

Instruction

Administrative Procedure - Notice to Parents Required by No Child Left Behind Act of 2001

- I. Improving Basic Programs Operated by Local Educational Agencies
 1. **Annual report cards.** Districts must disseminate an annual report card with aggregate information, including student achievement (designated by category), graduation rates, district performance, teacher qualifications, and other required information.
 2. **Progress review.** Districts must disseminate the results for its yearly progress review of each school.
 3. **Teacher and paraprofessional qualifications.** At the beginning of each school year, a school district that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part that the parents may request, and the district will provide the parents on request, information regarding the professional qualifications of the student's classroom teachers, including, at a minimum, the following:
 - a. Whether the teacher has met the State qualifications and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
 - b. Whether the teacher is teaching under emergency or other provisional status.
 - c. The teacher's baccalaureate degree major and any other graduate certifications or degrees.
 - d. Whether paraprofessionals provide services to the student and, if so, their qualifications.
 2. **Student achievement.** Districts must provide to parents information on the level of achievement of the parent's child in each of the State academic assessments.
 3. **Non-highly qualified teachers.** Districts must provide parents timely notice that the parent's child has been assigned, or has been taught for 4 or more consecutive weeks by, a teacher who is not highly qualified.
- II. English Language Learners
 1. **Language instruction educational programs.** Districts must inform a parent of a limited English proficient child identified for participation, or participating in, such a program of the reasons for their child being identified, their child's level of English proficiency, instructional method, how their child's program will meet their child's needs, how the program will help the child to learn English, exit requirements for the program to meet the objectives of any limited English proficiency, and information regarding parental rights.
 2. **Insufficient language instruction educational programs.** Each district using funds provided under this part to provide a language instruction educational program that has failed to make progress on the annual measurable achievement objectives described in Section 3122 for any fiscal year for which Part A is in effect, shall separately inform the parents of a child identified for participation in such a program, or participating in such program, of such *failure* not later than 30 days after such failure occurs.
 3. **Outreach.** Each district shall implement an effective means of outreach to parents of limited English proficient students to inform the parents regarding how they can be involved in their children's education, and be active participants in assisting their children to attain English proficiency, achieve at high levels in core academic subjects, and meet challenging State academic achievement standards and State academic content standards expected of all students. In addition, the outreach shall include holding, and sending notice of opportunities for, regular meetings for formulating and responding to parent recommendations.

III. Academic Assessment and Local Education Agency and School Improvement

1. **Schools identified for school improvement, corrective action, or re-structuring.** Districts shall promptly provide to parents of each student enrolled in an elementary school or a secondary school identified for school improvement under §6316(b)(1)(E)(i), for corrective action under §6316(b)(7)(C)(i), or for restructuring under §6316(b)(8)(A)(i).
 - a. An explanation of what the identification means, and how the school compares in terms of academic achievement to other district schools and the State educational agency;
 - b. The reasons for the identification;
 - c. An explanation of what the school identified for school improvement is doing to address the problem;
 - d. An explanation of what the district or State educational agency is doing to help the school address the achievement problem;
 - e. An explanation of how the parents can become involved in addressing the academic issues that caused the school to be identified for school improvement; and
 - f. An explanation of the parents' option to transfer their child to another public school under paragraphs (1)(E), (5)(A), (7)(C)(i), (8)(A)(i), and subsection (c)(10)(C)(vii) (with transportation provided by the agency when required by paragraph (9)) or to obtain supplemental educational services for the child, in accordance with subsection (e).
2. **Schools identified for restructuring.** Whenever the school fails to make adequate yearly progress and/or is restructured, the district shall provide the teachers and parents with an adequate opportunity to comment and participate in developing a plan.
3. **Schools identified for corrective action - supplemental services notice.** The district shall provide annual notice to parents of each student enrolled in an elementary school or a secondary school identified for school improvement under §6316(b)(1)(E)(i), for corrective action under §6316(b)(7)(C)(i), or for restructuring under §6316(b)(8)(A)(i).
 - a. The availability of supplemental education services;
 - b. The identity of approved providers that are within the district or whose services are reasonably available in neighboring districts; and
 - c. A brief description of those services, qualifications, and demonstrated effectiveness of each such provider.

IV. Parental Involvement

1. **Parental involvement policies.** Parents shall be notified of the parental involvement policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents can understand. Such policy shall be made available to the local community and updated periodically to meet the changing needs of parents and the school.
2. **Meeting and information.** Each school shall:
 - a. Convene an annual meeting, at a convenient time, to which all parents of participating children shall be invited and encouraged to attend, to inform parents of their school's participation, and to explain the requirements of this part, and the right of the parents to be involved;
 - b. Offer a flexible number of meetings;
 - c. Involve parents, in an organized, ongoing, and timely way, in the planning, review, and improvement of programs including the planning, review, and improvements of the school parental involvement policy and the joint development of the schoolwide program plan under §1114(b)(2);

- d. Provide parents of participating children:
 - Timely information about programs under this part;
 - A description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet; and
 - If requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practicably possible.

