

A comprehensive guide to school district policy notifications - 2015

Notification	Mandatory?	Associated NYSSBA Policy #	How communicated?	To whom?	How often?	Notes
Asbestos notice	Yes Asbestos Hazard Emergency Response Act (AHERA)	None	Written notice	Parents, teachers, employee organization	Annually	Written notice must be provided annually to parents, teachers and employee organizations of the availability of asbestos management plans, as well as any current or planned asbestos inspections, response actions and post-response actions.
Access to student records 	Yes Family Educational Rights and Privacy Act (FERPA)	5500	Any method likely to inform parents of their rights. The law does not require a school to notify parents individually of their rights under FERPA.	Parents and students age 18 or older	Annually	Under FERPA, parents and students over 18 years of age must be notified of their rights to inspect and review their child's education records or to request the amendment of records believed to be inaccurate or misleading. They must also be advised that student records are private unless the parent or student older than 18 consents to disclosure of personally identifiable information. (FERPA authorizes disclosure of personal information without consent in limited circumstances.)
APPR of teachers and principals	Yes State Education Law section 3012c	9420.1	Written notice posted in buildings or on website or as part of other notifications	Parents	Annually	Under Section 3012-c of the Education Law, districts must notify parents that they have the right to access the composite APPR score for their child's teacher and/or principal.
Attendance	Yes 8 NYCRR section 104.1(i)(4)(i)	5100	Written plain language summary	Parents, students, teachers and members of the community (upon request)	Beginning of school year	Plain language summary of the district's attendance policy must be provided to parents, students and members of the community upon request.
Code of Conduct	Yes New York State Safe Schools Against Violence in Education (SAVE) and other laws	5300 et al	Written summary (Age-appropriate for students)	Parents, students and staff	Annually (often beginning of school year and when changed)	An age-appropriate, plain-language summary of the code of conduct must be provided to all students and their parents. This summary along with a copy of the complete code must be made available upon request.
Child nutritional programs 	Yes 42 USC 1751 et seq. and 42 USC 1771 et seq	8520	Written notice to households and public release	Household and general public	Beginning of school year	If a district participates in and receives aid for free- or reduced-price lunch, breakfast or milk programs, then it must distribute information regarding the qualifications and participation in such programs to parents/guardians at the beginning of the year. This information also must be provided to the local news media, the unemployment office, and any major employers who are contemplating large layoffs in the attendance area of the school
Disclosure to the military	Yes FERPA	5500	Notify in writing and distribute with directory information. Can be combined with a notification regarding student records.	Parents of high school students and students over 18	Annually	Parents have the right to request that the district not release their child's contact info to military recruiters without their prior written consent. 
Health information privacy 	Only if district has clinic Health Insurance Portability and Accountability Act (HIPAA)	None	Notice of privacy practices	Generally, schools are exempt from HIPAA unless the district houses a health clinic that provides treatment to a non-student or to students outside the realm of the educational day, then their treatment would require HIPAA notification.	Annually if needed	Users of health care services covered by HIPAA are entitled to a notice of privacy with regard to protected health information.
Homeless students policy	Yes McKinney-Vento Homeless Education Assistance Improvements Act of 2001	5151	Post notifications at various locations and include on registration forms	Identify homeless students and post at homeless shelters, medical clinics, post offices and social service offices.	Ongoing	Post notifications regarding educational services and contact info at places where parents of homeless students will see the notice.
Non-discrimination	Yes Title VI, Title IX, Section 504, the Americans with Disabilities Act, the Dignity Act	0100	Published on website, in publications or newspapers and schools may meet this requirement either by including appropriate inserts in existing materials and publications or by revising and reprinting the materials and publications.	Parents of students and employees	Annually	The district must provide a notice that it does not discriminate. The notice must explain grievance procedures and provide contact information for the district compliance coordinator. 

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Parents bill of rights regarding student data privacy and protection	Yes Common Core Implementation Act	5550	Post on website and published	Parents	Annual	The Common Core Implementation Act requires that districts protect student personally identifiable information (PII) when utilizing third-party contractors. Districts are required to notify parents of this and what their rights are pertaining to student data privacy. This "Parents' Bill of Rights" is required to be posted annually on the district's website and also published.
Pesticide application notice	Yes New York Education Law section 409 h	8115	Written	All students, parents and staff	At beginning of year	Written notice must be provided to all students, parents/guardians and staff at the beginning of the year that pesticide applications may take place during the school year and the district must offer an opportunity to register to receive a written notice at least 48 hours prior to such application. This notice must also give the name of the school representative to contact for further information.
Promotion and placement	Yes Common Core Implementation Act	4750	Post on website or distribute	Parents	Annually	Notification of the policies on promotion and how policies were developed
Student information ("Directory information")	Yes FERPA	5500	Various means, including student handbook, notice to parents, calendar of events, on the school's website (though this should not be the exclusive means of notification), local newspaper; or posted in a central location at the school or various locations throughout the school. Additionally, some schools include their directory information notice as part of the annual notice of rights under FERPA.	Parents and students over 18	Annually	Districts must provide notice to parents of the types of student information that it releases publicly without prior consent (e.g., name, ID number, address, telephone number, date and place of birth, major course of study, participation in school activities or sports, weight and height if a member of an athletic team, dates of attendance, degrees and awards received, most recent school attended, grade level, photograph, e-mail address, and enrollment status) and offer the chance to object in writing to the release of such information. This notice on student information (also known as directory information) may be combined with the FERPA notice on access to student records cited above. 
Student privacy	Yes Protection of Pupil Rights Amendment	5550	Not specified. Notification must contain the specific or approximate dates during the school year when covered activities will occur.	Parents	Annually	Districts must notify parents of their student privacy policy and offer an opportunity for parents to remove their child from participating in the following activities: 1) Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information, or otherwise providing that information to others for that purpose. This includes all third-party vendors. 2) The administration of any survey containing one or more of the specified eight items of information pursuant to the Protection of Pupil Rights Amendment (PPRA). 3) Any non-emergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school, and scheduled by the school in advance, and is not necessary to protect the immediate health and safety of the student or other students. This law does not apply to any physical examination or screening that is permitted or required by State law, including such examinations or screenings permitted without parental notification.
Teacher qualification requests 	Yes No Child Left Behind Act	None	Suggested written notice	Parents	Annually	NCLB provides that parents and guardians must be notified of their right to request and receive information about the professional qualifications of their children's classroom teachers. There are some notifications required by NCLB that are only required under special circumstances. Your district does not need to send those out unless it meets certain requirements. These are: • Child taught by teacher who is not highly qualified • Notification of parental involvement policies • Notification of student placement in a language instruction program (ESL or bilingual) • Persistently dangerous schools. • Unsafe school transfer choice.

DISCLAIMER: The information above represents requirements to the best of NYSSBA's understanding at the time of publication and is subject to change. Also, it does not reflect special notifications some districts are required to send out or any additional requirements districts have put upon themselves. Thanks to Naomi Zuckerman, business administrator in the South Seneca school district, for suggesting and contributing to this summary of notification requirements.