



ANNUAL NOTICES TO PARENTS

Numerous federal and state laws require that certain notices be provided to parents and students at the start of each school year. To assist you in complying with the litany of notice requirements, Scariano, Himes and Petrarca, Chtd., has created the following list of notices to be given to parents and students at the start of the school year.

- The *No Child Left Behind Act* requires notice of numerous statutory requirements to parents, including: annual report cards; progress reviews; schools identified for school improvement, corrective action or restructuring; eligibility for public school choice; parental involvement policies; state education agency complaint procedures; teacher and paraprofessional qualifications; non-highly qualified teachers' student achievement information; an informational meeting on Title I, Part A; and the status of English Language Learners.
- The *Family Educational Rights and Privacy Act* and the *Illinois School Student Records Act*, require that school districts provide to parents and adult students annual notice of their rights to inspect, review, amend, and consent to the disclosure of their child's (or their) educational records.
- The Protection of Pupil Rights Amendment requires notice of policies regarding surveys, instructional materials, physical examinations, and student personal information that may be used for marketing.
- School districts that participate in the National School Lunch Program, School Breakfast program, or Special Milk Program must provide notice as to the eligibility requirements for free or reduced price meals or milk.
- The *McKinney-Vento Homeless Assistance Act* requires notice of the education rights of homeless students.
- The *Asbestos Hazard Emergency Response Act* requires notices to parents, teachers, and employee organizations of the availability of the asbestos management plan, inspections, and any actions to be taken.
- Title VI, Title IX, Section 504, the *Age Discrimination and Employment Act*, and Title II of the *Americans with Disabilities Act* require notice of non-discrimination based on race, color, national origin, sex, disability, and age. One notice of non-discrimination will meet the purposes of all of the above-referenced statutes. School districts should ensure that the notice of non-discrimination that is presented to parents includes the name of a coordinator that can be contacted in the event of discrimination.

- The *Individuals with Disabilities Education Act* requires notice to parents of a child with a disability of the procedural safeguards found within the law.
- The Illinois *School Code* requires school districts to provide notice of certain required policies each year, including the eligibility for waiver of certain school fees, student discipline, and the administration of medication.
- If your district maintains a 403(b) plan, employees should be given notice of eligibility to participate in the plan. If you do not have a third party administrator contracted to provide this notice, it should be provided by the district.

School districts should be aware that this list is not exhaustive and that additional notices may be required in certain circumstances. For example, the parents of those students enrolled in a sexual education class are entitled to notice of their child's enrollment in a sexual education class.

School districts should also bear in mind that, in addition to required notices set forth above, federal and state law also mandate that school districts enact certain policies which should also be distributed to parents at the start of each year. By clearly communicating school district policies to parents at the start of the year, a school district can avoid due process arguments from parents/students who claim to have lacked notice of official school policy.

Please do not hesitate to contact your attorney at Scariano, Himes and Petrarca, Chtd. to discuss requisite notices and policies. We look forward to assisting you in any way we can to ensure a successful start to the new school year.

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Scariano, Himes and Petrarca, Chtd., represents more than 100 school districts, special education cooperatives and vocational education cooperatives. Our attorneys have expertise in all areas of education law and practice in three locations to more readily serve our clients:

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