

Attachment A – Professional Development Plan Approval



COMMONWEALTH OF PENNSYLVANIA  
**DEPARTMENT OF EDUCATION**  
333 MARKET STREET  
HARRISBURG, PA 17126-0333  
March 30, 2004

Raymond Rozycki  
Chairperson, Professional Education Committee  
Western Pennsylvania Cyber Charter School  
900 Midland Avenue  
Midland, PA 15059

Dear Raymond Rozycki:

This letter is to confirm that Western Pennsylvania Cyber Charter School's Act 48 Professional Education Plan was received and approved granting local Act 48 approved provider status for a period of three years.

Western Pennsylvania Cyber Charter School's next Professional Education Plan will be due 08/01/2006. Please review your responsibilities as an Approved Provider in the **Act 48 Professional Education Plan Guideline** on the PDE homepage at [www.pde.state.pa.us](http://www.pde.state.pa.us).

Please continue to use your Professional Education Record Management System secure password to enter data to the Pennsylvania Department of Education.

If you have any questions please contact me at (717) 783-9260 or [csabulski@state.pa.us](mailto:csabulski@state.pa.us).

Sincerely,

A handwritten signature in cursive script that reads "Charles P. Sabulski".

Charles P. Sabulski  
Regional Director  
Division of Professional Education and Planning  
Bureau Of Curriculum and Academic Services



COMMONWEALTH OF PENNSYLVANIA

**DEPARTMENT OF EDUCATION**

333 MARKET STREET

HARRISBURG, PA 17126-0333

May 13, 2004

Mr. Robert J. Babish  
Director of Instruction  
Western Pennsylvania Cyber Charter School  
900 Midland Avenue  
Midland, PA 15059

Dear Mr. Babish:

This letter is to confirm that Western Pennsylvania Cyber Charter School's Induction Plan has been reviewed and approved. Your next Induction Plan is due 08/01/2006.

Information about Induction Plans is available on the PDE homepage at [www.pde.state.pa.us](http://www.pde.state.pa.us).

If you have any questions please contact me at (717) 783-9260 or [csabulski@state.pa.us](mailto:csabulski@state.pa.us).

Sincerely,

Charles P. Sabulski  
Regional Director  
Division of Professional Education and Planning  
Bureau of Curriculum and Academic Services

# Pennsylvania Department of Education

## School Data Entry Report

School Year: 2005-2006

Pennsylvania Cyber CS

8/1/2006

### Student/Teacher Counts

Total Number of LEP Students	1
Total Number of LEP Students who are presently enrolled in half-day Career And Technical Secondary programs	0
Total Number of LEP Students who are identified for Special Education	0
Total Number of LEP Students who are migrant	0
Total Number of LEP Students who are seniors and plan to attend a college or university	0
Total Number of Immigrant Children and Youth	0
Total Number of Teachers providing instruction in an ESL-Bilingual program	1
Total Number of Teachers providing instruction with the Program Specialist:ESL Certificate	0
Total Number of LEP Students who are identified as Gifted Education	0
Total Number of Immigrant Children and Youth that are also LEP	0
Total Number of Students enrolled	4308*

#### Total Number of monitored LEP students in the current school year

	PREK	K	1	2	3	4	5	6	EUG	7	8	9	10	11	12	SUG	Total
	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1

#### Total Number of LEP Students who exited a language instructional program as of Jan 31st of the current school year

	PREK	K	1	2	3	4	5	6	EUG	7	8	9	10	11	12	SUG	Total
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

#### Total Number of LEP Students who exited a language instructional program between February 1st and June 30th of Previous School Year

	PREK	K	1	2	3	4	5	6	EUG	7	8	9	10	11	12	SUG	Total
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

#### Total Number of LEP Students not promoted to next grade (based on previous year's data)

	PREK	K	1	2	3	4	5	6	EUG	7	8	9	10	11	12	SUG	Total
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

#### Total Number of Immigrant Students

	PREK	K	1	2	3	4	5	6	EUG	7	8	9	10	11	12	SUG	Total
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

\* Preliminary Data

EUG - Elementary Ungraded

SUG - Secondary Ungraded

Note: Teacher counts are Full Time Equivalent counts of the teachers in the building

Language Count By Grade

Languages	PREK	K	1	2	3	4	5	6	EUG	7	8	9	10	11	12	SUG	Total
Spanish						1											1

Language Description	Breakdown Description	Breakdown Count
Spanish	Mexico	1

\* Preliminary Data

EUG - Elementary Ungraded

SUG - Secondary Ungraded

Note: Teacher counts are Full Time Equivalent counts of the teachers in the building

## Assessments

	Entry	OnGoing	Exit
Bahia Oral Language Proficiency Test (BOLT)			
Basic English Skills Test (BEST)			
Bilingual Syntax Measure II - (English, Spanish)			
Bilingual Two Language Battery of Tests			
Combined English Language Skills Assessment (CELSA)			
Comprehensive English Language Test (CELT)			
Criterion Referenced English Syntax Test (CREST)			
English Language Skills Assessment (ELSA)			
High Print Diagonastic Inventory			
IDEA Early Literacy - English Reading & Writing (IPT Early Literacy English R/W)	Yes		Yes
IDEA Reading & Writing I, II, & III (IPT R/W I, II, & III)			
IDEA-Oral Language Proficiency Test (IPT I English & Spanish)			
IDEA-Oral Language Proficiency Test II (IPT II English & Spanish)			
Language Assessment Battery (LAB)			
Language Assessment Scales - Oral (LAS-O English & Spanish)			
Language Assessment Scales - Reading and Writing (LAS-R/W English & Spanish)			
Language Proficiency Test (LPT)		Yes	
Maculaitis Assessment Program			
Peabody Picture Vocabulary Test - Revised (PPVT-R)			
Pre-IPT English			
Pre-IPT Spanish			
Pre-LAS English			
Pre-LAS Spanish			
Reading and Writing (IPT II English & Spanish)			
Secondary Level English Proficiency Test (SLEP)			
Stanford Diagnostic Reading Test			
Stanford English Language Proficiency (SELP)			
Student Oral Language Observation Matrix (SOLOM)			
Test of English Proficiency Level (TEPL)			
Woodcock Language Proficiency Battery			
Woodcock-Munoz Language Survey - (English, Spanish)			

\* Preliminary Data

EUG - Elementary Ungraded

SUG - Secondary Ungraded

Note: Teacher counts are Full Time Equivalent counts of the teachers in the building

**THE PENNSYLVANIA CYBER CHARTER SCHOOL  
POLICY & PROCEDURES MANUAL**

**SPECIAL EDUCATION – 2006**

## **THE PENNSYLVANIA CYBER CHARTER SCHOOL VISION STATEMENT**

The Pennsylvania Cyber Charter School will be dedicated to providing student-centered services in a professional and compassionate manner utilizing highly trained and committed staff to individualized educational strategies that will empower each student to succeed.

As the leader of cyber education in Pennsylvania, The Pennsylvania Cyber Charter School will continue to develop best practices and will be a model of academic excellence.

## **Annual Public Notice of Special Education Services and Programs and Notification of Rights Under the Family Educational Rights and Privacy Act**

The Pennsylvania Cyber Charter School Midland, PA 15059

It is the responsibility of the Pennsylvania Department of Education to ensure that all children with disabilities residing in the State, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, and evaluated. This responsibility is required by a federal law called the Individuals with Disabilities Education Act Amendments of 1997 (IDEA '97).

The IDEA '97 requires each state educational agency to publish a notice to parents, in newspapers or other media, before any major identification, location, or evaluation activity. The IDEA '97 requires this notice to contain certain information. Another federal law, the Family Educational Rights and Privacy Act of 1974 (FERPA), which protects confidentiality, requires educational agencies to notify parents annually of their Confidentiality rights. The Pennsylvania Cyber Charter School fulfills the above duties with this annual notice.

### **Special Education Services and Programs**

The Pennsylvania Cyber Charter School is required by the IDEA '97 to provide a free appropriate public education to school age children with disabilities who need special education and related services. School age children with disabilities who need special education and related services are identified as eligible for special education if they need specially designed instruction and have one or more of the following physical or mental disabilities:

- Autism/pervasive developmental disorder
- Serious emotional disturbance
- Neurological impairment
- Deafness/hearing impairment
- Specific learning disability
- Mental retardation
- Multi-handicap
- Other health impairment
- Physical disability
- Speech and language impairment
- Blind/visual impairment

### **Screening**

Each educational agency must establish and implement procedures to locate, identify, and evaluate school age students suspected of being eligible for special education. These



procedures include screening activities which include but are not limited to: review of group based data (cumulative records, enrollment records, health records, and report cards); hearing screening (at a minimum of kindergarten, first, second, and third grades); vision screening (every grade level); motor screening; and speech; and speech and language screening.

Except as indicated above or otherwise announced publicly, screening activities take place in an ongoing fashion throughout the school year. Screening is conducted at The Pennsylvania Cyber Charter School unless other arrangements are necessary. If parents need additional information about the purpose, time and location of screening activities, they should call or write to the Special Education Contact for The Pennsylvania Cyber Charter School:

The PA Cyber Charter School  
Director of Special Education  
Midland, PA 15059

### **Evaluation**

When screening indicates that a student may be eligible for special education, The Pennsylvania Cyber Charter School will seek parental consent to conduct an evaluation. "Evaluation" means procedures used in the determination of whether a child has a disability and the nature and extent of the special education and related services that the child needs. The term procedures used selectively with an individual child and does not mean basic tests administered to or procedures used with all children.

This evaluation is called a multidisciplinary evaluation (MDE). It is conducted by an Individual Assistance Team (IAT) which includes a teacher, other qualified professionals who work with the child, and the parents. The MDE process must be conducted in accordance with specific timelines and must include protection in evaluation procedures. For example, tests and procedures used as part of the multidisciplinary evaluation may not be racially or culturally biased.

The MDE process results in a written evaluation report called a Comprehensive Evaluation Report (CER). This report makes recommendations about a student's eligibility for special education based on the presence of a disability and the need for specially designed instruction. Once parental consent for evaluation is obtained, the school has timelines and procedures specified by law which it must follow.

Parents who think their child is eligible for special education may request at any time that The Pennsylvania Cyber Charter School arrange a multidisciplinary evaluation. Requests for a multidisciplinary evaluation should be made in writing to the Special Education Contact person. If a parent makes an oral request for a multidisciplinary evaluation The Pennsylvania Cyber Charter School shall provide the parent with a form for that purpose.

Parents also have the right to obtain an independent education evaluation. The Pennsylvania Cyber Charter School must provide to parents on request information about where an independent educational evaluation may be obtained. Under certain circumstances, such an independent educational evaluation may be obtained at public expense.

### **Educational Placement**

The determination of whether a student is eligible for special education is made by an Individualized Education Program (IEP) team. A single test or procedure may not be the sole factor in determining that a child is exceptional. The IEP team must include at least two members in addition to the parent (s). Other required members include at least one regular education teacher of the child (if the child is, or may be participating in the regular education environment), at least one special education teacher, or where appropriate, at least one special education provider, and a representative of The Pennsylvania Cyber Charter School. If the student is determined to be eligible for special education, the IEP team develops a written education plan called an IEP. The IEP shall be based on the results of the multidisciplinary evaluation. The IEP team may decide that a student is not eligible for special education. In that instance, recommendations for educational programming in regular education may be developed from the Multi-Factored Evaluation Report.

An IEP describes a student's current educational levels, goals, objectives, and the individualized programs and services which the student will receive. IEPs are reviewed on an annual basis. The IEP team will make decisions about the type of services, the level of services, the level of intervention, and the location of intervention.

Placement must be made in the least restrictive environment in which the student's needs can be met with special education and related services. All students with disabilities must be educated to the maximum extent appropriate with children who are not disabled.

### **Services for Protected Handicapped Students**

Students who are not eligible to receive special education programs and services may qualify as handicapped students and therefore be protected under federal statutes and regulations intended to prevent discrimination (in particular, 34 CFR Part 104 and 28 CFR Part 35). The Pennsylvania Cyber Charter School must ensure that qualified handicapped students have equal opportunity to participate in the school program and extracurricular activities to the maximum extent appropriate for each individual student. In compliance with federal laws The Pennsylvania Cyber Charter School will provide to each protected handicapped student without discrimination or cost to the student or family, those related aids, services or accommodations which are needed to provide equal opportunity to participate in and obtain the benefits of the school program and extracurricular activities to the maximum extent appropriate to the student's abilities. In order to qualify as a protected handicapped student, the child must be of school age with

a physical or mental disability which substantially limits or prohibits participation in or access to an aspect of the school program.

These services and protections for “protected handicapped students” may be distinct from those applicable to eligible or thought to be eligible students. The Pennsylvania Cyber Charter School or the parent may initiate an evaluation if they believe a student is a protected handicapped student. For further information on the evaluation procedures and provision of services handicapped students, parents should contact the Special Education Contact.

### **Annual Notice of Rights Under the Family Educational Rights and Privacy Act (FERPA)**

The Pennsylvania Cyber Charter School protects the confidentiality of personally identifiable information regarding its eligible, thought to be eligible, and **protected handicapped students (if not protected by IDEA '97)** in accordance with the Family Educational Rights and Privacy Act of 1974 (FERPA) and implementing regulations as well as IDEA '97 and its implementing regulations.

“Education records” means those records that are directly related to the student, including computer media and videotape, which are maintained by an educational agency or by a party acting for the agency. “Educational agency”, for purposes of this notice, means The Pennsylvania Cyber Charter School. For all students, the educational agency maintains education records which include but are not limited to:

Personally identifiable information – confidential information that includes but is not limited to the students name, name of parents and other family members, the address of the student or student’s family, and personal information or personal characteristics which would make the student’s identity easily traceable.

Directory information – information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. It includes but **is not limited to**, the student’s name, address, telephone number, electronic mail address, photograph, date and place of birth, major field of study, grade level, enrollment status (e.g., undergraduate or graduate, full-time or part-time), participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees, honors and awards received, and the most recent previous educational agency or institution attended.

The Family Educational 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. They are:

1. Parents have the right to inspect and review a child’s education record. The Pennsylvania Cyber Charter School will comply with a request to inspect and review education records without unnecessary delay and before any meeting

regarding and IEP or any due process hearing, but in no case more than 45 days after the request has been made. Requests should be submitted in writing, indicating the records the parents wish to inspect, to the school principal or other designated school official. Parents have the right to a response from the school to reasonable requests for explanations and interpretations of the records. Parents have the right to request copies of the records. While The Pennsylvania Cyber Charter School cannot charge a fee to search for or to retrieve information, it may charge a copying fee as long as it does not effectively prevent the parents from exercising their right to inspect and review the records. Parents have the right to appoint a representative to inspect and review their child's records. If any education record contains information on more than one child, parents have the right only to inspect and review the information relating to their child.

2. If parents think information in an education record is inaccurate, misleading or violates the privacy or other rights of their child, they may request amendment of the record. Requests should be in writing and clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. The Pennsylvania Cyber Charter School will decide whether to amend the record and will notify the parents in writing of its decision. If The Pennsylvania Cyber Charter School refuses to amend a record, it will notify the parents of their right to a hearing to challenge the disputed information. Additional information regarding the hearing procedures will be provided to the parents or eligible student when notified of the right to a hearing.

The Pennsylvania Cyber Charter School will inform parents when personally identifiable information is no longer needed to provide educational services to a child. Such information must be destroyed at the request of the parents. Parents have a right to receive a copy of the material to be destroyed. However, a permanent record of a student's name, address, and telephone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without the limitation. "Destruction" of records means physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.

The school will provide, upon request, a listing of the types and locations of education records maintained, the school officials responsible for these records, and the personnel authorized to see personally identifiable information. Such personnel receive training and instruction regarding confidentiality. The school keeps a record of parties obtaining access to education records, including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

3. Parents have the right to consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. "Consent" means: the parent (s) have been fully informed regarding the activity requiring consent, in their native

language or other mode of communication; they understand and agree in writing to the activity; and they understand that consent is voluntary and maybe revoked at any time, information **may** be disclosed without consent to school officials with legitimate educational interests. A school official is a person employed by the school, an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); state agency representative, person or company with whom the school 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 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. Directory information may be released without parent consent. Parents have the right to refuse to let an agency designate any or all of the above information as directory information.

Upon written request, The Pennsylvania Cyber Charter School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.

4. Parents have a right to file a complaint with the U.S. Department of Education concerning alleged failures by The Pennsylvania Cyber Charter School to comply with the requirements of FERPA. Complaints may be filed with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202-4605.

#### **Mode of Communication**

The content of this notice has been written in straight-forward, simple language. If a person does not understand any of this notice, he or she should ask the Special Education Contact for an explanation.

The Pennsylvania Cyber Charter School will arrange for an interpreter for parents with limited English proficiency. If a parent is deaf or blind or has no written language, the school district will arrange for communication of this notice in the mode normally used by the parent (e.g., sign language, Braille, or oral communication).

**THE PENNSYLVANIA CYBER CHARTER SCHOOL**

**CONFIDENTIALITY OF STUDENTS EDUCATION RECORDS:  
POLICY & GUIDELINES**

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**THE PENNSYLVANIA CYBER CHARTER SCHOOL  
CONFIDENTIALITY OF STUDENT EDUCATION RECORDS:  
POLICY AND GUIDELINES  
February 2006**

**Personnel Responsible for Assuring Confidentiality:**

**SUPERINTENDENT and RESPONSIBLE OFFICIAL: Dr. Nick Trombetta**

The Superintendent of The Pennsylvania Cyber Charter School shall assume responsibility for ensuring the confidentiality of any personally identifiable information

**DIRECTOR OF INSTRUCTION: Robert Babish**

**DIRECTOR OF STUDENT SERVICES: Dr. Jean P. Aldrich**

**STUDENT RECORDS OFFICER: Lisa Trombetta**



## STATEMENT OF POLICY

An official student record shall be maintained for each student. This record shall contain only certified information of recognized importance and may be used only for the benefit or welfare of the student. Any other records shall be considered provisional and temporary and shall be destroyed when their usefulness is no longer apparent or when the student leaves the school. Records shall be directly accessible only to the professional staff, the student, and the parent. The Pennsylvania Cyber Charter School recognizes the need to protect the confidentiality of personally identifiable information in the education records of all children. This policy has been prepared to insure the privacy rights of the parents and the child with and without disability, in the collection, storage, disclosure, and destruction of these records. Toward that end, this policy incorporates provisions from the Regulations of the State Board of Education of Pupil Records, the Family Educational Rights and Privacy Act of 1974, as amended July 6, 2000 (FERPA, 34 CFR. Part 99), the Confidentiality Section of P.L. 94-142, the Individuals with Disabilities Education Act and its implementing regulations in 34 CFR Part 300 (relating to assistance to states for the education of children with disabilities), and Chapter 711, Charter School Services and Programs for Children with Disabilities.

### I. DEFINITIONS

**Administrative data** refers to achievement, evaluation, and attendance records that shall be maintained in the official student record. This record shall include such items as name of the student, sex, place and date of birth, name of parent, address, telephone number, academic credits earned, attendance date and enrollment dates.

**Directory information** means information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to, the student's name, address, social security number, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height if member of athletic team, dates of attendance, degrees and awards received, most recent previous educational agency or institutional attended by the student, and other similar information. The Pennsylvania Cyber Charter School will not release directory information without parent consent.

