



# EAST HELENA PUBLIC SCHOOLS

School District No. 9

P.O. Box 1280 \* East Helena, MT. 59635

Superintendent/ Administration Office (406) 227-7700

Eastgate Elementary School (406) 227-7770 \* Prickly Pear Elementary (406) 227-7720

Radley Elementary School (406) 227-7710 \* East Valley Middle School (406) 227-7740

East Helena High School (406) 227-7730

*"Success For All"*



Dear Parents,

The East Helena School district complies with all State and Federal requirements for providing educational access to students in a public school. As an agency we are required to provide information and disclose the extent of the protections your children receive in this school district and as guaranteed by the state and federal laws and regulations.

In complying with these disclosures, you will find on the [www.ehps.k12.mt.us](http://www.ehps.k12.mt.us) website, a listing of protections and a way to access more extensive information regarding these safeguards. Keep in mind that the annual school calendar furnished to each family at the beginning of the school year contains similar but also additional information about services offered by the school district.

Certainly you can trust that your school district is supportive of students and willing to have a conversation about these notices or any topic. Please feel free to contact your school for additional information or clarifying any of the contents of this announcement at:

Eastgate School	227-7770	Building Principal	Jill Miller
Prickly Pear	227-7720	Building Principal	Jill Miller
Radley School	227-7710	Building Principal	Joe McMahon
EVMS	227-7740	Building Principal	Dan Rispens
EHHS	227-7730	Building Principal	Dan Rispens
Central Office	227-7700	Superintendent	Ron Whitmoyer

Thank you for your interest and ongoing support of your school district.

Sincerely,

Ron Whitmoyer  
Superintendent

## **Non-Discrimination Assurance**

East Helena Public Schools does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs (Policy #3000) and activities and provides equal access to all students, employees and youth groups. The East Helena Public Schools Superintendent has been designated to handle inquiries regarding the non-discrimination policies. He can be contacted at:

Ron Whitmoyer, Superintendent  
East Helena Public Schools  
P.O. Box 1280  
East Helena, MT 59635  
(406) 227-7700

For further information on notice of nondiscrimination, visit <http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm>  
for the address and phone number of the office that serves your area, or call 1-800-421-3481.

## **Family Educational Rights and Privacy Act (FERPA)**

### **Notification of Rights under FERPA for Elementary and Secondary Schools**

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

1. The right to inspect and review the student's education records...
2. The right to request the amendment of the student's education records...
3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent...
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the East Helena School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

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

There are disclosures that elementary and secondary schools may make without consent.

This notice is intentionally abbreviated due to the length of the full notice. However, the full notice of all disclosures mentioned herein are available upon request from the Office of the Superintendent, East Helena Public Schools, P.O. Box 1280, East Helena, Montana 59635 or on-line at [www.ehps.k12.mt.us](http://www.ehps.k12.mt.us).

## **Notice of Directory Information**

The *Family Educational Rights and Privacy Act* (FERPA), a Federal law, requires that East Helena Public Schools, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, East Helena Public Schools, may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the East Helena Public Schools, to include this type of information from your child's education records in certain school publications. Examples include:

- A playbill, showing your student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;

- Student directories;
- Graduation programs; and
- Sports activity sheets, such as for basketball, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the *Elementary and Secondary Education Act of 1965* (ESEA) to provide military recruiters, upon request, with the following information – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.<sup>1</sup>

If you do not want East Helena Public Schools to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing by November 1, 2014. East Helena Public Schools has designated the following information as directory information:

- Student's name
- Address
- Telephone listing
- Electronic mail address
- Photograph
- Date of birth
- Dates of attendance
- Grade level
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Honors and awards received

Directory Information is also provided in the disclosures included in the school calendar.

### **Protection of Pupil Rights Amendment (PPRA)**

The Protection of Pupil Rights Amendment (PPRA) requires the East Helena School District to adopt a number of student protection policies regarding surveys, instructional materials, physical examinations, personal information used for marketing, and the like. Please note that all of these policies are available on the School District Website ([www.ehps.k12.mt.us](http://www.ehps.k12.mt.us)) or by contacting the Office of the Superintendent, East Helena Public Schools, P.O. Box 1280, East Helena, Montana 59635. Please note however that the school district does NOT use student personal information for (1.) selling or marketing purposes; (2) administer surveys about any of the eight topics listed in the statute (political beliefs, income, or attitudes, etc.); or (3) administer certain non-emergency, invasive physical examinations. The districts will directly notify parents if there is ever a reason or need to have students participate in this kind of activity prior to them being scheduled.

