

NCLB

No Child Left Behind

LEA and School Resources

ESEA / NCLB Parent's Right to Know Requirements for LEAs

.At the beginning of each school year, LEAs receiving NCLB Title I funds must notify parents of students attending schools receiving Title I funds that the parents have a right to information about the professional qualifications of their child's classroom teachers. Information must be provided regardless of whether teachers are employed directly by the LEA or under contract with another entity, such as a BOCES. Information must address:

- whether the teacher has State certification for the classes being taught;
- the teacher's bachelor's degree major and any other certifications or degrees by field or discipline; and
- whether the child is provided services by paraprofessionals and, if so, their qualifications.

Notices may be in any format, including newsletters that go to every parent, and must be clear and in languages parents can understand. Notices must tell parents how they can obtain the information to which they are entitled.

Each school receiving NCLB Title I, Part A funds must provide to each individual parent the following information:

- child's performance on State academic assessments; and
- as appropriate, timely notice that the child has been assigned, or has been taught for four or more consecutive weeks by, a teacher of a core academic subject who is not "highly qualified."

This information must be sent to each parent individually to protect privacy and, to the extent practicable, in a language that parents can understand. LEAs must provide notice that a child has been assigned to, or taught for four or more consecutive weeks by, a teacher of a core academic subject who is not "highly qualified," that is, does not have State certification for the classes being taught.

Required LEA Title I School Improvement Parent Notifications

§ 200.37 Notice of identification for improvement, corrective action, or restructuring.

(a) If an LEA identifies a school for improvement or subjects the school to corrective action or restructuring, the LEA must, consistent with the requirements of §200.36, promptly notify the parent or parents of each child enrolled in the school of this identification.

(b) The notice referred to in paragraph (a) of this section must include the following:

(1) An explanation of what the identification means, and how the school compares in terms of academic achievement to other elementary and secondary schools served by the LEA and the SEA involved.

(2) The reasons for the identification.

(3) An explanation of how parents can become involved in addressing the academic issues that led to identification.

(School Choice Notification - **no later than 14 calendar days before, the start of the school year**)

(4)(i) An explanation of the parents' option to transfer their child to another public school, including the provision of transportation to the new school, in accordance with §200.44.

(ii) The explanation of the parents' option to transfer must include, at a minimum, information on the academic achievement of the school or schools to which the child may transfer.

(iii) The explanation may include other information on the school or schools to which the child may transfer, such as—

(A) A description of any special academic programs or facilities;

(B) The availability of before- and after-school programs;

(C) The professional qualifications of teachers in the core academic subjects; and

(D) A description of parental involvement opportunities.

(iv) The explanation of the available school choices must be made sufficiently in advance of, but no later than 14 calendar days before, the start of the school year so that parents have adequate time to exercise their choice option before the school year begins.

[SES Notification – **must be separate from the School Improvement and School Choice Notification(s)**]

(5)(i) If the school is in its second year** of improvement or subject to corrective action or restructuring, a notice explaining how parents can obtain supplemental educational services for their child in accordance with §200.45.

****Please note: Under New York State's Differentiated Accountability Plan, all LEAs in New York State with school(s) in any stage of improvement status, from the first year of improvement status until return to Good Academic Standing, must offer SES** and must annually notify parents of its availability. School Choice must be made available from the second year of improvement status until return to Good Academic Standing.]

(ii) The annual notice of the availability of supplemental educational services must include, at a minimum, the following:

(A) The identity of approved providers of those services available within the LEA, including providers of technology-based or distance-learning supplemental educational services, and providers that make services reasonably available in neighboring LEAs.

(B) A brief description of the services, qualifications, and demonstrated effectiveness of the providers referred to in paragraph (b)(5)(ii)(A) of this section, including an indication of those providers who are able to serve students with disabilities or limited English proficient students.

(C) An explanation of the benefits of receiving supplemental educational services.

(iii) The annual notice of the availability of supplemental educational services must be—

(A) Clear and concise; and

(B) Clearly distinguishable from the other information sent to parents under this section.

(Approved by the Office of Management and Budget under control number 1810-0581) (Authority: 20 U.S.C. 6316)

[67 FR 71721, Dec. 2, 2002, as amended at 73 FR 64510, Oct. 29, 2008]

§ 200.38 Information about action taken.

(a) An LEA must publish and disseminate to the parents of each student enrolled in the school, consistent with the requirements of §200.36, and to the public information regarding any action taken by a school and the LEA to address the problems that led to the LEA's identification of the school for improvement, corrective action, or restructuring.

(b) The information referred to in paragraph (a) of this section must include the following:

(1) An explanation of what the school is doing to address the problem of low achievement.

(2) An explanation of what the LEA or SEA is doing to help the school address the problem of low achievement.

(3) If applicable, a description of specific corrective actions or restructuring plans.

(Approved by the Office of Management and Budget under control number 1810-0581) (Authority: 20 U.S.C. 6316(b)) [67 FR 71721, Dec. 2, 2002]

§ 200.36 Communication with parents.

(a) Throughout the school improvement process, the State, LEA, or school must communicate with the parents of each child attending the school.

(b) The State, LEA, or school must ensure that, regardless of the method or media used, it provides the information required by §§200.37 and 200.38 to parents—

(1) In an understandable and uniform format, including alternative formats upon request; and

(2) To the extent practicable, in a language that parents can understand.

(c) The State, LEA, or school must provide information to parents—

(1) Directly, through such means as regular mail or e-mail, except that if a State does not have access to individual student addresses, it may provide information to the LEA or school for distribution to parents; and

(2) Through broader means of dissemination such as the Internet, the media, and public agencies serving the student population and their families.

(d) All communications must respect the privacy of students and their families.

(Approved by the Office of Management and Budget under control number 1810-0581) (Authority: 20 U.S.C. 6316)
[67 FR 71721, Dec. 2, 2002]

[as stated in Title 34 of the Code of Federal Regulations (34CFR / EDGAR), Sections 200.36 – 200.38 – with bolding and parenthetical statements added]

(Additional information on Supplemental Educational Services and School Choice is available through additional links on this website.)