

**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.<br>For grades K-2 and grades 9-12: We recommend notifying parents of the district-developed procedure to determine eligibility for AIS. |
| 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 §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.   |
| Boy Scouts Equal Access Act                | Conditional, if district receives funds from the U.S. Dept of Education            | 20 USC §7905<br>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.  |

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| 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 §409-18 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.  |
| 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.   |
| 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.  |

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| 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 |
| 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.  |

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| 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)  | 4750                     | Post on Website or Distribute  | Parents  | Annually                            | Notify of the policies on promotion & how policies were developed   |
| 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.<br>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) and (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.<br>Must also post on district website information on all required assessments (state and local).   |

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| Student Privacy (Protection of Pupil Rights Amendment) | Conditional, if the district receives federal education funding | Protection of Pupil Rights Amendment<br>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:<br>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.<br>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).<br>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. |
| Student Records: Directory Information                 | Conditional, if the district receives federal education funding | FERPA<br>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,<br>Students over age 18,<br>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.  |

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| 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                     | FERPA does not require a school to notify parents individually of their rights under FERPA. 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. (FERPA authorizes disclosure of personal information without consent in limited circumstances.) |
| 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 §6311(h)(6); 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.   |
| 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.   |

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| 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)<br>34 CFR §300.504(a)<br>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.   |