### **Children's Internet Protection Act (CIPA)**

The East Helena Public Schools Internet safety program includes a technology protection measure that protects against Internet access by both adults and minors to visual depictions that are obscene, child pornography, or, with respect to use of the computers by minors, harmful to minors. The Internet safety procedures include monitoring the online activities of

minors and provides for educating minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response. The Internet safety procedures address all of the following issues: (A) access by minors to inappropriate matter on the Internet and World Wide Web, (B) the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications, (C) unauthorized access, including so-called "hacking," and other unlawful activities by minors online; (D) unauthorized disclosure, use, and dissemination of personal information regarding minors; and (E) measures designed to restrict minors' access to materials harmful to them.

### **COPPA Notice to Parents**

The East Helena School District does not condone or support the collection of on-line data from children under the age of 14 as a matter of practice. The School District does however wish to inform parents that there is the Children's On-Line Privacy Protection Act (COPA) which prohibits the on-line collection of personal information and that such intrusions of privacy beyond the control of the school district are unlawful and should be reported to the Federal Trade Commission (FTC).

#### **Content**

This notice to parents contains information included in the Federal Trade Commission (FTC) announcement regarding Children's On-line Privacy Protection Act. More information is available on the <http://www.coppa.org/> Web site. This protection applies to vendors of web resources and requires a vendor to notify a parent that they wish to collect personal information from the child; that the parent's consent is required for the collection, use and disclosure of the information; and how the parent can provide consent. The school district will provide reasonable notice to parents in situations where they have advanced knowledge that a vendor may seek information from a student that is beyond the normal notice to parents. Vendor notices will be written clearly and understandably, and must not contain any unrelated or confusing information. An operator may use any one of a number of methods to notify a parent, including sending an email message to the parent or a notice by postal mail.

#### **Verifiable Parental Consent**

Before collecting, using or disclosing personal information from a child, an operator must obtain verifiable parental consent from the child's parent. This means an operator must make reasonable efforts (taking into consideration available technology) to ensure that before personal information is collected from a child, a parent of the child receives notice of the operator's information practices and consents to those practices.

### **Child Nutrition under the National School Lunch Program**

East Helena School District participates in the National School Lunch Program, the School Breakfast Program, and the Special Milk Program. Free and reduced price meals and free milk prices are provided in the information included in the school calendar. We encourage all parents to complete an application form for participation in the programs. Your participation is actually a benefit to the school system when we apply for grants and other sources of funding.

The East Helena School District complies with the amended Healthy, Hunger-Free Kids Act of 2010 which requires school districts to inform and update the public (including parents, students, and others in the community) about the content and implementation of the local school wellness policy. The school district continues to periodically assess the implementation of the school wellness policy, including—(i) the extent to which schools are in compliance with the school Wellness Policy 2120; (ii)

the extent to which the local school wellness policy compares to model wellness policies; and (iii) reports progress made in attaining the goals of the local school wellness policy.

### **Summer Feeding Program**

The School District offers a free breakfast and lunch every day during the summer starting in June and running through the middle of August. Children and young adults up to the age of 18 are eligible to for the free meals simply by coming to the Radley School Cafeteria between 7:30 and 9:00 AM or 11:30 till 1:00 PM Monday through Friday.

### **Asbestos Hazard Emergency Response Act**

In the past, asbestos was used extensively in building materials because of its insulating, sound absorbing, and fire retarding capabilities. Virtually any building constructed before the late 1970s contained some asbestos. Intact and undisturbed asbestos materials generally do not pose a health risk. Asbestos materials, however, can become hazardous when, due to damage or deterioration over time, they release fibers. If the fibers are inhaled, they can lead to health problems, such as cancer and asbestosis.

