Instruction

Administrative Procedure - Notice to Parents Required by Elementary and Secondary Education, McKinney-Vento Homeless Assistance, and Protection of Pupil Rights Laws

The Elementary and Secondary Education Act (ESEA), McKinney-Vento Homeless Assistance Act (McKinney-Vento), and Protection of Pupil Rights Amendment (PPRA) mandate that schools receiving federal funds provide parents/guardians with information and notices in an understandable and uniform format and, to the extent practicable, in a language that the parents can understand. This procedure contains the key notifications that districts and schools must provide to their students' parents/guardians. The only notices applying to districts that do not receive Title I funds are those regarding student privacy. In addition, see:

- ISBE's *Frequently Asked Questions regarding the Every Student Succeeds Act (ESSA)*, published 8-12-16, at: www.isbe.net/Documents/ESSA-faq.pdf.
- U.S. Department of Education's *Frequently Asked Questions regarding Transitioning to the Every Student Succeeds Act (ESSA)*, updated 1-18-17, at: https://oese.ed.gov/files/2020/02/essatransitionfaqs11817.pdf.

1. Improving Basic Programs Operated by Local Educational Agencies

The following information must be provided to parents/guardians in an understandable and uniform format and, to the extent practicable, in a language the parents/guardians can understand.

a. **Annual report cards**. Districts must disseminate an annual report card that includes information on the District as a whole and each school served by the District, with aggregate and disaggregated information for each required subgroup of students including: (a) student achievement on academic assessments (designated by category), (b) graduation rates, district performance, teacher qualifications, and (c) other information required by 20 U.S.C. §6311(h)(2)(C). See 6:170-AP2, E1, *District Annual Report Card Required by Every Student Succeeds Act (ESSA)*.
The District's annual report card shall be: (a) concise, (b) presented in an understandable and uniform format, and to the extent practicable, in a language that parents/guardians can understand, and (c) accessible to the public, which includes placing it on the District's website or, if the District does not operate a website, providing it in another manner determined by the District.

b. **Teacher and paraprofessional qualifications**. At the beginning of each school year, a school district that receives funds under this part shall notify the parents/guardians of each student attending any school receiving funds under this part that the parents/guardians may request, and the District will provide the parents/guardians on request in a timely manner, information regarding the professional qualifications of the student's classroom teachers, including, at a minimum, whether:
   i. The teacher has met the State qualifications and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
   ii. The teacher is teaching under emergency or other provisional status.
   iii. The teacher is teaching in the field of discipline of the certification of the teacher.
   iv. Paraprofessionals provide services to the student and, if so, their qualifications.

c. **Student achievement**. Districts must provide parents/guardians with information on the level of academic achievement and growth of their child in each of the State academic assessments.
d. **Non-certificated/licensed teachers**. The District must provide parents/guardians timely notice that their child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who does not meet applicable State certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.
e. **Testing transparency**. At the beginning of each school year, a school that receives funds under this part shall notify the parents/guardians of each student attending any school receiving funds under this part that the parents/guardians may request, and the District will provide to them on request in a timely manner, information regarding any State or District agency policy regarding student participation in any assessments mandated by 20 U.S.C. §6311(b)(2) and by the State or District, which shall include a policy, procedure, or parental right to opt the child out of such assessment, where applicable.

   In addition, the District shall make widely available through public means (including by posting in a clear and easily accessible manner on the District's website and, where practicable, on each school's website), information on each assessment required by the State to comply with 20 U.S.C. §6311, other assessments required by the State, and (where available and feasible to report) assessments required districtwide, including:

   i. The subject matter assessed;
   ii. The purpose for which the assessment is designed and used;
   iii. The source of the requirement for the assessment; and
   iv. Where such information is available:
      1. The amount of time students will spend taking the assessment, and the schedule for the assessment; and
      2. The time and format for disseminating results.

2. English Learners

a. **Language instruction educational programs**. The District must inform a parent/guardian of an English learner identified for participation, or participating in, such a program of:
   i. The reasons for their child being identified as an English learner;
   ii. Their child's level of English proficiency, how such level was assessed, and the status of the child's academic achievement;
   iii. The instructional methods used in their child's program and the instructional methods used in other available programs;
   iv. How their child's program will meet their child's educational strengths and needs
   v. How the program will help their child to learn English and meet age-appropriate academic achievement standards for grade promotion and graduation;
   vi. Exit requirements for the program, including the expected rate of transition from such program into classrooms not tailored for English learners and the expected rate of high school graduation;
   vii. In the case of a child with a disability, how the program meets the objectives of their child's individualized education program; and
   viii. Information regarding parental rights that includes written guidance:
      1. Detailing parents'/guardians' right to immediately remove their child from the program upon their request;
      2. Detailing parents'/guardians' options to decline enrollment in the program or to choose another program or instructional method, if available; and
      3. Assisting parents/guardians in selecting among various programs and instruction methods, if more than one program/method is offered.

   Parents/guardians shall be provided this information no later than 30 days after the beginning of the school year or, for students identified as English learners during the school

year, within the first two weeks of the child's placement in a language instruction educational program.

b. **Outreach**. The District shall implement an effective means of outreach to parents/guardians of English learners to inform the parents/guardians 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 within a well-rounded education, and meet challenging State academic 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/guardian recommendations.

3. Parent and Family Engagement

a. **Parent and family engagement policies**. Parents/guardians and family members shall be notified of the parent and family engagement Board policy, 6:170, *Title I Programs*, in an understandable and uniform format and, to the extent practicable, notice will be provided in a language parents/guardians can understand. The policy shall be made available to the local community and updated periodically to meet the changing needs of parents/guardians and the school.

b. **Meeting and information**. Each school shall:

i. Convene an annual meeting, at a convenient time, to which all parents/guardians of participating children shall be invited and encouraged to attend, to inform parents/guardians of their school's participation, and to explain the requirements of this part, and the right of the parents to be involved;

ii. Offer a flexible number of meetings;

iii. Involve parents/guardians, in an organized, ongoing, and timely way, in the planning, review, and improvement of programs including the planning, review, and improvements of the school parent and family engagement policy and the joint development of the schoolwide program plan under 20 U.S.C. §6314(b);

iv. Provide parents/guardians 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 achievement levels of the challenging State academic standards; and
- If requested by parents/guardians, 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. If the schoolwide program plan under 20 U.S.C. §6314(b) is not satisfactory to the parents/guardians of participating children, submit any parent/guardian comments on the plan when the school makes the plan available to the Board.

4. Education of Homeless Children and Youths

a. **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:

i. Shall be signed by the parent/guardian (or, in the case of an unaccompanied youth, the youth);

ii. Sets the general rights provided under this subtitle;

iii. Specifically states:

- The choice of schools that 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.

b. **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.

c. **Public notice of rights**. The District shall ensure that public notice of the educational rights of homeless children and youths is disseminated where such children and youths receive services under this Act, such as schools, family shelters, and soup kitchens.

5. Student Privacy

a. **Notice of privacy policy**. The student privacy policies developed by the District shall provide for reasonable notice of the adoption or continued use of such policies directly to the parents/guardians of students enrolled in its schools. At a minimum, the District shall:
   i. 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
   ii. Offer an opportunity for the parent/guardian to opt the student out of the activity.

b. **Notification of specific events**. The 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.

c. **Notice of existing policy**. The Districts shall provide reasonable notice of such existing policies to parents/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."

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