

BLUE MOUNTAIN SCHOOL DISTRICT

NOTICE OF RIGHTS UNDER FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT ("FERPA")

Blue Mountain School District protects the confidentiality of personally identifiable information gathered about its students in accordance with federal and state law. FERPA affords parents and students eighteen years of age and older certain rights with respect to the student's educational records. These rights are summarized as follows:

- (1) The right to inspect and review the student's educational records within 45 days of the date that the District receives a request for access.
Parents should submit a written request to the school principal identifying the record(s) that they wish to inspect. The principal will make arrangements for access and notify the parents of the time and place where the records may be inspected.
Parents have the right to request copies of the records and the District may charge a reasonable copying fee as long as it does not prevent the parents from exercising their right to inspect and review their child's records.
- (2) The right to request the amendment of the student's educational records that the parents believe are inaccurate, misleading or violate the privacy or other rights of the child.
Parents may request that the District amend a record by writing to the school principal, clearly identifying the part of the record they would like to change, and specifying why the change is warranted.
The District will notify the parents in writing of the decision and advise them of their right to a hearing regarding their request for the amendment. Additional information regarding the hearing procedures will be provided to the parents upon notification 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 federal and state law authorize disclosure without consent. The district must release directory information, student names, addresses, and telephone listings when requested. Additionally, under federal laws, the district must release directory information student names, addresses, and telephone listings to military recruiters for recruiting purposes upon request. If you do not wish this directory information to be released, you must notify in writing no later than September 1st at the Blue Mountain School District Office listed below.
- (4) The right to file a complaint with the United States Department of Education concerning alleged failures by the District to comply with the requirements of FERPA.

Complaints may be made by contacting the Family Policy Compliance Office at the following address:

U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-4605

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A copy of the Confidentiality Procedural Guidelines is available for inspection at the Administrative Office of Blue Mountain School District. Additional information regarding student records, including access request information, is available by calling the Blue Mountain School District at 570-366-0515 located at 685 Red Dale Road, Orwigsburg, PA 17961.

A detailed *Notice of Special Education Services* pertaining to special education, Section 504, gifted education services, and the Family Educational Rights and Privacy Act (“FERPA”) is available on the Blue Mountain School District website at bmsd.org.

BLUE MOUNTAIN SCHOOL DISTRICT

ANNUAL PUBLIC NOTICE OF SPECIAL EDUCATION PROGRAMS AND SERVICES AND GIFTED EDUCATION PROGRAMS

I. INDIVIDUALS WITH DISABILITIES EDUCATION IMPROVEMENT ACT

The Blue Mountain School District is required by the Individuals with Disabilities Education Act (“IDEA”) to provide a free, appropriate, public education (“FAPE”) to “children with disabilities.” Pursuant to the IDEA, students are considered to be children with disabilities if they need special education and related services and have one or more of the following physical or mental disabilities:

- Autism
- Deaf-Blindness
- Emotional Disturbance
- Hearing Impairment including Deafness
- Intellectual Disability
- Multiple Disabilities
- Orthopedic Impairment
- Other Health Impairment
- Specific Learning Disability
- Speech or Language Impairment
- Traumatic Brain Injury
- Visual Impairment including Blindness

The IDEA further requires the provision of FAPE to children with disabilities between the age of three and the school district’s age of beginners known as “eligible young children.” The Schuylkill County Intermediate Unit provides early intervention services and programs to eligible young children located within the Blue Mountain School District. Eligible young children are afforded the same rights as school age children including screening, evaluation and an appropriate program and services.

II. SERVICES FOR PROTECTED HANDICAPPED STUDENTS

The Blue Mountain District must provide services to and may not discriminate against “protected handicapped students” in accordance with Section 504 of the Rehabilitation Act. A protected handicapped student is a student who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such an impairment or is regarded as having such an impairment. Protected handicapped students may qualify for special services to ensure equal opportunity to participate in the school program and extracurricular activities to the maximum extent appropriate for the individual student.

III. GIFTED EDUCATION

In Pennsylvania, school age students qualify to receive specially designed instruction when they have been identified as “mentally gifted.” A student is mentally gifted when he or she has outstanding intellectual and creative ability that requires specially designed programs or support services not ordinarily provided in the regular education program. The Blue Mountain School District will determine whether a student is mentally gifted based upon multiple criteria, including IQ score, which indicate gifted ability. The determination of gifted ability will not be based on I.Q. score alone.

IV. SCREENING AND EVALUATION

The Blue Mountain School District uses procedures to help identify children who may qualify for services, including parent/teacher referrals, review of student records and screening for hearing, vision and speech and language problems. If you believe that your child may be eligible for special education and related services or gifted education, screening and evaluation services designed to assess the needs of your child and his/her eligibility are available to you at no cost. You may request screening and evaluation at any time, whether or not your child is enrolled in the district's public school program.

Information regarding potential signs of developmental delays and other risk factors that could indicate disabilities please contact the Schuylkill County Intermediate Unit Early Intervention Services, 17 Maple Avenue, MarLin, Pennsylvania 17951. The telephone number for the Early Intervention Program is (570) 544-9131. For school-age students please contact the Blue Mountain School District, Department of Special Education, 685 Red Dale Road, Orwigsburg, PA 17961. The telephone number for the Blue Mountain School District Department of Special Education is (570-366-0515 Ext. 1035.

Requests for screening and evaluation may be made in writing to the District address listed below or to your child's building principal and will be kept confidential. If you believe that your child may qualify for services as an eligible young child, you may contact the Schuylkill County Intermediate Unit directly at (570) 544-9131.

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**BLUE MOUNTAIN SCHOOL DISTRICT
Department of Special Education
Red Dale Road
Orwigsburg, PA 17961**