

Required Notifications

(August 28, 2025)

The following list provides a very brief description of notifications required by state and/or federal law or regulation. It does not provide a comprehensive description of the various requirements or notifications; the legal references should be consulted for the details of the required notifications. It is designed for internal use by school divisions. References to VSBA policies relevant to the individual requirements are provided for the convenience of members of VSBA Policy Services

Advanced or Accelerated Mathematics and Parent Opt Out

Ref: [Va. Code § 22.1-207.9](#).

See: **VSBA Sample Policy IGBJ “Advanced or Accelerated Mathematics.”**

Each school division must annually notify the parents of each student in grades five through eight of the division’s criteria and process for enrollment in advanced or accelerated mathematics, including automatic enrollment and parental opt-out, as set forth in the division’s adopted policy, the mathematics courses available within the school division, the importance of middle school mathematics coursework, and the impact of middle school mathematics coursework on the high school mathematics coursework sequence.

Asbestos

Ref: [40 C.F.R. 763.84\(c\)](#).

At least once each school year, each school division must ensure that employees, building occupants, and legal guardians are informed about asbestos inspections, response actions, and post-response action activities, including periodic reinspection and surveillance activities that are planned or in progress.

Each school division must keep and maintain in its administrative office a complete, updated copy of its asbestos management plan for each school under its administrative control or direction. The plan must be available during business hours, without cost or restriction, for inspection by representatives of the EPA, state officials, and the public.

Availability of School Division Policies and Regulations

Ref: [Va. Code § 22.1-253.13:7.E.](#)

See: **VSBA Sample Policy BF “Board Policy Manual.”**

Each division must make an annual announcement at the beginning of the school year and, for parents of students enrolling later in the academic year, at the time of enrollment, advising the public that current copies of all division policies and regulations are available on the division’s website. The announcement should also state that printed copies of school division policies and regulations are available to citizens who do not have online access.

Budget

Ref: [Va. Code § 22.1-93.](#)

See: **VSBA Sample Policy DB “Annual Budget.”**

Upon approval of the school division’s budget by the appropriating body every year, the school board shall publish the approved annual budget, in line-item form, including the estimated required local match, on the division’s website. The document must also be made available in hard copy as needed for citizens for inspection.

Child Nutrition Programs

Ref: [42 U.S.C. § 1758](#); [7 C.F.R. 245.2](#); [7 C.F.R. 245.5](#); [7 CFR § 15b.6](#); [7 C.F.R. § 210.13\(b\)](#); and [Va. Code § 22.1-79.](#)

See: **VSBA Sample Policies BBA “School Board Powers and Duties” and EFB “Food Services.”**

Each division which participates in the Free and Reduced Price Meals and Free Milk in Schools programs must notify parents and the public about the programs. Divisions must also provide notice that they do not discriminate on the basis of handicap.

Federal law requires that parents of all children in attendance at school must receive a notice containing an application form and the specific following information:

- Eligibility criteria for benefits;
- Application procedures;
- An explanation that an application for benefits cannot be approved unless it contains complete documentation including, for households applying on the basis of income and household size:

- Names of all household members;
 - Income received by each household member, identified by source of the income (such as earnings, wages, welfare, pensions, support payments, unemployment compensation and social security and other cash income);
 - The signature of an adult household member; and
 - The social security number of the adult household member who signs the application or an indication that he/she does not possess a social security number;
- An explanation that households with children who are members of currently identified food stamp, FDPIR (food distribution program for households on Indian reservations) or TANF (Temporary Assistance for Needy Families) households may submit an abbreviated application for benefits for those children with the following information: the child's name and appropriate food stamp or TANF case number or FDPIR case number or other identifier and the name and signature of an adult household member;
 - An explanation that the information on the application may be verified at any time during the school year;
 - How a household may apply for benefits at any time during the school year as circumstances change;
 - A statement to the effect that children having parents or guardians who become unemployed are eligible for free or reduced-price meals or for free milk during the period of unemployment if the loss of income causes the household income during the period of unemployment to be within the eligibility criteria;
 - A statement to the effect that in certain cases foster children are eligible for free or reduced-price meals or free milk regardless of the income of the household with whom they reside and that households wishing to apply for such benefits for foster children should contact the school;
 - The statement: "In the operation of child feeding programs, no child will be discriminated against because of race, sex, color, national origin, age or disability;"
 - An explanation that Head Start enrollees and foster, homeless, migrant, and runaway children are categorically eligible for free meals and free milk and their families should contact the school for more information;
 - How a household may appeal the decision on the application; and
 - A statement that Special Supplemental Nutrition Program for Women, Infants and Children (WIC) participants may be eligible for free or reduced-price meals.