**Disclosure** means permitting access, release, transfer, or other communication of personally identifiable information contained in education records to any party, by any means, including oral, written or electronic means.

**Destruction** means the physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.

**Educational agencies** mean a public agency, home school, private school, approved private school or private agency, school district, an Intermediate Unit, or the Department of Education, or any component part thereof, which collect, maintain or use education

records containing personally identifiable information or from which such records or information is obtained.

**Education Records** mean the type of records covered under the definition of “education records” in 34 CFR part 99.3 (the regulations implementing FRPA). The records are directly related to a student and maintained by an educational or participating agency or institution or by a party acting for the agency or institution. The records do not include records of instructional, supervisory, and administrative personnel and educational personnel ancillary to those persons, which are kept in the sole possession of the maker of the record, and are not accessible or revealed to any other individual except a temporary substitute. The records also do not include:

- A. Records of an educational agency or institution that contain only information about an individual after he or she is no longer a student at that agency or institution. An example would be information collected which pertains to the accomplishments of its alumni.
- B. Records relating to an eligible student which were created or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in that capacity and:
  - 1. Are made, maintained, or used only in connection with treatment of the student.
  - 2. Are not disclosed to anyone other than individuals providing treatment.
  - 3. May be personally reviewed by a physician or other appropriate professional of the student’s choice. For the purpose of this definition “treatment” does not include remedial educational activities or activities which are a part of the program of instruction at the educational agency or institution.

**Eligible student** means a student who has attained eighteen years of age or is a high school graduate. Under the regulations of FERPA, the rights of parents regarding education records are transferred to students in regular education at age 18. The rights of parents regarding education records are transferred to students in special education at age 21.

**Legitimate educational interest** describes a purposeful educational involvement with a student in which there is direct responsibility for providing instruction or support service.

**Parent** includes a natural parent, a guardian, or an individual acting as a parent of a student in the absence of a parent or guardian. The Pennsylvania Cyber Charter School presumes that the parent listed on the enrollment form has the authority to inspect and review records relating to his or her child. Parents not listed must provide documentation before viewing records.

**Participating agency** means any agency or institution that collects, maintains, or uses personally identifiable information, of from which information is obtained.

**Personally identifiable information** includes, but is not limited to:

- A. The student's name
- B. The name of student's parent or other family member
- C. The address of the student or student's family
- D. A personal identifier, such as social security number or student number
- E. A list of personal characteristics which make the student's identity traceable
- F. Other information that would make the student's identity traceable

**Provisional records** include sensitive but potentially useful information not yet verified or clearly needed beyond the immediate present such as psychological reports or disciplinary records.

**Record** includes information or data recorded in any medium including, but not limited to, handwriting, print tapes, film, microfilm, and microfiche.

**School officials** refer to administrators, teachers, and other professional personnel who have legitimate educational interest and are directly responsible for the instruction or the health and safety of a student while in attendance at school.

**Student** means any individual who is or has been in attendance at an educational agency or institution and for whom the agency or institution maintains records.

## **II. RESPONSIBILITY AND AUTHORITY**

The Pennsylvania Cyber Charter School Board of Trustees has primary responsibility for the development of the policy and oversight of its implementation, via an annual audit. Only records mandated by the State or federal government or specifically permitted by this Board may be compiled.

Toward that end, the Superintendent of The Pennsylvania Cyber Charter School is designated to prepare an administrative policy which incorporates relevant legal provisions regarding the compilation, maintenance, access to and security of pupil education records and to supervise adherence to the policy.

## **III. COLLECTION OF EDUCATION RECORDS**

A. Initiation of education records – An official student record shall be initiated by The Pennsylvania Cyber Charter School or the first school attended and shall be maintained by the Student Records Officer under the security and responsibility of the Director, or their designates. The Director of Student Services shall maintain special education records, under the same conditions.

B. Transfer of education records

1. When the education records for a child with a disability are transferred from a public agency to a charter school, the public agency, private school, approved private school or private agency from which the child transferred shall forward all of the child's education records, including the most recent IEP, within 10 days after the public agency, private school or private agency is notified in writing that the child is enrolled in a charter school.
2. When the education records for a child with a disability are transferred to a public agency, private school, approved private school or private agency from a charter school, the charter school shall forward the child's education records, including the most recent IEP, within 10 school days after the charter school is notified in writing that the child is enrolled at another public agency, private school, approved private school or private agency.

C. Types of data included in education records:

1. Administrative data – Minimum data will be kept concerning achievement, evaluation, and attendance and shall be maintained in the official student record. This record shall include such items as name of the student, sex, place and date of birth, name of parent, address, telephone number, academic credits earned, attendance records by dates, and enrollment dates.
2. Supplementary data (certified data of clear importance)
  - a. The medical record is considered part of the official student record and shall be placed in the student's file when he or she leaves the school system. At The Pennsylvania Cyber Charter School medical records are maintained by the school nurse and the Student Records Officer.
  - b. Standardized intelligence and aptitude test scores, interest inventory results, health data, family background information, and teacher or counselor ratings and observations may be included in the official student record. Service awards, achievements, volunteer services in schools or community, part-time work, and other items considered enhancing to a student may be recorded in the official student record. Verified reports of serious recurrent behavior problems and verified reports of constructive acts also may be included in the official record.
  - c. A parent or eligible student may request that specific data be placed in the official school record. If such information is verified and has recognized relevance it may be added to the record. If the teacher or counselor refuses to accept the material, the parent or eligible student may appeal to the Director for a decision.
  - d. A parent or eligible student may submit a statement concerning any material in the official student record. Such a statement shall

be dated and signed and shall be kept in the record as long as the data it concerns remains in the official record.

3. Provisional records – Types of data include sensitive but potentially useful information not yet verified or clearly needed beyond the immediate present.
  - a. Psychological reports
    1. A release must be obtained from the parent/guardian before psychological reports are provided to any non-school personnel or non-custodial parent. School personnel, who need to know the relevant educational contents, are informed as to the confidentiality and security needs of psychological reports.
    2. When a psychological evaluation has been made, a notation will be made in the official student record that the student was individually evaluated, the tests administered and the dates of administration and parent/student conference.
  - b. Pertinent information, which may include: disciplinary records, family financial data, interest inventory results, medical information, teacher anecdotal records, legal finding and clinical records.
4. Professional notes – The professionals who are directly involved with the student's health, education, and welfare may maintain personal and confidential files containing notes, transcripts of interviews, clinical diagnoses, and other memory aids for their own use. Such data are to be considered confidential and treated as such. All such data must be destroyed when their usefulness is no longer apparent or when the student leaves the school system. Professional notes, when not shared with others, are not considered education records. They should also be destroyed when their usefulness is no longer apparent, in accordance with the professional's licensing regulations.

#### **IV. INSPECTION AND DISCLOSURE OF EDUCATION RECORDS**

##### **A. Right to inspect or examine official student records.**

1. Parent or eligible student – The School shall permit parents or an eligible student to inspect and review any relevant education records that are collected, maintained, or used. Parents of children in special education may also review all education records relating to the identification, evaluation, educational placement of, and the provision of free appropriate public education to their child. Written requests to inspect or examine records should be addressed to the Director. Such requests will be met before any IEP meeting or hearing, and in no case more than 20 business days after a request is received.

- a. The right to inspect and review education records includes:
    1. The right to a response from The Pennsylvania Cyber Charter School to reasonable requests for explanations and interpretations of the record.
    2. The right to request that The Pennsylvania Cyber Charter School provide copies of the records containing the information, if failure to provide those copies would effectively prevent the parent from exercising the right to inspect and review.
    3. The right to have a representative of the parent inspect and review the records.
      - b. The School may charge a fee, equal to the actual cost of reproduction, for copies of records that are made for parents, if the fee does not effectively prevent the parents from exercising their right to inspect and review the records. The School will not charge a fee to search for or to retrieve information.
      - c. In the event that parents of a student are separated or divorced, either or both parents may have access unless a legal restraining order prohibits such access to a particular parent.
      - d. Parents and students will be informed of the list of types of student records and their right to them. The information will be distributed annually, with the issuance of the first report card.
      - e. If any education record includes information on more than one child, the parents of one of the children have the right to inspect and review only the information relating to their child or to be informed of that specific information.
      - f. The Pennsylvania Cyber Charter School shall provide parents, on request, a list of the types and locations of education records collected, maintained or used by the School.
2. Disclosure of records with written consent – Whenever records are inspected or disclosed upon written consent, it shall be only under the following circumstances:
    - a. The parent or eligible student shall provide a signed and dated written consent before The Pennsylvania Cyber Charter School discloses personally identifiable information from the student’s education records (except as provided in FERPA, Sec. 99.31.) The written consent must specify the records that may be disclosed, state the purpose of the disclosure, and identify the party to whom the disclosure may be made. Upon request, the parent or eligible student shall be provided with a copy of the records disclosed.
    - b. Where individual consent is required, the student’s consent shall also be obtained when he or she is reasonable competent to understand the nature and consequences of his or her decision.
    - c. No statement of consent shall be binding unless it is freely given after the parent or eligible student has been fully informed as to the

methods by which the information will be collected and the uses to which it will be put.

3. Disclosure of records without written consent – Pursuant to Sec. 99.31 (FERPA), The Pennsylvania Cyber Charter School may disclose personally identifiable information from the education record of a student without consent if the disclosure meets one or more of the following conditions:
  - a. The disclosure is made to the professional staff of The Pennsylvania Cyber Charter School who have been determined to have a specific, legitimate educational interest, including teachers, administrative personnel, counselors, speech therapists, psychologists, and school nurse. Specifically excluded are student teachers and teaching assistants. Written consent must be obtained by student teachers for the preparation of case histories to fulfill college requirements.
  - b. Law enforcement and judicial authorities may receive a report of a crime committed by a child with a disability from the School. The School is not prohibited from reporting a crime committed by a child with a disability to appropriate authorities or to prevent State law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal and State law.
    1. When reporting a crime committed by a child with a disability, the school shall ensure that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to whom it reports the crime.
    2. When reporting a crime under this section, the school may transmit copies of the child's special education and disciplinary records only to the extent that the transmission is permitted by the FERPA.
  - c. The officials of another school system in which the student intends to enroll, upon condition that reasonable effort be made to notify the parent or eligible student of the material to be disclosed and of their right to obtain copies of the material to be disclosed and to request amendment of the records.
  - d. Federal and state officials for the purpose of an audit and evaluation of federally supported education programs or for enforcing or complying with federally legal requirements which relate to these programs. Information provided shall contain the minimum necessary information that is personally identifiable, and such information shall be destroyed upon completion of such audit, evaluation, enforcement or compliance.
  - e. Persons or agencies in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

- f. Persons or agencies in compliance with a judicial order pursuant to any lawfully issued subpoena. The parent or eligible student shall be notified of all such orders and The Pennsylvania Cyber Charter School compliance. The parent or eligible student may receive a copy of the information released, if desired. Copies will be provided at the actual cost of reproduction.
  - g. The disclosure is to authorized representatives of the Comptroller General, The Secretary, or State and local educational authorities.
  - h. The school may provide anonymous directory information from its records, including the official student record, for research purposes without consent under conditions where there is no likelihood of identifying any individual.
4. Lists identifying names and addresses of students shall not be released to any outside agency.

#### B. Right to inspect or examine provisional records.

Parent or eligible student – Access is the same as for official student records (pp. 8-9)  
Without written consent of parent or eligible student – No provisional records may be released without written consent of the parent or eligible student, except as specified below:

- a. Information from psychological evaluations may be released without written consent to authorized school personnel in The Pennsylvania Cyber Charter School only.
- b. Psychological reports shall not follow a student from The Pennsylvania Cyber Charter School without written consent, except in situations where such reports are necessary for educational placement or for the student's health and welfare.
- c. The school may not disclose information not originated by The Pennsylvania Cyber Charter School (i.e. psychiatric reports, agency reports, etc.). The originating person or agency must disclose such information.

#### C. Requests for inspection and disclosure

1. The Pennsylvania Cyber Charter School shall maintain a record, with the student's education record, of each request for access to and each disclosure of personally identifiable information. For each request or disclosure, the record must include the parties who have requested or received information and their legitimate interest. Exceptions include parents, eligible student, school officials, a party with written consent from the parent or eligible student, a party with written consent from the parent or eligible student, a party seeking directory information,



- or a party seeking or receiving the records as directed by a Federal grand jury or other law enforcement. (Appendix A)
2. The Director of The Pennsylvania Cyber Charter School shall maintain a current listing of the names and positions of those who are authorized to have access to personally identifiable information in the education records of all students. (Appendix B)

## **V. STORAGE AND DESTRUCTION OF EDUCATION RECORDS**

A. The Pennsylvania Cyber Charter School shall maintain education records for children with and without disabilities in a manner consistent with the regulations for FERPA in 34 CFR Part 99.

B. Relevant files that are stored in more than one location are regarded as part of the student's overall education records. At The Pennsylvania Cyber Charter School, cumulative record folders are maintained in the office of the Student Records Officer. The files of children obtaining Special Education services are housed in the Office. Medical records are stored in the Director of Special Education's office, psychological test protocols are stored in the School Psychologist's office and speech and language records are housed in the Office of the Speech and Language Therapists. All records are confidential, secure, and made available only to authorized personnel with the approval of the Superintendent, Director, the Director of Student Services, or the Student Records Officer.

### **C. Periodic review and deletion of data**

1. Parents shall be informed when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to the child. Prior to its destruction, The Pennsylvania Cyber Charter School shall send written notification to the parent or eligible student which shall inform them of their right to receive a copy of material, originated by the school to be destroyed. Parent or eligible student will be informed of material, not originated by the school (i.e. psychiatric reports, agency reports, etc.), to be destroyed. The originating person or agency must disclose copies of such information.
2. Upon request of the parent, personally identifiable information no longer needed must be destroyed, with the following exception: a permanent record of a student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed and year completed may be maintained without time limitation.
3. Except as stated in Paragraph 2 above, nothing in this section shall be construed to mean that The Pennsylvania Cyber Charter School is required to destroy education records.
4. No education records will be destroyed that contain information necessary for the education of the student who is enrolled.

### **D. Longevity of data**

Administrative data shall be maintained by The Pennsylvania Cyber Charter School for a period of at least 20 years beyond the date that the student attains the age of 21. Professionals shall eliminate unnecessary supplementary data at periodic intervals. In any case, the student's medical record shall not be destroyed for a period of at least five years after the student ceases to be enrolled in The Pennsylvania Cyber Charter School. Exceptions may be made where, under rigorous standards and impartial judgment, good cause for their retention can be shown.

## **VI. AMENDMENT OF EDUCATION RECORDS**

A. A parent or student who believes that information contained in the education records collected, maintained, or used is inaccurate or misleading or violates the privacy rights of the child, may make a request to the Director that the records be amended.

B. The Pennsylvania Cyber Charter School shall decide whether to amend the information in accordance with the request within 10 business days from receipt of the request.

C. If the school agrees to amend the disputed information, the parent or student shall be notified in writing.

D. If the school refuses to amend the information in accordance with the request, it shall inform the parent or eligible student in writing of the refusal, the reason (s) for that refusal, and his or her right to a hearing under FERPA, Sec.99.21.

## **VII. HEARINGS: RIGHTS AND PROCEDURES**

A. The Pennsylvania Cyber Charter School shall, on request, provide an opportunity for a hearing to challenge information in education records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy rights of the child.

The hearing must meet, at a minimum, the following requirements:

1. The School shall hold the hearing within 20 business days after it has received the request for a hearing.
2. The School shall give the parent or eligible student notice of the date, time, and place of the hearing, within 5 business days of the request.
3. The hearing may be conducted by any individual, including an official of the educational agency or institution, who does not have a direct interest in the outcome of the hearing.
4. The parent or eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised, and may be assisted or represented by individuals of his or her choice, including an attorney, at his or her own expense.

5. The decision of the hearing panel shall be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision. This decision will be rendered in writing thirty days after conclusion of the hearing. A copy of the decision will be retained in the official student record.

### Hearing Results

1. If, as a result of the hearing, The Pennsylvania Cyber Charter School decides that the information is inaccurate, misleading or otherwise in violation of the privacy rights of the child, it shall amend the information accordingly and so inform the parent in writing.
2. If, as a result of the hearing, The Pennsylvania Cyber Charter School decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy rights of the child, it shall inform the parent of the right to place in the child's records, a statement commenting on the information or setting forth reasons for disagreeing with the decision. The statement must:

Be maintained as part of the records of the child as long as the contested portion is maintained.

Be disclosed, if the records of the child or the contested portion is disclosed to any party.

### **VIII. PARENT NOTIFICATION**

A. Annually, parents will receive a description of their rights under FERPA and implementing regulations, including the right to:

1. Inspect and review the student's education records
2. Seek amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights.
3. Be notified of the procedures for:
  - a. Exercising the right to inspect and review education records
  - b. Requesting the amendment of records
4. Consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA, Sec.99.31 authorizes disclosure without consent to, for example, school officials with legitimate educational interest.
5. File, with the U.S. Department of Education, a complaint concerning alleged failures by the School to comply with the requirements of the Act.

B. Upon request, parents may receive:

1. A description of the children on whom personally identifiable information is maintained, the types of information sought, the methods used to gather information (including the source,) and the uses to be made of the information
2. A summary of the policies and procedures regarding the storage, disclosure to third parties, retention, and destruction of personally information.
3. Specifications of criteria for determining who constitutes school officials and what constitutes a legitimate educational interest.
4. A list of the types and locations of education records collected, maintained, or used by The Pennsylvania Cyber Charter School. (Appendix C)

C. The Pennsylvania Cyber Charter School shall provide effective notification to parents or eligible students identified as having a primary or home language other than English and to parents or eligible students who are disabled.

## **IX. SAFEGUARDS**

A. The Pennsylvania Cyber Charter School shall protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages.

B. The Director shall assume responsibility for ensuring the confidentiality of any personally identifiable information.

C. All persons collecting or using personally identifiable information must receive training or instructions regards policies and procedures.

D. The Pennsylvania Cyber Charter School shall maintain, for public inspection, a current listing of the names and positions of those school employees who may have access to personally identifiable information.

E. Children shall be afforded rights of privacy similar to those afforded to parents, taking into consideration the age of the child and type of severity of disability, if any.

F. Parents and students who wish to file complaints with regard to compliance with this policy may do so by contacting the Superintendent. If further appeal is necessary, the parent or eligible student may contact the Family Policy Compliance Office, U.S. Department of Education, 600 Independence Avenue, SW, Washington, DC 20202-4605, Phone (202) 260-3887. With regard to complaints concerning violation of privacy rights in special education, contact may be made to : Chief, Division of Compliance, Monitoring and Planning, Bureau of Special Education,

Pennsylvania Department of Education, 333 Market Street, 7<sup>th</sup> Floor, Harrisburg, PA 17126-0333.

## **X. IMPLEMENTATION**

A. Director or designated professional personnel will screen all student records to eliminate any material in contradiction to this policy statement.

B. Items removed from the file during the screening process will be destroyed.

C. Upon adoption of this policy by The Pennsylvania Cyber Charter School Board of Directors.

1. Parents and eligible students will be notified annually of the policies and procedures.
2. Professional staff will be informed of this policy through in service education.

