

# **PUBLIC NOTICES**

**NONDISCRIMINATION  
AMERICANS WITH DISABILITIES ACT  
FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT  
PUBLIC NOTICE – IDEA  
MEDICAID DIRECT SERVICE CLAIMING  
PROTECTION OF PUPIL RIGHTS AMENDMENT  
TEACHING ON HUMAN SEXUALITY  
STUDENT HEALTH SERVICES REQUIREMENTS**

## **NONDISCRIMINATION (School Board Policy AC)**

Click the following link to access board policy AC

<http://policy.msbanet.org/sparta/showpolicy.php?file=AC-C.SPT>

## **NOTICE OF NONDISCRIMINATION**

Applicants for admission or employment, students, parents of elementary and secondary school students, employees, sources of referral and applicants for employment, and all professional organizations that have entered into agreements with the Sparta R-III School District (“School District”) are hereby notified that the School District does not discriminate on the basis of race, color, national origin, sex, age, or disability in admission or access to, or treatment or employment in, its programs and activities. In addition, the School District provides equal access to the Boy Scouts of America and other designated youth groups.

Any person having inquiries concerning the School District’s compliance with the laws and regulations implementing Title VI of the Civil Rights Act of 1964 (Title VI), Title IX of the Education Amendments of 1972 (Title IX), the Age Discrimination Act, Section 504 of the Rehabilitation Act of 1973 (Section 504), Title II of the Americans with Disabilities Act of 1990 (ADA) or the Boy Scouts of America Equal Access Act, is directed to the respective Compliance Coordinator listed below, who oversees the School District’s efforts to comply with the laws and regulations implementing the laws and regulations cited above.

The School District has established grievance procedures for persons unable to resolve problems arising under the statutes above. The School District’s Compliance Coordinator will provide information regarding those procedures upon request.

Any person who is unable to resolve a problem or grievance arising under any of the laws and regulations cited above may contact the Office for Civil Rights, Region VII, 8930 Ward Parkway, Suite 2037, Kansas City, Missouri 64114; telephone (816) 268-0550.

## **COMPLIANCE COORDINATOR**

Anna Call  
Director of Special Services  
PO Box 160  
217 Division St  
Sparta, MO 65753  
Phone: 417-634-5518  
Fax: 417-634-3246

**COMMITMENT TO COMPLIANCE UNDER  
THE AMERICANS WITH DISABILITIES ACT**

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (“ADA”), the Sparta R-III District (“School District”) does not discriminate on the basis of disability against qualified individuals with a disability with respect to the School District’s services, programs or activities.

***Employment:*** The School District does not discriminate on the basis of disability in its hiring or employment practices. The School District complies with the federal regulations under Title I of the ADA (which governs the application of the ADA in the hiring and employment setting).

***Effective Communication:*** The School District will comply with the ADA with respect to providing auxiliary aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in School District programs, services, and activities. These aids and services are designed to make information and communications accessible to people who have impairments, in areas such as speech, hearing, and vision. The School District will not place a surcharge on a qualified individual with a disability, or any group of qualified individuals with disabilities, to cover the cost of providing auxiliary aids/services or reasonable modifications of policy (for example, retrieving items from locations that are open to the public but inaccessible to users of wheelchairs).

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a service, program, or activity of the School District should contact the respective Compliance Coordinator, whose contact information is listed below. Such contact should be made as soon as possible, but not later than 48 hours before the scheduled event (and, preferably, at least five (5) business days before the event).

***Modifications to Policies and Procedures:*** The School District will make reasonable modifications to policies and programs to ensure that qualified individuals with disabilities have an equal opportunity to enjoy its services, programs and activities.

The ADA does not require the School District to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.

Complaints that a School District service, program, or activity is not accessible to persons with a disability may be directed to the Compliance Coordinator below. In addition, as stated in the School District’s Notice of Nondiscrimination, a person who is unable to resolve a problem or grievance arising under Title II of the ADA may contact the Office for Civil Rights, Region VII, 8930 Ward Parkway, Suite 2037, Kansas City, Missouri 64114; telephone (816) 268-0550.

**COMPLIANCE COORDINATOR**

Anna Call  
Director of Special Services  
PO Box 160  
217 Division St  
Sparta, MO 65753  
Phone: 417-634-5518  
Fax: 417-634-3246

## **NOTIFICATION UNDER FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT**

The *Family Educational Rights and Privacy Act* (FERPA), a Federal law, requires that Sparta R-III School District ("District"), with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the District may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures. The District complies fully with FERPA, which affords parents/guardians ("parents") and students who are at least age 18 ("eligible students") the following rights:

**RIGHT TO INSPECT:** Parents or eligible students have the right to inspect and review the student's "educational records," as that term is defined under FERPA, within 45 days of the date upon which the District receives a request for access. The District is not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. The District may charge a fee for copies.