The public notification must be made at the beginning of each school year. It must contain the same information given to parents and must be provided to the informational media, the local unemployment office and to any major employers contemplating large layoffs in the area from which the school draws its attendance.

The public announcement must contain a copy of the letter or notice sent to parents.

The U.S. Department of Agriculture’s document entitled Eligibility Manual for School Meals contains an explanation of the required notices. The document also contains a chart describing to whom, and under what conditions, information regarding free and reduced eligibility status may be disclosed. [Eligibility Manual for School Meals.](#)

In addition, schools must post a report of the most recent food safety inspection in a publicly visible location. A copy of the inspection report must be provided to members of the public upon request.

The U.S. Department of Agriculture (USDA) directs divisions which participate in the National School Lunch Program or School Breakfast Program to have a written and clearly communicated system to address meal charges in place. [SP 23-2017](#). [SP 46-2016](#). The USDA directs the division’s system regarding unpaid meal charges to be delivered to all households at the start of the school year and to households that transfer into the school division during the school year. VSBA Policy EFB Food Services.

In addition, Virginia law requires that:

- An information sheet on the Supplemental Nutrition Assistance Program (SNAP) benefits program developed by the Department of Social Services be sent home with each student at the beginning of the school year;
- A fillable free or reduced-price meals application be sent home with each student at the beginning of the school year; and
- Any parent in attendance at a back-to-school night event receive prominent notification of information about free or reduced-price meals and a fillable meals application.

Code of Student Conduct, Compulsory Attendance Law, Parental Responsibility, and Involvement

Ref: [Va. Code § 22.1-279.3.](#)

See: **VSBA Sample Policy JFC “Student Conduct.”**

Within one calendar month of the opening of school, each division must, simultaneously with any other materials customarily distributed at that time, send to the parents of each enrolled student:

- A notice of the requirements of Va. Code regarding parental responsibility and involvement;
- A copy of the school division's standards of student conduct; and
- A copy of the compulsory school attendance law and the enforcement procedures and policies adopted by the school board.

Each parent must sign and return to the student's school a statement acknowledging the receipt of the above materials and each school must maintain records of such signed statements.

The materials sent to parents must include a notice that by signing the statement of receipt, parents expressly reserve their rights protected by the constitutions or laws of the United States or the Commonwealth and that parents have the right to express disagreement with a school's or school division's policies or decisions.

Cost per Pupil

Ref: [Va. Code § 22.1-92](#).

See: VSBA Sample Policy DIA "Reporting Per Pupil Costs."

The superintendent must prepare and distribute notifications of the estimated average per pupil cost for public education in the division for the upcoming school year. The notice must also include actual per pupil state and local education expenditures for the previous school year. The notice may also include federal funds spent for public education in the division. The notice must be made available in a form provided by the Department of Education and published on the school division's website or in hard copy on request. The notice should be printed on a form prescribed by the Board of Education and shall be published on the school division's website or in hard copy, upon request.

Counseling

Ref: [8 VAC 20-620-10](#).

See: VSBA Sample Policy IJ "Guidance and Counseling Program."

Each division shall adopt a policy consistent with 8 VAC 20-620-10 paragraphs A and B, concerning school guidance and counseling programs. In addition to other items, the policy must contain a provision for written notification, at least annually, to parents about the academic and career guidance and personal/social counselling programs which are available to their children. The notification shall include the following information:

- Purpose and description of the programs;
- Information regarding ways parents may review relevant materials to be used in such programs; and
- Information about the procedures by which parents may limit their child's participation in such programs.

Credits Required for Graduation

Ref: [Va. Code § 22.1-253.13:4.A-C.](#)

See: VSBA Sample Policy IKF “The Virginia Assessment Program and Graduation Requirements.”

At the beginning of each school year, every school must provide each student with notice of all requirements for Standard Diploma and Advanced Studies Diploma.

Each division must notify the parents of rising eleventh and twelfth grade students of:

- Requirements for graduation pursuant to the standards for accreditation; and
- Requirements that have yet to be completed by the individual student for graduation.