D. The Confidentiality of Student Education Records: Policy and Guidelines will remain on file with the Superintendent and be available upon request.

# Appendix A

## RECORD OF ACCESS TO EDUCATION RECORDS Cumulative Records

DATE	NAME/POSITION	PURPOSE

## Appendix B

**The Pennsylvania Cyber Charter School**  
**ACCESS TO EDUCATION RECORDS: AUTHORIZED PERSONNEL**  
**February 15, 2006**

POSITION	NAME
Director of Instruction	Robert Babish
Director of Student Services	Dr. Jean P. Aldrich
Curriculum Coordinator	Jane Price
Nurse	Dorothy Uccellini, Dana Marquis
School Psychologist	Frank Sabatino, M.ed., C.A.G.S., LPC
504 Coordinator	Rebecca Manning
Regular Class Teachers	Holly Castelli, Chad Francis
Administrative Assistances	Ashlee Parsons, Andrea Suznevich, Linda Komara
Teachers Assistants	Jennifer Morrell, Katie Grable
Supervisors	Karen Talbert, Kevin Smutko

## Appendix C

The Pennsylvania Cyber Charter School

### LOCATION OF EDUCATION RECORDS

Date: 2/06

<b>RECORD</b>	<b>LOCATION</b>
Cumulative Record Folder	The Pennsylvania Cyber Charter School
Special Education Records	The Pennsylvania Cyber Charter School
Psycho educational Records	The Pennsylvania Cyber Charter School
Medical Records	The Pennsylvania Cyber Charter School
Occupational Therapy Records	The Pennsylvania Cyber Charter School



## CONFIDENTIAL RECORDS AND THEIR LOCATIONS

### Types of Educational Records

### Location(s)

#### **Cumulative Folders**

- ❖ History of grades, class assignments, Group testing, teacher notes, and related information

PA CYBER , Computer System, Penn Data

#### **Evaluation Data**

- ❖ MFE team reports, assessments, teacher Evaluations, work samples, and related information

PA CYBER

#### **Procedural Safeguards Documentation**

- ❖ Surrogate assignment, custody determination, permission forms, parent notices, referrals, and related information

PA CYBER

#### **Individualized Education Programs**

PA CYBER

#### **Penn Data**

PA CYBER

#### **Medical Records**

- ❖ Medication records, prescriptions, health records, immunizations, and related information

PA CYBER

**Other** (specify) \_\_\_\_\_

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**The Pennsylvania Cyber Charter School**  
**Midland, PA 15059**

<b>IDENTIFICATION REPORT</b>
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TO: All Staff of The Pennsylvania Cyber Charter School

FROM: Robert Babish, Director of Instruction

SUBJECT: **IDENTIFICATION SYSTEM**

DATE: February, 2006

The 1997 Amendments to the Individuals with Disabilities Education Act mandate that every school district in the country develop a system to identify children with disabilities, birth through age 21, who live in the district. The law requires each district to conduct a “vigorous” search for children with disabilities. The rules adopted by the Pennsylvania Board of Education, direct that, in addition to a three year intensive search, school districts must conduct an annual in-school effort to identify and provide services to children with disabilities.

Every year in September, The Pennsylvania Cyber Charter School continues its effort to identify children with disabilities. The Pennsylvania Cyber Charter School will continue to conduct an intensive awareness to locate, identify, and evaluate children with disabilities under the age of twenty-two. The assistance of all staff members and agency personnel is needed to accomplish this task.

Any child that you suspect has a disability should be referred to the Multi-Disciplinary Team; who can be reached at the PA Cyber. Either of these individuals will provide additional information about the differentiated referral system.

Few legislative mandates of the federal government have such far-reaching implications for school districts. The Pennsylvania Cyber Charter School is committed to working in providing services that meet the individual needs of each child. We request your cooperation and assistance in meeting this challenge.

Thank You.

**Staff Information Regarding Identification**

TO: Professional Staff

<b>INFORMATION REGARDING DIFFERENTIATED REFERRAL SYSTEM</b>
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**What is a differentiated referral system?**

The differentiated referral system is a process for determining or differentiating the type, extensiveness, and priority of services or interventions necessary to address identified concerns.

**For whom should assistance be requested?**

Any child having difficulties which may require a team approach to address.

**Who may request assistance?**

Anyone who has direct knowledge of the child.

**How is a request made?**

By Instructional Supervisor or Parent/Student

**What happens next?**

1. The Request for Assistance Form and school records are reviewed by a Individual Assistance Team (IAT).
2. A meeting of qualified professionals and the parent (s) will be scheduled to determine what activities are needed to assist the student. These may include the following:
  - Collection of additional information
  - Consultation
  - Observation
  - Interventions
  - Referral to other sources
  - Interviews
  - Counseling
  - Assessment (e.g., curriculum based screening, or other appropriate measures to determine interventions)
  - Professional development
  - Determine if there is a suspected disability

3. If the referral was for a suspected disability, the team will meet to determine if a disability is suspected and, if necessary, plan the evaluation report.

If the parent (s) suspects that their child has a suspected disability, a Evaluation Report must be completed.

**Note: In the event that the student has a suspected disability, the IEP meeting shall be held not more than 90 calendar days after parental consent for Evaluation Report has been received or within 120 calendar days after the date that student is referred as a child with a suspected disability, unless a longer time span is mutually agreed upon in writing by the parent and the school district.**

THE PENNSYLVANIA CYBER CHARTER SCHOOL STAFF INFORMATION-  
POLICIES AND PROCEDURES  
CONFIDENTIALITY OF EDUCATION RECORDS OF CHILDREN ELIGIBLE FOR  
SERVICES UNDER IDEA

TO: All Professional Staff of The Pennsylvania Cyber Charter School

FROM: Robert Babish, Director of Instruction

RE: **Confidentiality Policies and Procedures**

In the interest of protecting confidentiality of personally identifiable data collected or used regarding students with disabilities, Mr. Robert Babish, has been assigned to act as the records control officer.

Mr. Robert Babish shall be responsible for ensuring the confidentiality of any personally identifiable data that are collected, maintained, or used by The Pennsylvania Cyber Charter School staff in accordance with the Board-adopted policies and procedures.

A list of employees having access to personally identifiable data is maintained and displayed where confidential records are kept. Personnel who have legitimate educational interests have access to these files. The records control officer maintains a list of such personnel. You may be asked to sign our School Record of Persons Obtaining Access to Confidential Education Record and to indicate the reason for requesting access.

Direct any questions regarding confidentiality issues to Mr. Robert Babish, The Pennsylvania Cyber Charter School.

**Attached:** Policies and Procedures Regarding Confidentiality of Education Records of Children Eligible For Services Under IDEA.

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THE PENNSYLVANIA CYBER CHARTER SCHOOL STAFF INFORMATION-  
POLICIES AND PROCEDURES  
CONFIDENTIALITY OF EDUCATION RECORDS OF CHILDREN ELIGIBLE FOR  
SERVICES UNDER IDEA

1. Access Rights

- a. The school district and other educational agency shall develop and implement written procedures that permit the parent to inspect and review any educational records relating to his or her child, which are collected, maintained, or used by the school district or other educational agency under this rule. The school district or other educational agency shall comply with the parent's request without unnecessary delay and before any meeting regarding an individualized education program or hearing related to the identification, evaluation, educational placement, or provision of a Free Appropriate Public Education (FAPE) of the child and, in no case, more than forty-five (45) days after the request has been made.
- b. The school district or other educational agency may presume that the parent has authority to inspect and review records relating to his or her child unless the school district or other educational agency has been advised that the parent does not have the authority under the applicable state law governing such matters as guardianship, separation, and divorce.
- c. The school district or other educational agency may charge a fee for copies of records that are made for the parent under this rule if the fee does not effectively prevent the parent from exercising the right to inspect and review those records.
- d. The school district or other educational agency may not charge a fee to search for or retrieve information.

2. Records Access

- a. Each school district and other educational agency shall develop a list of the types and location of education records collected, maintained, or used by them and shall provide this list to parents on request.

- b. Each school district and other educational agency shall develop and implement written procedures to keep a record of parties allowed access to educational records collected, maintained, or used (except access by parents and authorized employees of the school district or other educational agency) including the
  1. Name of party;
  2. Date access was given; and
  3. Purpose for which the party is authorized to use data.

If any educational records includes information on more than one child, the parents of those children shall have the right to inspect and review only the information relating to their child or to be informed of that specific information.

### 3. Amendment of Records at Parent's Request

- a. Each school district and other educational agency shall develop and implement written procedures so that a parent who believes that information in education records collected, maintained, or used under this part is inaccurate, incomplete, misleading, or violates the privacy or other rights of their child, may request the school district of other educational agency that maintains the information to amend that information.
- b. The school district and other educational agency shall decide whether or not to amend the information in accordance with the request within a reasonable period of time after receipt of the request.
- c. Each school district and other educational agency shall develop and implement written procedures so that if it decides to refuse to amend the information in accordance with the request, it shall inform the parent of the refusal and advise the parent of the right to a records hearing to challenge information in education records to ensure that it is not inaccurate, incomplete, misleading, or otherwise in violation of the privacy or other rights of the child.
- d. Each school district and other educational agency shall develop and implement written procedures regarding the records hearing which shall include at least the following elements:
  1. The records hearing shall be held within a reasonable period of time after the school district or other educational agency has received the request, and the parents shall be given notice of the date, place, and time reasonably in advance of the hearing.

2. The records hearing may be conducted by any party, including an official of the school district or educational agency that does not have a direct interest in the outcome of the hearing.
3. The parents shall be afforded a full and fair opportunity to present evidence relevant to the issues and may be assisted or represented by individuals of his or her choice at his or her own expense, including an attorney.
4. The school district or other educational agency shall make its decisions in writing within a reasonable period of time after the conclusion of the hearing.
5. The decision of the school district or other educational agency shall be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.

#### 4. Result of Record Hearing

Each school district and other educational agency shall develop and implement written procedures regarding the results of the records hearing. The procedures shall include the following:

- a. If, as a result of the records hearing, the school district or other educational agency decides that this information is inaccurate, incomplete, misleading, or otherwise in violation of the privacy or other rights of the child, it shall amend the information accordingly and so inform the parents in writing.
- b. If, as a result of the records hearing, the school district or other educational agency decides that the information is not inaccurate, incomplete, misleading, or otherwise in violation of the privacy or other rights of the child, it shall inform the parents of the right to place in the records it maintains on the child a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the school district or other educational agency.
- c. Any explanation placed in the record of the child under this section shall be maintained by the school district or other educational agency as part of the records, of the child as long as the records or contested portion is maintained. If the records of the child, or contested portions are disclosed to any party, the explanation must also be disclosed to the party.



## 5. Safeguards

Each school district and other educational agency shall have written policies and procedures to protect the confidentiality of personally identifiable data at collection, storage, disclosure, and destruction stages. These procedures must include the following provisions:

- a. All school district or other educational agency personnel collecting, maintaining, using, or otherwise having access to personally identifiable data shall be informed of the confidentiality policies and procedures of the school district or other educational agency.
- b. One administrator shall be assigned the responsibility for assuring confidentiality of any personally identifiable data.
- c. The agency shall maintain, for public inspection, a current listing of the names and positions of those employees within the school district or other educational agency who may have access to the personally identifiable data.

## 6. Prior Consent for Disclosure

- a. Each school district and other educational agency shall have written policies and procedures for disclosing personally identifiable information from the education records of a student without the written consent of the parent if the disclosure is made:
  1. To other officials including teachers within the school district or other educational agency who have been determined by the school district or other educational agency to have a legitimate educational interest;
  2. To officials of another school, school district, or other educational agency in which the students seeks or intends to enroll
    - a. When the transfer of records is initiated by the parent at the sending school district, joint vocational school, or other educational agency,
    - b. When the school district or other educational agency includes a notice in its policies and procedures that it forwards education records on request to a school district or other educational agency in which a student seeks of intends to enroll, or
    - c. After a reasonable attempt to notify the parent, at the parent's last known address, that the transfer of records has been made;

3. To federal and state officials in connection with the audit and evaluation of federally supported education programs, or in connection with the enforcement of or compliance with the federal legal requirements that relate to these programs;
4. In Connection with financial aid for which a student has applied or which a student has received, provided that personally identifiable information from the education records of the student may be disclosed only as may be necessary for such purposes as
  - a. The determination of the eligibility of the student for financial aid,
  - b. The determination of the amount of financial aid,
  - c. The determination of the condition which will be imposed regarding the financial aid, or
  - d. The enforcement of the terms or conditions of the financial aid;
5. In reporting a crime committed by a child with a disability, the district may transmit copies of the child's special education and disciplinary records only to the extent that the transmission is permitted by the Family Educational Rights And Privacy Act: Final Regulations (34 CFR §99.31).

Parent permission is required for a release of records, unless a lawfully issued subpoena or court order has been issued.

If the school district reports a crime committed by a child with a disability, the district shall ensure that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to whom it reports the crime; or

6. To others when specified, but not limited to those outline in the Family Educational Rights and Privacy Act: Final Regulations (34 CFR §99.31).
- b. Each school district and other educational agency shall develop and implement written procedures for obtaining the written consent of the parent before disclosing personally identifiable information from the educational records of a student, other than directory information, except as provided in item 6.a. The written consent must be signed and dated by the parent giving the consent and shall include:
    1. A specification of the records to be disclosed;
    2. The purpose or purposes of the disclosure; and
    3. The party or class of parties to whom the disclosure may be made.

*An Equal Opportunity Employer*

- c. When a disclosure is made pursuant to the above, the school district or other educational agency shall, upon request, provide a copy of the record that is disclosed to the parent and to the student, if so requested by the student's parent.

## 7. Destruction of Information

Each school district and other educational agency shall develop and implement written procedures, which provide that:

- a. The school district or other educational agency shall inform the parent or student, if appropriate, when personally identifiable information collected, maintained, or used under this paragraph is no longer needed to provide educational services to the child;
- b. The personally identifiable information on a child with a disability may be retained permanently unless the parent requests that it be destroyed. The school district and other educational agency should remind them that the records may be needed by the child or the parent for social security benefits or other purposes;
- c. The information shall be destroyed at the request of the parent or student, if appropriate. However, a permanent record of a student's name, address, phone number, grades, attendance records, classes attended, grade level completed, and year completed may be maintained without time limitation; and
- d. All personally identifiable information will be kept for at least seven years or longer if required for audit or other purposes.

## 8. Children's Rights

- a. When the student reaches the age of majority, the school district or other educational agency shall ensure that all rights regarding records previously described are transferred to the student (except for a student who has been determined to be incompetent under State law).
- b. The school district or other educational agency shall ensure that all rights previously described are transferred to children (ages 18-21) who are incarcerated in an adult or juvenile, state or local correctional institution.
- c. The school district or other educational agency shall notify the parent(s) and the student of the transfer of rights regarding records.

- d. If the school district or other educational agency has received evidence that a probate court has appointed a guardian over the child with a disability, the school district or other educational agency shall appoint the legal guardian to represent the educational interests of the child until the child reaches the age 22, if the child is not a ward of the state.

**Board Policy  
Local Educational Agency  
Special Education**

The \_\_\_\_\_ Board of Education, as an expression of its commitment to provide a free appropriate public education for children with disabilities in accordance with state and federal laws, rules, and regulations, does hereby resolve to implement the following policies:

**I. CHILD IDENTIFICATION**

It shall be the policy of this local educational agency that ongoing efforts will be made to identify, locate, and evaluate children below 22 years of age, who reside within the district and have a confirmed or suspected disability in accordance with all federal regulations and state standards.

**II. PROCEDURAL SAFEGUARDS**

It shall be the policy of this local educational agency that the child with a disability and his/her parent shall be provided with safeguards, as required by law, throughout the identification, evaluation, and placement process, and the provision of a free appropriate public education to the child.

**III. MULTIFACTORED EVALUATION**

It shall be the policy of this local educational agency to provide a multifactored evaluation for children with disabilities by ensuring that children are assessed in their native language or other mode of communication; tests, are used for their validated purposes; children are evaluated in all areas related to their suspected disability; testing is conducted by a multidisciplinary team; testing materials and procedures are not racially or culturally biased; tests are administered by trained personnel qualified in accordance with all federal regulations and state standards; tests are administered in conformance with the instructions provided by the producer; and, that medical evaluation, when required as part of the multifactored evaluation, shall be provided at no cost to the parent by a licensed physician designated by the superintendent or his/her designee, when other no-cost resources are not available.

**IV. INDIVIDUALIZED EDUCATION PROGRAM**

It shall be the policy of this local educational agency that an individualized education program (IEP) will be developed for each child with a disability that needs special education. The IEP shall be designed to meet the unique needs of the child and shall be developed in a planning conference. Parents of the child shall be strongly encouraged to participate in the planning conference. The IEP shall be reviewed and revised as often as necessary, but at least annually.

## **V. LEAST RESTRICTIVE ENVIRONMENT**

It shall be the policy of this local educational agency that the education of children with disabilities shall occur in the least restrictive environment; special education programs and services shall be appropriate and designed to meet the unique needs of each child with a disability; to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, shall be educated with children who do not have disabilities; special classes, separate schooling, or other removal of children with disabilities from the regular educational environment, shall occur only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

It shall be the policy of this Board that a free appropriate public education is available to any individual child with a disability who needs special education and related services even though the child is advancing from grade to grade.

## **VI. CONFIDENTIALITY OF DATA**

It shall be the policy of this local educational agency that the confidentiality of personally identifiable data relating to children with disabilities and their parents and families shall be protected at collection, storage, disclosure, and destruction, and that one official of this local educational agency shall be assigned the responsibility for protecting the confidentiality of personally identifiable data. This local educational agency follows all federal regulations and state standards related to the confidentiality of data.

## **VII. DUE PROCESS**

It shall be the policy of this local educational agency to utilize procedures that allow differences of opinion between parent(s) and this local educational agency or between agencies and this local educational agency, to be aired and resolved; and that the procedures shall provide for utilization of case conferences, administrative reviews, mediation, impartial due process hearing, and state level appeals and appeals to the courts that involve the district's proposal or refusal to initiate or change the identification, evaluation, or educational placement of the child, or the provision of FAPE to the child. Furthermore, the rights of children with disabilities shall be protected when the parents cannot be identified or located, when the child is a ward of the state, or when the child is without a formally declared legal representative.

## **VIII. SURROGATE PARENT**

It shall be the policy of this local educational agency that whenever the parent(s) or guardian(s) of a child with a disability is (are) not known or cannot be located, or when the child is a ward of the state, the child's rights shall be protected through the assignment of an individual (who shall not be an employee of the state education agency, local educational agency, or intermediate educational unit involved in the education of the child) who will serve as the child's surrogate parent.

**IX. TESTING PROGRAMS**

It shall be the policy of this local educational agency that students with disabilities shall participate in local and statewide testing programs or be provided an alternate assessment. The determination shall be made at the IEP conference.

Be it further resolved that the superintendent shall administer the local implementation of these state procedures, in accordance with state and federal laws, rules, and regulations, which will ensure fulfillment of the policies contained herein.

