

Parent/Student Notifications Required by State and Federal Law and Regulations

Notification	Universally or Conditionally Required?	Legal citation	NYSSBA Policy Associated	How communicated	To whom?	How Often?	Notes
Academic Intervention Services Eligibility	Universal	8 NYCRR §100.2(ee)	4325	Can be posted on district website or distributed to parents	Parents	Recommended Annually	For grades 3-8: Districts must post to website or distribute to parents in writing a description of its process for determining which students shall receive AIS, including which student performance measures, and the scores on such measures, shall be utilized. For grades K-2 and grades 9-12: We recommend notifying parents of the district-developed procedure to determine eligibility for AIS.
Advanced Coursework	Universal	Education Law §817 8 NYCRR §100.2(II)(2)	None	Either electronically or by mail, and posted on the district website	Parents and students starting in either 5th grade or one grade prior to the first year that advanced coursework is offered, whichever is first	By June 1st of each school year	Notice must include: (a) the benefits of participating in advanced courses (defined as middle, high school, or college level honors, gifted, accelerated, advanced placement, international baccalaureate, dual-enrollment, or concurrent-enrollment, or a course that offers the ability to earn college credit or industry-recognized certification), (b) a description of the advanced courses offered in middle and high school and how to prepare for and enroll in such courses, (c) a description of the advanced courses offered the following school year, and (d) a description of the support (including academic, non-academic, and financial) the district provides to help students succeed in such courses.
Anaphylaxis	Universal	Public Health Law §2500-h(3)	None	Not specified	Parents/guardians	At least once per school year	Awareness of the NYSED anaphylaxis policy, along with contact information of the person at the school who can assist with individualized concerns about anaphylaxis.
APPR of teachers and principals	Universal	Education Law §§3012-c(10)(b); 3012-d(15)	9420.1	Written notice Posted in buildings/ on website/ part of other existing notification	Parents	Annually	Under NY Educ. Law §3012-c districts must notify parents that they have the right to access the composite APPR score for their child's teacher and/or principal.
Asbestos Notice	Universal	Asbestos Hazard Emergency Response Act (AHERA) 40 CFR §§763.84(c), (f); 763.93(g)(2)	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, and any current or planned asbestos inspections, response actions and post-response actions.
Attendance	Universal	8 NYCRR §104.1(i)(4)(i)	5100	Written Plain Language Summary	Parents, students, teachers members of the community as requested	Beginning of school year	Plain language summary of District attendance policy must be provided to parents, students and members of the community as requested.

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Boy Scouts Equal Access Act	Conditional, if district receives funds from the U.S. Dept. of Education	20 USC §7905 34 CFR §§100.6; 108.9	None	Same as Title VI regulations, "in a manner that a responsible Education Department official would find necessary to inform people of the protections provided"	Students, parents and guardians, "others"	Annually	Districts must provide equal access to the use of school property to the Boy Scouts and other designated youth groups listed as a patriotic society in Title 36 of the US Code intended to serve young people under the age of 21.
Breakfast after the Bell	Conditional, if at least 70% of students are eligible for free/reduced price meals	L. 2018, c. 56, Part B § 2, amending L. 1976, c.537	8505	Not specified	Parents and guardians	Not specified, but suggested annually	All schools with at least 70% of students eligible for free or reduced priced meals under the federal National School Lunch Program must provide notice to parents and guardians that the school will be offering breakfast to all students after the instructional day has begun.
Bullying and Harassment	Universal	Dignity for All Students Act (Education Law §§10-18)	0115	Written or electronic	Parents, student, employees	At least once per school year	Must provide a written or electronic copy of the district's DASA policies (or a plain language summary), including notification of the process to report bullying, harassment and discrimination.
Child Abuse	Universal	Education Law §409-l 8 NYCRR §100.2(nn)	5460	As determined by the school, but must include electronically and/or sent home with students	Parents and persons in parental relation	At least once per school year	The hotline number and directions to access the NYS Office of Children and Family Services website for the reporting of child abuse.
Child nutrition programs	Conditional, if the district participates in federal meal programs	42 USC §1751 et seq. 42 USC §1771 et seq.	8520	Written notice to households and public release	Households 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. However, if at least 80% of students in a school are eligible for free or reduced-price meals, notification may occur every other year instead of annually. Additionally, It 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.
Code of Conduct	Universal	New York State Safe Schools Against Violence in Education (SAVE) Education Law §2801	5300	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 parents. This summary along with a copy of the complete code must be made available upon request.
Complaints: Federally Funded Programs	Conditional, if the district received certain federal funds	20 USC §7844(a)(3)(C) 34 CFR §299.12	1405	Not specified	Parents of students, and appropriate private school officials or representatives	Not specified	Federally-funded programs: Title I, Parts A, C and D; Title II, Part A; Title III, Part A; Title IV, Parts A and B; Title V, Part

