

ANNUAL FEDERAL NOTICES

- **No Child Left Behind Act**
 - Some of the notices that school districts and/or individual schools are required to give under NCLB include: annual report cards; progress reviews; schools identified for school improvement, corrective action, or restructuring; parental involvement policies; state education agency complaint procedures; teacher and paraprofessional qualifications; non-highly qualified teachers; student achievement information; meeting and information and on Title I, Part A; and, a variety of information about the status of English language learners. When notice must be given and who must receive the notice differs for each notice.
 - More specifically, NCLB requires the following notices:
 - Districts must disseminate to parents, schools, and the public, an annual report card with aggregate information, including student achievement, graduation rates, performance of local schools, and teacher qualifications. [*Section 1111(h)(1) and (2), ESEA.*] Guidance, B-5 (SEA) and C-7 (LEA).
 - Districts must annually disseminate to parents, teachers, principals, schools, and the community the results of their yearly progress review of each school. [*Section 1116(a)(1)(C), (c)(1)(B) and (c)(6), ESEA.*] Guidance, B-7 (SEA) and C-20 (LEA)
 - Schools identified for school improvement, corrective action, or restructuring are to provide to parents of each student a prompt explanation of what the identification means, how the schools compare to others, reasons for the identification, the district's and school's response, how parents can become involved, any corrective action taken, the parental choice and supplemental services options as applicable, restructuring, and other information. [*Section 1116(b)(6), 7(E), and 8(C), ESEA, and 34 CFR 200.37(5).*] Guidance, C-21, C-22, and C-23.
 - Districts serving schools failing to make adequate yearly progress by the end of the first full school year after being identified for improvement must provide notice to parents of the availability of supplemental services, the identity of the providers, a description of the services, and other information. [*Section 1116(e)(2), ESEA.*]
 - Districts serving schools failing to make AYP after 1 full school year of corrective action must provide prompt notice to teachers and parents and provide opportunity to comment and participate in preparing a restructuring plan. [*Section 1116(b)(8)(C), ESEA.*] Guidance, C-27.
 - Schools must notify parents and the community of the school's written parental involvement policy. [*Section 1118(a)(2) and (b)(1), ESEA.*] Guidance, C-3 and C-4 (LEA), and D-1 (school).
 - Districts should disseminate (free of charge to parents of students and to appropriate private school officials or representatives) adequate information about the state's written complaint procedures for resolving issues of violation(s) of a Federal statute or regulation that applies to Title I, Part A programs. [*34 CFR Section 200.11(d).*]
 - Districts must inform parents of Title I, Part A students at the beginning of each school year that they may request, and the district then will provide, certain information on the professional qualifications of the student's classroom teachers and paraprofessionals providing services to the child. [*Section 1111(h)(6)(A), ESEA.*] Guidance, C-6.

- Schools should provide (to each individual parent) information on the level of achievement of the parent’s child in each of the State academic assessments when scores are received. *[Section 1111(h)(6)(B)(i), ESEA.]* Guidance, D-10.
 - Schools shall provide to each individual parent timely notice that the parent’s child has been assigned, or taught for 4 or more consecutive weeks by, a teacher who is not highly qualified. *[Section 1111(h)(6)(B)(ii), ESEA.]* Guidance, D-3.
 - Schools should annually invite parents to a meeting to inform them about the school’s participation in Title I, Part A programs and explain the requirements and their right to be involved. *[Section 1118(c)(1) and (2), ESEA.]* Guidance, D-5.
 - Schools should provide timely notice to parents of participating children specific information about Title I, Part A programs, and opportunity to request regular meetings. *[Section 1118(c)(4), ESEA.]* Guidance, D-6.
 - Districts shall inform parents of limited English proficient children of how they can be involved in their children’s education and be active participants in helping their children attain English proficiency, high achievement levels in core academic subjects, and meet state standards, including notice of opportunities for and holding regular meetings. *[Section 1112(g)(4), ESEA.]* Guidance, C-9.
 - Districts must inform parents of limited English proficient children identified for participation or participating in a Title I, Part A-funded language instruction educational program under Title III of the ESEA, of: reasons for the identification, level of English proficiency, methods of instruction, how the program will help the child, and other information. Districts must also inform parents of a child with a disability how the language instruction educational program meets the objectives of the child’s individualized educational program (IEP). These notice requirements must be fulfilled annually, not later than 30 days after the beginning of school year for children identified before beginning of year; otherwise within the first 2 weeks of child being placed in a language instruction program. *[Section 1112(g)(1)(A) and (3), ESEA.]* Guidance, C-9 and C-10.
 - An eligible entity using Title I, Part A funds for a language instruction educational program under Title III of the ESEA must provide separate notice to parents of a child identified for participation in, or participating in, the program to inform them that the program has not made progress on the annual measurable achievement objectives within 30 days of such failure. *[Section 1112(g)(1)(B), ESEA.]*
- **Federal Education Rights and Privacy Act**
 - Pursuant to the Federal Educational Rights and Privacy Act (FERPA), school districts must provide parents/guardians and adult students annual notice of their rights to inspect and review education records, amend education records, consent to disclosure of personally identifiable information in education records, and, file a complaint with the U.S. Department of Education. 34 C.F.R. § 99.7.
 - **Protection of Pupil Rights Amendment**
 - The Protection of Pupil Rights Amendment (PPRA) requires school districts to adopt a number of policies regarding surveys, instructional materials, physical examinations, personal information used for marketing, etc. Parents must be notified of these policies at least annually at the beginning of the school year and within a reasonable time period after any substantial change is made to the policies. 20 U.S.C. § 1232(h) (c)(2)(A).
 - **Child Nutrition Programs**
 - If school districts participate in the National School Lunch Program, the School Breakfast Program, or the Special Milk Program, near the beginning of the school year, they must