Adopted the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

Signed: \_\_\_\_\_ President of Board

Signed: \_\_\_\_\_ Treasurer of Board

**THE PENNSYLVANIA CYBER CHARTER SCHOOL  
POLICY & PROCEDURES MANUAL**

**SPECIAL EDUCATION – 2006**



## **THE PENNSYLVANIA CYBER CHARTER SCHOOL VISION STATEMENT**

The Pennsylvania Cyber Charter School will be dedicated to providing student-centered services in a professional and compassionate manner utilizing highly trained and committed staff to individualized educational strategies that will empower each student to succeed.

As the leader of cyber education in Pennsylvania, The Pennsylvania Cyber Charter School will continue to develop best practices and will be a model of academic excellence.

## **Annual Public Notice of Special Education Services and Programs and Notification of Rights Under the Family Educational Rights and Privacy Act**

The Pennsylvania Cyber Charter School Midland, PA 15059

It is the responsibility of the Pennsylvania Department of Education to ensure that all children with disabilities residing in the State, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, and evaluated. This responsibility is required by a federal law called the Individuals with Disabilities Education Act Amendments of 1997 (IDEA '97).

The IDEA '97 requires each state educational agency to publish a notice to parents, in newspapers or other media, before any major identification, location, or evaluation activity. The IDEA '97 requires this notice to contain certain information. Another federal law, the Family Educational Rights and Privacy Act of 1974 (FERPA), which protects confidentiality, requires educational agencies to notify parents annually of their Confidentiality rights. The Pennsylvania Cyber Charter School fulfills the above duties with this annual notice.

### **Special Education Services and Programs**

The Pennsylvania Cyber Charter School is required by the IDEA '97 to provide a free appropriate public education to school age children with disabilities who need special education and related services. School age children with disabilities who need special education and related services are identified as eligible for special education if they need specially designed instruction and have one or more of the following physical or mental disabilities:

- Autism/pervasive developmental disorder
- Serious emotional disturbance
- Neurological impairment
- Deafness/hearing impairment
- Specific learning disability
- Mental retardation
- Multi-handicap
- Other health impairment
- Physical disability
- Speech and language impairment
- Blind/visual impairment

### **Screening**

Each educational agency must establish and implement procedures to locate, identify, and evaluate school age students suspected of being eligible for special education. These

procedures include screening activities which include but are not limited to: review of group based data (cumulative records, enrollment records, health records, and report cards); hearing screening (at a minimum of kindergarten, first, second, and third grades); vision screening (every grade level); motor screening; and speech; and speech and language screening.

Except as indicated above or otherwise announced publicly, screening activities take place in an ongoing fashion throughout the school year. Screening is conducted at The Pennsylvania Cyber Charter School unless other arrangements are necessary. If parents need additional information about the purpose, time and location of screening activities, they should call or write to the Special Education Contact for The Pennsylvania Cyber Charter School:

The PA Cyber Charter School  
Director of Special Education  
Midland, PA 15059

### **Evaluation**

When screening indicates that a student may be eligible for special education, The Pennsylvania Cyber Charter School will seek parental consent to conduct an evaluation. "Evaluation" means procedures used in the determination of whether a child has a disability and the nature and extent of the special education and related services that the child needs. The term procedures used selectively with an individual child and does not mean basic tests administered to or procedures used with all children.

This evaluation is called a multidisciplinary evaluation (MDE). It is conducted by an Individual Assistance Team (IAT) which includes a teacher, other qualified professionals who work with the child, and the parents. The MDE process must be conducted in accordance with specific timelines and must include protection in evaluation procedures. For example, tests and procedures used as part of the multidisciplinary evaluation may not be racially or culturally biased.

The MDE process results in a written evaluation report called a Comprehensive Evaluation Report (CER). This report makes recommendations about a student's eligibility for special education based on the presence of a disability and the need for specially designed instruction. Once parental consent for evaluation is obtained, the school has timelines and procedures specified by law which it must follow.

Parents who think their child is eligible for special education may request at any time that The Pennsylvania Cyber Charter School arrange a multidisciplinary evaluation. Requests for a multidisciplinary evaluation should be made in writing to the Special Education Contact person. If a parent makes an oral request for a multidisciplinary evaluation The Pennsylvania Cyber Charter School shall provide the parent with a form for that purpose.

Parents also have the right to obtain an independent education evaluation. The Pennsylvania Cyber Charter School must provide to parents on request information about where an independent educational evaluation may be obtained. Under certain circumstances, such an independent educational evaluation may be obtained at public expense.

### **Educational Placement**

The determination of whether a student is eligible for special education is made by an Individualized Education Program (IEP) team. A single test or procedure may not be the sole factor in determining that a child is exceptional. The IEP team must include at least two members in addition to the parent (s). Other required members include at least one regular education teacher of the child (if the child is, or may be participating in the regular education environment), at least one special education teacher, or where appropriate, at least one special education provider, and a representative of The Pennsylvania Cyber Charter School. If the student is determined to be eligible for special education, the IEP team develops a written education plan called an IEP. The IEP shall be based on the results of the multidisciplinary evaluation. The IEP team may decide that a student is not eligible for special education. In that instance, recommendations for educational programming in regular education may be developed from the Multi-Factored Evaluation Report.

An IEP describes a student's current educational levels, goals, objectives, and the individualized programs and services which the student will receive. IEPs are reviewed on an annual basis. The IEP team will make decisions about the type of services, the level of services, the level of intervention, and the location of intervention.

Placement must be made in the least restrictive environment in which the student's needs can be met with special education and related services. All students with disabilities must be educated to the maximum extent appropriate with children who are not disabled.

### **Services for Protected Handicapped Students**

Students who are not eligible to receive special education programs and services may qualify as handicapped students and therefore be protected under federal statutes and regulations intended to prevent discrimination (in particular, 34 CFR Part 104 and 28 CFR Part 35). The Pennsylvania Cyber Charter School must ensure that qualified handicapped students have equal opportunity to participate in the school program and extracurricular activities to the maximum extent appropriate for each individual student. In compliance with federal laws The Pennsylvania Cyber Charter School will provide to each protected handicapped student without discrimination or cost to the student or family, those related aids, services or accommodations which are needed to provide equal opportunity to participate in and obtain the benefits of the school program and extracurricular activities to the maximum extent appropriate to the student's abilities. In order to qualify as a protected handicapped student, the child must be of school age with

a physical or mental disability which substantially limits or prohibits participation in or access to an aspect of the school program.

These services and protections for “protected handicapped students” may be distinct from those applicable to eligible or thought to be eligible students. The Pennsylvania Cyber Charter School or the parent may initiate an evaluation if they believe a student is a protected handicapped student. For further information on the evaluation procedures and provision of services handicapped students, parents should contact the Special Education Contact.

### **Annual Notice of Rights Under the Family Educational Rights and Privacy Act (FERPA)**

The Pennsylvania Cyber Charter School protects the confidentiality of personally identifiable information regarding its eligible, thought to be eligible, and **protected handicapped students (if not protected by IDEA '97)** in accordance with the Family Educational Rights and Privacy Act of 1974 (FERPA) and implementing regulations as well as IDEA '97 and its implementing regulations.

“Education records” means those records that are directly related to the student, including computer media and videotape, which are maintained by an educational agency or by a party acting for the agency. “Educational agency”, for purposes of this notice, means The Pennsylvania Cyber Charter School. For all students, the educational agency maintains education records which include but are not limited to:

Personally identifiable information – confidential information that includes but is not limited to the students name, name of parents and other family members, the address of the student or student’s family, and personal information or personal characteristics which would make the student’s identity easily traceable.

Directory information – information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. It includes but **is not limited to**, the student’s name, address, telephone number, electronic mail address, photograph, date and place of birth, major field of study, grade level, enrollment status (e.g., undergraduate or graduate, full-time or part-time), participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees, honors and awards received, and the most recent previous educational agency or institution attended.

The Family Educational 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. They are:

1. Parents have the right to inspect and review a child’s education record. The Pennsylvania Cyber Charter School will comply with a request to inspect and review education records without unnecessary delay and before any meeting

regarding and IEP or any due process hearing, but in no case more than 45 days after the request has been made. Requests should be submitted in writing, indicating the records the parents wish to inspect, to the school principal or other designated school official. Parents have the right to a response from the school to reasonable requests for explanations and interpretations of the records. Parents have the right to request copies of the records. While The Pennsylvania Cyber Charter School cannot charge a fee to search for or to retrieve information, it may charge a copying fee as long as it does not effectively prevent the parents from exercising their right to inspect and review the records. Parents have the right to appoint a representative to inspect and review their child's records. If any education record contains information on more than one child, parents have the right only to inspect and review the information relating to their child.

2. If parents think information in an education record is inaccurate, misleading or violates the privacy or other rights of their child, they may request amendment of the record. Requests should be in writing and clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. The Pennsylvania Cyber Charter School will decide whether to amend the record and will notify the parents in writing of its decision. If The Pennsylvania Cyber Charter School refuses to amend a record, it will notify the parents of their right to a hearing to challenge the disputed information. Additional information regarding the hearing procedures will be provided to the parents or eligible student when notified of the right to a hearing.

The Pennsylvania Cyber Charter School will inform parents when personally identifiable information is no longer needed to provide educational services to a child. Such information must be destroyed at the request of the parents. Parents have a right to receive a copy of the material to be destroyed. However, a permanent record of a student's name, address, and telephone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without the limitation. "Destruction" of records means physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.

The school will provide, upon request, a listing of the types and locations of education records maintained, the school officials responsible for these records, and the personnel authorized to see personally identifiable information. Such personnel receive training and instruction regarding confidentiality. The school keeps a record of parties obtaining access to education records, including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

3. Parents have the right to consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. "Consent" means: the parent (s) have been fully informed regarding the activity requiring consent, in their native

language or other mode of communication; they understand and agree in writing to the activity; and they understand that consent is voluntary and maybe revoked at any time, information **may** be disclosed without consent to school officials with legitimate educational interests. A school official is a person employed by the school, an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); state agency representative, person or company with whom the school 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 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. Directory information may be released without parent consent. Parents have the right to refuse to let an agency designate any or all of the above information as directory information.

Upon written request, The Pennsylvania Cyber Charter School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.

4. Parents have a right to file a complaint with the U.S. Department of Education concerning alleged failures by The Pennsylvania Cyber Charter School to comply with the requirements of FERPA. Complaints may be filed with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202-4605.

#### **Mode of Communication**

The content of this notice has been written in straight-forward, simple language. If a person does not understand any of this notice, he or she should ask the Special Education Contact for an explanation.

The Pennsylvania Cyber Charter School will arrange for an interpreter for parents with limited English proficiency. If a parent is deaf or blind or has no written language, the school district will arrange for communication of this notice in the mode normally used by the parent (e.g., sign language, Braille, or oral communication).

**THE PENNSYLVANIA CYBER CHARTER SCHOOL**

**CONFIDENTIALITY OF STUDENTS EDUCATION RECORDS:  
POLICY & GUIDELINES**



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**THE PENNSYLVANIA CYBER CHARTER SCHOOL  
CONFIDENTIALITY OF STUDENT EDUCATION RECORDS:  
POLICY AND GUIDELINES  
February 2006**

**Personnel Responsible for Assuring Confidentiality:**

**SUPERINTENDENT and RESPONSIBLE OFFICIAL: Dr. Nick Trombetta**

The Superintendent of The Pennsylvania Cyber Charter School shall assume responsibility for ensuring the confidentiality of any personally identifiable information

**DIRECTOR OF INSTRUCTION: Robert Babish**

**DIRECTOR OF STUDENT SERVICES: Dr. Jean P. Aldrich**

**STUDENT RECORDS OFFICER: Lisa Trombetta**

## STATEMENT OF POLICY

An official student record shall be maintained for each student. This record shall contain only certified information of recognized importance and may be used only for the benefit or welfare of the student. Any other records shall be considered provisional and temporary and shall be destroyed when their usefulness is no longer apparent or when the student leaves the school. Records shall be directly accessible only to the professional staff, the student, and the parent. The Pennsylvania Cyber Charter School recognizes the need to protect the confidentiality of personally identifiable information in the education records of all children. This policy has been prepared to insure the privacy rights of the parents and the child with and without disability, in the collection, storage, disclosure, and destruction of these records. Toward that end, this policy incorporates provisions from the Regulations of the State Board of Education of Pupil Records, the Family Educational Rights and Privacy Act of 1974, as amended July 6, 2000 (FERPA, 34 CFR. Part 99), the Confidentiality Section of P.L. 94-142, the Individuals with Disabilities Education Act and its implementing regulations in 34 CFR Part 300 (relating to assistance to states for the education of children with disabilities), and Chapter 711, Charter School Services and Programs for Children with Disabilities.

### I. DEFINITIONS

**Administrative data** refers to achievement, evaluation, and attendance records that shall be maintained in the official student record. This record shall include such items as name of the student, sex, place and date of birth, name of parent, address, telephone number, academic credits earned, attendance date and enrollment dates.

**Directory information** means information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to, the student's name, address, social security number, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height if member of athletic team, dates of attendance, degrees and awards received, most recent previous educational agency or institutional attended by the student, and other similar information. The Pennsylvania Cyber Charter School will not release directory information without parent consent.

**Disclosure** means permitting access, release, transfer, or other communication of personally identifiable information contained in education records to any party, by any means, including oral, written or electronic means.

**Destruction** means the physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.

**Educational agencies** mean a public agency, home school, private school, approved private school or private agency, school district, an Intermediate Unit, or the Department of Education, or any component part thereof, which collect, maintain or use education

records containing personally identifiable information or from which such records or information is obtained.

**Education Records** mean the type of records covered under the definition of “education records” in 34 CFR part 99.3 (the regulations implementing FRPA). The records are directly related to a student and maintained by an educational or participating agency or institution or by a party acting for the agency or institution. The records do not include records of instructional, supervisory, and administrative personnel and educational personnel ancillary to those persons, which are kept in the sole possession of the maker of the record, and are not accessible or revealed to any other individual except a temporary substitute. The records also do not include:

- A. Records of an educational agency or institution that contain only information about an individual after he or she is no longer a student at that agency or institution. An example would be information collected which pertains to the accomplishments of its alumni.
- B. Records relating to an eligible student which were created or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in that capacity and:
  - 1. Are made, maintained, or used only in connection with treatment of the student.
  - 2. Are not disclosed to anyone other than individuals providing treatment.
  - 3. May be personally reviewed by a physician or other appropriate professional of the student’s choice. For the purpose of this definition “treatment” does not include remedial educational activities or activities which are a part of the program of instruction at the educational agency or institution.

**Eligible student** means a student who has attained eighteen years of age or is a high school graduate. Under the regulations of FERPA, the rights of parents regarding education records are transferred to students in regular education at age 18. The rights of parents regarding education records are transferred to students in special education at age 21.

**Legitimate educational interest** describes a purposeful educational involvement with a student in which there is direct responsibility for providing instruction or support service.

**Parent** includes a natural parent, a guardian, or an individual acting as a parent of a student in the absence of a parent or guardian. The Pennsylvania Cyber Charter School presumes that the parent listed on the enrollment form has the authority to inspect and review records relating to his or her child. Parents not listed must provide documentation before viewing records.

**Participating agency** means any agency or institution that collects, maintains, or uses personally identifiable information, of from which information is obtained.

**Personally identifiable information** includes, but is not limited to:

- A. The student's name
- B. The name of student's parent or other family member
- C. The address of the student or student's family
- D. A personal identifier, such as social security number or student number
- E. A list of personal characteristics which make the student's identity traceable
- F. Other information that would make the student's identity traceable

**Provisional records** include sensitive but potentially useful information not yet verified or clearly needed beyond the immediate present such as psychological reports or disciplinary records.

**Record** includes information or data recorded in any medium including, but not limited to, handwriting, print tapes, film, microfilm, and microfiche.

**School officials** refer to administrators, teachers, and other professional personnel who have legitimate educational interest and are directly responsible for the instruction or the health and safety of a student while in attendance at school.

**Student** means any individual who is or has been in attendance at an educational agency or institution and for whom the agency or institution maintains records.

## **II. RESPONSIBILITY AND AUTHORITY**

The Pennsylvania Cyber Charter School Board of Trustees has primary responsibility for the development of the policy and oversight of its implementation, via an annual audit. Only records mandated by the State or federal government or specifically permitted by this Board may be compiled.

Toward that end, the Superintendent of The Pennsylvania Cyber Charter School is designated to prepare an administrative policy which incorporates relevant legal provisions regarding the compilation, maintenance, access to and security of pupil education records and to supervise adherence to the policy.

## **III. COLLECTION OF EDUCATION RECORDS**

A. Initiation of education records – An official student record shall be initiated by The Pennsylvania Cyber Charter School or the first school attended and shall be maintained by the Student Records Officer under the security and responsibility of the Director, or their designates. The Director of Student Services shall maintain special education records, under the same conditions.

B. Transfer of education records

1. When the education records for a child with a disability are transferred from a public agency to a charter school, the public agency, private school, approved private school or private agency from which the child transferred shall forward all of the child's education records, including the most recent IEP, within 10 days after the public agency, private school or private agency is notified in writing that the child is enrolled in a charter school.
2. When the education records for a child with a disability are transferred to a public agency, private school, approved private school or private agency from a charter school, the charter school shall forward the child's education records, including the most recent IEP, within 10 school days after the charter school is notified in writing that the child is enrolled at another public agency, private school, approved private school or private agency.

C. Types of data included in education records:

1. Administrative data – Minimum data will be kept concerning achievement, evaluation, and attendance and shall be maintained in the official student record. This record shall include such items as name of the student, sex, place and date of birth, name of parent, address, telephone number, academic credits earned, attendance records by dates, and enrollment dates.
2. Supplementary data (certified data of clear importance)
  - a. The medical record is considered part of the official student record and shall be placed in the student's file when he or she leaves the school system. At The Pennsylvania Cyber Charter School medical records are maintained by the school nurse and the Student Records Officer.
  - b. Standardized intelligence and aptitude test scores, interest inventory results, health data, family background information, and teacher or counselor ratings and observations may be included in the official student record. Service awards, achievements, volunteer services in schools or community, part-time work, and other items considered enhancing to a student may be recorded in the official student record. Verified reports of serious recurrent behavior problems and verified reports of constructive acts also may be included in the official record.
  - c. A parent or eligible student may request that specific data be placed in the official school record. If such information is verified and has recognized relevance it may be added to the record. If the teacher or counselor refuses to accept the material, the parent or eligible student may appeal to the Director for a decision.
  - d. A parent or eligible student may submit a statement concerning any material in the official student record. Such a statement shall

be dated and signed and shall be kept in the record as long as the data it concerns remains in the official record.

3. Provisional records – Types of data include sensitive but potentially useful information not yet verified or clearly needed beyond the immediate present.
  - a. Psychological reports
    1. A release must be obtained from the parent/guardian before psychological reports are provided to any non-school personnel or non-custodial parent. School personnel, who need to know the relevant educational contents, are informed as to the confidentiality and security needs of psychological reports.
    2. When a psychological evaluation has been made, a notation will be made in the official student record that the student was individually evaluated, the tests administered and the dates of administration and parent/student conference.
  - b. Pertinent information, which may include: disciplinary records, family financial data, interest inventory results, medical information, teacher anecdotal records, legal finding and clinical records.
4. Professional notes – The professionals who are directly involved with the student's health, education, and welfare may maintain personal and confidential files containing notes, transcripts of interviews, clinical diagnoses, and other memory aids for their own use. Such data are to be considered confidential and treated as such. All such data must be destroyed when their usefulness is no longer apparent or when the student leaves the school system. Professional notes, when not shared with others, are not considered education records. They should also be destroyed when their usefulness is no longer apparent, in accordance with the professional's licensing regulations.