In 1986, Congress passed the Asbestos Hazard Emergency Response Act (AHERA) which requires schools to be inspected to identify any asbestos containing building materials. Suspected asbestos-containing building materials were located, sampled (or assumed) and rated according to condition and potential hazard. Every three years, East Helena Public Schools conducts a re-inspection to determine whether the condition of the known or assumed asbestos containing building materials (ACBM) has changed and makes a recommendations on managing or removing the ACBM. At the last re-inspection conducted on July 23, 2013, all materials listed in the Management Plan as asbestos containing (or assumed to be asbestos-containing) were inspected and found to be in good condition.

East Helena Public Schools has a complete plan that has been in place since 1989, as required, and that has been continually updated since that time. The plan has several ongoing requirements: publish a notification on management plan availability and the status of asbestos activities; educate and train its employees about asbestos and how to deal with it; notify short-term or temporary workers on the locations of the asbestos containing building materials; post warning labels in routine maintenance areas where asbestos was previously identified or assumed; follow set plans and procedures designed to minimize the disturbance of asbestos containing building materials; and survey the condition of these materials every six months to assure that they remain in good condition.

The following buildings contain no asbestos-containing building materials; therefore, no operations and maintenance programs or future inspections are required: Eastgate Elementary School, Prickly Pear Elementary School and East Valley Middle School. During the past year, asbestos containing building materials have been inspected in-place, removed, encapsulated, or enclosed in the following buildings: Radley Elementary School and the Central Office Administration Building. During the next year, we plan to conduct ongoing monitoring of the in-place containment of the identified asbestos containing floor tiles and other limited building materials. The current plan calls for identification and encapsulation of materials and only as major construction dictates will the materials actually be guardedly removed.

It is the intention of East Helena Public Schools to comply with all federal and state regulations controlling asbestos and to take whatever steps are necessary to ensure students and employees a healthy and safe environment in which to learn and work. You are welcome to review a copy of the asbestos management plan in school district administrative office or administrative office of the school during regular business hours. Allan VanDiest, maintenance Supervisor is our designed asbestos

program coordinator, and all inquiries regarding the asbestos plan and asbestos-related issues should be directed to him at (406) 227-7700.

### **McKinney-Vento Homeless Assistance Act**

The East Helena School District, in compliance with the McKinney-Vento Homeless Assistance Act provides services, referrals and information to students and families identified as homeless. The district provides public notice of the education rights of homeless students, and such notice is disseminated in places where homeless students receive services under the Act. This notice is available in a "manner and form" understandable to homeless students and their parents/guardians, "including, if necessary and to the extent feasible," in their native language.

Educational Rights of Homeless Children and Youth They have rights to:

- Immediate enrollment in school without proof of residency, birth certificate, proof of immunization, or other documents.
- Attend school. Homeless children must be given access to the same public education provided to other students.
- Continue attending the school in which they were enrolled when they became homeless, the school last attended, or the school closest to their temporary residence, if feasible and in the best interest of the child or youth.
- Receive transportation to the school they attended before they became homeless.
- Automatic enrollment in the free/reduced lunch program without proof of income or residency.
- Automatic qualification for Title I services.
- Expedited assessments for services under LEP, Migrant, Title VII and IDEA.
- Receive all school-based services for which they qualify.
- Participate in all programs and activities offered to other students, including athletics, music, clubs and other extracurricular activities.
- Have their parents participate in and attend school events and activities.
- Challenge decisions on school selection made by schools and districts through the OPI Dispute Resolution process.

### **Title VI, Title IX, Section 504, the Age Discrimination Act, Title II of the Americans with Disabilities Act, and the Boy Scouts of America Equal Access Act**

The East Helena Public School District provides notice to students, staff, and others that it will not discriminate on the bases of classes protected by law. The student and staff handbooks contain these required notices. Additional notices of non-discrimination have been posted to notify the public.

The East Helena School District has designated Jannice Odermann and Emily Munn, EHPS staff members, to be responsible for compliance with Title IX, and Section 504/ADA discrimination laws.

### **Free and Appropriate Public Education (FAPE)**

Section 504 of the *Rehabilitation Act of 1973* protects the rights of individuals with disabilities in programs and activities that receive federal financial assistance, including federal funds. Section 504 provides that: "No otherwise qualified individual with a disability in the United States . . . shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance . . ."

