

NOTICE OF NON-DISCRIMINATION

The Deubrook Area School District does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups.¹ The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Superintendent Dr. Kimberly Kludt by writing to PO Box 346, White SD 57276-0346 or calling (605) 629-1100 or Rhonda Kruse by writing to PO Box 399, Toronto, SD 57268 or calling (605) 794-1151. For further information on notice of non-discrimination, please contact the Office for Civil Rights: Office for Civil Rights, U.S. Department of Education, One Petticoat Lane, 1010 Walnut Street, 3rd floor, Suite 320, Kansas City, MO 64106, Telephone: 816-268-0550, FAX: 816-268-0599, Email: OCR.KansasCity@ed.gov

NON-DISCRIMINATION STATEMENT FOR SCHOOL FOOD SERVICE

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) Mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;

(2) Fax: (202) 690-7442; or
(3) Email: program.intake@usda.gov

This institution is an equal opportunity provider.

CHILD FIND

The Deubrook Area School District, in order to fulfill the obligations of the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act is required to inform and provide full educational opportunities to all individuals with disabilities ages birth through twenty-one.

- Dr. Kimberly Kludt, Superintendent of the Deubrook Area School District needs your assistance to identify, locate, and evaluate all children with disabilities. This public awareness notice is to inform parents and other individuals/agencies of the availability of educational services and related services to all individuals who reside within the jurisdiction of the Deubrook Area School District and who are between the ages of birth through twenty-one, regardless of the severity of their disability. This includes individuals in all public and private agencies and institutions and highly mobile children with disabilities, such as migrant and homeless children, who reside within the legal boundaries of the district.

Anyone aware of an individual who may benefit from educational services and related services is encouraged to call the Deubrook Area School District, at 605-695-1101.

PUBLIC INFORMATION

The Deubrook Area School District has the following documents available for review by parents of children with disabilities and to the general public:

1. Comprehensive Plan for Special Education.
2. IDEA Federal Applications for Funds.
3. Special Education Accountability/Monitoring Final Report.
4. Applications, evaluations, periodic program plan or reports relating to federal programs including auditor's reports, statements of assurance, budget, and grant materials.

IDEA REGULATION 300.212 - SPED COMPREHENSIVE PLAN

The school district will make available to parents of children with disabilities and to the general public all documents relating to the district's eligibility under Part B of the Individuals with Disabilities Education Act.

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 within 45 days after the day the Deubrook Area School District receives a request for access.
 - Parents or eligible students who wish to inspect their child's or their education records should submit to the school principal or superintendent a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.
 - Parents or eligible students who wish to ask the Deubrook Area School District to amend their child's or their education record should write the school principal or superintendent, clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
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.
 - One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest must be set forth in the school's or school district's annual notification for FERPA rights. A school official typically includes a person employed by the school or school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer, contractor, or consultant who, while not employed by the school, performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
 - Upon request, the school discloses education records without consent to officials of another school or school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Deubrook Area 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

FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in § 99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, § 99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student –

- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(3) are met. (§ 99.31(a)(1))
- To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34. (§ 99.31(a)(2))
- To authorize representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency (SEA) in the parent or eligible student's State. Disclosures under this provision may be made, subject to the requirements of § 99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf, if applicable requirements are met. (§§ 99.31(a)(3) and 99.35)

- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§ 99.31(a)(4))
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to § 99.38. (§ 99.31(a)(5))
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction, if applicable requirements are met. (§ 99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§ 99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§ 99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena if applicable requirements are met. (§ 99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to § 99.36. (§ 99.31(a)(10))
- Information the school has designated as "directory information" if applicable requirements under § 99.37 are met. (§ 99.31(a)(11))
- To an agency caseworker or other representative of a State or local child welfare agency or tribal organization who is authorized to access a student's case plan when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student in foster care placement. (20 U.S.C. § 1232g(b)(1)(L))
- To the Secretary of Agriculture or authorized representatives of the Food and Nutrition Service for purposes of conducting program monitoring, evaluations, and performance measurements of programs authorized under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, under certain conditions. (20 U.S.C. § 1232g(b)(1)(K))

NOTICE FOR DIRECTORY INFORMATION

The *Family Educational Rights and Privacy Act* (FERPA), a Federal law, requires that Deubrook Area School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, Deubrook Area School District may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the Deubrook Area School District 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;
- Graduation programs; and
- Sports activity sheets, such as for wrestling, 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.

If you do not want Deubrook Area School District to disclose any or all of the types of information designated below as directory information from your child's education records without your prior written consent, you must notify the Deubrook Area School District in writing by the first day of school for any academic year. Deubrook Area School District has designated the following information as directory information:

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|---|--|
| • Student's name | • Date and place of birth |
| • Address | • Major field of study |
| • Telephone listing | • Dates of attendance |
| • Electronic mail address | • Grade level |
| • Photograph | |
| • Participation in officially recognized activities / sports | • Degrees, honors, and awards received |
| • Weight and height of members of athletic teams | • The most recent educational institution attended |
| • Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (SSN, in whole or in part, cannot be used for this purpose.) | |
| • A student ID number or other unique personal identifier that is displayed on a student ID badge, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user. | |

NOTIFICATION OF RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)

PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

Consent before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)–

1. Political affiliations or beliefs of the student or student’s parent;
2. Mental or psychological problems of the student or student’s family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

Receive notice and an opportunity to opt a student out of –

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

Inspect, upon request and before administration or use –

1. Protected information surveys of students;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

Deubrook Area School District has developed policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. Deubrook Area School District will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. Deubrook Area School District will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. Deubrook Area School District will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-5901

PPRA NOTICE AND CONSENT/OPT-OUT FOR SPECIFIC ACTIVITIES

The Protection of Pupil Rights Amendment (PPRA), 20 U.S.C. § 1232h, requires Deubrook Area School District to notify you and obtain consent or allow you to opt your child out of participating in certain school activities. These activities include a student survey, analysis, or evaluation that concerns one or more of the following eight areas (“protected information surveys”):

1. Political affiliations or beliefs of the student or student’s parent;
2. Mental or psychological problems of the student or student’s family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

This parental notification requirement and opt-out opportunity also apply to the collection, disclosure or use of personal information collected from students for marketing purposes ("marketing surveys"). Please note that parents are not required by PPRA to be notified about the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions. Additionally, the notice requirement applies to the conduct of certain physical exams and screenings. This includes any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student. This does not include hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required by State law.

NOTIFICATION TO PARENTS/GUARDIANS OF INFORMATION - "NO CHILD LEFT BEHIND ACT"

Dear Parent/Guardian:

Pursuant to the federal "No Child Left Behind Act," P. L. 107-110 (Title IX, Sec. 9528), the Deubrook Area School District must disclose to military recruiters and institutions of higher learning, upon request, the names, addresses, and telephone numbers of high school students. The district must also notify parents/guardians of their right and the right of an 18-year old child to request that the district not release such information without prior written consent. Parents/guardians or eligible 18 year-old students wishing to exercise their option to withhold their consent to the release of the above information to military recruiters and institutions of higher learning must sign the form below and return it to the building principal by 9/04/2018.

DENIAL OF CONSENT FOR THE RELEASE OF CERTAIN STUDENT INFORMATION UNDER THE "NO CHILD LEFT BEHIND ACT"

Please do not release the name, address, and telephone number of the following student to military recruiters and institutions of higher learning:

Print Name of Student	School	Grade
<hr/>		
Parent/Guardian or 18 year-old Student Signature	Date	

Parents Right to Know – ESSA

What do I know about my child's teacher? The federal education law put in place called "Every Child Succeeds Act" requires that all parents in a Title I school be notified and given the opportunity to request information about the professional qualifications of classroom teachers instructing their child. If you are interested in this information, you may send your request to the building principal who will provide a response.

ASBESTOS MANAGEMENT PLAN NOTIFICATION - COMMUNITY, EMPLOYEES, STUDENTS AND ORGANIZATIONS

The Deubrook Area Schools has on file a complete and updated Management Plan for dealing with asbestos containing building materials within the school district's buildings. The Management Plan is available for viewing by interested parties, Monday through Friday, 8:25 a.m. to 3:25 p.m. (when school is in session) at the administrative office at the high school in White, SD. Copies will be available for \$20.00 within five days of written request. The asbestos containing building materials are required to be kept under surveillance. All buildings are inspected on a regular semi-annual basis. Surveillance will be conducted by trained building staff. The three-year re-inspection was conducted this past year by ATC Associates Inc. (Environmental Geotechnical and Materials Professionals) and a copy of the final report could be made available upon request.

NOTICE OF DESTRUCTION OF REGULAR CUMULATIVE AND/OR SPECIAL EDUCATION RECORDS

Attention Parents/Guardians, Former Students, Eligible (Adult) Students: Cumulative and/or Special Education records which have been collected by the Deubrook Area School District related to the identification, evaluation, educational placement, or the provision of Regular and Special Education in the district, must be maintained under state and federal laws for a period of five years after Services have ended for the student. Regular and Special Education services end when the student no longer is eligible for services, graduates, completes his or her educational program on June 30th of the year after he/she turns 21, or moves from the district. This notification is to inform parents/guardians and former students of the Deubrook Area School District intent to destroy the Regular Cumulative and or Special Education records of students who ended Education Services during the 2007-2012 school years. These records will be destroyed in accordance with state laws unless the parent/guardian or eligible (adult) student notifies the school district otherwise. After five years, the records are no longer useful to the district, but they may be useful to the parent/guardian or former student in applying for Social Security benefits, rehabilitations services, college entrance, etc. The parent/

guardian or eligible (adult) student may request a copy of the records in writing or in person at the following address: Deubrook Area School District, PO Box 346 White, SD 57276 or at 605-629-1101. Requests for copies must be received 30 days after the notification is posted as of 8/9/18 in the Tri City Star, on the Deubrook Area web page and/or on the Annual Notification Notices publication. These records will be destroyed after September 15, 2018.

DIVISION OF HEALTH AND MEDICAL SERVICES - SOUTH DAKOTA DEPARTMENT OF HEALTH

Community Health Services / Disease Prevention / Family Health / Health Promotion / State Epidemiologist
1310 Main Ave. S STE 105 Brookings, SD 57006 (605)688-5802 or (605)688-5803

PARENTAL NOTIFICATION - SCHOOL HEALTH ASSESSMENTS

From time to time during the year, screening may be provided through a contract with the South Dakota Department of Health (DOH), who is subject to the rules and regulations of the Health Insurance Portability and Accountability Act (HIPAA). HIPAA requires that the DOH provide access to our Notices of Privacy Practices. You may view the DOH notice on our website at www.state.sd.us/doh or request a printed copy by contacting us at 1-800-305-3064.

- Screenings that will be provided during the 2018-2019 school year include:
 - Vision Screening for students in Grades K, 1, 3, 5, 7, 10 & any child on referral
 - Hearing Screening for students in Grades 5, 10 & any child on referral
 - Physical Assessments for students in Grades 3 & 4 yrs, K, 5 & any child on referral
 - Scoliosis Screening for girls in Grades 5, 7 & any child on referral
 - Scoliosis Screening for boys in Grades 5, 8 & any child on referral

Abnormal curvature of the spine is usually first noticed at the beginning of the adolescent growth spurt. Often early detection and appropriate treatment can prevent progression. The screening procedure takes about 30 seconds and does require the student to remove his/her shirt or blouse in order that the spine can be visually observed by the Community Health Nurse.

Screening of a child **not** included in the grades/service listed above can be screened with the written consent of the parent/legal guardian. Parents will be notified of any concerns identified during the health screenings so their child can be further evaluated by the provider of the parent's choice. When a vision or hearing screening indicates additional testing is needed, the nurse can discuss possible accommodations that can be made in the classroom for the benefit of the child. If you **DO NOT WANT** an abnormal hearing or vision screening result to be shared with school personnel, please sign here and return this form to the school:

(Signature of parent who does NOT want results discussed)

If you prefer not to have your child participate in the health screenings, please notify your school personnel. If you would like more information about these services, you are welcome to call the Community Health Office.

- Melissa Coull, RN & Jen Burns, RN (Community Health Nurse) @ 605-688-5802 (Telephone Number)
 - Dr. Kimberly Kludt (Deubrook Area School District Superintendent) @ 605-629-1100 (Telephone Number)
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STOP IT – DON'T SPREAD IT: PREVENT FLU, COLDS, AND OTHER INFECTIOUS DISEASES

- ✓ Teach your child to wash hands often with soap and water, or to use hand gel
- ✓ Teach your child to cough or sneeze into a tissue, throw it away, then wash their hands
- ✓ When they do not have a tissue, teach your child to cough or sneeze into their elbow, or to cover the cough or sneeze with their hands and then wash their hands.
- ✓ Children need plenty of sleep and physical exercise, and a balanced diet to stay healthy
- ✓ Your child can be protected from influenza by being vaccinated. Watch for school based flu vaccine clinics this fall
- ✓ When your child is sick – keep him/her at home to prevent the spread of disease to others.

