

5 Notice to Parents Required by No Child Left Behind Act of 2001 (“NCLB”) *

6
7 Improving Basic Programs Operated by Local Educational Agencies

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- 9 1. As required by NCLB § 1111(h)(6)(A): At the beginning of each school year, a district
- 10 that receives Title I funds shall notify the parents of each student attending any school
- 11 receiving Title I funds that the parents may request, and the district will provide the
- 12 parents on request, information regarding the professional qualifications of the student’s
- 13 classroom teachers, including, at a minimum, the following:
 - 14 a. Whether the teacher has met the state qualifications and licensing criteria for the
 - 15 grade levels and subject areas in which the teacher provides instruction.
 - 16 b. Whether the teacher is teaching under emergency or other provisional status.
 - 17 c. The teacher’s baccalaureate degree major and any other graduate certifications or
 - 18 degrees.
 - 19 d. Whether paraprofessionals provide services to the student and, if so, their
 - 20 qualifications.
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- 22 2. As required by NCLB § 1111(h)(6)(B)(i): Districts must provide parents information on
- 23 the level of achievement of the parent’s child in each of the state academic assessments.
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- 25 3. As required by NCLB § 1111(h)(6)(B)(ii): Districts must provide parents timely notice
- 26 that the parent’s child has been assigned, or has been taught for four (4) or more
- 27 consecutive weeks by, a teacher who is not highly qualified.
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29 Limited English Proficient Students

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- 31 1. As required by NCLB § 1112(g)(1)(A) and (g)(2) and § 3302(a): Districts must inform a
- 32 parent of a limited English proficient child identified for participation or participating in
- 33 such a program, of the reasons for their child being identified, their child’s level of
- 34 English proficiency, instructional method, how their child’s program will meet the child’s
- 35 needs, how the program will help the child learn English, exit requirements for the
- 36 program to meet the objectives of any limited English proficiency, and information
- 37 regarding parental rights.
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- 39 2. As required by NCLB § 1112(g)(1)(B) and § 3302(b): Each district using Title I funds to
- 40 provide a language instruction educational program, that has failed to make progress on
- 41 the annual measurable achievement objectives described in § 3122 for any fiscal year for
- 42 which part A is in effect, shall separately inform the parents of a child identified for
- 43 participation or participating in such a program, of such failure not later than thirty (30)
- 44 days after such failure occurs.
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- 46 3. As required by NCLB § 1112(g)(4) and § 3302(e): Each district shall implement an

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4 effective means of outreach to parents of limited English proficient students to inform the
5 parents regarding how they can be involved in their child's education and be active
6 participants in assisting their child to attain English proficiency, achieve at high levels in
7 core academic subjects, and meet challenging state academic achievement standards and
8 state academic content standards expected of all students. In addition, the outreach shall
9 include holding and sending notice of opportunities for regular meetings for formulating
10 and responding to parent recommendations.

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12 Academic Assessment and Local Education Agency and School Improvement

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14 1. As required by NCLB § 1116(b)(6): Districts shall promptly provide to parents of each
15 student enrolled in an elementary school or a secondary school identified for school
16 improvement under § 1116(b)(1)(E)(I), for corrective action under § 1116(b)(7)(C)(I), or
17 for restructuring under § 1116(b)(8)(A)(I):
18 a. An explanation of what the identification means and how the school compares in
19 terms of academic achievement to other district schools and the state educational
20 agency;
21 b. The reasons for the identification;
22 c. An explanation of what the school identified for school improvement is doing to
23 address the problem;
24 d. An explanation of what the district or state educational agency is doing to help the
25 school address the achievement problem;
26 e. An explanation of how the parents can become involved in addressing the
27 academic issues that caused the school to be identified for school improvement;
28 and
29 f. An explanation of the parents' option to transfer their child to another public
30 school under paragraphs (1)(E), (5)(A), (7)(C)(i), (8)(A)(i), and subsection
31 (c)(10)(C)(vii) (with transportation provided by the agency when required by
32 paragraph (9)) or to obtain supplemental educational services for the child in
33 accordance with subsection (e).
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35 2. As required by NCLB § 1116(b)(8)(c): Whenever the school fails to make adequate
36 yearly progress and/or is restructured, the district shall provide the teachers and parents
37 with an adequate opportunity to comment and participate in developing any plan.
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39 3. As required by NCLB § 1116(e)(2)(A): The district shall provide annual notice to parents
40 of:
41 a. The availability of supplemental education services;
42 b. The identity of approved providers of those services within the district or whose
43 services are reasonably available in neighboring districts; and
44 c. A brief description of those services, qualifications, and the demonstrated
45 effectiveness of each such provider.
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4 Parental Involvement
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- 6 1. As required by NCLB § 1118(b): Parents shall be notified of the parental involvement
7 policy, in an understandable and uniform format and, to the extent practicable, in a
8 language the parents can understand. Such policy shall be made available to the local
9 community and updated periodically to meet the changing needs of parents and the
10 school.
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- 12 2. As required by NCLB § 1118(c): Each school shall:
13 a. Convene an annual meeting at a convenient time, to which all parents of
14 participating children shall be invited and encouraged to attend, to inform parents
15 of their school's participation and to explain the requirements of the NCLB and
16 the right of the parents to be involved;
17 b. Offer a flexible number of meetings;
18 c. Involve parents, in an organized, ongoing, and timely way, in the planning,
19 review, and improvement of programs, including the planning, review, and
20 improvement of the school parental involvement policy and the joint development
21 of the school-wide program plan under § 1114(b)(2);
22 d. Provide parents of participating children:
23 • Timely information about programs under this part;
24 • A description and explanation of the curriculum in use at the school, the
25 forms of academic assessment used to measure student progress, and the
26 proficiency levels students are expected to meet; and
27 • If requested by parents, opportunities for regular meetings to formulate
28 suggestions and to participate, as appropriate, in decisions relating to the
29 education of their children, and respond to any such suggestions as soon as
30 practicably possible.
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32 Education of Homeless Children and Youths
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- 34 1. As required by NCLB § 722(e)(3)(C): The district shall provide written notice, at the
35 time any homeless child or youth seeks enrollment in the school and at least twice
36 annually while the child or youth is enrolled in the school, to the parent or guardian of the
37 child or youth (or, in the case of an unaccompanied youth, the youth) that:
38 a. Shall be signed by the parent or guardian;
39 b. Sets forth the general rights provided under this subtitle;
40 c. Specifically states:
41 • The choice of schools homeless children and youths are eligible to attend;
42 • That no homeless child or youth is required to attend a separate school for
43 homeless children or youths;
44 • That homeless children and youths shall be provided comparable services,
45 including transportation services, educational services, and meals through
46 school meals programs;