The East Helena School District complies with Section 504 regulation which requires school districts to provide a "free appropriate public education" (FAPE) to each qualified person with a disability who is in the school district's jurisdiction, regardless of the nature or severity of the person's disability.

## **SECTION 504/ADA GRIEVANCE PROCEDURE**

It is the policy of East Helena School District not to discriminate on the basis of disability. East Helena Schools has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) of the U.S. Department of Health and Human Services regulations implementing the Act. Section 504/ADA prohibits discrimination on the basis of disability in any program or activity receiving Federal financial assistance. The Law and Regulations may be examined in the offices of our 504/ADA Coordinators, Stephanie Bauch and Jannice Odermann. They are designated to coordinate the efforts of East Helena Schools to comply with Section 504/ADA.

Any person who believes she or he has been subjected to discrimination on the basis of disability may file a grievance under this procedure. The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination on the basis of disability with the U. S. Department of Health and Human Services, Office for Civil Rights.

East Helena Schools will make appropriate arrangements to ensure that disabled persons are provided other accommodations, if needed, to participate in this grievance process. Such arrangements may include, but are not limited to, providing interpreters for the deaf, providing taped cassettes of material for the blind, or assuring a barrier-free location for the proceedings. The Section 504/ADA Coordinator will be responsible for such arrangements.

## **Individuals with Disabilities Education Act (IDEA)**

The East Helena School District provides procedural safeguards to parents/guardians with children that have been identified as eligible under IDEA. Additional information is available at each school office or by request from the Office of the Superintendent, East Helena Public Schools, PO Box 1280, East Helena, Montana 59635 or on-line at [www.ehps.k12.mt.us](http://www.ehps.k12.mt.us).

## **Title I — Improving The Academic Achievement Of The Disadvantaged**

East Helena Public Schools receives federal Title I funding that provides additional assistance to children of poverty for the school district. The East Helena program targets funding to the program to provide intervention programs that give additional assistance and instruction for children that best suits their needs.

Additional information is available on the school district website ([www.ehps.k12.mt.us](http://www.ehps.k12.mt.us)) including the School Parent Compact and other important documentation of the Title I Program. Full notice of disclosures mentioned herein are available either electronically or in print upon request from the Office of the Superintendent, East Helena Public Schools, P.O. Box 1280, East Helena, Montana 59635 or on-line at [www.ehps.k12.mt.us](http://www.ehps.k12.mt.us).

## **Student Records**

Student record information is governed by laws throughout our country that require publication of practices in the school district. The Family Educational Rights and Privacy Act guarantees that students and parents have the right to know what student information is available and who can access student record information.

Parents have the right to inspect and review student records throughout the year. You simply must make a written request at the office of the building in which your child attends for the records you wish to inspect. The school official will make arrangements for access to the records at a time and place where the records may be inspected. Records will stay in plain sight of office personnel at all times

during the inspection by a parent. Records will not be released to an individual and all requests for copies require payment of \$.15 per page to reimburse the district for costs.

Parents have the right to submit a request to amend the records by submitting a letter to the building principal requesting the change and the reason for the request. The request will be reviewed and the final decision for amending the records for cause will lie with the building principal. The school will notify the parent or guardian of the result of their request and inform them of their right to appeal the decision.

School officials will have the right to review educational records as necessary for the efficient running of the school. A school official is any person that is employed by School District #9 and functions as an administrator, supervisor, instructor, or support personnel such as a school nurse, paraprofessional, secretary; a person serving on the School Board; a person or employee with whom the district is contracting services such as a therapist; local law enforcement personnel acting within the scope of their duties; or a parent serving on a committee that is assisting the school district.

School officials make student directory information available because by definition it is generally considered to be harmless and not an invasion of privacy if disclosed. This information includes such items as student name, parent name, address, phone number, field of study height and weight of athletes, most recent schools attended, date of birth, participation in officially recognized activities and sports, dates of attendance and degrees or awards.

If for any reason these right are not satisfactory to you as a parent of a minor child please contact the school. Parents have the right to file a complaint with the Family Policy Compliance Office in the Department of Education if these guidelines are not followed.

### **School Board Policies**

The School District Board Policies are available at <http://ehps.k12.mt.us/domain/129> that clearly state the duties and opportunities within the school district.