

ANNUAL PUBLIC NOTICES

Students with Disabilities in Non-Public Schools Receive Services

The Special Education Department of St. Cloud Area School District 742 is again providing service to eligible students with disabilities who are enrolled in non-public school during the 2008-2009 school year. Students with disabilities who are enrolled in non-public schools or home schooled are entitled to services comparable to those provided for students in public schools with limited exceptions.

Services provided include diagnostic assessment and evaluation. If the student is determined to have a qualifying disability and to be in need of special education instruction, appropriate instructional services for eligible students are provided on a shared-time basis and are offered in the public school setting or at a neutral site.

Various public school facilities throughout the District have been designated as teaching stations and the District is responsible for arranging special transportation, if needed, between the home school and the special teaching station. Non-public school principals are familiar with the procedures for initiating all referrals and will provide assistance to any parents who may have concerns.

Any parents of students enrolled in non-public schools having questions or concerns regarding potential learning problems of their children can contact their building principal to ask about procedures for initiating a request for service. Parents may also contact the Student Services Department at 320-202-6800 for further information.

Public Law 108-446 IDEA - Individuals with Disabilities Improvement Education Act

The St. Cloud Area School District 742 submitted an application on May 13, 2008, to the Minnesota Department of Education specifying its plan for the expenditure of Public Law 108-446 (IDEIA - Individuals with Disabilities Education Improvement Act) dollars for fiscal year 2008-2009. Federal funds received by the School District must be expended on students with disabilities in keeping with specific Federal priorities. Please be informed that the content of this application for funds as well as any ensuing reports and evaluations are public information and available for your inspection. If any parent or member of the general public would like to review and/or comment on this application, please contact the Director of Student Services, at 320-202-6800 to make the necessary arrangements.

The above notice has to be given in compliance with Public Law 108-446.

Notice of Non-discrimination

The St. Cloud School Area School District 742 does not discriminate on the basis of race, color, creed, national origin, sex, marital status, disability, status with regard to public assistance, or sexual orientation, age in its programs and activities. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Tracy Bowe, Executive Director of Human Resources
Dr. Elisabeth Lodge Rogers, Director of Student Services/Special Education
District Administrative Office
1000 44th Avenue North Suite 100
St. Cloud, MN 56303-2037
Phone: 320-253-9333

For further information on non-discrimination or to obtain the address and phone number of the Office of Civil Rights Enforcement Office that serves your area, call 1-800-421-3481.

**Public Notice to Parents and Eligible Students of Their Rights
Regarding Pupil Records**

St. Cloud Area School District 742 gives notice to parents of students currently in attendance in the District, and eligible students currently in attendance in the District, of their rights regarding pupil records.

1. Parents and eligible students are hereby informed that they have the following rights:
 - a. That a parent or eligible student has a right to inspect and review the student's education records. A parent or eligible student should submit to the school district a written request to inspect education records which identify as precisely as possible the record or records he or she wishes to inspect. The parent or eligible student will be notified of the time and place where the records may be inspected;
 - b. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights. A parent or eligible student may ask the school district to amend a record that they believe is inaccurate or misleading. The request shall be in writing, identify the item the parent or eligible student believes to be inaccurate, misleading or in violation of the privacy or other rights of the student, shall state the reason for this belief, and shall specify the correction the parent or eligible student wishes the school district to make. The request shall be signed by the parent or eligible student. If the school district decides not to amend the record as requested by the parent or eligible student, the school district will notify the parent or eligible student of the decision and advise him or 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;
 - c. That the parent or eligible student has a 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 and the regulations promulgated thereunder authorize disclosures without consent;
 - d. That the school district may disclose education records to other school officials within the school district if the school district has determined they have legitimate educational interests. For purposes of such disclosure, a "school official" is a person employed by the school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or other employee; a person serving on the school board; a person or company with whom the school district has consulted to perform a specific task (such as an attorney, auditor, medical consultant, therapist, public information officer or data practices compliance official); or a parent or student serving on an official committee, such as a disciplinary or grievance committee; or any individual assisting a school official in the performance of his or her tasks. A school official has a "legitimate educational interest" if the individual needs to review an education record in order to fulfill his or her professional responsibility and includes, but is not limited to, an interest directly related to classroom instruction, teaching, student achievement and progress, discipline of a student and student health and welfare and the ability to respond to a request for educational data;
 - e. That the school district forwards education records on request to a school in which a student seeks or intends to enroll, including information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon and any disposition order which adjudicates the student as delinquent for committing an illegal act on school district property and certain other illegal acts;
 - f. That the parent or eligible student has a right to file a complaint with the U.S. Department of Education regarding an alleged failure by the school district to comply with the requirements of 20 U.S.C. § 1232g, and the rules promulgated thereunder, the name and address of the office that administers the Family Education Rights and Privacy Act is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202-4605.

- g. That the parent or eligible student has a right to obtain a copy of the school district's policy regarding the protection and privacy of pupil records; and
 - h. That copies of the school district's policy regarding the protection and privacy of school records are located at the Superintendent's Office at the District Administration Office, 1000 44th Avenue North, Suite 100, St. Cloud, MN 56303-2037.
2. St. Cloud Area School District 742 has adopted a school board policy in order to comply with state and federal laws regarding education records. The policy does the following:
- a. It classifies records as public, private or confidential.
 - b. It establishes procedures and regulations to permit parents or students to inspect and review a student's education records. These procedures include the method of determining fees for copies, a listing of the locations of these education records, and the identity of the individuals in charge of the records.
 - c. It establishes procedures and regulations to allow parents or students to request the amendment of a student's education records to ensure that the records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights.
 - d. It establishes procedures and regulations for access to and disclosure of education records.
 - e. It establishes procedures and regulations for safeguarding the privacy of education records and for obtaining prior written consent of the parent or student when required prior to disclosure.
3. Copies of the school board policy and accompanying procedures and regulations are available to parents and students upon written request to the Superintendent.
4. Pursuant to applicable law, St. Cloud Area School District 742, gives notice to parents of students currently in attendance in the school district, and eligible students currently in attendance in the school district, of their rights regarding "directory information."