**RIGHT TO PREVENT DISCLOSURE:** Parents or eligible students have the right to prevent disclosure of educational records to third parties with certain limited exceptions. The District will attempt to limit the disclosure of information contained in educational records to those instances when prior written consent has been given for the disclosure. However, upon request, the District will disclose information to officials of other schools in which a student seeks or intends to enroll. The District may also disclose information under the provisions of FERPA that allow disclosure without prior written consent, as well as directory information (unless you have refused to permit such disclosure of directory information), in accordance with FERPA regulations. The District will disclose educational records to school officials who have a legitimate educational interest in the records. Officials include those persons employed by the District, whether paid or unpaid, as an administrator, supervisor, instructor, or support staff member, including health or medical staff; persons retained by or under contract to the District to perform a special task, such as an attorney, auditor, etc.; or persons who are employed by the District's law enforcement unit. School officials have a legitimate educational interest if the officials are: performing a task related to a student's education; performing a task related to the discipline of a student; providing a service or benefit relating to the student or student's family, such as health care, counseling, job placement, or financial aid; or maintaining the safety and security of the campus.

**DESIGNATION OF DIRECTORY INFORMATION:** The District has designated certain information contained in the educational records of its students as directory information for purposes of FERPA. The District considers the following to be directory information:

< **Students in kindergarten through eighth grade** -- Student's name; parent's name; grade level; participation in school-based activities and sports; weight and height of members of athletic teams; honors and awards received; artwork or coursework displayed by the district; and photographs, videotapes, digital images and recorded sound unless such photographs, videotapes, digital images and recorded sound would be considered harmful or an invasion of privacy.

< **High school and vocational school students** -- Student's name; parent's name; address; telephone number; grade level; participation in school-based activities and sports; weight and height of members of athletic teams; dates of attendance; degrees, honors and awards received; artwork or coursework displayed by the district; and photographs, videotapes, digital images and recorded sound unless such photographs, videotapes, digital images and recorded sound would be considered harmful or an invasion of privacy.

The District may disclose such directory information for any purpose in its discretion without the consent of a parent of a student or an eligible student. Parents of students and eligible students have the right, however, to refuse to permit the designation of any or all of the above information as directory information. In that case, the information will not be disclosed except with the consent of a parent or student, or as otherwise allowed by FERPA. Any parent or student refusing to have any or all of the designated directory information disclosed must file written notification to this effect with the principal of the school which the student

attends. In the event a notification of refusal is not filed, the District assumes that neither a parent of a student or an eligible student objects to the release of the directory information designated.

**MILITARY RECRUITER ACCESS/STUDENT RECRUITING INFORMATION:** Upon request of military recruiters, the District is required by law to provide access to secondary students' names, addresses, and telephone listings. However, any secondary student or parent of a secondary student may request that the student's name, address, and telephone listing not be released without prior written consent of the parent. Requests that a student's name, address, and telephone listing not be released to military recruiters must be submitted, in writing, to the High School Principal, Sparta R-III School District, 8520 State Hwy 14E, P.O. Box 160, Sparta, MO 65753.

**RIGHT TO REQUEST AMENDMENT:** Parents or eligible students have the right to request that the District correct any parts of an educational record believed to be inaccurate, misleading or otherwise in violation of their rights. A parent or eligible student must submit the request to the Superintendent, Sparta School District, 113 Division St, PO Box 160, Sparta, MO 65753. The request must identify, in writing, the part of the record sought to be corrected and specify why it is inaccurate/misleading. If the District decides not to amend the record, it will notify the parents or eligible student and provide information on the right to a hearing to present evidence that the record should be changed.

**RIGHT TO COMPLAIN TO FERPA OFFICE:** Parents or eligible students have the right to file an external complaint regarding the District's implementation of FERPA, and such complaint may be filed with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202.

### **PUBLIC NOTICE IDEA**

All responsible public agencies are required to locate, evaluate, and identify children with disabilities who are under the jurisdiction of the agency, regardless of the severity of the disability, including children attending private schools, children who live outside the district but are attending a private school within the district, highly mobile children, such as migrant and homeless children, children who are wards of the state and children who are suspected of having a disability and in need of special education even though they are advancing from grade to grade. The Sparta School District assures that it will provide a free, appropriate public education (FAPE) to all eligible children with disabilities between the ages of 3 and 21 under its jurisdiction. Disabilities include autism, deaf/blindness, emotional disorders, hearing impairment and deafness, mental retardation/intellectual disabilities, multiple disabilities, orthopedic impairment, other health impairments, specific learning disabilities, speech or language impairment, traumatic brain injury, visual impairment/blindness and young child with a developmental delay.

The Sparta R-III School District assures that it will provide information and referral services necessary to assist the State in the implementation of early intervention services for infants and toddlers eligible for the Missouri First Steps program.