Each division must provide the guidance, developed in multiple languages, from the Virginia Department of Education to parents of students with disabilities. The guidance will include:

- Information on the alternative path to earn a standard diploma through credit accommodations, including special permission credit accommodations, for locally awarded verified credits;
- Providing the limitations of the applied studies diploma, key curriculum and testing decisions that reduce the likelihood that a student will be able to obtain a standard diploma, and a statement that the pursuit of an applied studies diploma may preclude a student’s ability to pursue a standard diploma; and
- Supporting them to discuss these diploma options at the student’s individualized education program meetings.

Each division shall develop a process regarding the availability of credit accommodations to earn a standard diploma and the limitations of the Applied Studies diploma at a student’s annual individualized education program (IEP) meeting corresponding the grades three through 12 when curriculum or statewide assessment decisions are being made that impact the type of diploma from which the student can qualify.

Each division must notify parents of students who fail to graduate or to achieve graduation requirements as provided in the standards for accreditation and who have not reached 20 years of age on or before August 1st of the school year of the right to a free public education. If the student is one for whom English is a second language, the division will notify the parent of the student's opportunity for a free public education in accordance with [Va. Code § 22.1-5.](#)

Dual Enrollment, Advanced Placement Classes and Special Programs

Ref: [Va. Code § 22.1-253.13:1.D.11.](#)

See: **VSBA Sample Policy IGBI “Advanced Placement Classes and Special Programs.”**

Students and their parents must be notified of the availability of dual enrollment, advanced placement classes, career and technical education programs, including internships, externships, apprenticeships, credentialing programs, certification programs, licensure programs, and other work-based learning experiences, the International Baccalaureate program and Academic Year Governor’s School Programs. The notification must include the qualifications for enrolling in classes, programs and experiences, and the availability of financial assistance to low-income and needy students to take the advanced placement and International Baccalaureate examinations. Notification must also be given to students and parents of the College and Career Ready Virginia Program and the division’s agreement with a community college in the Commonwealth to enable students to complete an associate’s degree, a one-year Uniform Certificate of General Studies, or the Passport Program concurrent with a high school diploma.

Dual Enrollment, Individuals with Disability

Ref: [Va. Code § 22.1-215.3.](#)

See: **VSBA Sample Policy IGBA “Programs for Students with Disabilities.”**

During the annual individualized education program (IEP) planning process prior to any year in which a student with a disability who is enrolled at a public high school is entering the 11th or 12th grade, the IEP team shall provide the student’s parent written notice of the student’s rights and obligations relating to dual enrollment courses, consistent with the model notice made available by the Board of Education, including detailed information on the process for ensuring the student is receiving both free and appropriate public education pursuant to the Federal Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.) as a student enrolled in a public high school.

Eating Disorders Awareness Information

Ref: [Va. Code § 22.1-273.2.](#)

Each division must annually provide information to parents of pupils in grades five through 12 regarding eating disorders. The information must be consistent with guidelines developed by the Virginia Department of Education. A sample information

sheet for parents is available on the Virginia Department of Education's website at [Eating Disorders Parent Information Sheet](#) under the heading "Mandated Parent Notification Required for: Eating Disorders."

Emergency Procedures

Ref: [Va. Code § 22.1 - 137.3](#).

See: VSBA Sample Policy EB: "School Crisis, Emergency Management and Medical Emergency Response Plan."

Each school's written procedures to follow in emergencies such as fire, lock-down, severe weather, injury, illness and violent or threatening behavior must be outlined in the student handbook and discussed with staff and students in the first week of each school year.

English Learners

Ref: [20 U.S.C. § 6312\(e\)\(3\)](#).

See: VSBA Policy IGBF "English Learners."

School divisions receiving federal funds to provide a language instruction educational program shall, not later than 30 days after the beginning of the school year, inform the parents of students identified for participation in such program of the following:

- The reasons for the identification of their child as an English learner and in need of placement in a language instruction educational program;
- The child's level of English proficiency, how such level was assessed, and the status of the child's academic achievement;
- The methods of instruction used in the program in which their child is, or will be participating, and the methods of instruction used in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction;
- How the program in which their child is, or will be participating, will meet the educational strengths and needs of their child;
- How such program will specifically help their child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation;
- The specific exit requirements for the program, including the expected rate of transition from such program into classrooms that are not tailored for English learners and the expected rate of graduation from high school (including four-year adjusted cohort graduation rates and extended-year adjusted cohort

- graduation rates for such program) if federal funds are used for children in high schools;
- In the case of a child with a disability, how such program meets the objectives of the individualized education program of the child;
 - Information pertaining to parental rights that includes written guidance detailing:
 - The parents' right to have their child immediately removed from such program upon their request;
 - The options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available; andInformation pertaining to parental rights that includes written guidance assisting parents in selecting among various programs and methods of instruction, if more than one program or method is offered by the division.