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Concussions and Tackle Football	Conditional, if the district runs a tackle football program	Pub. Health Law § 2595	None	Informational packet	Parents of students playing tackle football	Not specified, but at least upon initial participation	Provide the informational packet on concussions and sub-concussive blows developed by the Department of Public Health.
English Language Learners ENL/Bilingual placement	Universal	20 USC §6801 et seq. Education Law §3204 8 NYCRR §154-2.3(f)	4326	Implied in writing, in English and the language or mode of communication the parent best understands	Parents of students identified as an English Language Learner	At the start of the student's placement in a Bilingual Education or English as a New Language program	Districts must notify parents of students identified as English Language Learners of various aspects of the district's program as specified in state regulations, and must meet with the parents individually at least once a year.
Financial Aid	Universal	Education Law §305(61) 8 NYCRR §100.2(qq)	None	Not specified	High School seniors	At least two times during their senior year	Districts must notify seniors of the state-sponsored scholarships, financial aid, and assistance available to students attending college or post-secondary education. Districts must also ensure verification from parents/guardians of seniors (or seniors if they are at least 18 years old or legally emancipated) that they have either completed the FAFSA or DREAM Act application, or an SED waiver that they choose not to apply.
Graduation ceremonies	Universal	Education Law §3204(4-b) 8 NYCRR §100.2(oo)	4772	Written notice	All students and parents	Annually	Notice of policy and procedures to allow any student who has earned a CDOS or SACC to participate in the graduation ceremony and all related activities of the student's graduating class.
Health information privacy	Conditional, if the district houses a health clinic providing treatment outside of the school day	HIPPA federal regulations 45 CFR Parts 160 and 164 (Subparts A and E)	None	Notice of privacy practices	Generally, schools are exempt from HIPPA 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 HIPPA notification.	Annually if needed	Notice of privacy practice with regard to protected health info.
High School Assessments (Locally selected)	Conditional, if there will be a locally-selected assessment in place of a state test	20 USC §6311(b)(2)(H)(vi)	None	Unspecified	Parents of high school students	Beginning of school year	For high school students: Districts must notify parents of high school students of their substitution of a State- designed high school assessment, at the beginning of each school year during which the school district will administer the locally-selected assessment