V. Voluntary Public School Choice Program

The district shall provide to parents of students in the area to be served by the Voluntary Public School Choice program with prompt notice of:

- a. The existence of the program;
- b. The program's availability; and
- c. A clear explanation of how the program will operate.

VI. Education of Homeless Children and Youths

1. **Notice of rights.** The district shall provide written notice, at the time any homeless child or youth seeks enrollment in such school, and at least twice annually while the child or youth is enrolled in such school, to the parent/guardian of the child or youth (or, in the case of an unaccompanied youth, the youth) that:
 - a. Shall be signed by the parent/guardian;
 - b. Sets the general rights provided under this subtitle;
 - c. Specifically states:
 - The choice of schools homeless children and youths are eligible to attend,
 - That no homeless child or youth is required to attend a separate school for homeless children or youths,
 - That homeless children and youths shall be provided comparable services including transportation services, educational services, and meals through school meals programs;
 - That homeless children and youths should not be stigmatized by school personnel; and
 - Includes contact information for the local liaison for homeless children and youths.
2. **Assistance to unaccompanied youth.** In the case of an unaccompanied homeless youth, the district shall ensure that the homeless liaison assists in placement or enrollment decisions under this subparagraph, considers the views of such unaccompanied youth, and provides notice to such youth of the right to appeal.
3. **Public notice of rights.** Each district shall ensure that public notice of the educational rights of homeless children is disseminated where such children and youths receive services under this Act, such as schools, family shelters, and soup kitchens.

VII. Student Privacy

1. **Notice of privacy policy.** The student privacy policies developed by a district shall provide for reasonable notice of the adoption or continued use of such policies directly to the parents of students enrolled in schools served by that district. At a minimum, the district shall:
 - a. 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; and
 - b. Offer an opportunity for the parent to opt the student out of the activity.

2. **Notification of specific events.** Each district shall directly notify parents/guardians, at least annually at the beginning of the school year, of the specific or approximate dates when activities described in 20 U.S.C. §1232h(c)(2)(C) are scheduled.
3. **Notice of existing policy.** All districts shall provide reasonable notice of such existing policies to parents and guardians of students, e.g., “The School Board has adopted and continues to use policies regarding student privacy, parental access to information, and administration of certain physical examinations to minors. Copies of those policies are available on request.”

- LEGAL REF.:
- I.
 1. NCLB §6311(h)(2); 20 U.S.C. §6311(h)(2).
 2. NCLB §6316 (a)(1)(C); 20 U.S.C. §6316(a)(1)(C).
 3. NCLB §6311(h)(6)(A); 20 U.S.C. §6311(h)(6)(A).
 4. NCLB §6311(h)(6)(B)(i); 20 U.S.C. §6311(h)(6)(B)(i).
 5. NCLB §6311(h)(6)(B)(ii); 20 U.S.C. §6311(h)(6)(B)(ii).
 - II.
 1. NCLB §1112(g)(1)(A) and (g)(2), and §3302(a); 20 U.S.C. §6312(g)(1)(A) and (g)(2); 20 U.S.C. §7012(a).
 2. NCLB §1112(g)(1)(B), and §3302(b); 20 U.S.C. §6312(g)(1)(A) and (g)(2); 20 U.S.C. §7012(a).
 3. NCLB §1112(g)(4) and §3302(e); 20 U.S.C. §6312(g)(4); 20 U.S.C. §7012(e)(1).
 - III.
 1. NCLB §6316(b)(6); 20 U.S.C. §6316(b)(6).
 2. NCLB §6316(b)(8)(C); 20 U.S.C. §6316(b)(8)(C).
 3. NCLB §6316(e)(2)(A); 20 U.S.C. §6316(e)(2)(A).
 - IV.
 1. NCLB §1118(b); 20 U.S.C. §6318(b).
 2. NCLB §1118(c); 20 U.S.C. §6318(c).
 - V. NCLB §5245(a); 20 U.S.C. §7225d(a).
 - VI.
 1. NCLB §722(e)(3)(C); 42 U.S.C. §11432(e)(3)(C).
 2. NCLB §722(g)(2)(B)(iii); 42 U.S.C. §11432(g)(3)(B)(iii).
 3. NCLB §722(g)(6)(A)(v); 42 U.S.C. §1432(g)(6)(A)(v).
 - VII.
 1. NCLB §1061(c)(2)(A); 20 U.S.C. §1232h(c)(2)(A).
 2. NCLB §1061; 20 U.S.C. §1232h(c)(2)(B).
 3. NCLB §1061(c)(3); 20 U.S.C. §1232h(c)(3).