Notice and information provided to parents shall be in understandable and uniform format and, to the extent practicable, provided in a language parents can understand.

For those children who have not been identified as English learners prior to the beginning of the school year, the division must give the notifications listed above to parents within the first two weeks of the child being placed in a language instruction educational program.

Fees

Ref: [8 VAC 20-720-80.B](#).

See: VSBA Sample Policy JN “Student Fees, Fines and Charges.”

The school division’s policy regarding student fees and the fee schedule must be provided to parents annually and posted on the division’s website.

FERPA (Family Educational Rights and Privacy Act)

Ref: [34 C.F.R. § 99.7](#); [20 U.S.C. §1232g\(a\)\(5\)\(B\)](#).

See: VSBA Sample Policy JO: “Student Records;”
U.S. Department of Education’s [FERPA Model Notification of Rights](#); and
U.S. Department of Education’s [Model Notice for Directory Information](#).

School divisions must provide parents/guardians and adult students annual notice of their rights to inspect and review education records, amend education records, consent

to disclosure of personally identifiable information in education records and file a complaint with the U.S. Department of Education.

School divisions must give notice of the categories of information, if any, which they have designated as directory information. This requirement may be met by providing parents with a copy of the division's FERPA policy.

The division must allow a reasonable period of time after it gives notice to a parent to inform the division that any or all of the information should not be released without the parent's prior consent.

Gifted Education Plan

Ref: [8 VAC 20-40-60](#).

Each division is required to make its comprehensive plan for the education of gifted students accessible through the division's website. The division must also ensure printed copies are available to citizens who do not have online access.

Guidelines Relating to Virtual or Online Learning

Ref: [Va. Code § 22.1-23.6](#).

See: VSBA Sample Policies IGBG "Off-Site Instruction and Virtual Courses" and IGBGA "Online Courses and Virtual School Programs."

The Virginia Department of Education shall develop guidelines and information on virtual learning and post the information on its official website; additionally, the information may be disseminated to each school board for distribution to parents.

The guidelines shall be updated annually and are provided here: [VDOE Virtual Learning](#).

Guidelines will include:

- Statewide policies relating to virtual learning;
- The availability of online or virtual learning options and pertinent information on such options; and
- Guidelines for educators and schools relating to online virtual learning policies and best practices.

Homeless Students

Ref: [42 U.S.C. § 11432](#).

See: **VSBA Sample Policy JECA Admission of Homeless Students**

Each division must provide public notice of the education rights of the homeless students enrolled in the division. [42 U.S.C. § 11432\(e\)\(3\)\(C\)\(i\)](#). The notice is to be disseminated in places where homeless students receive services, including schools, family shelters, and soup kitchens. [42 U.S.C. § 11432 \(g\)\(6\)\(A\)\(vi\)](#). The notice must be in a “manner and form” understandable to homeless students and their parents/guardians, “including, if necessary and to the extent feasible,” in their native language. [42 U.S.C. § 11432\(e\)\(3\)\(C\)\(iii\)](#).

The National Center for Homeless Students (funded by the U.S. Department of Education) has created posters that can be downloaded at [NCHE/NASFAA Poster](#).

Internet Privacy

Ref: [Va. Code § 2.2-3803](#).

See: **VSBA Sample Policy KBE “Internet Privacy.”**

Every school division that has an website must make its Internet privacy policy statement conspicuously available on its website. At a minimum, the statement must address:

- What information, including personally identifiable information, will be collected, if any;
- Whether any information will be automatically collected simply by accessing the website and, if so, what information;
- Whether the website automatically places a computer file, commonly referred to as a "cookie," on the Internet user's computer and, if so, for what purpose; and
- How the collected information is being used or will be used.

National Assessment of Educational Progress (NAEP)

Ref: [20 U.S.C. § 9622](#).

Parents of children selected to participate in any NAEP assessment must be informed before the administration of any assessment that their child may be excused from participation for any reason, is not required to finish any authorized assessment and is not required to answer any test question. [20 U.S.C. § 9622\(d\)\(2\)](#).

Parents and members of the public must have access to all assessment data, questions and complete and current assessment instruments of any NAEP assessment except personally identifiable information and questions that may be reused in the future. School divisions must make reasonable efforts to inform parents and the public about their right of access to assessment data. If access is requested in writing, it must be provided within 45 days of the request and be made available in a secure setting that is convenient to both parties. [20 U.S.C. § 9622\(c\)](#).