"Directory information" includes the following information relating to a student: the student's name; participation in officially recognized activities and sports; weight and height of members of athletic teams; dates of attendance; and degrees and awards received. "Directory information" does not include identifying information on a student's religion, race, color, social position or nationality.

- a. The information listed above shall be public information which the school district may disclose from the education records of a student or information regarding a parent.
- b. Should the parent of a student or the student so desire, any or all of the listed information will not be disclosed without the parent's or eligible student's prior written consent except to school officials as provided under federal law.
- c. In order to make any or all of the directory information listed above "private" (i.e. subject to consent prior to disclosure), the parent or eligible student must make a written request to the building principal within thirty (30) days after the date of the last publication of this notice. This written request must include the following information: (1) name of student and parent, as appropriate; (2) home address; (3) school presently attended by student; (4) parent's legal relationship to student, if applicable; (5) specific category or categories of directory information which is not to be made public without the parent's or eligible student's prior written consent.
- d. Pursuant to applicable law, St. Cloud Area School District 742, hereby gives notice to parents of secondary students and eligible secondary students of their rights regarding release of information to military recruiting officers. The school district must release the names, addresses, and home telephone numbers of secondary students to military recruiting officers within 60 days after the date of the request. Data released to military recruiting officers under this provision may be used only for the purpose of providing information to students about military service, state and federal veterans' education benefits, and other career and educational opportunities

provided by the military and cannot be further disseminated to any other person except personnel of the recruiting services of the armed forces.

Should the parent of a student or the eligible student so desire, any or all of the listed information will not be disclosed to military recruiting officers without prior consent.

In order to refuse the release of this information without prior consent, the parent or eligible student must make a written request to the building principal within thirty (30) days after the date of the last publication of this notice. This written request must include the following information: (1) name of student and parent, as appropriate; (2) home address; (3) student's grade level; (4) school presently attended by student; (5) parent's legal relationship to student, if applicable; (6) specific category or categories of information which are not to be released to military recruiters without prior consent; (7) specific category or categories of directory information which are not to be released to the public, including military recruiters.

Notice: Refusal to release the above information to military recruiting officers alone does not affect the School District's release of directory information to the public, including military recruiting officers. In order to make any directory information about a student private, the procedures contained in the Directory Information section of this notice also must be followed. If you do not want your child's or eligible student's directory information released to military recruiting officers, you also must notify the school district that you do not want this directory information released to any member of the public, including military recruiting officers.

Public Notice to Parents and Eligible Students of Their Rights Under the Protection of Pupil Rights Amendment

St. Cloud Area School District 742 gives notice to parents of students currently in attendance in the school district, eligible students currently in attendance in the school district and students currently in attendance in the school district, of their rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical examinations.

1. Parents, eligible students and students are hereby informed that they have the following rights:
 - a. All instructional materials, including teachers manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any program funded in whole or in part by the U.S. Department of Education, shall be available for inspection by parents or guardians of students.
 - b. No student shall be required, as part of any program funded in whole or in part by the U.S. Department of Education, without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent, to submit to a survey that reveals information concerning:
 - i. political affiliations or beliefs of the student or the student's parent;
 - ii. mental and psychological problems of the student or the students family;
 - iii. sex behavior or attitudes;
 - iv. illegal, antisocial, self-incriminating or demeaning behavior;
 - v. critical appraisals of other individuals with whom respondents have close family relationships;
 - vi. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers; or

- vii. religious practices, affiliations, or beliefs of the student or the student's parent;
 - viii. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).
- c. A parent, on behalf of a student or an eligible student, has the right to receive notice and an opportunity to opt the student out of participating in:
- i. Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information, or otherwise providing that information to others for that purpose.
 - ii. The administration of any third-party survey (non-Department of Education funded) containing one or more of the items contained in Paragraph 1.b., above.
 - iii. Any non-emergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of, except for hearing, vision, or scoliosis screenings, or any physical examination or screening permitted or required under state law.
- d. This notice does not preempt applicable state law that may that require parental notification.
- e. The school district has developed and adopted a policy, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purpose.
- f. The school district will directly notify parents and eligible students of these policies at least annually at the start of each school year and after any substantive changes.
- g. The school district will directly notify parents and eligible students, at least annually at the start of each school year, of the specific or approximate dates of the following activities and provide an opportunity to opt a student out of participating in:
- i. Collection, disclosure, or use of personal information for marketing, sales, or other distribution.
 - ii. Administration of any protected information survey not funded in whole or in part by the U.S. Department of Education.
 - iii. Any non-emergency, invasive physical examination or screening as described above.

Parents/eligible students who believe their rights have been violated may file a complaint with: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202-4605.

Prohibition of Firearms

In accordance with Minnesota Statute 609.66, Subdivision 1d (2002), St. Cloud Area School District 742 prohibits firearms on school property with limited exceptions. For further information on exceptions, please contact the District Administration Office at 320-253-9333.

Notification of Students with Violent Behavior

In accordance with Minnesota Statute 121.64, St. Cloud Area School District 742 is required to provide notification to District employees regarding violent student behaviors. Minnesota Statute 13.03 identifies the information as private data on individuals and the data will be treated as such. For further details see District Policy 529 and 529A.