provide both parents and the public information about free and reduced price meals and/or free milk. 7 C.F.R. § 245.5. Districts must also provide parents an application form. If districts want to disclose children's free and reduced eligibility status, they may do so in some instances usually only with prior notice and/or consent. 42 U.S.C. 1758(b)(C)(iii).

- **The McKinney Vento Act**
 - The McKinney Vento Act requires homeless student liaisons to provide public notice of the education rights of homeless students disseminated in places where homeless students receive services under the Act. 42 U.S.C. § 11432(g)(6).
- **The Asbestos Hazard Emergency Response Act**
 - The Asbestos Hazard Emergency Response Act requires school districts to inspect their buildings for asbestos-containing building materials and develop, maintain, and update an asbestos management plan. The school district must annually notify parents, teachers, and employee organizations in writing of the availability of the management plan and planned or in progress inspections, reinspections, response actions, and post-response actions, including periodic reinspection and surveillance activities. 40 C.F.R. §§ 763.84(c), 763.94(g)(4).
- **Title IX**
 - Title IX requires each school district that receives federal funds to have a Title IX coordinator, to notify all students and employees of the name, office address, and telephone number of the designated coordinator, and to adopt and publish a grievance procedure to resolve student and employee complaints under Title IX. 34 C.F.R. § 106.8. Title IX also requires each recipient to publish a notice that it does not discriminate on the basis of sex in admissions or employment, and any inquiries concerning the application of Title IX may be referred to the Title IX coordinator or the Office of Civil Rights. 34 C.F.R. § 106.9(a). The notice of nondiscrimination must be displayed prominently in each announcement, bulletin, catalog, or application used to recruit students or employees. 34 C.F.R. § 106.9(b)(1).
- **Individuals with Disabilities Education Act**
 - Under the Individuals with Disabilities Education Act (IDEA), school districts must give parents of a child with disabilities a copy of procedural safeguards one time a year. However, a copy of procedural safeguards must also be given to parents upon initial referral or parental request for an evaluation, upon filing a request for a due process hearing, and upon request of a parent. 20 U.S.C. § 1415(d)(1). A school district may post a copy of the procedural safeguards on its website. 20 U.S.C. § 1415(d)(1). The procedural safeguards notice must fully explain a number of procedural safeguards specified in the statute in the native language of the parents and be written in an easily understandable manner. 20 U.S.C. § 1415(d)(2).
- **Health Insurance Portability and Accountability Act**
 - The Health Insurance Portability and Accountability Act (HIPAA) requires covered entities to provide a notice of its privacy practices. The notice describes how the covered entity may use and disclose protected health information, the covered entities' duties to protect privacy, information about the covered entities privacy practices, an individual's rights to complain about privacy violations to the U.S. Department of Health and Human Services, and contact information for complaints to the covered entity. 45 C.F.R. § 164.520. When, how, and to whom notice must be given depends of the type of covered entity required to give notice. 45 C.F.R. § 164.520.