RIGHTS TO RESPECT, PRIVACY, AND DIGNITY

FOR STUDENTS AND THEIR FAMILIES

**Policy Statement**

LifeScape believes that students and parents/guardians have a right to be treated with respect and dignity, be provided with information to facilitate decision-making, quality educational services, a safe environment, and privacy. Students and their parents/guardians also have responsibilities to ensure appropriate service. We will inform all students and parents/guardians of their rights and responsibilities. We will also inform all faculty and staff of these rights and responsibilities and their role in providing information and assistance.

Procedure

**Educational Records and Private Information**

1. The Family Educational Rights and Privacy Act (FERPA) for parents/guardians, and FERPA Guidance for Eligible Students documents are available to all students, parents/guardians at any time by asking any teacher or school administrator. This Act pertains to the student’s educational records and Personally Identifiable Information (PII)
2. The FERPA document(s) is presented at the time of admission and included in the Parent Handbook that is sent yearly. Information regarding the Health Insurance Portability and Accountability Act (HIPAA) is also sent yearly in the Parent Handbook. This information is also available on the LifeScape Website.
3. Staff will be educated regarding FERPA and HIPAA at new employee orientation and annually. Employees are expected to assist a student or parent/guardian to address any quality concern they raise by helping them establish contact with the correct staff member. (Reference Grievance Policy)

**Parental and Student/Student Resident Rights**

1. South Dakota Parental Rights and Procedural Safeguards are presented at least yearly with the Individual Education Plan (IEP) meeting and in conjunction with consent for Comprehensive Evaluations.
2. Student/Student Residents are presented with the document *You Have Rights – Rights are Rules that Help People Be Equal* which explains their rights in pictures and easy-to-understand terms.
3. A concise list of Rights and Responsibilities are listed in a chart on the last page of this policy.

**Personal Dignity**

1. Staff will always protect a student’s privacy and dignity during the school day to include assistance with personal cares when needed.
2. Students exhibiting behavioral issues will be shielded from the sight of other students when possible, in order to protect their dignity and to provide privacy during difficult times.

**Parent/Guardian Visitation**

1. Guidelines for visitation and parent involvement are available and are included in the parent/guardian handbook or by asking a teacher or school administrator at any time
2. LifeScape will provide assistive communication, or translation services whenever appropriate to ensure that communication of all rights are presented in a way that is understood by all parties.

Forms/Attachments/Protocols

A Parent’s Guide to the Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights to Privacy Act: Guidance for Eligible Students

Parent/Guardian Visitation Guidelines

Parental Rights and procedural Safeguards – South Dakota Department of Education

You Have Rights – Rights and Rules that Help People Be Equal

HIPAA Privacy Notice



**Student/Student Resident Bill of Rights and Responsibilities**

**For LifeScape Student/Student Resident and Their Families**

|  |  |
| --- | --- |
| ***RIGHTS*** | ***RESPONSIBILITIES*** |
| 1. To be treated fairly and with kindness, regardless of your race, religion, beliefs, language, gender, sexual orientation, type of sickness, or ability to pay. | 1. To treat others with the same respect and kindness. |
| 1. To prompt, courteous treatment of physical and emotional needs by qualified and experienced staff in a safe environment. | 1. To provide accurate and complete information about your health history, medications, and treatments. |
| 1. To be free from abuse (i.e. verbal, psychological, emotional, sexual, and physical) and neglect. | 1. To report any suspected abuse or neglect. |
| 1. To receive visitors. LifeScape may need to limit visitation in order to protect the health, safety, or privacy of you and others | 1. To provide information regarding who can visit to disclose any illness that may limit you and/or other visitors from visiting. |
| 1. To refuse treatment. | 1. To ask questions and understand the risks involved if refusing treatment. |
| 1. To be free from restraint or seclusion imposed as a means of coercion, discipline, and convenience, or retaliation by staff. Restraint may be only imposed to ensure the immediate physical safety of a patient, staff member or others and must be discontinued at the earliest possible time. | 1. To be aware of the LifeScape’s philosophy and policies on the use of restraints and to fully understand why restraints are used. |
| 1. To file a grievance without risk of repercussion. Any staff member can assist you with filing a grievance or you can call (605) 444-9650. | 1. To file a grievance with a staff member if you feel that you are receiving substandard quality of care or if your rights have been violated. |
| 1. To know all of the professionals working with you, their qualifications, and their experience. | 1. To ask providers about their credentials, knowledge, and skills. |
| 1. To access information contained in educational recirds | 1. To work with the Records Department and complete any required documentation. |
| 1. To personal privacy and confidentiality. | 1. To respect the privacy of all students, do not ask for information on other patients, do not look at any written information on other students |
| 1. To exercise informed consent, meaning: a) you are able to make an informed decision based on accurate information about your medical diagnosis/education program or disability, b) in language you can understand, and c) with adequate time to decide. | 1. To ask for clear explanations of information given to you, and to ask questions about your medical diagnosis, education program, or disability so you can get a full and clear understanding of your condition. |
| 1. To research alternative treatment and programs for your medical condition or disability and to be provided with information and outcomes, including self-help groups and advocacy services. | 1. To know the risks, benefits, and probable outcomes of available alternative treatment options or programs. |
| 1. To participate in decisions about your medical and rehabilitative care. This will take the form of regular rehabilitation conferences or care conferences in which you are invited to participate and help formulate a written plan. | 1. To make informed decisions, and along with the professional staff, guarantee appropriate treatment and service in the most cost effective and most appropriate environment. |
| 1. To barrier-free environment as outlined by your rehabilitation or care plan. These plans should also include the development of appropriate leisure and recreational activities. | 1. To follow the treatment plan outlined by you and your team. |
| 1. To obtain a second opinion or an opinion of another professional of your choice. | 1. To learn about the various opinions of the professional staff who see you to make an informed decision that you feel will benefit yourself to your fullest possible potential. |
| 1. To participate in a transition plan as you are transitioned to your family or alternative home, local school, and into your community. | 1. To learn about your rights, including State and Federal Laws that guarantee the rights to children and adults with disabilities. This will allow you to become the best advocate for yourself as you transition into local community service. |
| 1. To examine and receive an explanation of your bill regardless of source of payment. | 1. To work with the finance department, your school district, your insurance company, Medicare and/or Medicaid to insure payment for services rendered. |