ANNUAL NOTICES

Numerous federal (and state) laws require school districts to provide students, parents, and/or the public with notices, many of which must be provided at the beginning of the school year. Fortunately, oftentimes federal agencies or other entities have created "model" notices (or information useful to creating notices) that can be easily tailored to meet individual districts needs. To avoid the tediousness of typing in each link, go to COSA's home page at *www.nsba.org/cosa* and click on the link entitled "Annual Notices." From that web page you will be able to access each of the links below with just one click!

NO CHILD LEFT BEHIND (NCLB)

The No Child Left Behind Act requires the state education agency, school districts, and individual schools to provide numerous notices to parents. The Department of Education released non-regulatory guidance on parental involvement in April of 2004. The document contains a chart listing the key parental notice requirements under Title I, Part A of NCLB, who has to issue the notices, and when they must be issued. The description of each notice contains links to the relevant statute section and guidance documents, some of which contain model policies.

- The Department of Education's Parental Involvement Title I, Part A non-regulatory guidance with a chart of notices and a sample parental involvement policy is available on the Department's website: *http://www.ed.gov/programs/titleiparta/parentinvguid.doc*

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 Department of Education. 34 C.F.R. § 99.7.

- The Department of Education has a document entitled "Model Notification of Rights under FERPA for Elementary and Secondary Schools" on its website: *http://www.ed.gov/policy/gen/guid/fpco/pdf/ferparights.pdf*

School districts may disclose directory data if they have given public notice to parents, guardians, and adult students of what information has been designated as directory data and when and how parents, guardians, and adult students may opt-out of allowing the district to disclose directory data. 34 C.F.R. § 99.37.

- The Department of Education has a document entitled "Model Notice for Directory Data" on its website: *http://www.ed.gov/policy/gen/guid/fpco/pdf/ferparights.pdf*

PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)

The 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).

- The Department of Education has a document entitled "Model Notice of Rights Under the Protection of Pupil Rights Amendment" on its website: *http://www.ed.gov/policy/gen/guid/fpco/pdf/modelnotification.pdf*

If districts plan to (1) use students' personal information for selling or marketing purposes, (2) administer any survey about any of the eight topics listed in the statute (political beliefs, income, sex behavior or attitudes, etc.), or (3) administer certain non-emergency, invasive physical examinations, districts must notify parents at least annually at the beginning of the school year of the specific or approximate dates when these activities are scheduled or expected to be scheduled. 20 USC § 1232(h) (c)(2)(B).

- The Department of Education has a document entitled "PPRA Model Notice and Consent/Opt-Out for Specific Activities" on its website: *http://www.ed.gov/policy/gen/guid/fpco/pdf/ppraconsent.pdf*

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).

- Available on the USDA's website is a document entitled "Eligibility Guidance for School Meals Manual," which contains an explanation of the required notices and a sample notice and application form. The document also contains a chart describing to whom, and under what conditions, what information regarding free and reduced eligibility status may be disclosed. Relevant notices appear in the appendixes: *http://www.fns.usda.gov/cnd/Guidance/eligibility_guidance.pdf*

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 McKinney Vento Act. 42 U.S.C. § 11432(g)(6).

- The National Center for Homeless Students (funded by the Department of Education) has created posters (in black and white or color, in English or in Spanish, for parents or for students) that can be ordered on their website: *http://www.serve.org/nche/Products.htm* I&A