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- 4 • That homeless children and youths should not be stigmatized by school
- 5 personnel;
- 6 d. Includes contact information for the local liaison for homeless children and
- 7 youths.
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- 9 2. As required by NCLB § 722(g)(2)(B)(iii): In the case of an unaccompanied homeless
- 10 youth, the district shall ensure that the homeless liaison assists in placement or enrollment
- 11 decisions, considers the views of such unaccompanied youth, and provides notice to such
- 12 youth of the right to appeal.
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- 14 3. As required by NCLB § 722(g)(6)(A)(iv): Each district shall ensure that public notice of
- 15 the educational rights of homeless children is disseminated where such children and
- 16 youths receive services under this Act, such as schools, family shelters, and soup
- 17 kitchens.

18 Persistently Dangerous Schools

19 If the district is identified as a persistently dangerous school,¹ the district must, in a timely

20 manner:

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- 24 1. Notify parents of each student attending the school that the state has identified the school
- 25 as persistently dangerous.
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- 27 2. Offer all students the opportunity to transfer to a safe public school within the district. If
- 28 there is not another school in the district, the district is encouraged, but not required, to
- 29 explore other options such as an agreement with a neighboring district to accept transfer
- 30 students.
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- 32 3. For those students who accept the offer, complete the transfer.
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34 In addition a district must also:

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1 **“Persistently dangerous public elementary school or secondary school,”** in the context of the No Child Left Behind Act of 2001 (ESEA), a Montana public elementary or secondary school is considered to be persistently dangerous if each of the following two conditions exist:

- (1) In each of three consecutive years, the school has a federal or state gun-free schools violation or a violent criminal offense has been committed on school property, and
- (2) In any two years within a three-year period, the school has experienced expulsions for drug, alcohol, weapons or violence that exceed one of the following rates –
 - (a) more than five expulsions for a school of less than 250 students,
 - (b) more than 10 expulsions for a school of more than 250 students but less than 1000 students, or
 - (c) more than 15 expulsions for a school of more than 1,000 students.

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- 4 1. Develop a corrective action plan; and
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- 6 2. Implement the plan in a timely manner.
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8 Parental notification regarding the status of the school and the offer to transfer students may be
9 made simultaneously.

10 Student Privacy

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- 13 1. As required by NCLB § 1061(c)(2)(A): The student privacy policies developed by the
14 district shall provide for reasonable notice of the adoption or continued use of such
15 policies directly to the parents of students enrolled in schools served by the district. At a
16 minimum, the district shall:
 - 17 a. Provide such notice at least annually at the beginning of the school year and
18 within a reasonable period of time after any substantive change in such policies;
19 and
 - 20 b. Offer an opportunity for the parent to opt the student out of the activity.
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- 22 2. As required by NCLB § 1061(c)(2): All districts shall provide reasonable notice of such
23 existing policies to parents and guardians of students, e.g., *“The Board has adopted and
24 continues to use policies regarding student privacy, parental access to information, and
25 administration of certain physical examinations to minors. Copies of those policies are
26 available on request.”*
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29 [* This list of parental notice requirements may not be exhaustive. The only notices applying to
30 districts that do **not** receive Title I funds are those regarding student privacy. The notices
31 described in this administrative procedure are paraphrased; please see the specific NCLB section
32 cited for the exact requirements.]

33 Policy History:

34 Adopted on: Fall 2004

35 Reviewed on: 2/25/08

36 Revised on: