



Special Education Professional Development Training

Confidentiality, ADHD, Special Education Process

Family Educational Rights and Privacy Act (FERPA)

- The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.
- FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."
- Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.

Release of Student Records/Information

Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

Release of Student Special Education Records

- Student special education records are most commonly requested by other schools, parents/former students, Social Security Administration (SSA), or attorneys. Although these entities may request ALL student records, many times they actually only want part of the records. Be sure the request is clear so we may release the needed records.
- Requests must be made in writing to the Shelby County Board of Education.
- When special education records are specifically requested or a special education attorney makes the request, documentation of permission must be completed by the parent and/or student (if appropriate). The Special Education Department at the Special Services Center (SSC) will fulfill these requests.
- When ALL records on a student are requested, we must ensure we send ALL records. This includes, but is not limited to: the cumulative file, special education files in the SSC office and in all local schools attended by the student, information from all locations in each of the schools attended by the student (nurse's office, library, lunchroom, counselor's office, etc.), teacher/case manager files on student, and all e-mails concerning the student.
- Records request must be fulfilled within 45 days of the request.
- If a parent requests records, it is acceptable to allow the parent to view all the records on a school campus under the supervision of an employee rather than copying all records for the parent.
- Copies of records may be subject to a fee (Open Records Act, Ala. Code §36-12-40 and §36-12-41).

Public Disclosure of Student Information

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

Storing and Destruction of Records

- All special education student records are to be maintained until the student reaches the age of 26. Once the student reaches the age of 26, contact the Special Services Center for the procedure to destroy the records.
- As students move schools within Shelby County Schools, the special education case manager files should be sent to the receiving school. Data collection, selected work samples, and meeting notes should be maintained by the school district until the student reaches the age of 26.
- At all times, records are to be kept confidential in a locked area.

Attention Deficit Hyperactivity Disorder

- Attention Deficit/Hyperactivity Disorder is a brain disorder marked by an ongoing pattern of inattention and/or hyperactivity-impulsivity that interferes with functioning or development.
- Inattention and hyperactivity/impulsivity are the key behaviors of ADHD. Some people with ADHD only have problems with one of the behaviors, while others have both inattention and hyperactivity-impulsivity.
- ADHD symptoms can appear as early as between the ages of 3 and 6 and can continue through adolescence and adulthood. Symptoms of ADHD can be mistaken for emotional or disciplinary problems or missed entirely in quiet, well-behaved children, leading to a delay in diagnosis.
- Often fails to give close attention to detail or makes mistakes

Characteristics of Students with ADHD

- Make careless mistakes because they aren't paying attention to their schoolwork or chores.
- Are academically inconsistent. They may understand a subject or concept, but be unable to make a passing grade because of unfinished work, missing assignments, or misunderstood directions. Often their grades range from very high to very low.
- Seem "spaced out". They may appear to be paying attention, when in reality they are miles away.
- Are extremely disorganized in their environment and activities. Their book bags, rooms, and desks are always a mess, and they spend inordinate amounts of time looking for things.
- Have difficulty beginning activities because they cannot decide which thing to do first.
- Have poor handwriting, especially in cursive.
 - Trouble sitting still and doing quiet tasks, such as reading.
 - Running from place to place; acting like he's driven by a motor.
 - Blurting out comments at inappropriate times.
 - Interrupting conversations or speaking out of turn.
 - Trouble waiting for a turn or standing in line.

Accommodations for ADHD

- Vary your tone of voice: loud, soft, whisper.
- Signal students auditorily: ring a bell, use a timer, play music.
- Color is very effective in getting attention. May use color to highlight key terms.
- Use google read and write. The basic program is available for free as an extension for all google accounts ending in @shelbyed.org.
- Be aware of competing sounds in room (air conditioning, humming of lighting).
- Explain the purpose and relevance of your lesson .
- Use **cloze method** (<http://study.com/academy/lesson/cloze-procedure-technique-and-definition.html>).
- Use visuals (pictures, diagrams, manipulatives).
- Pair written instructions with oral instructions.
- Use contracts, charts, and BIPs for on-task behavior.
- Give assignments one at a time to avoid work overload.
- Provide organizational rules.
- Prompt appropriate social behavior either verbally or with a private signal.
- Provide immediate feedback.
- Ignore minor, inappropriate behavior (when acceptable).

Special Education Referral

- If a school employee believes a student to have a disability, that employee **must** report his/her concerns to the administration, REM chairperson, and/or Section 504 chairperson. After discussion and input from teachers and/or other employees, a decision will be made regarding the most appropriate process to initiate (referral to Section 504 or Special Education).
- Referrals for students who exhibit behavioral (and not just academic) challenges must be considered.
- If a student requires an evaluation to determine if he/she has a disability requiring accommodations or special education, the district must, at no cost to parents, evaluate in all related or all specific areas of educational need (provided that the evaluation is required for the student to receive appropriate services).
- If the student already has a diagnosis or has been evaluated and the parent is willing to share those results with the district, those results must be considered and may be used in determining eligibility for Section 504 or special education.
- If PST interventions have been ineffective, a referral to special education may be the appropriate next step.
- A SETS referral process will be completed by the REM chairperson who will schedule the meeting and notify all participants.
- The BASC 2-SOS or documentation of walk-throughs must be completed prior to the referral meeting to assess the environment.
- **For eligibility , documentation must exist to rule out environmental, cultural, and/or economic concerns as the primary cause of the impairment. This information is to be provided during the referral meeting.**
- **Lack of appropriate instruction in math and/or reading, including the essential components of reading instruction (as defined in section 1208(3) of the Elementary and Secondary Education Act of 1965) or limited English proficiency must be ruled out as the determining factor in the eligibility decision for special education. This documentation must be presented by the general education teacher/staff prior to the eligibility meeting.**

Special Education Process

- Once a referral is made, a referral meeting should be held in an appropriate timeframe.
- If student is accepted for testing during the referral meeting, the district has 60 days from date of parent permission to complete testing.
- After testing is complete, district must conduct an eligibility meeting within 30 days.
- If student is eligible for special education, the district must create an IEP within 30 additional days. If the student is determined ineligible, the student must be referred to the Problem Solving Team or Section 504 team.
- IEP meetings are held at least yearly, but any team member may request an IEP meeting at any time.

Confidentiality Form and Documentation of Training

- Please print out the linked form. Sign the [Confidentiality Agreement](#) and give to your administrator. One MUST be signed by each employee each year.
- Each Shelby County Board of Education Employee must sign a form each year (i.e., administrators, teachers, paraeducators, bus drivers, counselors, child nutrition program employees, etc).
- Any visitors to the district (college students, agency, etc) must sign this form as well prior to observing in a class.

Confidentiality Agreement:

<https://www.shelbyed.k12.al.us/specialeducation/doclibrary/confidentiality.pdf>