#### **IV. INSPECTION AND DISCLOSURE OF EDUCATION RECORDS**

##### **A. Right to inspect or examine official student records.**

1. Parent or eligible student – The School shall permit parents or an eligible student to inspect and review any relevant education records that are collected, maintained, or used. Parents of children in special education may also review all education records relating to the identification, evaluation, educational placement of, and the provision of free appropriate public education to their child. Written requests to inspect or examine records should be addressed to the Director. Such requests will be met before any IEP meeting or hearing, and in no case more than 20 business days after a request is received.

- a. The right to inspect and review education records includes:
    1. The right to a response from The Pennsylvania Cyber Charter School to reasonable requests for explanations and interpretations of the record.
    2. The right to request that The Pennsylvania Cyber Charter School provide copies of the records containing the information, if failure to provide those copies would effectively prevent the parent from exercising the right to inspect and review.
    3. The right to have a representative of the parent inspect and review the records.
      - b. The School may charge a fee, equal to the actual cost of reproduction, for copies of records that are made for parents, if the fee does not effectively prevent the parents from exercising their right to inspect and review the records. The School will not charge a fee to search for or to retrieve information.
      - c. In the event that parents of a student are separated or divorced, either or both parents may have access unless a legal restraining order prohibits such access to a particular parent.
      - d. Parents and students will be informed of the list of types of student records and their right to them. The information will be distributed annually, with the issuance of the first report card.
      - e. If any education record includes information on more than one child, the parents of one of the children have the right to inspect and review only the information relating to their child or to be informed of that specific information.
      - f. The Pennsylvania Cyber Charter School shall provide parents, on request, a list of the types and locations of education records collected, maintained or used by the School.
2. Disclosure of records with written consent – Whenever records are inspected or disclosed upon written consent, it shall be only under the following circumstances:
    - a. The parent or eligible student shall provide a signed and dated written consent before The Pennsylvania Cyber Charter School discloses personally identifiable information from the student’s education records (except as provided in FERPA, Sec. 99.31.) The written consent must specify the records that may be disclosed, state the purpose of the disclosure, and identify the party to whom the disclosure may be made. Upon request, the parent or eligible student shall be provided with a copy of the records disclosed.
    - b. Where individual consent is required, the student’s consent shall also be obtained when he or she is reasonable competent to understand the nature and consequences of his or her decision.
    - c. No statement of consent shall be binding unless it is freely given after the parent or eligible student has been fully informed as to the



methods by which the information will be collected and the uses to which it will be put.

3. Disclosure of records without written consent – Pursuant to Sec. 99.31 (FERPA), The Pennsylvania Cyber Charter School may disclose personally identifiable information from the education record of a student without consent if the disclosure meets one or more of the following conditions:
  - a. The disclosure is made to the professional staff of The Pennsylvania Cyber Charter School who have been determined to have a specific, legitimate educational interest, including teachers, administrative personnel, counselors, speech therapists, psychologists, and school nurse. Specifically excluded are student teachers and teaching assistants. Written consent must be obtained by student teachers for the preparation of case histories to fulfill college requirements.
  - b. Law enforcement and judicial authorities may receive a report of a crime committed by a child with a disability from the School. The School is not prohibited from reporting a crime committed by a child with a disability to appropriate authorities or to prevent State law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal and State law.
    1. When reporting a crime committed by a child with a disability, the school shall ensure that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to whom it reports the crime.
    2. When reporting a crime under this section, the school may transmit copies of the child's special education and disciplinary records only to the extent that the transmission is permitted by the FERPA.
  - c. The officials of another school system in which the student intends to enroll, upon condition that reasonable effort be made to notify the parent or eligible student of the material to be disclosed and of their right to obtain copies of the material to be disclosed and to request amendment of the records.
  - d. Federal and state officials for the purpose of an audit and evaluation of federally supported education programs or for enforcing or complying with federally legal requirements which relate to these programs. Information provided shall contain the minimum necessary information that is personally identifiable, and such information shall be destroyed upon completion of such audit, evaluation, enforcement or compliance.
  - e. Persons or agencies in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

- f. Persons or agencies in compliance with a judicial order pursuant to any lawfully issued subpoena. The parent or eligible student shall be notified of all such orders and The Pennsylvania Cyber Charter School compliance. The parent or eligible student may receive a copy of the information released, if desired. Copies will be provided at the actual cost of reproduction.
  - g. The disclosure is to authorized representatives of the Comptroller General, The Secretary, or State and local educational authorities.
  - h. The school may provide anonymous directory information from its records, including the official student record, for research purposes without consent under conditions where there is no likelihood of identifying any individual.
4. Lists identifying names and addresses of students shall not be released to any outside agency.

B. Right to inspect or examine provisional records.

Parent or eligible student – Access is the same as for official student records (pp. 8-9)  
Without written consent of parent or eligible student – No provisional records may be released without written consent of the parent or eligible student, except as specified below:

- a. Information from psychological evaluations may be released without written consent to authorized school personnel in The Pennsylvania Cyber Charter School only.
- b. Psychological reports shall not follow a student from The Pennsylvania Cyber Charter School without written consent, except in situations where such reports are necessary for educational placement or for the student's health and welfare.
- c. The school may not disclose information not originated by The Pennsylvania Cyber Charter School (i.e. psychiatric reports, agency reports, etc.). The originating person or agency must disclose such information.

C. Requests for inspection and disclosure

1. The Pennsylvania Cyber Charter School shall maintain a record, with the student's education record, of each request for access to and each disclosure of personally identifiable information. For each request or disclosure, the record must include the parties who have requested or received information and their legitimate interest. Exceptions include parents, eligible student, school officials, a party with written consent from the parent or eligible student, a party with written consent from the parent or eligible student, a party seeking directory information,

- or a party seeking or receiving the records as directed by a Federal grand jury or other law enforcement. (Appendix A)
2. The Director of The Pennsylvania Cyber Charter School shall maintain a current listing of the names and positions of those who are authorized to have access to personally identifiable information in the education records of all students. (Appendix B)

## **V. STORAGE AND DESTRUCTION OF EDUCATION RECORDS**

A. The Pennsylvania Cyber Charter School shall maintain education records for children with and without disabilities in a manner consistent with the regulations for FERPA in 34 CFR Part 99.

B. Relevant files that are stored in more than one location are regarded as part of the student's overall education records. At The Pennsylvania Cyber Charter School, cumulative record folders are maintained in the office of the Student Records Officer. The files of children obtaining Special Education services are housed in the Office. Medical records are stored in the Director of Special Education's office, psychological test protocols are stored in the School Psychologist's office and speech and language records are housed in the Office of the Speech and Language Therapists. All records are confidential, secure, and made available only to authorized personnel with the approval of the Superintendent, Director, the Director of Student Services, or the Student Records Officer.

### **C. Periodic review and deletion of data**

1. Parents shall be informed when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to the child. Prior to its destruction, The Pennsylvania Cyber Charter School shall send written notification to the parent or eligible student which shall inform them of their right to receive a copy of material, originated by the school to be destroyed. Parent or eligible student will be informed of material, not originated by the school (i.e. psychiatric reports, agency reports, etc.), to be destroyed. The originating person or agency must disclose copies of such information.
2. Upon request of the parent, personally identifiable information no longer needed must be destroyed, with the following exception: a permanent record of a student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed and year completed may be maintained without time limitation.
3. Except as stated in Paragraph 2 above, nothing in this section shall be construed to mean that The Pennsylvania Cyber Charter School is required to destroy education records.
4. No education records will be destroyed that contain information necessary for the education of the student who is enrolled.

### **D. Longevity of data**

Administrative data shall be maintained by The Pennsylvania Cyber Charter School for a period of at least 20 years beyond the date that the student attains the age of 21. Professionals shall eliminate unnecessary supplementary data at periodic intervals. In any case, the student's medical record shall not be destroyed for a period of at least five years after the student ceases to be enrolled in The Pennsylvania Cyber Charter School. Exceptions may be made where, under rigorous standards and impartial judgment, good cause for their retention can be shown.

## **VI. AMENDMENT OF EDUCATION RECORDS**

A. A parent or student who believes that information contained in the education records collected, maintained, or used is inaccurate or misleading or violates the privacy rights of the child, may make a request to the Director that the records be amended.

B. The Pennsylvania Cyber Charter School shall decide whether to amend the information in accordance with the request within 10 business days from receipt of the request.

C. If the school agrees to amend the disputed information, the parent or student shall be notified in writing.

D. If the school refuses to amend the information in accordance with the request, it shall inform the parent or eligible student in writing of the refusal, the reason (s) for that refusal, and his or her right to a hearing under FERPA, Sec.99.21.

## **VII. HEARINGS: RIGHTS AND PROCEDURES**

A. The Pennsylvania Cyber Charter School shall, on request, provide an opportunity for a hearing to challenge information in education records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy rights of the child.

The hearing must meet, at a minimum, the following requirements:

1. The School shall hold the hearing within 20 business days after it has received the request for a hearing.
2. The School shall give the parent or eligible student notice of the date, time, and place of the hearing, within 5 business days of the request.
3. The hearing may be conducted by any individual, including an official of the educational agency or institution, who does not have a direct interest in the outcome of the hearing.
4. The parent or eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised, and may be assisted or represented by individuals of his or her choice, including an attorney, at his or her own expense.

5. The decision of the hearing panel shall be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision. This decision will be rendered in writing thirty days after conclusion of the hearing. A copy of the decision will be retained in the official student record.

#### Hearing Results

1. If, as a result of the hearing, The Pennsylvania Cyber Charter School decides that the information is inaccurate, misleading or otherwise in violation of the privacy rights of the child, it shall amend the information accordingly and so inform the parent in writing.
2. If, as a result of the hearing, The Pennsylvania Cyber Charter School decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy rights of the child, it shall inform the parent of the right to place in the child's records, a statement commenting on the information or setting forth reasons for disagreeing with the decision. The statement must:

Be maintained as part of the records of the child as long as the contested portion is maintained.

Be disclosed, if the records of the child or the contested portion is disclosed to any party.

#### **VIII. PARENT NOTIFICATION**

A. Annually, parents will receive a description of their rights under FERPA and implementing regulations, including the right to:

1. Inspect and review the student's education records
2. Seek amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights.
3. Be notified of the procedures for:
  - a. Exercising the right to inspect and review education records
  - b. Requesting the amendment of records
4. Consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA, Sec.99.31 authorizes disclosure without consent to, for example, school officials with legitimate educational interest.
5. File, with the U.S. Department of Education, a complaint concerning alleged failures by the School to comply with the requirements of the Act.

B. Upon request, parents may receive:

1. A description of the children on whom personally identifiable information is maintained, the types of information sought, the methods used to gather information (including the source,) and the uses to be made of the information
2. A summary of the policies and procedures regarding the storage, disclosure to third parties, retention, and destruction of personally information.
3. Specifications of criteria for determining who constitutes school officials and what constitutes a legitimate educational interest.
4. A list of the types and locations of education records collected, maintained, or used by The Pennsylvania Cyber Charter School. (Appendix C)

C. The Pennsylvania Cyber Charter School shall provide effective notification to parents or eligible students identified as having a primary or home language other than English and to parents or eligible students who are disabled.

## **IX. SAFEGUARDS**

A. The Pennsylvania Cyber Charter School shall protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages.

B. The Director shall assume responsibility for ensuring the confidentiality of any personally identifiable information.

C. All persons collecting or using personally identifiable information must receive training or instructions regards policies and procedures.

D. The Pennsylvania Cyber Charter School shall maintain, for public inspection, a current listing of the names and positions of those school employees who may have access to personally identifiable information.

E. Children shall be afforded rights of privacy similar to those afforded to parents, taking into consideration the age of the child and type of severity of disability, if any.

F. Parents and students who wish to file complaints with regard to compliance with this policy may do so by contacting the Superintendent. If further appeal is necessary, the parent or eligible student may contact the Family Policy Compliance Office, U.S. Department of Education, 600 Independence Avenue, SW, Washington, DC 20202-4605, Phone (202) 260-3887. With regard to complaints concerning violation of privacy rights in special education, contact may be made to : Chief, Division of Compliance, Monitoring and Planning, Bureau of Special Education,

Pennsylvania Department of Education, 333 Market Street, 7<sup>th</sup> Floor, Harrisburg, PA 17126-0333.

## **X. IMPLEMENTATION**

A. Director or designated professional personnel will screen all student records to eliminate any material in contradiction to this policy statement.

B. Items removed from the file during the screening process will be destroyed.

C. Upon adoption of this policy by The Pennsylvania Cyber Charter School Board of Directors.

1. Parents and eligible students will be notified annually of the policies and procedures.
2. Professional staff will be informed of this policy through in service education.

D. The Confidentiality of Student Education Records: Policy and Guidelines will remain on file with the Superintendent and be available upon request.





## Appendix B

**The Pennsylvania Cyber Charter School**  
**ACCESS TO EDUCATION RECORDS: AUTHORIZED PERSONNEL**  
**February 15, 2006**

POSITION	NAME
Director of Instruction	Robert Babish
Director of Student Services	Dr. Jean P. Aldrich
Curriculum Coordinator	Jane Price
Nurse	Dorothy Uccellini, Dana Marquis
School Psychologist	Frank Sabatino, M.ed., C.A.G.S., LPC
504 Coordinator	Rebecca Manning
Regular Class Teachers	Holly Castelli, Chad Francis
Administrative Assistances	Ashlee Parsons, Andrea Suznevich, Linda Komara
Teachers Assistants	Jennifer Morrell, Katie Grable
Supervisors	Karen Talbert, Kevin Smutko

## Appendix C

The Pennsylvania Cyber Charter School

### LOCATION OF EDUCATION RECORDS

Date: 2/06

<b>RECORD</b>	<b>LOCATION</b>
Cumulative Record Folder	The Pennsylvania Cyber Charter School
Special Education Records	The Pennsylvania Cyber Charter School
Psycho educational Records	The Pennsylvania Cyber Charter School
Medical Records	The Pennsylvania Cyber Charter School
Occupational Therapy Records	The Pennsylvania Cyber Charter School

## CONFIDENTIAL RECORDS AND THEIR LOCATIONS

### Types of Educational Records

### Location(s)

#### **Cumulative Folders**

- ❖ History of grades, class assignments, Group testing, teacher notes, and related information

PA CYBER , Computer System, Penn Data

#### **Evaluation Data**

- ❖ MFE team reports, assessments, teacher Evaluations, work samples, and related information

PA CYBER

#### **Procedural Safeguards Documentation**

- ❖ Surrogate assignment, custody determination, permission forms, parent notices, referrals, and related information

PA CYBER

#### **Individualized Education Programs**

PA CYBER

#### **Penn Data**

PA CYBER

#### **Medical Records**

- ❖ Medication records, prescriptions, health records, immunizations, and related information

PA CYBER

**Other** (specify) \_\_\_\_\_

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**The Pennsylvania Cyber Charter School**  
**Midland, PA 15059**

<b>IDENTIFICATION REPORT</b>
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TO: All Staff of The Pennsylvania Cyber Charter School

FROM: Robert Babish, Director of Instruction

SUBJECT: **IDENTIFICATION SYSTEM**

DATE: February, 2006

The 1997 Amendments to the Individuals with Disabilities Education Act mandate that every school district in the country develop a system to identify children with disabilities, birth through age 21, who live in the district. The law requires each district to conduct a “vigorous” search for children with disabilities. The rules adopted by the Pennsylvania Board of Education, direct that, in addition to a three year intensive search, school districts must conduct an annual in-school effort to identify and provide services to children with disabilities.

Every year in September, The Pennsylvania Cyber Charter School continues its effort to identify children with disabilities. The Pennsylvania Cyber Charter School will continue to conduct an intensive awareness to locate, identify, and evaluate children with disabilities under the age of twenty-two. The assistance of all staff members and agency personnel is needed to accomplish this task.

Any child that you suspect has a disability should be referred to the Multi-Disciplinary Team; who can be reached at the PA Cyber. Either of these individuals will provide additional information about the differentiated referral system.

Few legislative mandates of the federal government have such far-reaching implications for school districts. The Pennsylvania Cyber Charter School is committed to working in providing services that meet the individual needs of each child. We request your cooperation and assistance in meeting this challenge.

Thank You.

**Staff Information Regarding Identification**

TO: Professional Staff

<b>INFORMATION REGARDING DIFFERENTIATED REFERRAL SYSTEM</b>
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**What is a differentiated referral system?**

The differentiated referral system is a process for determining or differentiating the type, extensiveness, and priority of services or interventions necessary to address identified concerns.

**For whom should assistance be requested?**

Any child having difficulties which may require a team approach to address.

**Who may request assistance?**

Anyone who has direct knowledge of the child.

**How is a request made?**

By Instructional Supervisor or Parent/Student

**What happens next?**

1. The Request for Assistance Form and school records are reviewed by a Individual Assistance Team (IAT).
2. A meeting of qualified professionals and the parent (s) will be scheduled to determine what activities are needed to assist the student. These may include the following:
  - Collection of additional information
  - Consultation
  - Observation
  - Interventions
  - Referral to other sources
  - Interviews
  - Counseling
  - Assessment (e.g., curriculum based screening, or other appropriate measures to determine interventions)
  - Professional development
  - Determine if there is a suspected disability

3. If the referral was for a suspected disability, the team will meet to determine if a disability is suspected and, if necessary, plan the evaluation report.

If the parent (s) suspects that their child has a suspected disability, a Evaluation Report must be completed.

**Note: In the event that the student has a suspected disability, the IEP meeting shall be held not more than 90 calendar days after parental consent for Evaluation Report has been received or within 120 calendar days after the date that student is referred as a child with a suspected disability, unless a longer time span is mutually agreed upon in writing by the parent and the school district.**

THE PENNSYLVANIA CYBER CHARTER SCHOOL STAFF INFORMATION-  
POLICIES AND PROCEDURES  
CONFIDENTIALITY OF EDUCATION RECORDS OF CHILDREN ELIGIBLE FOR  
SERVICES UNDER IDEA

TO: All Professional Staff of The Pennsylvania Cyber Charter School

FROM: Robert Babish, Director of Instruction

RE: **Confidentiality Policies and Procedures**

In the interest of protecting confidentiality of personally identifiable data collected or used regarding students with disabilities, Mr. Robert Babish, has been assigned to act as the records control officer.

Mr. Robert Babish shall be responsible for ensuring the confidentiality of any personally identifiable data that are collected, maintained, or used by The Pennsylvania Cyber Charter School staff in accordance with the Board-adopted policies and procedures.

A list of employees having access to personally identifiable data is maintained and displayed where confidential records are kept. Personnel who have legitimate educational interests have access to these files. The records control officer maintains a list of such personnel. You may be asked to sign our School Record of Persons Obtaining Access to Confidential Education Record and to indicate the reason for requesting access.

Direct any questions regarding confidentiality issues to Mr. Robert Babish, The Pennsylvania Cyber Charter School.