The health care of children presents many challenges for all of us. We join you along with the education system and community in a team effort to promote the health of children. Please contact the Community Health Nurses at 688-5802 if you have any questions. Deuel County residents can contact the Pulic Health Nurse by calling 874-2555 for health service inquiries.

FEDERAL PROGRAMS - COMPLAINT/DISPUTE RESOLUTION PROCEDURE

When individual parents, a community group, or members of the general public suspect that a school district or individual school may be violating a state administered program authorized under the Elementary and Secondary Education Act (ESEA), they have a right to file a complaint with the SD Department of Education (SEA). Since a complaint implies a lack of cooperation between the district (LEA) and the person or group with a grievance, it is advisable to first consult with the local school administration about the alleged violation. Only when this course of action fails to produce results should a formal complaint be filed with the SEA.

A formal complaint is a signed written statement by parents, teachers, or other concerned individual or organization. The statement must include an allegation that a requirement applicable to an ESEA or Homeless program has been violated and a statement of facts that support the allegation.

Disputes addressing the enrollment, transportation (including inter-district disputes), and other barriers to the education of children and youth experiencing homelessness are also addressed under this procedure. Parents, guardians, and unaccompanied youth may initiate the dispute resolution process directly at the school they choose, as well as at the district or LEA homeless liaison's office. The parent or guardian or unaccompanied youth shall be provided with a written explanation of the school's decision including the rights of the parent, guardian, or youth to appeal the decision. Students should be provided with all services for which they are eligible while disputes are resolved.

The SEA has a legal responsibility for monitoring its ESEA programs sub recipients. In fulfilling this responsibility, the SEA must establish complaint procedures

LOCAL LEVEL FILING OF COMPLAINTS/DISPUTES

Complaints against State administered ESEA programs and expenditures may be received at the local and state level. The expeditious and reasonable handling of these complaints is necessary for the effective conduct of the program as well as to promote community understanding and involvement. Complaints shall be translated into constructive suggestions and recommendations for improvement. The following procedures are outlined for use at the LOCAL level for State administered ESEA programs. (Public Law 107-1100)

COMPLAINTS/DISPUTES RECEIVED BY THE LOCAL EDUCATION AGENCY (POLICY-AFF)

- **Record Initiated** – A written record containing information pertinent to both the source and nature of the complaint should be initiated.
- **Complaint Hearing** – Within fifteen (15) days following receipt of complaint, a hearing concerning the complaint shall be held by a hearing committee. Recommendations of the committee shall address answering the complaint. The committee shall be appointed by the Superintendent. No less than two persons shall be assigned to the committee, preferably the local coordinator and a parent.
- **Hearing Minutes** – Minutes of a complaint hearing shall be taken and maintained at the local education agency. A copy of such minutes along with committee recommendations and administrative action shall be filed with the SEA. The parent or guardian or unaccompanied youth shall be provided with a written explanation of the district's decision including the rights of the parent, guardian, or youth to appeal the decision to the SEA.
- **State Follow-Up** – The SEA shall maintain a record of all complaint hearings.

The designated State Coordinator shall review the records of the complaint hearing and make contacts with the local educational agency regarding a follow-up and possible remedial action. If the complaint is not resolved to mutual consent of both parties, then either party can appeal through the state level procedures.

COMPLAINTS/DISPUTES RECEIVED BY THE STATE EDUCATIONAL AGENCY

When a signed written complaint or a complaint made in person by recorded deposition or statement is received by the South Dakota State Educational Agency (SEA) directly, or indirectly via other state or federal agencies, which alleges improper administration of a State administered ESEA program, the SEA shall make a timely investigation and disseminate findings and corrective actions taken by the SEA to the complainants and other interested parties.