Nondiscrimination

Ref: [20 U.S.C. § 7905](#); [42 U.S.C. § 2000ff-1](#); [29 C.F.R. § 1635.10\(c\)](#); [Va. Code § 2.2-3905.1](#).

See: VSBA Sample Policy GBA/JFHA “Prohibition Against Harassment and Retaliation.”

Numerous federal statutes protect the rights of beneficiaries in programs or activities that receive financial assistance from discrimination. Specifically, the following statutes prohibit discrimination:

- Title VI on the basis of race, color and national origin;
- Title IX on the basis of sex;
- Section 504 on the basis of disability;
- The Age Discrimination Act on the basis of age;
- Title II prohibits state and local governments from discriminating on the basis of disability; and
- The Genetic Information Nondiscrimination Act (GINA) protects employees from discrimination based on genetic information.

In addition, the Boy Scouts of America Equal Access Act prohibits schools which have an open forum or limited public forum from discriminating based on the membership or leadership criteria of the Boy Scouts of America or the other designated youth groups. [20 U.S.C. § 7905](#).

The regulations implementing these federal statutes require school divisions to notify students, parents, and others, including, in some instances, unions or professional organizations that have contracts with the school board, that they do not discriminate on the basis of race, color, national origin, sex, disability, and age. Title VI, [34 C.F.R. § 100.6\(d\)](#); Title IX, [34 C.F.R. § 106.8](#); Section 504, [34 C.F.R. § 104.8](#); Age Discrimination Act, [34 C.F.R. § 110.25](#); Title II, [28 C.F.R. § 35.106](#); see also [34 C.F.R. 108.5](#) (re the Boy Scouts and other youth groups). The regulations contain ~~some~~ differences relating to the notices' required content, the persons and groups to whom notice must be given, and the methods used to publish them.

Employers are required to post a notice approved by the EEOC regarding GINA.

Schools are required to notify applicants for admission and employment, parents or legal guardians, and all unions or professional organizations holding collective bargaining or professional agreements with the school board of the name or title, office address, e-mail address, and telephone number of the division's Title IX Coordinator. [34 C.F.R. § 106.8](#).

Students and employees must be notified of the name, office address and phone number of the division's Compliance Officer(s) under Section 504 ([34 C.F.R. § 104.8](#)), the Americans with Disabilities Act ([28 C.F.R. § 35.107](#)) and the Age Discrimination Act ([34 C.F.R. § 110.25](#)).

In addition to the requirements of federal law discussed above, Virginia Code § 2.2-3905.1 requires employers to post in conspicuous locations, and include in employee handbooks, information concerning an employee's rights to reasonable accommodations for disabilities. Information developed by the Office of Human Rights is available at [Civil Rights](#). The information must also be directly provided to new employees at the beginning of their employment and to any employee within 10 days of the employee giving notice to the employer that the employee has a disability.

Parent and Family Engagement Policy

Ref: [20 U.S. Code § 6318](#).

See: VSBA Sample Policy IGBC "Parental Involvement."

Divisions and schools that receive Title I funds must distribute their parental involvement policy to parents of students in Title I programs.

Postsecondary Education and Employment Data

Ref: [Va. Code § 22.1-253.13:1.D](#).

Each school board's career and technical education program must include annual notice on its website to enrolled high school students and their parents of the availability of the postsecondary education and employment data published by the State Council of Higher Education and the opportunity for such students to obtain a nationally recognized career readiness certificate at a local public high school, comprehensive community college or workforce center.

Protection of Pupil Rights Amendment (PPRA)

Ref: [20 U.S.C. § 1232h\(c\)\(2\)](#).

See: **VSBA Sample Policy JOB “Administration of Surveys and Questionnaires.”**

The PPRA requires school divisions to provide notice of their policy controlling the administration of surveys on certain sensitive topics including political or religious beliefs and behavior involving sex or illegal conduct. This notice must be given directly to the parents of students enrolled in the division. The notice must be given at least annually at the beginning of the school year and within a reasonable time after any substantive change in the policy.

You may download the U.S. Department of Education’s *PPRA Model General Notice of Rights* at [PPRA Notice of Rights](#).