**Attached:** Policies and Procedures Regarding Confidentiality of Education Records of Children Eligible For Services Under IDEA.

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THE PENNSYLVANIA CYBER CHARTER SCHOOL STAFF INFORMATION-  
POLICIES AND PROCEDURES  
CONFIDENTIALITY OF EDUCATION RECORDS OF CHILDREN ELIGIBLE FOR  
SERVICES UNDER IDEA

1. Access Rights

- a. The school district and other educational agency shall develop and implement written procedures that permit the parent to inspect and review any educational records relating to his or her child, which are collected, maintained, or used by the school district or other educational agency under this rule. The school district or other educational agency shall comply with the parent's request without unnecessary delay and before any meeting regarding an individualized education program or hearing related to the identification, evaluation, educational placement, or provision of a Free Appropriate Public Education (FAPE) of the child and, in no case, more than forty-five (45) days after the request has been made.
- b. The school district or other educational agency may presume that the parent has authority to inspect and review records relating to his or her child unless the school district or other educational agency has been advised that the parent does not have the authority under the applicable state law governing such matters as guardianship, separation, and divorce.
- c. The school district or other educational agency may charge a fee for copies of records that are made for the parent under this rule if the fee does not effectively prevent the parent from exercising the right to inspect and review those records.
- d. The school district or other educational agency may not charge a fee to search for or retrieve information.

2. Records Access

- a. Each school district and other educational agency shall develop a list of the types and location of education records collected, maintained, or used by them and shall provide this list to parents on request.



- b. Each school district and other educational agency shall develop and implement written procedures to keep a record of parties allowed access to educational records collected, maintained, or used (except access by parents and authorized employees of the school district or other educational agency) including the
  1. Name of party;
  2. Date access was given; and
  3. Purpose for which the party is authorized to use data.

If any educational records includes information on more than one child, the parents of those children shall have the right to inspect and review only the information relating to their child or to be informed of that specific information.

### 3. Amendment of Records at Parent's Request

- a. Each school district and other educational agency shall develop and implement written procedures so that a parent who believes that information in education records collected, maintained, or used under this part is inaccurate, incomplete, misleading, or violates the privacy or other rights of their child, may request the school district of other educational agency that maintains the information to amend that information.
- b. The school district and other educational agency shall decide whether or not to amend the information in accordance with the request within a reasonable period of time after receipt of the request.
- c. Each school district and other educational agency shall develop and implement written procedures so that if it decides to refuse to amend the information in accordance with the request, it shall inform the parent of the refusal and advise the parent of the right to a records hearing to challenge information in education records to ensure that it is not inaccurate, incomplete, misleading, or otherwise in violation of the privacy or other rights of the child.
- d. Each school district and other educational agency shall develop and implement written procedures regarding the records hearing which shall include at least the following elements:
  1. The records hearing shall be held within a reasonable period of time after the school district or other educational agency has received the request, and the parents shall be given notice of the date, place, and time reasonably in advance of the hearing.

2. The records hearing may be conducted by any party, including an official of the school district or educational agency that does not have a direct interest in the outcome of the hearing.
3. The parents shall be afforded a full and fair opportunity to present evidence relevant to the issues and may be assisted or represented by individuals of his or her choice at his or her own expense, including an attorney.
4. The school district or other educational agency shall make its decisions in writing within a reasonable period of time after the conclusion of the hearing.
5. The decision of the school district or other educational agency shall be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.

#### 4. Result of Record Hearing

Each school district and other educational agency shall develop and implement written procedures regarding the results of the records hearing. The procedures shall include the following:

- a. If, as a result of the records hearing, the school district or other educational agency decides that this information is inaccurate, incomplete, misleading, or otherwise in violation of the privacy or other rights of the child, it shall amend the information accordingly and so inform the parents in writing.
- b. If, as a result of the records hearing, the school district or other educational agency decides that the information is not inaccurate, incomplete, misleading, or otherwise in violation of the privacy or other rights of the child, it shall inform the parents of the right to place in the records it maintains on the child a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the school district or other educational agency.
- c. Any explanation placed in the record of the child under this section shall be maintained by the school district or other educational agency as part of the records, of the child as long as the records or contested portion is maintained. If the records of the child, or contested portions are disclosed to any party, the explanation must also be disclosed to the party.

## 5. Safeguards

Each school district and other educational agency shall have written policies and procedures to protect the confidentiality of personally identifiable data at collection, storage, disclosure, and destruction stages. These procedures must include the following provisions:

- a. All school district or other educational agency personnel collecting, maintaining, using, or otherwise having access to personally identifiable data shall be informed of the confidentiality policies and procedures of the school district or other educational agency.
- b. One administrator shall be assigned the responsibility for assuring confidentiality of any personally identifiable data.
- c. The agency shall maintain, for public inspection, a current listing of the names and positions of those employees within the school district or other educational agency who may have access to the personally identifiable data.

## 6. Prior Consent for Disclosure

- a. Each school district and other educational agency shall have written policies and procedures for disclosing personally identifiable information from the education records of a student without the written consent of the parent if the disclosure is made:
  1. To other officials including teachers within the school district or other educational agency who have been determined by the school district or other educational agency to have a legitimate educational interest;
  2. To officials of another school, school district, or other educational agency in which the students seeks or intends to enroll
    - a. When the transfer of records is initiated by the parent at the sending school district, joint vocational school, or other educational agency,
    - b. When the school district or other educational agency includes a notice in its policies and procedures that it forwards education records on request to a school district or other educational agency in which a student seeks of intends to enroll, or
    - c. After a reasonable attempt to notify the parent, at the parent's last known address, that the transfer of records has been made;

3. To federal and state officials in connection with the audit and evaluation of federally supported education programs, or in connection with the enforcement of or compliance with the federal legal requirements that relate to these programs;
4. In Connection with financial aid for which a student has applied or which a student has received, provided that personally identifiable information from the education records of the student may be disclosed only as may be necessary for such purposes as
  - a. The determination of the eligibility of the student for financial aid,
  - b. The determination of the amount of financial aid,
  - c. The determination of the condition which will be imposed regarding the financial aid, or
  - d. The enforcement of the terms or conditions of the financial aid;
5. In reporting a crime committed by a child with a disability, the district may transmit copies of the child's special education and disciplinary records only to the extent that the transmission is permitted by the Family Educational Rights And Privacy Act: Final Regulations (34 CFR §99.31).

Parent permission is required for a release of records, unless a lawfully issued subpoena or court order has been issued.

If the school district reports a crime committed by a child with a disability, the district shall ensure that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to whom it reports the crime; or

6. To others when specified, but not limited to those outline in the Family Educational Rights and Privacy Act: Final Regulations (34 CFR §99.31).
- b. Each school district and other educational agency shall develop and implement written procedures for obtaining the written consent of the parent before disclosing personally identifiable information from the educational records of a student, other than directory information, except as provided in item 6.a. The written consent must be signed and dated by the parent giving the consent and shall include:
    1. A specification of the records to be disclosed;
    2. The purpose or purposes of the disclosure; and
    3. The party or class of parties to whom the disclosure may be made.

*An Equal Opportunity Employer*

- c. When a disclosure is made pursuant to the above, the school district or other educational agency shall, upon request, provide a copy of the record that is disclosed to the parent and to the student, if so requested by the student's parent.

## 7. Destruction of Information

Each school district and other educational agency shall develop and implement written procedures, which provide that:

- a. The school district or other educational agency shall inform the parent or student, if appropriate, when personally identifiable information collected, maintained, or used under this paragraph is no longer needed to provide educational services to the child;
- b. The personally identifiable information on a child with a disability may be retained permanently unless the parent requests that it be destroyed. The school district and other educational agency should remind them that the records may be needed by the child or the parent for social security benefits or other purposes;
- c. The information shall be destroyed at the request of the parent or student, if appropriate. However, a permanent record of a student's name, address, phone number, grades, attendance records, classes attended, grade level completed, and year completed may be maintained without time limitation; and
- d. All personally identifiable information will be kept for at least seven years or longer if required for audit or other purposes.

## 8. Children's Rights

- a. When the student reaches the age of majority, the school district or other educational agency shall ensure that all rights regarding records previously described are transferred to the student (except for a student who has been determined to be incompetent under State law).
- b. The school district or other educational agency shall ensure that all rights previously described are transferred to children (ages 18-21) who are incarcerated in an adult or juvenile, state or local correctional institution.
- c. The school district or other educational agency shall notify the parent(s) and the student of the transfer of rights regarding records.

- d. If the school district or other educational agency has received evidence that a probate court has appointed a guardian over the child with a disability, the school district or other educational agency shall appoint the legal guardian to represent the educational interests of the child until the child reaches the age 22, if the child is not a ward of the state.

**Board Policy  
Local Educational Agency  
Special Education**

The \_\_\_\_\_ Board of Education, as an expression of its commitment to provide a free appropriate public education for children with disabilities in accordance with state and federal laws, rules, and regulations, does hereby resolve to implement the following policies:

**I. CHILD IDENTIFICATION**

It shall be the policy of this local educational agency that ongoing efforts will be made to identify, locate, and evaluate children below 22 years of age, who reside within the district and have a confirmed or suspected disability in accordance with all federal regulations and state standards.

**II. PROCEDURAL SAFEGUARDS**

It shall be the policy of this local educational agency that the child with a disability and his/her parent shall be provided with safeguards, as required by law, throughout the identification, evaluation, and placement process, and the provision of a free appropriate public education to the child.

**III. MULTIFACTORED EVALUATION**

It shall be the policy of this local educational agency to provide a multifactored evaluation for children with disabilities by ensuring that children are assessed in their native language or other mode of communication; tests, are used for their validated purposes; children are evaluated in all areas related to their suspected disability; testing is conducted by a multidisciplinary team; testing materials and procedures are not racially or culturally biased; tests are administered by trained personnel qualified in accordance with all federal regulations and state standards; tests are administered in conformance with the instructions provided by the producer; and, that medical evaluation, when required as part of the multifactored evaluation, shall be provided at no cost to the parent by a licensed physician designated by the superintendent or his/her designee, when other no-cost resources are not available.

**IV. INDIVIDUALIZED EDUCATION PROGRAM**

It shall be the policy of this local educational agency that an individualized education program (IEP) will be developed for each child with a disability that needs special education. The IEP shall be designed to meet the unique needs of the child and shall be developed in a planning conference. Parents of the child shall be strongly encouraged to participate in the planning conference. The IEP shall be reviewed and revised as often as necessary, but at least annually.

## **V. LEAST RESTRICTIVE ENVIRONMENT**

It shall be the policy of this local educational agency that the education of children with disabilities shall occur in the least restrictive environment; special education programs and services shall be appropriate and designed to meet the unique needs of each child with a disability; to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, shall be educated with children who do not have disabilities; special classes, separate schooling, or other removal of children with disabilities from the regular educational environment, shall occur only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

It shall be the policy of this Board that a free appropriate public education is available to any individual child with a disability who needs special education and related services even though the child is advancing from grade to grade.

## **VI. CONFIDENTIALITY OF DATA**

It shall be the policy of this local educational agency that the confidentiality of personally identifiable data relating to children with disabilities and their parents and families shall be protected at collection, storage, disclosure, and destruction, and that one official of this local educational agency shall be assigned the responsibility for protecting the confidentiality of personally identifiable data. This local educational agency follows all federal regulations and state standards related to the confidentiality of data.

## **VII. DUE PROCESS**

It shall be the policy of this local educational agency to utilize procedures that allow differences of opinion between parent(s) and this local educational agency or between agencies and this local educational agency, to be aired and resolved; and that the procedures shall provide for utilization of case conferences, administrative reviews, mediation, impartial due process hearing, and state level appeals and appeals to the courts that involve the district's proposal or refusal to initiate or change the identification, evaluation, or educational placement of the child, or the provision of FAPE to the child. Furthermore, the rights of children with disabilities shall be protected when the parents cannot be identified or located, when the child is a ward of the state, or when the child is without a formally declared legal representative.

## **VIII. SURROGATE PARENT**

It shall be the policy of this local educational agency that whenever the parent(s) or guardian(s) of a child with a disability is (are) not known or cannot be located, or when the child is a ward of the state, the child's rights shall be protected through the assignment of an individual (who shall not be an employee of the state education agency, local educational agency, or intermediate educational unit involved in the education of the child) who will serve as the child's surrogate parent.



**IX. TESTING PROGRAMS**

It shall be the policy of this local educational agency that students with disabilities shall participate in local and statewide testing programs or be provided an alternate assessment. The determination shall be made at the IEP conference.

Be it further resolved that the superintendent shall administer the local implementation of these state procedures, in accordance with state and federal laws, rules, and regulations, which will ensure fulfillment of the policies contained herein.

Adopted the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

Signed: \_\_\_\_\_ President of Board

Signed: \_\_\_\_\_ Treasurer of Board



## Attachment F-2005-06 PSSA Results

Link to PSSA results:

[http://www.pde.state.pa.us/a\\_and\\_t/cwp/browse.asp?a=3&bc=0&c=27525&a\\_and\\_tNav=|633|&a\\_and\\_tNav=](http://www.pde.state.pa.us/a_and_t/cwp/browse.asp?a=3&bc=0&c=27525&a_and_tNav=|633|&a_and_tNav=)

At the time of submission of this report, 2005-06 PSSA results were not yet received. These will be forwarded to you as soon as they are sent to The PA Cyber Charter School.

# Diagnostic Test Reports: All Subjects Summary

## All Subjects Summary

Report Scope: Locations  
Broken Down By: Location

Time Frame: 1/1/00 to 7/31/06  
Student Filtering: OFF

Location ▲	Grade	Item Pool	Reading Student Count	Mean Reading SS	SE of Mean Reading SS	Reading Overall SIP (%)	Math Student Count	Mean Math SS	SE of Mean Math SS	Math Overall SIP (%)	Language Arts Student Count	Mean Language Arts SS	SE of Mean Language Arts SS	Language Arts Overall SIP (%)	Science Student Count	Mean Science SS	SE of Mean Science SS	Science Overall SIP (%)	
The Pennsylvania Cyber Charter School (PA CYBER)	Overall		1104	3015			1294	2751											
	Grade 2	Grade 2 *	12	2240	(149)	74	10	2413	(126)	80									
	Grade 3	Grade 3 *	28	2532	(68)	85	23	2343	(54)	75									
	Grade 4	Grade 4 *	38	2677	(69)	84	39	2478	(52)	53									
	Grade 5	Grade 5 *	51	2703	(60)	75	48	2520	(44)	57									
	Grade 6	Grade 6 *	64	2890	(39)	83	68	2615	(30)	43									
	Grade 7	Grade 7 *	99	2880	(40)	74	102	2607	(31)	42									
	Grade 8	Grade 8 *	116	2963	(33)	72	121	2618	(28)	43									
	Grade 9	Grade 9 *	163	2965	(24)	66	165	2602	(22)	18									
	Grade 10	Grade 10 *	132	3011	(31)	65	129	2708	(27)	26									

Location ▲	Grade	Item Pool	Reading Student Count	Mean Reading SS	SE of Mean Reading SS	Reading Overall SIP (%)	Math Student Count	Mean Math SS	SE of Mean Math SS	Math Overall SIP (%)	Language Arts Student Count	Mean Language Arts SS	SE of Mean Language Arts SS	Language Arts Overall SIP (%)	Science Student Count	Mean Science SS	SE of Mean Science SS	Science Overall SIP (%)
	Grade 11	Grade 11-12 *	97	3114	(29)	61	106	2760	(32)	31								
	Grade 12	Grade 11-12 *	304	3270	(13)	75	483	2967	(11)	54								

**Time Frame** - 1/1/00 to 7/31/06

**Student Filtering: Demographics** - All Included

**Student Filtering: Groups** - All Included

- Item Pool** Any collection of Performance Series items i.e., those aligned to state specific standards and grade levels.
- Student Count** Number of students who completed a test within a given subject area.
- Mean SS** Arithmetic mean of the overall Scaled Score (SS) for a group of interest.
- SE of Mean SS** Standard Error of Mean Scaled Score. This is calculated by taking the standard deviation of the group and dividing it by the square root of the Student Count in that group.
- SIP (%)** Standards Item Pool score. This represents the percentage of items that a student (or group of students) is expected to answer correctly. The SIP Score is based on the individual Scaled Score (SS) at the student level or the Mean SS at an aggregated group level.
- N/A** Not Applicable. No SIP score available for the grade level.

Reading SIP Scores are based on Scantron National Reading Standards. Click here for more information about this specific Curriculum Alignment Guide.

Math SIP Scores are based on Pennsylvania Academic Standards for Mathematics (1999). Click here for more information about this specific Curriculum Alignment Guide.

Science SIP Scores are based on . Click here for more information about this specific Curriculum Alignment Guide.

LanguageArts SIP Scores are based on . Click here for more information about this specific Curriculum Alignment Guide.

\* The Item Pools for this grade level vary by subject area. Please refer to the Curriculum Alignment Guide in the Help Menu for further clarification.

**Attachment G-Local Test Data**

The Pennsylvania Cyber Charter School has adopted Scantron Corporation's Performance Testing Series (formally EdVision) for use as an off-year (PSSA) and local testing instrument for grades 3-12.

*Description of the test:*

A Standards-based Adaptive Measurement Designed to Assess and Track the Academic Growth of Each Student, Class, and School.

The PERFORMANCE Series Internet delivered assessment is a Standards-based Adaptive Measurement—a computer adaptive assessment modified to measure the different academic strands of individual state standards. Its goal is to give immediate diagnostic information to each teacher, including learning objectives a student has not completed, groupings of students by ability, and the academic gains made by individual and groups of students. Additionally, the administration can access the scores for the entire district as well as each school, with full disaggregation abilities. This local assessment tool is internet based with user ID's and passwords issued by the test administrator.

The Pennsylvania Cyber Charter School has adopted CompassLearning for use as an off-year (PSSA) and local testing instrument for grades K-2.

*Description of the test:*

A Standards-based Adaptive Measurement Designed to Assess and Track the Academic Growth of Each Student, Class, and School.

The CompassLearning Explorer is an online assessment tool that assesses student learning against state and national standards and objectives. It diagnoses student strengths and weaknesses on objectives tested. It automatically prescribes a personalized learning path for remediation, reinforcement, or enrichment. I also provides complete coverage of National Assessment of educational Progress and state objectives, while providing immediate feedback on student progress and proof of student achievement so educator's can adjust their teaching strategies to meet students' specific needs.