The Sparta R-III School District assures that personally identifiable information collected, used, or maintained by the agency for the purposes of identification, evaluation, placement or provision of FAPE of children with disabilities may be inspected and/or reviewed by their parents/guardians. Parents/guardians may request amendment to the educational record if the parent/guardian believes the record is inaccurate, misleading, or violates the privacy or other rights of their child. Parents have the right to file complaints with

the U.S. Department of Education or the Missouri Department of Elementary and Secondary Education concerning alleged failures by the district to meet the requirements of the Family Educational Rights and Privacy Act (FERPA).

The Sparta R-III School District has developed a Local Compliance Plan for the implementation of State Regulations for the Individuals with Disabilities Education Act (IDEA). This plan contains the agency's policies and procedures regarding storage, disclosure to third parties, retention and destruction of personally identifiable information and the agency's assurances that services are provided in compliance with the General Education Provision Act (GEPA). This plan may be reviewed at the District Office located at 113 Division Street between the hours of 8:00am and 4:00pm.

Any inquiries concerning our School District's compliance may be directed to:

Anna Call, Special Services Director, 217 Division St, Sparta, MO 65753, 417-634-5518; 8:00am – 4:00pm. Or you may contact the Office of Civil Rights, Region VII, 8930 Ward Parkway, Suite 2037, Kansas City, MO 64114; (816)268-0550.

This notice will be provided in native languages as appropriate.

### **NOTIFICATION DIRECT SERVICE CLAIMING**

Our School Agency receives funding from the Medicaid Direct Service Claiming (DSC) program for IEP covered services to eligible children through the State's Medicaid agency. This is a state-approved program that allows our School Agency to receive reimbursement from federal funds for providing some health-related covered services to eligible children in our school system. Examples of covered services include speech therapy, assistance with daily living skills, physical therapy, and nursing services. We are required to notify you of our participation and the IDEA regulations stated below.

The School Agency, working with the State Medicaid agency, will need to determine if your child is eligible or should become eligible in the school-based Medicaid program. Your written consent indicates that you understand and agree that the District will submit your child's information to the State Medicaid agency and their authorized agencies to verify eligibility and submit claims for the DSC program. The school may use Medicaid benefits in which a child participates to provide or pay for services documented in the Individualized Education Program (IEP). Parents are not required to sign up for or enroll in Medicaid to receive IEP services or a free appropriate public education, nor are they responsible for any out of pocket expenses for these IEP services. Also, the School Agency's access to these benefits is not allowed if it would have a negative impact on your public insurance.

We will provide the required services to your child at no cost to you whether or not you grant your written consent. Your consent is voluntary and may be revoked at any time. The School Agency's use of this reimbursement program does not in any way affect or impact other Medicaid benefits to which the child is entitled, including any otherwise eligible services out of the school.

Please contact Anna Call, Special Services Director, at 417 634 5518 if you have questions.

## **PROTECTION OF PUPIL RIGHTS AMENDMENT NOTICE**

The federal Protection of Pupil Rights Amendment (“PPRA”) affords parents certain rights regarding a school district’s initiation of certain federally funded surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

Consent before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education: Political affiliations or beliefs of the student or student’s parent; Mental or psychological problems of the student or student’s family; Sex behavior or attitudes; Illegal, anti-social, self-incriminating, or demeaning behavior; Critical appraisals of others with whom respondents have close family relationships; Legally recognized privileged relationships, such as with lawyers, doctors, or ministers; Religious practices, affiliations, or beliefs of the student or parents; or Income, other than as required by law to determine program eligibility.

Receive notice and an opportunity to opt a student out of: any other protected information survey, regardless of funding; any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the District or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

Inspect, upon request and before administration or use: Protected information surveys of students; Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and Instructional material used as part of the educational curriculum.

These rights transfer to from the parents to a student who is 18 years old or an emancipated minor under State law. The School District has adopted policies regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes.

The District will notify parents of these policies at least annually at the start of each school year and after any substantive changes. The District will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. The School District will make this notification to parents at the beginning of the school year if the School District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys.

Following is a list of the specific activities and surveys covered under this requirement: Collection, disclosure, or use of personal information for marketing, sales or other distribution; Administration of any protected information survey not funded in whole or in part by the U.S. Department of Education; Any non-emergency, invasive physical examination or screening as described above. Individuals who believe their rights under the PPRA have been violated may file a complaint with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-5920.

**TEACHING ABOUT HUMAN SEXUALITY (School Board Policy IGAEB)**

Click the following link to access board policy IGAEB

<http://policy.msbanet.org/sparta/showpolicy.php?file=IGAEB-C.1B>

**STUDENT HEALTH SERVICES AND REQUIREMENTS**

Click on the following link to access board policy JHC

<http://policy.msbanet.org/sparta/showpolicy.php?file=JHC-C.1F>