REFERRAL AND DISPATCH

All complaints shall be referred to the designated Coordinator of the South Dakota Department of Education for investigation and resolution. The Coordinator shall acknowledge receipt of complaint with a statement that he/she is requesting review and comment from the district. He/she shall send a letter with an attached copy of the complaint letter to the Superintendent of the affected district with a request for review and comment within fifteen (15) days. If the written complaint is anonymous, the response from the district shall be voluntary. The response shall be to the state designated Coordinator. Upon receipt of the district response, a meeting shall be arranged with the State Coordinator and any other appropriate State staff to determine any further actions for resolution of the complaint.

If an on-site investigation is determined appropriate by the above group, a team shall be appointed by the Coordinator to make the investigation. Such team shall include no less than three persons not more than five, and shall include either the Coordinator or a Program Specialist, either a parent or representative from an LEA not included in the complaint. Other persons on the team may include representatives from any division or section of the South Dakota Department of Education and/or representatives from a local school district. The team shall be charged with making a full investigation of the complaint and writing a report of the findings. This report should be filed with the State Coordinator.

CONDUCT OF THE INVESTIGATION

A time limit of 60 calendar days after the SEA has received the complaint has been established. An on-site investigation shall begin twenty (20) days from receipt of the complaint. Unless the investigating team leader can cite exceptional circumstances which require additional time, the investigation shall be completed within forty (40) days following receipt of the complaint. During the

course of the investigation, sufficient notes should be made or mechanically recorded of all testimony or evidence of witnesses to enable the team leader to write a full report.

In addition to testimony received from the complainant and his/her witnesses, the team shall investigate the allegations further by interviewing and questioning the local school administrator and staff, the school board members, or any other person who may be able to give information to expedite the investigation and resolution of the complaint.

REPORTS

At the close of the investigation, a final report shall be prepared by the team leader and submitted to the State designated Coordinator. The report shall include:

1. A summarization of the substance of the allegations in the complaint and the name of the individual citizens, group, or agency making the complaint.
2. A summary of the activities engaged in by the investigating team and summary of the findings.
3. A statement of recommended actions by the SEA to resolve the issues involved in the complaint.
4. The state Coordinator will issue the necessary directives to the LEA administration to resolve the complaint and to prepare a response to the SEA within fifteen (15) days indicating corrective action implemented. The parent or guardian or unaccompanied youth shall be provided with a written explanation of the SEA's decision and directives to the LEA.
5. All decisions of the SEA are final.

3RD NOTICE OF DESTRUCTION OF CUMULATIVE AND/OR SPECIAL EDUCATION RECORDS DATE

Attention Parents/Guardians, Former Students, Eligible (Adult) Students: Cumulative and/or Special Education records which have been collected by the Deubrook Area School District related to the identification, evaluation, educational placement, or the provision of Regular and Special Education in the district, must be maintained under state and federal laws for a period of five years after Services have ended for the student. Regular and Special Education services end when the student no longer is eligible for services, graduates, completes his or her educational program on June 30th of the year after he/she turns 21, or moves from the district. This notification is to inform parents/guardians and former students of the Deubrook Area School District intent to destroy the Cumulative and or Special Education records of students who ended Education Services during the 2012 school year. These records will be destroyed in accordance with state laws unless the parent/guardian or eligible (adult) student notifies the school district otherwise. After five years, the records are no longer useful to the district, but they may be useful to the parent/guardian or former student in applying for Social Security benefits, rehabilitations services, college entrance, etc. The parent/ guardian or eligible (adult) student may request a copy of the records in writing or in person at the following address: Deubrook Area School District, PO Box 346 White, SD 57276 or at 605-629-1101. Requests for copies must be received 30 days after the notification is posted as of 8/9/18 in the Tri City Star, on the Deubrook Area web page and/or on the Annual Notification Notices publication. These records will be destroyed after September 15, 2018.

CRIME STOPPER NOTIFICATION DEALING WITH EDUCATIONAL FUNDS

Each year individuals steal federal education dollars or misuse them for their own personal use. These vital funds provide educational opportunities that build the future of America. **Don't let them get away with it!** Stop fraud, waste, and abuse of federal education dollars. If you suspect waste, fraud or abuse, report it today.

Submit your complaint via the web at: www2.ed.gov/about/offices/list/oig/index.html
or via U.S. Postal mail at: U.S. Department of Education, Office of Inspector General Hotline, 400 Maryland Ave, S.W., Washington, DC, 20202-1500 ((Your report can be made anonymously)

For questions, please call 1-800-MISUSED (1-800-647-8733) NOTE: Operators do not accept reports over the phone