<b>Kindergarten</b>	<b>Enrolled</b>	<b>Math Review</b>	<b>LA Review</b>	<b>Below 70% in Math</b>	<b>Below 70% in LA</b>	<b>Average Score Math</b>	<b>Average Score LA</b>
<b>End of Year</b>	148	38	38	0	1	98%	95%
<b>Mid-Year</b>	146	44	47	1	8	96%	88%
					<b>Avg.Score Increase</b>	2%	7%
<b>First</b>	<b>Enrolled</b>	<b>Math Review</b>	<b>LA Review</b>	<b>Below 70% in Math</b>	<b>Below 70% in LA</b>	<b>Average Score Math</b>	<b>Average Score LA</b>
<b>End of Year</b>	132	37	41	1	1	97%	92%
<b>Mid-Year</b>	133	52	57	0	2	97%	92%
					<b>Avg. Score Increase</b>	0%	0%
<b>Second</b>	<b>Enrolled</b>	<b>Math Review</b>	<b>LA Review</b>	<b>Below 70% in Math</b>	<b>Below 70% in LA</b>	<b>Average Score Math</b>	<b>Average Score LA</b>
<b>End of Year</b>	170	34	29	1	1	93%	89%
<b>Mid-Year</b>	170	50	48	3	4	93%	87%
					<b>Avg.Score Increase</b>	0%	2%

# Pennsylvania Cyber Charter School

2005 - 2006 School Year

## ACT Scores

	ENGLISH		MATH		READING		SCIENCE		COMPOSITE
	23		26		31		26		27
	22		19		21		19		20
	28		27		28		24		27
	19		16		25		18		20
	18		16		19		18		18
	22		19		14		18		18
	16		16		17		18		17
	27		29		25		29		28
	18		26		19		22		21
	13		14		12		16		14
	23		17		34		24		25
	31		24		34		29		30
	17		16		18		17		17
	23		20		28		19		23
	29		32		35		33		32
	27		18		21		22		22
	17		14		21		19		18
	26		26		27		23		26
	26		24		29		29		27
AVERAGE	22.36842		21.00		24.11		22.26		





<b>Kindergarten</b>	<b>Enrolled</b>	<b>Math Review</b>	<b>LA Review</b>	<b>Below 70% in Math</b>	<b>Below 70% in LA</b>	<b>Average Score Math</b>	<b>Average Score LA</b>
<b>End of Year</b>	148	38	38	0	1	98%	95%
<b>Mid-Year</b>	146	44	47	1	8	96%	88%
					<b>Avg.Score Increase</b>	2%	7%
<b>First</b>	<b>Enrolled</b>	<b>Math Review</b>	<b>LA Review</b>	<b>Below 70% in Math</b>	<b>Below 70% in LA</b>	<b>Average Score Math</b>	<b>Average Score LA</b>
<b>End of Year</b>	132	37	41	1	1	97%	92%
<b>Mid-Year</b>	133	52	57	0	2	97%	92%
					<b>Avg. Score Increase</b>	0%	0%
<b>Second</b>	<b>Enrolled</b>	<b>Math Review</b>	<b>LA Review</b>	<b>Below 70% in Math</b>	<b>Below 70% in LA</b>	<b>Average Score Math</b>	<b>Average Score LA</b>
<b>End of Year</b>	170	34	29	1	1	93%	89%
<b>Mid-Year</b>	170	50	48	3	4	93%	87%
					<b>Avg.Score Increase</b>	0%	2%

# The Princeton Review

## Benchmark Test Report Summary

2005 - 2006

<b>Subject</b>	<b>Grade</b>	<b>Total Students</b>	<b>Average Score</b>
Reading	3	108	80%
Math	3	117	85%
Reading	4	59	79%
Math	4	64	80%
Reading	5	104	82%
Math	5	113	69%
Reading	6	103	72%
Math	6	94	62%
Reading	7	108	71%
Math	7	138	70%
Reading	8	200	83%
Math	8	169	70%
Reading	9	168	85%
Math	9	23	52%
Reading	10	7	78%
Math	10	15	60%
Reading	11	100	75%
Math	11	136	51%

# Pennsylvania Cyber Charter School

2005 - 2006 School Year

## SAT Scores

<b>GRADE 9</b>	<b>VERBAL</b>		<b>MATH</b>		<b>Writing</b>		<b>TOTAL</b>
	560		520		600		1680
<b>AVERAGE</b>	560		520		600		1680
<b>GRADE 10</b>	<b>VERBAL</b>		<b>MATH</b>				<b>TOTAL</b>
<b>AVERAGE</b>							
<b>GRADE 11</b>	<b>VERBAL</b>		<b>MATH</b>		<b>Writing</b>		<b>TOTAL</b>
	510		560		470		1540
	440		500		430		1370
	450		450		390		1290
	530		640		460		1630
	570		590		580		1740
	580		560				1140
	520		530				1050
	600		550		550		1700
	560		420		530		1510
	550		430		450		1430
	490		450		430		1370
	560		520		520		1600
	600		670		580		1850
	540		540		590		1670
	680		510		700		1890
	410		460		440		1310
	510		460		450		1420
	620		560		600		1780
	570		500		580		1650
	570		550		560		1680
	520		680		590		1790
	510		660				1170
	440		640				1080
	510		500		490		1500
	640		480		550		1670
	390		380		400		1170
	550		500		450		1500

Grade 11 con't	VERBAL		MATH		Writing		
	520		490		520		1530
	570		490		550		1610
	590		460		540		1590
	520		440		520		1480
	590		570		530		1690
	540		440		430		1410
	630		560		500		1690
	600		430		440		1470
AVERAGE	542		519		510		1513
GRADE 12	VERBAL		MATH		Writing		TOTAL
	520		510		500		1530
	530		460		530		1520
	570		470		510		1550
	500		520		520		1540
	720		580		650		1950
	710		640		700		2050
	710		570				1280
	420		410		380		1210
	400		400		360		1160
	640		640		580		1860
	640		650		540		1830
	300		420		410		1130
	680		530		580		1790
	650		530		510		1690
	590		460		500		1550
	550		520		590		1660
	760		790		760		2310
	760		780				1540
	590		560		460		1610
	780		570		670		2020
	700		540		630		1870
	530		550		560		1640
	510		550		570		1630
	540		510		580		1630
	670		490		540		1700
	500		390		500		1390
	430		380		590		1400
	450		440		400		1290
	570		530		610		1710
	600		540		610		1750

Grade 12 Con't	VERBAL		MATH		Writing		TOTAL
	580		620		580		1780
	650		600				1250
	590		530		640		1760
	800		690		640		2130
	690		640				1330
	610		570		520		1700
	440		410		520		1370
	740		680		650		2070
	490		420		540		1450
	480		450				930
	570		530		520		1620
	490		540		500		1530
	510		490		580		1580
	520		530				1050
	490		500				990
	550		580		600		1730
	500		560		570		1630
	580		560		530		1670
	570		550				1120
	570		430				1000
	570		690		600		1860
	530		570		600		1700
	570		580				1150
	560		540		570		1670
	600		570				1170
	210		320				530
	600		510		240		1350
	480		560		620		1660
	450		460		470		1380
	540		440		430		1410
	570		460		640		1670
	440		400		570		1410
	380		440		410		1230
	380		360		410		1150
	780		350		490		1620
	530		500		610		1640
	470		500		480		1450
	360		370		460		1190
	430		420		380		1230
	530		360		450		1340
	530		570		500		1600
	500		520		500		1520
	510		530		540		1580

Grade 12 Cont	VERBAL		MATH		Writing		TOTAL
	600		560		600		1760
	600		520		540		1660
	430		440		620		1490
	420		490		400		1310
	630		620		360		1610
	550		600		530		1680
	600		580		490		1670
	540		550		480		1570
	690		620		450		1760
	670		640		620		1930
	670		670		590		1930
	640		750		600		1990
	640		650		690		1980
	470		620				1090
	700		460				1160
	690		660		430		1780
	680		710		720		2110
	480		690				1170
	430		530				960
	460		460		500		1420
	590		480		500		1570
	550		470		470		1490
	460		460		460		1380
	630		370		460		1460
	620		620		460		1700
	600		520		520		1640
	510		570		480		1560
	470		540				1010
	450		520		490		1460
	460		490		440		1390
	670		460		460		1590
	640		550		440		1630
	480		420		690		1590
	600		460		580		1640
AVERAGE	559		529		531		1534
<b>Out of HS</b>	<b>VERBAL</b>		<b>MATH</b>		<b>Writing</b>		<b>TOTAL</b>
	480		460		460		1400
AVERAGE	480		460				1400
<b>SAT II Subject Tests</b>							
Writing	720						
U.S. History	650						

Chemistry	750						
	450						
	510						
	630						
Literature	760						
	730						
	620						
Math Level 1 (calculator)	680						
	590						
	630						
Math Level 2 (calculator)	580						
	580						
	560						
	730						
	760						
Biology Ecological	500						
	570						
	600						
Biology Molecular	650						
Physics	760						











## Attachment H- Teacher Evaluation Plan

### **Supervision and Evaluation Of Professional Staff Members**

The Board of Education recognizes that the continuing evaluation of professional teaching staff members is essential to the achievement of the educational goals of this district. The purpose of a program of evaluation will be to:

- Promote professional excellence;
- Improve the skills of professional teaching staff members;
- Improve pupil learning and growth; and
- Provide a basis for the review of teaching staff member performance.

The Board will provide leadership, adequate resources for supervision and professional development, time for the proper conduct of evaluations, and time for in-service training. Supervision has as its primary goal the improvement of instruction and carries with it a responsibility on the part of supervisors to help teachers become more effective. Supervision should contribute to an educational climate in which teachers can change and grow.

Supervisors in the Pennsylvania Cyber Charter School are expected to provide teachers with objective, job-oriented evaluations, including professional development plans and opportunities for career development.

Every member of the instructional staff member shall be evaluated twice formally and twice informally during the course of the school year by appropriately certified and trained administrators. The criteria utilized to evaluate each teacher is based on state standards for teacher observations as well as those that evolve logically from the district's goals, instructional priorities and program objectives set forth in a cyber charter school environment.

The Assistant Director of Instruction along with Instructional Leaders (Team Leaders/ Team Captains) shall direct the development, in consultation with teacher mentors, of job descriptions and evaluation criteria for each teaching staff member position. Job descriptions will be clear and concise and will be presented to the Board for its approval. The Team Leaders shall distribute to each teaching staff member, no later than September 1 of each school year, a copy of this policy and the teaching staff member's job description and evaluation criteria; any amendments made to these documents will be distributed no later than ten days after their adoption.

The Assistant Director of Instruction shall develop, in consultation with Instructional Leaders and teaching staff members, procedures for the evaluation of tenured teaching staff members that include, as a minimum:

1. The collection and reporting of data that is appropriate to the job description and includes classroom instruction, maintenance of Blackboard and Grades;
2. Pre and post observation conferences between the teaching staff member and the evaluating supervisor;
3. The preparation of individual professional improvement plans;

4. The preparation by the supervisor of an annual written performance report, which shall include the teaching staff member's performance areas of strength and weakness, an individual professional improvement plan developed by the member and the supervisor, and a summary of the results of formal and informal evaluations of the teacher's instructional practice;
5. The informal observation of new teacher's classroom by their mentors and vice versa to provide constructive feedback from which to build on;
6. The conduct of an annual summary conference between the supervisor and the member that will include a review of the member's performance, progress toward the objectives set forth in the professional improvement plan developed at the previous annual conference and growth toward program objectives, and the written performance report prepared by the supervisor;
7. Multiple evaluations of the observation program will be conducted by teachers throughout the year that will include questionnaires for all participants attending Summer Workshop, evaluation of Mentor Program, a survey of participants related to the achievement of the program goals, objectives and competencies at the end of the school year and
8. The signing of the annual written performance report within five working days of the annual summary conference and the provision that the member may, within ten working days of the signing of the report, augment the report with additional performance data.

Attachment I

**PCCS BOARD MEMBERSHIP**

Pennsylvania Cyber Charter School  
 900 Midland Ave, Midland, PA 15059  
 Phone: (724) 643-1180  
[www.pacyber.org](http://www.pacyber.org)

Nick Trombetta, Ed. D., Chief Administrative Officer  
 Brenda K. Starr, Board Secretary  
 FAX: (724) 643-2791

Regular meetings: 3<sup>rd</sup> Wednesday of every month, 8:00 am

AUN # 127043430

	<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE(H)</u>	<u>PHONE(W)</u>	<u>TERM</u>
President	Mary Ellen Bellay	825 Penn Ave., Midland 15059	(724) 643-4496	(724) 643-4900	07-2005
Vice-President	Edward Elder	130 Patton Drive, Aliquippa 15001	(724) 378-8972		07-2005
Treasurer*	Don Mills	Beaver, PA 15009	(724) 728-0814	(723) 643-1180	07-2005
Solicitor*	Robert Masters	1126 Sixth Ave., Beaver Falls 15010	(724) 775-7630	(724) 847-3800	07-2005
* Non-voting member of Board					
	Judy Garbinski	3925 4 <sup>th</sup> Ave., Beaver Falls 15010	(724) 843-4747	(724) 775-8561 ext.230	07-2005
	Ray Hoppa	1510 Second St., Beaver 15009	(724) 728-1868	(724) 312-4204	07-2005
	Stephanie Pennington	1061 Virginia Ave., Midland 15059	(724) 643-1926	(724) 643-8650	07-2005
	Phillip Tridico	897 Virginia Ave., Midland 15059	(724) 643-1626	(724) 643-8230	07-2005
	Ronald Young	242 Pleasantview Drive, Midland 15059	(724) 643-8912	(724) 643-1180	07-2005

## NOTICE OF SCHEDULE OF MEETINGS

Notice is hereby given that the Pennsylvania Cyber Charter School, formerly Western PA Cyber Charter School, will hold regular meetings in the year 2006 on the third Wednesday of each month, on the following dates:

January 18; February 15; March 15; April 19; May 17; June 21; July 19; August 16; September 20; October 18; November 15; December 20.

All meetings will begin at 8:00 A.M. and will be held in the Ruth Building conference room, located at 900 Midland Avenue, Midland, PA 15059. Brenda K. Starr, Board Secretary.



To The Board of Directors  
Pennsylvania Cyber Charter School  
652 Midland Avenue  
Midland, Pennsylvania 15059

We have audited the financial statements of the Pennsylvania Cyber Charter School for the year ended June 30, 2005. As part of our audit we made a study and evaluation of the School's system of internal accounting control to the extent we considered necessary to evaluate the system as required by generally accepted auditing standards. Under those standards, the purpose of such evaluation is to establish a basis for reliance on the system of internal accounting control to determine the nature, timing and extent of other auditing procedures that are necessary for expressing an opinion on the general-purpose financial statements and to assist the auditors in planning and performing the audit of the financial statements.

The objective of internal accounting control is to provide reasonable, but not absolute, assurance as to the safeguarding of assets against loss from unauthorized use or disposition, and the reliability of financial records for preparing financial statements and maintaining accountability for assets. The concept of reasonable assurance recognizes that the cost of a system of internal accounting control should not exceed the benefits derived and also recognizes that the evaluation of these factors necessarily requires estimates and judgments by management.

There are inherent limitations that should be recognized in considering the potential effectiveness of any system of internal accounting control. In the performance of most control procedures, errors can result from misunderstanding of instructions, mistakes of judgments, carelessness or other personal factors. Control procedures whose effectiveness depends upon the segregation of duties can be circumvented by collusion. Similarly, control procedures can be circumvented intentionally by management either with respect to the execution and recording of transactions or with respect to the estimates and judgments required in the preparation of financial statements. Further, projection of any evaluation of internal accounting control to future periods is subject to the risk that the procedures may become inadequate because changes in conditions that the degree of compliance with the procedures may deteriorate.

Our audit of the general-purpose financial statements made in accordance with generally accepted auditing standards, including the study and evaluation of the School's internal accounting control for the year ended June 30, 2003 that was made for the purpose set forth in the first paragraph of this report, would not necessarily disclose all weaknesses in the system because it was based on selective tests of accounting records and data. However, such study and evaluation disclosed the following.

#### **SEGREGATION OF DUTIES**

The School has limited staff responsible for or with access to receipts, check writing, bank reconciliation, account coding, and general ledger posting.

Due to limited staff, segregation of the above duties is not practical, if not impossible. The responsibility of management is greatly increased because the Board must rely on their knowledge of the everyday operations to discover any material changes in the School's financial position. Management should take a greater role in the review and approval of accounting transactions and financial reports. All material changes in monthly reports and/or accounting transactions and data should be thoroughly investigated.

### **RELATED PARTY TRANSACTIONS**

During the audit, it was noted the Pennsylvania Cyber Charter School engaged in several related party transactions with the Midland Borough School District, and the Lincoln Park Performing Arts Center. These transactions were considered to be related party transactions due to the involvement of School Administration and members of the School Board are also administrators and board members of the Midland Borough School District and the Lincoln Park Performing Arts Center.

The School needs to establish policy to define the criteria and documentation requirement for related party transactions to ensure that related party transactions are properly recorded, and that the transactions are consummated on terms equivalent to those that prevail in an "arm's-length" transaction.

### **POLICIES AND PROCEDURES**

We noted that the School continues to grow rapidly and employees continue to be added due to this growth. There are currently no formally established and documented policies and procedures for the finance department. In the absence formalized policies and procedures, the transition of duties to new personnel and the consistency of procedures can be hindered. New personnel are not able to adequately understand transactions performed by previous personnel. The School needs to establish written policies and implement written procedures governing school finances for the following:

1. Job descriptions and responsibilities
2. Purchasing, budgetary accounting and investing
3. Supervision, review and reconciliation of accounting activity
4. Proper approval of transactions
5. Maintenance of documentation supporting the underlying transactions
6. Proper coding of transactions
7. Proper handling of grant programs
8. Employee expense reimbursements

As part of this process, the policies and procedures should clearly outline the job responsibility of each employee or class of employees. In addition, relevant policies and procedures as well as job responsibilities should be disseminated to all applicable employees.

### **CODING OF TRANSACTIONS**

Transactions should be carefully coded to the appropriate general ledger accounts to ensure proper classification. Personnel responsible for coding should be familiar with the School chart of accounts, and supervisory review of the coding should take place to ensure that transactions are coded in an accurate and consistent manner.

### **CREDIT CARDS**

Policies and procedures need to be established that requires complete and accurate documentation of all expenses charged on School owned credit cards. Policy should discourage the charging of personal expenses and provide for the reimbursement of any undocumented or personal expense charged to the School's credit card.

Proper review of credit card charges should be made to ensure adherence with policy. All credit card purchases should be approved by management prior to payment.

**FRAUD POLICY**

Statement on Auditing Standards No. 99 – Consideration of Fraud in a Financial Statement Audit – is effective for audits of financial statements for periods beginning on or after December 15, 2002. As part of this new statement, we must ensure that the School has adopted programs and controls which are established to mitigate specific fraud risks the entity has identified, or that otherwise help to prevent, deter and detect fraud, and how management monitors those programs and controls. We noted management that management has not yet adopted a fraud policy in accordance with SAS No. 99 specifically addressing the aforementioned items. We suggest that management establish a formal fraud policy and begin working now to adopt programs and controls in an effort to comply with SAS 99 requirements.

**GASB 40**

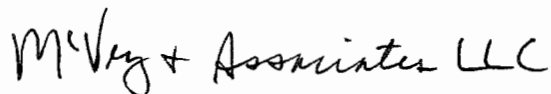
Due to new GASB 40 requirements, the School is required to disclose more information regarding deposit and investment risk. In doing so, it was determined that the School does not have provisions in any investment policy that would limit its investment choices to certain credit ratings. In addition, the School places no limit on the amount the School may invest in any one issuer. We recommend the School specifically address these items in an investment policy.

**GASB 45**

Beginning with the fiscal year 2007-2008, the School will be required by GASB 45 to measure an annual Other Post Employment Benefit (OPEB) cost and the Net OPEB obligation. OPEB includes post-employment healthcare benefits including medical, dental, vision, and other health-related benefits or other forms of post-employment benefits such as life insurance, disability, long-term care and other benefits. The School will be required to use an actuary to perform this calculation. We recommend the School begin this process in order to ensure compliance in 2007-2008.