In addition, divisions must also directly notify parents, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when the following activities will occur:

- Activities involving the collection, disclosure or use of personal information collected from students for the purpose of marketing or selling that information
- The administration of any survey concerning sensitive information
- Any nonemergency, invasive physical examination or screening

You may download the U.S. Department of Education’s *PPRA Model Notice and Consent/Opt-Out for Specific Activities* at: [PPRA Notice & Opt Out](#). These requirements may also be met by division’s providing parents a copy of the their policy on this topic.

Prosecution of Juveniles as Adults

Ref: [Va. Code § 22.1-279.4](#).

See: **VSBA Sample Policy JFCL “Notification Regarding Prosecution of Juveniles as Adults”**

School boards must provide information developed by the office of the Virginia Attorney General to students regarding laws governing the prosecution of juveniles as adults for the commission of certain crimes. The methods of providing information may include, but are not limited to, announcements in schools, written notification to parents, publication in the student manual, and inclusion in those materials distributed to parents at the beginning of each school year.

Pupil/Teacher Ratios

Ref: [Va. Code § 22.1-253.13:2](#).

See: **VSBA Sample Policy IHB “Class Size.”**

School boards must, however, annually, on or before December 31, report to the public

- The actual pupil/teacher ratios in elementary school classrooms in the local school division by school for the current school year; and
- The actual pupil/teacher ratios in middle school and high school in the local school division by school for the current school year.

Actual pupil/teacher ratios must include only the teachers who teach the grade and class on a full-time basis and exclude resource personnel. Divisions shall report pupil/teacher ratios that include resource teachers in the same annual report. Any classes funded through the voluntary kindergarten through third grade class size reduction program shall be identified as such classes.

Any classes having waivers to exceed the requirements of this subsection shall also be identified.

Schools shall be identified; however, the data shall be compiled in a manner to ensure the confidentiality of all teacher and pupil identities.

Release of Student Records to Armed Forces Recruiters and Educational Institutions

Ref: [20 U.S.C. § 7908\(a\)](#).

See: **VSBA Sample Policy JO “Student Records.”**

Divisions must notify parents that they will release the names, addresses and telephone numbers of secondary students to all recruiters or institutions of higher education that request them unless the parents specifically request this information not be released.

Report Cards/Quality Profiles

Ref: [20 U.S.C. § 6311\(h\)\(2\)](#).

See: **VSBA Sample Policy CMA “Quality Profiles.”**

Divisions that receive Title I funds must prepare and disseminate specified information to parents. Federal law refers to the distribution of this information as a “report card.”

The Virginia Board of Education, in the Standards of Accreditation as revised in January 2018, uses the term “School Quality Profile.”_The Virginia Department of Education posts the information required by federal law to appear in division and school report cards on its website, [VA School Quality Profiles](#), and has stated that this posting satisfies the requirements of federal law.

School Bus Rider Safety Rules

Ref: [8 VAC 20-70-110](#).

A copy of bus rider safety rules must be sent to parents at the beginning of the school year. The information must include a request that parents or their designee accompany young children to and from the bus stop.

Services for Students Identified as Deaf, Hard of Hearing or Visually Impaired

Ref: [Va. Code § 22.1-217.01](#).

Each school board must annually post information distributed by the Department of Education describing educational and other services available through the Virginia School for the Deaf and the Blind, the Virginia Department for the Deaf and Hard-of-Hearing and the Virginia Department for the Blind and Vision Impaired to the parents of those students who are identified as deaf or hard of hearing or visually impaired. School boards must inform the parents of the availability of the information and ensure that packets of the information are available for review by parents who do not have Internet access.

Sex Offender Registry

Ref: [Va. Code § 22.1-79.3](#).

See: VSBA Sample Policy KN “Sex Offender and Crimes Against Minors Registry Information.”

Every school board must annually notify the parent of each student enrolled in the school division of the availability of information in the Sex Offender and Crimes Against Minors Registry and the location of the website.

Special Education

Ref: **20 U.S.C. § 1412(a)(3)(A); CFR 300.111; [8 VAC 20-81-50.B](#); [8 VAC 20-81.230.D.3](#).**

Each division must, at least annually, conduct a public awareness campaign (also known as a child find program) to:

- Inform the community of the rights of persons, ages two to 21, inclusive, to a free appropriate public education and the availability of special education programs and services;
- Generate referrals; and
- Explain the nature of disabilities, the early warning signs of disabilities and the need for services to begin early.

Each division is required to annually publish notice listing the names of the members of the division's Special Education Advisory Committee. The notice must also include a description of ways in which interested parties may express their views to the committee.

