

## Augustana College

### PLT 7-12 CONCEPT REVIEW SHEET

Concepts addressed:

Major Laws Related to Students' Rights and Teacher Responsibilities

#### EQUAL EDUCATION

##### APPROPRIATE EDUCATION FOR STUDENTS WITH SPECIAL NEEDS

IDEA, the Individuals with Disabilities Education Act, mandates a free, appropriate public education (FAPE) in the least restrictive environment (LRE) for students with special needs, age 3 to 21. An appropriate education consisting of instruction and related services should be individually designed to enable students with special needs to meet their academic goals as articulated in the student's Individualized Education Plan (IEP).

Appropriate means that the child's education must be geared to their age, maturity level, condition of disability, past achievements, and parental expectations. The least restrictive environment should be consistent with the student's academic, social and physical needs and may or may not be the regular classroom.

#### CONFIDENTIALITY AND PRIVACY

The 4<sup>th</sup> amendment protects all Americans from unreasonable search and seizure. These protections limit schools' ability to conduct searches except under carefully defined circumstances.

The Family Educational Rights and Privacy Act or FERPA is a Federal law that protects the privacy of student's educational records. FERPA applies to all schools that receive funds under an applicable program of the U.S. Department of Education. FERPA gives parents certain rights as they pertain to their children's educational records. These rights transfer to the student at the age of 18 or when the student attends a school beyond the high school level. They are then considered "eligible students." Parents or eligible students have the right to the following:

- ~ To inspect and review the student's education records maintained by the school, and
- ~ To request that a school correct records which they believe to be inaccurate or misleading.

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, under certain conditions such as to other schools to which a student is transferring for example. 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. Schools must, however, inform parents and eligible students about this directory information and allow a reasonable amount of 1 time for parents and eligible students to request that the school not disclose

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directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA.

#### APPROPRIATE TREATMENT OF STUDENTS

Teachers have a legal responsibility to provide for the appropriate treatment of students. Teachers, who are "in loco parentis" or in place of the parents, are expected to provide guidance and supervision for students under their care. Teachers must avoid being negligent and take steps to ensure that students are safe. Teachers are expected to supervise students, maintain a safe environment, and give proper instructions.

Students have the right to nondiscrimination. For example, Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex.

#### REPORTING SITUATIONS RELATED TO POSSIBLE CHILD ABUSE

Teachers are required by federal law to report all suspected cases of child abuse. In many cases, teachers are the first defense in protecting children from abuse by parents and others. Teachers see children every day and are in a special caring relationship with them. Generally, schools and school districts have procedures for how and through what channels teachers are to report suspected cases of abuse. Teachers should familiarize themselves with the signs of physical abuse and neglect, sexual abuse, and emotional maltreatment of children. While teachers are required to report cases of abuse, they are also protected from being sued for reporting suspected cases. The table that follows outlines some of the indicators of child abuse:

	<b>Physical indicators</b>	<b>Behavioral Indicators</b>
Physical Abuse	<ul style="list-style-type: none"> <li>▲ Unexplained bruises or welts</li> <li>▲ Unexplained burns</li> <li>▲ Unexplained fracture or dislocations</li> <li>▲ Bald patches on scalp</li> </ul>	<ul style="list-style-type: none"> <li>▲ Child states s/he deserves punishment</li> <li>▲ Wary of adults</li> <li>▲ Fearful when others cry</li> <li>▲ Frightened of parents/caregivers</li> <li>Behavioral extremes such as aggression or withdrawal</li> <li>▲ Needy for affection</li> <li>▲ Inappropriate or immature acting out</li> <li>▲ Unable to focus</li> <li>● Self-abusive behavior</li> </ul>

Physical Neglect	<ul style="list-style-type: none"> <li>▲ Basic needs unmet</li> <li>▲ Failure to thrive</li> <li>▲ Consistent hunger</li> <li>▲ Poor hygiene</li> <li>▲ Inappropriate seasonal dress</li> <li>▲ Consistent lack of supervision</li> <li>- Unattended medical problems</li> <li>▲ Frequent illnesses</li> <li>▲ Abandonment</li> </ul>	<ul style="list-style-type: none"> <li>▲ Begging or stealing food</li> <li>▲ Early arrival or late department to school</li> <li>▲ Frequent visits to school nurse</li> <li>- Difficulty with vision or hearing</li> <li>▲ Poor condition</li> <li>- Takes on adult roles and responsibilities</li> <li>▲ Substance abuse</li> <li>▲ Acting out behavior</li> <li>▲ Child verbalizes a lack of caretaking</li> </ul>
Sexual Abuse	<ul style="list-style-type: none"> <li>▲ Difficulty walking or sitting</li> <li>▲ Torn, stained, or bloody undergarments</li> <li>▲ Pain, swelling, or itching in genital area</li> <li>▲ Pain when urinating</li> <li>▲ Bruises, bleeding, or tears around genital area</li> <li>▲ Vaginal or penile discharge</li> <li>▲ STD's</li> <li>▲ Excessive masturbation</li> </ul>	<ul style="list-style-type: none"> <li>▲ Unwilling to change for gym or participate in PE</li> <li>▲ Sexual behavior or knowledge inappropriate to child's age</li> <li>▲ Sexual acting out</li> <li>▲ Poor peer relations</li> <li>▲ Delinquent or runaway behavior</li> <li>▲ Report of sexual assault</li> <li>▲ Drastic change in school performance</li> <li>▲ Sleep disorder, nightmares</li> <li>▲ Eating disorder</li> <li>▲ Aggression</li> <li>▲ Withdrawal, fantasy, infantile behavior</li> <li>▲ Self-abusive behavior</li> <li>▲ Substance abuse</li> <li>● Repetitive behavior</li> </ul>
Emotional Abuse and Neglect	<ul style="list-style-type: none"> <li>▲ Speech disorder</li> <li>▲ Failure to thrive</li> <li>● Hyperactivity</li> </ul>	<ul style="list-style-type: none"> <li>▲ Learning disabilities</li> <li>▲ Sleep disorders</li> <li>● Poor social skills</li> <li>● Extreme reactions to common events</li> <li>▲ Unusually fearful</li> <li>▲ Overly compliant behaviors</li> <li>▲ Suicidal thoughts/actions</li> <li>▲ Difficulty following rules or directions</li> <li>● Child expects to fail</li> </ul>

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