The foregoing conditions were considered in determining the nature, timing and extent of auditing procedures to be applied in our audit of the financial statements.

The foregoing comments and recommendations are submitted to assist you in your efforts for the continued improvements and development of policies, procedures and controls. Our comments are not intended to be critical of individual persons, but rather constructive suggestions to assist you in these efforts. We would be happy to discuss these matters with you at any time and to furnish any additional information you may require.



March 21, 2006

**Pennsylvania Department of Education**  
**Profile of Basic Education Professional Personnel**  
**2005-2006**

AUN# 127043430  
 Pennsylvania Cyber CS

Description	Total	Male	Female
<b>Total</b>	<b>122</b>	<b>44</b>	<b>78</b>

**Racial/Ethnic Category**

American Indian/Alaskan Native	0	0	0
Asian/Pacific Islander	0	0	0
Black (Non-Hispanic)	2	1	1
Hispanic	0	0	0
White (Non-Hispanic)	120	43	77

**Employment Status**

Full-Time	121	44	77
Leave	0	0	0
Part-Time	1	0	1
Leave	0	0	0

**Years of Service in this LEA**

1	46	15	31
2-10	76	29	47
11-20	0	0	0
21-30	0	0	0
Over 30	0	0	0

**Age**

Under 30	55	16	39
30-50	46	17	29
Over 50	21	11	10

**Education Levels**

Less Than High School Graduate	0	0	0
High School Graduate	0	0	0
Less Than Bachelor's Degree	0	0	0
Bachelor's Degree	106	34	72
Master's Degree	13	7	6
Doctor's Degree	3	3	0

Description	Full & Part Time Salary			Full-Time Average Salary		
	Number	High	Low	Male	Female	CombinedAvg
<b>Total</b>	<b>122</b>	<b>125,000</b>	<b>20,000</b>	<b>43,143</b>	<b>38,535</b>	<b>40,211</b>
<b>Administrative/Supervisory</b>	<b>11</b>	<b>125,000</b>	<b>32,100</b>	<b>77,850</b>	<b>65,160</b>	<b>72,082</b>
Chief Admin Officer	1	125,000	125,000	125,000	0	125,000
Principal	4	90,000	51,000	82,500	65,500	74,000
Assistant Principal	0	0	0	0	0	0
Other Admin/Supv	6	80,000	32,100	59,033	64,933	61,983
<b>Classroom Teachers</b>	<b>99</b>	<b>51,000</b>	<b>20,000</b>	<b>37,255</b>	<b>36,407</b>	<b>36,676</b>
Elementary	30	51,000	30,000	44,350	38,275	39,490

Pre-K	0	0	0	0	0	0
K4	2	45,000	42,000	0	43,500	43,500
K5	0	0	0	0	0	0
Primary Elementary	8	48,000	32,100	48,000	41,314	42,150
Intermediate Elementary	19	51,000	30,000	43,620	36,450	38,337
Special Ed, Elementary	0	0	0	0	0	0
Other Elementary	1	32,100	32,100	0	32,100	32,100
Middle Level	8	42,000	30,000	36,000	34,300	34,725
English	4	42,000	32,100	0	35,925	35,925
Mathematics	2	42,000	30,000	42,000	30,000	36,000
Social Studies	1	30,000	30,000	30,000	0	30,000
Science	0	0	0	0	0	0
Special Ed, Middle Level	1	32,100	32,100	0	32,100	32,100
Other Middle Level	0	0	0	0	0	0
Secondary	41	51,000	20,000	34,156	34,150	34,152
English	12	48,000	30,000	36,300	35,033	35,350
Foreign Languages	6	34,800	32,100	34,800	33,000	33,900
Mathematics	6	34,800	20,000	32,100	32,300	32,220
Sciences	9	51,000	30,000	34,367	35,350	35,022
Social Sciences	8	34,800	32,100	33,180	32,100	32,775
Vocational Education	0	0	0	0	0	0
Special Ed, Secondary	0	0	0	0	0	0
Other Secondary	0	0	0	0	0	0
Special Ed, Other	14	48,000	32,100	38,550	37,350	37,693
Other Classroom Teachers	6	45,000	32,100	38,700	40,600	39,650
<b>Coordinate Services</b>	<b>9</b>	<b>42,000</b>	<b>32,100</b>	<b>36,060</b>	<b>38,525</b>	<b>37,156</b>
Guidance Counselor	3	42,000	32,100	37,050	42,000	38,700
Librarian	0	0	0	0	0	0
School Nurse	1	40,000	40,000	0	40,000	40,000
School Psychologist	0	0	0	0	0	0
Other Coordinate Services	5	42,000	32,100	35,400	36,050	35,660
<b>Other</b>	<b>3</b>	<b>51,000</b>	<b>45,000</b>	<b>48,000</b>	<b>48,000</b>	<b>48,000</b>

Accept File

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ACCURACY CERTIFICATION STATEMENT  
File Submission  
Elementary/Secondary Professional Personnel  
2005-2006

Due Date: November 1


PA Department of Education  
Division of Data Services  
333 Market Street  
Harrisburg, PA 17126-0333  
Fax: 717-787-3148

Pennsylvania Cyber CS  
AUN# 127043430

Contact Person (Data):  
Robert Babish  
Telephone: 724-643-1180 extension: 1027  
Fax: 724-643-2791  
Email: rbabish@wpccs.com

Contact Person (IT):  
Brett Geibel  
Telephone: 724-643-1180 extension: 1101  
Fax: 724-643-2791  
Email: bgeibel@wpccs.com

I certify that the information given on the file is correct and true to the best of my knowledge and was prepared in accordance with the instructions in the Elementary/Secondary Professional Personnel Instruction Manual, 2005-2006.

Chief School Administrator's Signature 	Date 02/14/2006
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## **Conduct/Discipline** (from PA Cyber Student Handbook)

### **Code of Conduct**

PA CYBER exists to educate its students. The school will not tolerate any actions from students, parents, staff or visitors that in any way interfere with the delivery of educational services, jeopardize the health, safety, and well-being of any member of the school family, or threaten the integrity and stability of the school itself.

The following are the infractions in the Code of Conduct that may subject the student to discipline up to and including suspension or expulsion, if the same occur during the presentation of any learning opportunity or at any school event, activity, or function.

- ◆ Cheating – acting dishonestly, copying, or using someone else’s work.
- ◆ Plagiarism- The act of taking someone else's ideas, words, or writing, and attempting to pass them off as your own or using them in any way without permission is an unacceptable educational practice. Any student caught plagiarizing will receive a failing grade (0% – 59%) for the assignment in which the plagiarism occurred and be given a written warning. Any second offense will result in removal from the course. Students will not be provided an additional class to replace the one in which the plagiarism occurred. The student may elect to take a summer school class, if available, at their own expense, or repeat the class the following school year. Further instances of plagiarism will result in an Administrative Review Board (ARB) hearing.
- ◆ Insubordination – not accepting directions; refusing to cooperate with PA CYBER employees, agents and other representatives.
- ◆ Theft – taking property of another without right or permission.
- ◆ Fighting – participating in physical contact with one or more students, faculty, or staff of PA CYBER or any other person with the intent to injure.
- ◆ Possession/Intake of Alcohol or other Illicit Substances.
- ◆ Vandalism – purposeful destruction, misuse, or defacing PA CYBER property.
- ◆ Profane/Obscene Language or Gestures toward Students/Staff/Teachers/Others – using unacceptable, disrespectful words, terms, or gestures intended to embarrass or insult.
- ◆ Wrongful Conduct – any action or inaction not specifically referenced in the listing above that impedes, obstructs, interferes, or violates the mission, philosophy, and regulations of PA CYBER or is disrespectful, harmful, or offensive to others or property.

### **Drugs, Alcohol, and Tobacco**

The PA CYBER prohibits the possession and/or use of drugs, alcohol, or tobacco products on school property or at school-sponsored events. Violators face a full range of disciplinary action including suspension or expulsion from school. They also may be prosecuted to the full extent of the law.

### **Weapons**

The PA CYBER prohibits the possession of any weapon(s) on school property or at school-sponsored events. Violators face a full range of disciplinary action including suspension or expulsion from school. They also may be prosecuted to the fullest extent of the law.

### **Harassment**

The PA CYBER requires all employees, students, and other individuals in the school environment to conduct themselves in an appropriate manner with respect of all employees, students, and other members of the school community. Harassment in any form or for any reason based on gender or sexual orientation is strictly prohibited. This includes harassment of a subordinate by a supervisor, among staff, between staff and students, or among students. Another person may view what one person may consider acceptable behavior as sexual harassment. Individuals should consider how others might view their words and actions.

“Harassment” includes such things as remarks, gestures or physical contact, writing placed on school property or the display or circulation of written materials or pictures derogatory to either gender or to an individual’s sexual orientation. What constitutes sexual harassment is based upon reasonable perceptions of the complainant rather than the intent of the alleged harasser. Students who believe they are victims of harassment should report such occurrences to a PA CYBER school official, which includes Instructional Supervisors, Counselors, or Administrators.

Students engaged in any act of harassment that is, in any way, connected to anyone associated with the PA CYBER, will be subject to one or more of the following disciplinary actions after initial contact has been made:

- ◆ Conference with parent or guardian
- ◆ Removal from participation in extra-curricular activities
- ◆ Suspension for up to 10 days



## Attachment M-Discipline Policies

- ◆ Long-term suspension for the remainder of the school term
- ◆ Long-term suspension for the remainder of the school year i.e. longer than one term or semester but less than a full year
- ◆ Referral to an appropriate law enforcement agency
- ◆ Permanent expulsion from the PA CYBER

Employees, please see the PA CYBER employee manual for corrective actions involving harassment.

### **Bullying Prohibited (Policy)**

Bullying is a form of harassment. For purposes of this policy, bullying is defined as: the repeated intimidation of others by real or threatened infliction of physical, verbal, written, electronically transmitted, or emotional abuse, or through attacks on the property of another. It may include but not be limited to, actions such as verbal taunts, name-calling, and put-downs, including ethnically based or gender-based verbal put-downs, extortion of money or possessions, and exclusion from peer groups within the school. Such conduct is disruptive to the educational process and, therefore, bullying is not acceptable behavior in the PA CYBER and is prohibited.

Students engaged in any act of bullying that is, in any way, connected to any activity sponsored or supported by the PA CYBER, will be subject to one or more of the following disciplinary actions after initial contact of the parent or guardian by phone (when possible) or by written notice as the next option:

- ◆ Conference with parent or guardian
- ◆ Removal from participation in extra-curricular activities
- ◆ Suspension for up to 10 days
- ◆ Long term suspension for the remainder of the school term
- ◆ Long term suspension for the remainder of the school year i.e. longer than one term or semester but less than a full year
- ◆ Referral to an appropriate law enforcement agency
- ◆ Permanent expulsion from the PA CYBER

This policy shall not be interpreted to prohibit a reasoned and civil exchange of opinions or debate that is protected by state or federal law.

### **Hazing Prohibited (Policy)**

Soliciting, encouraging, aiding, or engaging in hazing on or in any school property at any time, or in connection with any activity

## Attachment M-Discipline Policies

supported or sponsored by PA CYBER, whether on or off school property, is strictly prohibited.

Hazing means any intentional, knowing, or reckless act meant to induce pain, embarrassment, humiliation, deprivation of rights or that creates physical or mental discomfort, and is directed against a student for the purpose of being initiated into, affiliated with, holding office in, or maintaining membership in any organization or club, or athletic team sponsored by PA CYBER and whose membership is totally or predominately other students from PA CYBER.

Students engaged in any hazing-type behavior that is, in any way, connected to any activity sponsored or supported by PA CYBER, will be subject to one or more of the following disciplinary actions after initial contact of the parent or guardian by phone (when possible) or by written notice as the next option:

- ◆ Conference with parent or guardian
- ◆ Removal from participation in extra-curricular activities
- ◆ Suspension for up to 10 days
- ◆ Long term suspension for the remainder of the school term
- ◆ Long term suspension for the remainder of the school year i.e. longer than one term or semester but less than a full year
- ◆ Referral to an appropriate law enforcement agency
- ◆ Permanent expulsion from the PA CYBER

### **Due Process**

Public education includes students from many backgrounds. While PA CYBER supports individuality and growth, it must have rules to function effectively. PA CYBER must provide students, parents, school personnel and the public with a clear description of the minimum standards of behavior for all students. Ultimately, the PA CYBER School Board defines appropriate student conduct and presents a range of response for use by school personnel to address individuals who exhibit inappropriate behavior.

All suspension and expulsion procedures are conducted according to due process. Only the Director or Assistant Director may suspend or expel.

- ◆ The Director/Asst. Director provides the student/parent/guardian written notice of the intent to suspend/expel.
- ◆ The written notice includes reasons for the intended suspension/expulsion.
- ◆ The notice states the time and place to appear before the Administrative Review Board for a hearing on the matter.

## Attachment M-Discipline Policies

- ◆ By their request, the student/parent, and/or representative has opportunity to appear before the ARB to challenge the suspension/expulsion, or to otherwise explain the student's actions that lead to the intended suspension/expulsion.
- ◆ The Director/Asst. Director may grant an extension of the hearing date. If granted, all parties will be notified in writing of the new time and place for the meeting.

**Preliminary Statement of Revenues, Expenditures & Fund Balances**  
**Include ALL Funds**  
**as of June 30, 2006**

**The Pennsylvania Cyber Charter School**

**652 Midland Avenue Midland PA 15059**

**CEO Signature \_\_\_\_\_**

**EXPENDITURES**

<b>1000</b>	<b>INSTRUCTION</b>	
1100	REGULAR PROGRAMS - ELEMENTARY / SECONDARY	12,055,962.32
1200	SPECIAL PROGRAMS - ELEMENTARY / SECONDARY	1,329,682.57
1300	VOCATIONAL EDUCATION	0
1400	OTHER INSTRUCTIONAL PROGRAMS - ELEMENTARY / SECONDARY	95,695.01
1600	ADULT EDUCATION PROGRAMS	
1700	HIGHER EDUCATION PROGRAMS	547,953.66
1800	PRE-KINDERGARTEN	
<b>2000</b>	<b>SUPPORT SERVICES</b>	
2100	SUPPORT SERVICES - PUPIL PERSONNEL	
2110	Supervision of Pupil Personnel Services	
2120	Guidance Services	407,121.42
2130	Attendance Services	
2140	Psychological Services	36,815.00
2150	Speech Pathology and Audiology Services	
2160	Social Work Services	
2170	Student Accounting Services	
2190	Other Pupil Personnel Services	
2200	SUPPORT SERVICES - INSTRUCTIONAL STAFF	
2210	Supervision of Educational Media Services	6,807.02
2220	Technology Support Services	62,373.98

	2230	Educational Television Services	
	2240	Computer-Assisted Instruction Support Services	
	2250	School Library Services	
	2260	Instruction and Curriculum Development Services	
	2270	Instructional Staff Professional Development Services	45,435.18
	2280	Nonpublic Support Services	
2300		SUPPORT SERVICES - ADMINISTRATION	
	2310	Board Services	43,149.41
	2320	Board Treasurer Services	
	2340	Staff Relations and Negotiations Services	
	2350	Legal Services	121,226.58
	2360	Office of the Superintendent (Executive Director) Services	184,668.36
	2370	Community Relations Services	
	2380	Office of the Principal Services	1,465,084.24
	2390	Other Administration Services	1,335.16
2400		SUPPORT SERVICES - PUPIL HEALTH	106,118.16
2500		SUPPORT SERVICES - BUSINESS	
	2510	Fiscal Services	7,656,956.92
	2520	Purchasing Services	
	2530	Warehousing and Distributing Services	
	2540	Printing, Publishing and Duplicating Services	
	2590	Other Support Services - Business	
2600		OPERATION AND MAINTENANCE OF PLANT SERVICES	
	2610	Supervision of Operation and Maintenance of Plant Services	32,852.15
	2620	Operation of Buildings Services	1,564,869.98
	2630	Care and Upkeep of Grounds Services	
	2640	Care and Upkeep of Equipment Services	
	2650	Vehicle Operations and Maintenance Services (Other than Student Transportation Vehicles)	16,225.47
	2660	Security Services	
	2690	Other Operation and Maintenance of Plant Services	
2700		STUDENT TRANSPORTATION SERVICES	
	2710	Supervision of Student Transportation Services	
	2720	Vehicle Operation Services	
	2730	Monitoring Services	
	2740	Vehicle Servicing and Maintenance Services	35
	2750	Nonpublic Transportation	
	2790	Other Student Transportation Services	

2800		SUPPORT SERVICES - CENTRAL	
	2810	Planning, Research, Development and Evaluation Services	620,348.82
	2820	Information Services	2,978,000.40
	2830	Staff Services	28,570.68
	2840	Data Processing Services	40,031.29
	2850	State and Federal Agency Liaison Services	
	2860	Management Services	
	2890	Other Support Services Central	
2900		OTHER SUPPORT SERVICES - CENTRAL	
	2990	Pass-Thru Funds	
<b>3000</b>		<b>OPERATION OF NON-INSTRUCTIONAL SERVICES</b>	
3100		FOOD SERVICES	
3200		STUDENT ACTIVITIES	
	3210	School Sponsored Student Activities	103,559.29
	3250	School Sponsored Athletics	
3300		COMMUNITY SERVICES	
	3310	Community Recreation	331,263.80
	3320	Civic Services	4,909.60
	3330	Public Library Services	
	3340	Custody and Child Care	
	3350	Welfare Activities	
	3390	Other Community Services	14,315.00
3400		SCHOLARSHIPS AND AWARDS	
<b>4000</b>		<b>FACILITIES ACQUISITION, CONSTRUCTION AND IMPROVEMENT SERVICES</b>	
4100		SITE ACQUISITION SERVICES - ORIGINAL AND ADDITIONAL	2,156,644.60
4200		EXISTING SITE IMPROVEMENT SERVICES	5,736.00
4300		ARCHITECTURE AND ENGINEERING SERVICES / EDUCATIONAL SPECIFICATIONS DEVELOPMENT - ORIGINAL AND ADDITIONAL	
4400		ARCHITECTURE AND ENGINEERING SERVICES / EDUCATIONAL SPECIFICATIONS - IMPROVEMENTS	

4500	BUILDING ACQUISITION AND CONSTRUCTION SERVICES - ORIGINAL AND ADDITIONAL	
4600	EXISTING BUILDING IMPROVEMENT SERVICES	
<b>5000</b>	<b>OTHER EXPENDITURES AND FINANCING USES</b>	
5100	DEBT SERVICE / OTHER EXPENDITURES AND FINANCING USES	1,455,886.05
5200	FUND TRANSFERS	
5300	TRANSFERS INVOLVING COMPONENT UNITS	
5400	INTRAFUND TRANSFERS OUT	
5800	SUSPENSE ACCOUNT	332,857.28
5900	BUDGETARY RESERVE	
<b>TOTAL EXPENDITURES</b>		<b>33,852,490.40</b>

**TOTAL REVENUES MINUS TOTAL EXPENDITURES = CURRENT FUND  
BALANCE AS OF JUNE 30, 2006**

3,237,552.34