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Homeless Students	Universal (while technically conditional for districts receiving federal funds under McKinney-Vento, NYS law is universal for all school districts)	McKinney-Vento Homeless Education Assistance Improvements Act of 2001, 42 USC § 11432(e)(3)(C)(i); 11432(g)(6)(A)(vi); 8 NYCRR § 100.2(x)(7)(iii)	5151	Post notifications at various locations/on registration forms	Identify homeless students and post at homeless shelters, medical clinics, post offices and social service offices.	Ongoing/posted in building and where families of homeless students will likely see it/on registration forms	Post notifications regarding available educational and transportation services & liaison contact info at places where parents of homeless students will see the notice.
Non-Discrimination	Universal (while some of these provisions are technically condition upon receipt of federal funding, it is advisable to provide notice of all nondiscrimination given that NY state law contains broad discrimination prohibitions)	Title VI: race, color, national origin (42 USC §2000d et seq.), Title IX: sex (20 USC §1681 et seq.), Section 504: disability (29 USC §701 et seq.), Age Discrimination in Employment Act (29 USC §621 et seq.), Americans with Disabilities Act (42 USC §12101 et seq.)	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 & employees	Annually	Notice that District does not discriminate and a grievance procedure with name & contact info of District compliance coordinator.
Parent and Family Engagement	Conditional (implied), if the district receives Title I funds	Every Student Succeeds Act, 20 USC §6318(a)(2)	1900	Not specified	Parents and family members	Not specified	Districts must involve parents and family members in developing district parent and family engagement plans, and implement effective outreach to parents of English learners.
Parents bill of rights regarding student data privacy and protection	Universal	Education Law 2-d 8 NYCRR §121.3	5550	Website	Parents	Annually	Education Law §2-d requires that districts protect student personally identifiable information (PII) in general and 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.
Pesticide Application notice	Universal	Education Law § 409-h	8115	Written	All students, parents, & staff	At beginning of the school 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 offering 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	Universal	Common Core Implementation Act, Education Law §305(47) 8 NYCRR §100.2(III)(1)	4750	Post on Website or Distribute as part of an existing informational document provided to parents	Parents	Annually	Notify of the policies on promotion & how policies were developed

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Receivership	Conditional, if the district is designated as struggling or persistently struggling by SED	Education Law § 211-f(1)(c)(iv); 8 NYCRR 100.19(c)(1)(ii)	None	Written, in English and translated to the extent practicable in the parent's native language or mode of communication.	Parents of students attending a school that may be placed in receivership (identified as struggling or persistently struggling).	Annually	1. Notification by June 30 that the school remains identified as struggling or persistently struggling. 2. Notice of annual meeting held to discuss the school performance (to public as well as parents) (other notice requirements exist that are not annual)
Student achievement and growth on state tests	Conditional, if the district receives Title I Part A funds	20 USC §6311(h)(6); 34 CFR §200.61(a)(2)	None	Not specified	Parents	Not specified	Districts must provide information on their child's academic achievement and growth on State academic assessments required by federal law.
Student participation in mandated assessments	Conditional, if the district receives Title I Part A funds	20 USC §6312(e)(2)(A), (B) 34 CFR §200.61(b)	None	Not specified	Parents of students attending a school receiving Title I funds	At the beginning of the school year	District must notify parents that they have the right to request information regarding the State and the district's policy on participation in required assessments, and the policy or procedure to opt out of those assessments, if applicable. Must also post on district website information on all required assessments (state and local).
Student Privacy (Protection of Pupil Rights Amendment)	Conditional, if the district receives federal education funding	Protection of Pupil Rights Amendment 20 USC §1232h	5550	Not specified, but must be provide such notice at least annually, at the beginning of the school year, and within a reasonable period of time after any substantive change in such policies. 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.

