student notice or consent to officials of another school district or post-secondary institution in which a student seeks or intends to enroll or is already enrolled or to other entities authorized by law so long as the disclosure is for purposes related to the student's enrollment or transfer.

c. Disclosure of information to those whose knowledge of such information is necessary to respond to an actual, impending, or imminent articulable and significant health/safety threat.

4) The right to notify the District in writing to withhold information the Board has designated as directory information as listed in the annual directory information notice the District provides to parents/eligible students.

To exercise this right, parents/eligible students shall notify the District by the deadline designated by the District.

The Superintendent/designee is authorized to release Board-approved student directory information. Approved "directory information" shall be: name, address, phone number, date and place of birth, major field of study, participation in officially recognized activities and sports, photograph/picture, grade level, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and most recent educational institution attended. Any eligible student or parent/guardian who does not wish to have directory information released shall notify the Superintendent/designee in writing within thirty (30) calendar days after receiving notification of FERPA rights.

5) The right to prohibit the disclosure of personally identifiable information concerning the student to recruiting representatives of the U.S. Armed Forces and its service academies, the Kentucky Air National Guard, and the Kentucky Army National Guard. Unless the parent or secondary school student requests in writing that the District not release information, the student's name, address, and telephone number (if listed) shall be released to Armed Forces recruiters upon their request.

6) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

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

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Notification of Child Find

Danville Independent Schools, Boyle County Schools and Kentucky School for the Deaf

The Kentucky School for the Deaf, Boyle County, and Danville Independent School Districts keep educational records in a secure location in each school and Board office.

The Kentucky School for the Deaf, Boyle County, and Danville Independent School Districts obtain written consent from a parent or eligible student (age 18 or who is attending a postsecondary institution), before disclosing personally identifiable information to an entity or individual not authorized to receive it under FERPA.

For students who have been determined eligible for Special Education, educational records will be destroyed at the request of the parents when they are no longer needed to provide educational programs or services. The Kentucky School for the Deaf, Boyle County, and Danville Independent School Districts may destroy the educational records of a child without parent request three years after they are no longer needed to provide educational programs or services. Parents are advised that data contained in the records may later be needed for Social Security benefits or other purposes. The Kentucky School for the Deaf, Boyle County, and Danville Independent School Districts may retain, for an indefinite period of time, a record of the student's name, address, telephone number, grades, attendance records, classes attended, grade level completed, and year completed.

Children eligible for Special Education include those children with disabilities who have autism, deaf-blindness, developmental delay, emotional-behavior disability, hearing impairment, mental disability, multiple disabilities, orthopedic impairment, other health impairment, specific learning disability, speech or language impairment, traumatic brain injury, or visual impairment and who because of such an impairment need Special Education services.

Children eligible for 504 services include those children in a public elementary and secondary education program who have a current physical or mental impairment that currently substantially limits some major life activity which causes the student's ability to access the school environment or school activities to be substantially limited.

The Kentucky School for the Deaf, Boyle County, and Danville Independent School Districts have an ongoing "Child Find" system, which is designed to locate, identify and evaluate any child residing in a home, facility, or residence within their geographical boundaries, age three (3) to twenty-one (21) years, who may have a disability and be in need of Special Education or 504 services. This includes children who are not in school; those who are in public, private, or home school; those who are highly mobile such as children who are migrant or homeless; and those who are advancing from grade to grade, who may need but are not receiving Special Education or 504 services.

The districts' "Child Find" system includes children with disabilities attending private or home schools within the school district boundaries who may need special education services.

The Kentucky School for the Deaf, Boyle County, and Danville Independent School Districts will make sure any child enrolled in their district who qualifies for Special Education or 504 services, regardless of how severe the disability, is provided appropriate Special Education or 504 services at no cost to the parents of the child.

Parents, relatives, public and private agency employees, and concerned citizens are urged to help the Kentucky School for the Deaf, Boyle County, and Danville Independent School Districts find any child who may have a disability and need Special Education or 504 services. The Districts need to know the name and age, or date of birth of the child; the name, address, and phone number(s) of the parents or guardian; the possible disability; and other information to determine if Special Education or 504 services are needed.

Letters and phone calls are some of the ways the Kentucky School for the Deaf, Boyle County, and Danville Independent School Districts collect the information needed. The information the school Districts collect will be used to contact the parents of the child and find out if the child needs to be evaluated or referred for Special Education or 504 services.

If you know of a child who lives within or attends a private or home school within the boundaries of the Kentucky School for the Deaf, Boyle County, or Danville Independent School District, who may have a disability, and may need but is not receiving Special Education or 504 services, please call or send the information to:

Shelley Badgett
Director of Special Education- Division of State Schools
KSB/KSD
300 Sower Blvd. - 4th Floor
Frankfort, KY 40601
502-564-4970

Marjorie Rush
Director of Special Education
Boyle County Schools
1661 Perryville Rd.
Danville, KY 40422
859-236-6634

Amber Driver
Director of Special Education
Danville Independent Schools
115 E. Lexington Avenue
Danville, KY 40422
859-936-8508

"Child Find" activities will continue throughout the school year. As part of these efforts, the Kentucky School for the Deaf, Boyle County, and Danville Independent School Districts will use screening information, student records, and basic assessment information it collects on all children in the District to help locate those children who have a disability and need Special Education or 504 services. Any information the District collects through "Child Find" is maintained confidentially.

Written Policies and Procedures have been developed which describe the Districts' requirements regarding the confidentiality of personally identifiable information and "Child Find" activities. There are copies in the Principal's office of each school, and in the Board of Education office. Copies of these Policies and Procedures may be obtained by contacting the Director of Pupil Personnel at the district offices.

Each district provides a public notice in the native language or other mode of communication of the various populations in the geographical boundaries of the District to the extent feasible.

If you know of someone who may need this notice translated to another language, given orally, or delivered in some other manner or mode of communication, please contact the Director of Pupil Personnel, or the Director of Special Education at the address or phone number listed above.