Student Achievement

Ref: **[20 U.S.C. §§ 6311\(b\)\(2\)\(B\)\(x\)](#); [20 U.S.C. § 6312\(e\)\(1\)\(B\)](#).**

Schools that receive Title I funds must provide parents individual reports regarding their student's level of achievement and academic growth on the state's academic assessments, if applicable and available, as soon as is practicable after the assessment is given. The reports must be in an understandable format and, to the extent practicable, be in a language that parents can understand.

Tobacco and Nicotine Vapor Products

Ref: **[Va. Code § 22.1-273.3](#).**

See: VSBA Sample Policy: "Use of Tobacco and Electronic Cigarettes on School Premises."

Every school division must annually provide educational information to parents of students in grades Kindergarten through 12 regarding the health dangers of tobacco and nicotine vapor products, consistent with Department of Education guidelines. [Guidelines for School-Connected Overdose Response and Parental Notification](#).

Teacher Qualifications

Ref: [20 U.S.C. § 6312\(e\)\(1\)\(A\) and \(e\)\(1\)\(B\)\(ii\)](#).

At the beginning of each school year, divisions that receive Title I funds must notify the parents of each student that parents may request information regarding the professional qualifications of the student's classroom teachers, including whether the teacher:

- Has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
- Is teaching under emergency or other provisional status; and
- Is teaching in the field or discipline of the teacher's certification.

The notification must state that parents may request information regarding whether the child is provided services by paraprofessionals and their qualifications.

School divisions are required to send notification to parents in Title I schools if their children are taught four or more weeks by a teacher who is not properly licensed in Virginia to teach the class to which the students are assigned.

Telehealth Services

Ref: [Va. Code § 22.1-272.3](#)

See: **VSBA Sample Policy JHC "Student Health Services."**

Each division shall consider developing and implementing policies for permitting any public-school student in the division to schedule and participate in telehealth services and mental health teletherapy services on school property during regular school hours with parental consent. If a division has developed and implemented a policy in accordance with this code "Va. Code § 22.1-272.3," the division shall provide guidance relating to the implementation of such policy for administrative and instructional personnel and shall post such guidance in a publicly accessible location on its website at the beginning of each school year.

Testing Transparency and Parent Opt Out

Ref: [20 U.S.C. § 6312\(e\)\(2\)\(A\)-\(B\)](#).

At the beginning of each school year, school divisions that receive Title I funds must notify the parents of each student attending any school receiving Title I funds that the parents may request, and the division will provide (in a timely manner), information regarding any state or division policy regarding student participation in any assessments mandated by

20 U.S.C. § 6311(b)(2) and by the state or division, which must include a policy, procedure or parental right to opt the child out of such assessment, where applicable.

In addition, divisions that receive Title I funds must make widely available through public means (including on the website of each school in the division) information on each assessment required by the state to comply with 20 U.S.C. § 6311, other assessments required by the state, and where such information is available and feasible to report, specified information regarding assessments required division wide by the division.

Voluntary Retirement Savings Programs (403(b) Plans)

Ref: [26 C.F.R. § 1.403\(b\)-5](#).

See: **VSBA Sample Policy GBR “Voluntary Retirement Savings Program.”**

Divisions with 403(b) retirement plans must notify employees about the plan at least once each year.

Wellness Policies

Ref: [7 C.F.R. § 210.31](#).

See: **VSBA Sample Policy JHCF “Student Wellness.”**

Divisions must inform the public about the content and implementation of the local school wellness policy. Divisions must also inform the public about progress toward meeting the goals of the policy and compliance with the policy by making the triennial assessment available to the public in an accessible and easily understood manner.

Youth Health Risk Behavior Survey

Ref: [Va. Code § 32.1-73.8](#); [Va. Code § 22.1-79.3](#).

See : **VSBA Sample Policy JOB “Administration of Surveys and Questionnaires.”**

The school board must notify parents of each student enrolled in a middle or high school selected for participation in the survey of student health risk behaviors pursuant to that their child may be randomly selected to participate in the survey unless the parent denies consent for the student's participation in writing prior to administration of the survey. The notice must be in writing and be given at least 30 days prior to administration of the survey.

The notice will inform the parent regarding:

- The nature and types of questions included in the survey;
- The purposes and age-appropriateness of the survey;
- How information collected by the survey will be used;
- Who will have access to such information;
- Whether and how any findings or results will be disclosed; and
- The steps that will be taken to protect students' privacy.

Parents have the right to review the survey prior to its administration.

Public Hearings

Budget

Ref: [Va. Code § 22.1-92](#).