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Student Records: Directory Information	Conditional, if the district receives federal education funding	FERPA 20 USC §1232g(a)(5)(B)	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. This may be included as part of the annual notice of rights under FERPA.	Parents, Students over age 18, the public	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 Records: Access	Conditional, if the district receives federal education funding	Family Educational Rights and Privacy Act (FERPA) regulations 34 CFR §99.7(a)	5500	Not specified by law or regulation. The school may provide the annual notification by any means likely to inform parents of their rights.	Parents and Students over 18	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, to request the amendment of records believed to be inaccurate or misleading, to consent to disclosures of information, to file complaints, and the procedures for exercising these rights. 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.
Student Records: Release to military recruiters	Conditional, if the district receives federal education funding	No Child Left Behind Act (NCLB) and Every Student Succeeds Act (ESSA) 20 USC §7908	5500	Notify in Writing/ distributed with Directory Information	Parents of High School students and students over 18	Annually	Right to request that the District not release child's contact info to military recruiters w/o prior written consent. Can be combined with notification regarding student records.
Student Wellness	Conditional (implied), if the district receives funding under the Healthy, Hunger-Free Kids Act	Healthy, Hunger-Free Kids Act, 42 USC §1758b(b)(4),(5) and 7 CFR §210.30	5405	At the district's discretion	Parents, students, others in the community	Not specified; at least triennially	As a condition of participation in federal meal programs, districts must inform and update the public about the content and implementation of their wellness policies. School districts must also measure and report on the implementation of the wellness policy every three years. Certain stakeholders (including parents, food service professionals, school administrators, the general public, and the board) must also be afforded the opportunity to participate in the development, implementation and periodic review and update of the wellness policy.
Student's teacher does not meet State requirements	Conditional, if the district receives Title I Part A funds AND students are assigned to teachers that do not meet state certification requirements	20 USC §6312(e)(1); 34 CFR §200.61(a)(2)	None	Not specified	Parents	As needed	Districts must provide timely notice to parents that their child is assigned to, or has been taught for four or more consecutive weeks by, a teacher that does not meet applicable State certification or licensure requirements for the grade level or subject area in which the teacher has been assigned.

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Students with Disabilities: meal accommodation	Conditional, if the district receives federal funding from the U.S. Department of Agriculture or operate USDA programs, including federal meal programs	7 CFR §15b.25; 15b.6(b)	None	Not specified, suggest in writing.	Parents/guardians of students with disabilities	Not specified; recommended annually	Must notify parents/guardians of students with disabilities of the process to request meal modifications that accommodate the child's needs, and the process for resolving disputes.
Students with Disabilities: procedural safeguards	Universal (while technically conditional for districts receiving federal funds under McKinney-Vento, NYS regulations are universal for all school districts)	IDEA, 20 USC §1415(d)(1)(a) 34 CFR §300.504(a) 8 NYCRR §§200.5(f); 200.16(h)	4321	In writing; may also post on website.	Parents/guardians of students with disabilities	Annually	Must provide parents/guardians of students with disabilities with a copy of the procedural safeguards. Must also be provided upon initial referral or parental request for evaluation, the filing of a first request for a due process hearing, a disciplinary action constituting a change in placement, and at the request of a parent.
Students with Disabilities: records retention	Universal (while technically conditional for districts receiving federal funds under McKinney-Vento, NYS regulations are universal for all school districts)	IDEA regulations 34 CFR §300.624; 8 NYCRR §200.2(b)(6)	None	Not specified, suggest in writing.	Parents/guardians of students with disabilities	Once	Must inform parents/guardians of students with disabilities when records containing personally identifiable information are no longer needed to provide services.
Teacher qualification requests	Conditional, if district receives Title I Part A funds	20 USC §6312(e)(1); 34 CFR §200.61(a)(1)	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.
Unpaid school meal charges	Conditional, if participating in federal meal programs	Education Law §908	8505	District plan posted on district website, targeted notification to parents/guardians with unpaid meal charges	Parents/guardians	Ongoing and as needed	Only for those school districts participating in the federal food programs. Districts must post its plan (for ensuring students whose parents/guardians have unpaid meal charges are not treated differently) on the district website. Must include notification when a meal account is exhausted and charges are due. Must include a free/reduced price meal application in every school enrollment packet. Must attempt to determine eligibility for free/reduced price meals when a student owes five or more meal charges.
Unsafe School Transfer Choice	Conditional, if a school is identified as persistently dangerous, or where a student is the victim of a violent crime	20 USC §7912(a) Education Law §2802(7) 8 NYCRR §120.3	8410	In the dominant language or mode of communication used by the parents or persons in parental relation	Parents and persons in parental relation	Upon designation or determination	Not required where the district has no other schools students can transfer to at that grade level. Districts must notify parents/persons in parental relation within 10 days after SED designates the school as persistently dangerous, or within 24 hours after the Superintendent has determined that a student has been the victim of a violent crime.