See: **VSBA Sample Policy DB “Annual Budget.”**

Before the school board approves its budget for submission to the appropriating body, the board must hold at least one public hearing to hear citizens’ comments. Public notice of the hearing must be given at least seven days before the hearing in a newspaper having a general circulation in the division.

Posting Requirements¹

American with Disabilities Act

Ref: [42 U.S.C. § 12115](#); [8 C.F.R. § 35.106](#).

A school division must post notices in applicants and employees describing the non-discrimination provisions of the ADA. The notice must be prepared or approved by the EEOC and must be posted in conspicuous places upon the school division premises where notices are customarily posted.

¹ ***Many posters and additional information required for state and federal notifications may be found here: [Required Posters for Virginia Employers.](#)***

Age Discrimination in Employment Act

Ref: [42 U.S.C. §§ 6101-6107](#); [C.F.R. § 110.25](#).

A division must note and keep posted in conspicuous places upon its premises a notice prepared or approved by the EEOC providing information regarding the law's prohibition on age-based discrimination and its procedural requirements. The notification also must identify by name or title, address, and phone number the employee responsible for coordinating its compliance efforts, including investigation of any complaints.

Alternatives to Animal Dissection

Ref: [Va. Code § 22.1-200.01](#).

See: **VSBA Sample Policy IGAK “Alternatives to Animal Dissection.”**

School boards must provide notice that they provide alternatives to animal dissection. This notice may be given in the relevant biological sciences syllabi, student course selection guides or local school division policies or directives.

See [Virginia BOE Guidelines Alternatives to Animal Dissection](#).

Bill of Rights

Ref: [2003 Uncodified VA General Assembly Acts](#).

See: **VSBA Sample Policy IEC “Bill of Rights of the Constitution of the United States.”**

The Bill of Rights of the Constitution of the United States must be posted in a conspicuous place in each school.

Child Abuse Reporting

Ref: [Va. Code § 22.1-291.3](#).

See: **VSBA Sample Policy GAE “Child Abuse and Neglect Reporting.”**

A notice must be posted in each school stating that:

- Anyone employed there who suspects that a child is abused or neglected is required to report such suspected cases of child abuse or neglect; and

- All persons required to report cases of suspected child abuse or neglect are immune from civil or criminal liability or administrative penalty or sanction on account of such reports unless such person has acted in bad faith or with malicious purpose. The notice must also include the Virginia Department of Social Services' toll-free child abuse and neglect hotline.

Additional information on posting notice and prevention plans can be found here: [Guidelines for the Prevention of Sexual Misconduct & Abuse in Virginia Public Schools](#).

Comprehensive Plan

Ref: [Va. Code § 22.1-253.13:6](#).

See: **VSBA Sample Policy AF” Comprehensive Plan.”**

Prior to the adoption of the division’s comprehensive plan or revisions thereto, the plan or revisions must be posted on the division’s website, and a hard copy made available for public inspection and copying. Divisions must present a report to the public by November 1 of each odd-numbered year on the extent to which the objectives of the division’s comprehensive plan have been met during the previous two school years.

Drug-Free Workplace

Ref: [41 U.S. Code § 8103](#); 34 C.F.R. §§ 84.205-84.220

See: **VSBA Sample Policy GBEA “Unlawful Manufacture, Distribution, Dispensing, Possession or Use of a Controlled Substance.”**

Each division that receives federal grant funds must publish a statement notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the division’s workplace and specifying the actions that will be taken against employees for any violations. Each employee engaged in the performance of the grant must be given a copy of the statement.

Fair Labor Standards Act

Ref: [29 U.S.C. § 201-219](#); [29 C.F.R. 516.4](#).

See: **VSBA Sample Policy GAA “Staff Time Schedules.”**

All employers covered by the Fair Labor Standards Act must post: “Your Rights Under the Fair Labor Standards Act” which can be downloaded at [Employee Rights](#).

Family and Medical Leave Act (FMLA)

Ref: [29 U.S.C. § 2619](#); 29 C.F.R. § 825.300.

See: **VSBA Sample Policy GCBE “Family and Medical Leave.”**

Each division must post and keep posted, in conspicuous places on the premises of the employer where notices to employees and applicants for employment are customarily posted, a notice prepared or approved by the Secretary of Labor, regarding employees’ rights under the Act. A poster (2023) may be downloaded at [FMLA Employee Rights](#).

Minimum Wage

Ref: [29 C.F.R. § 516.4](#).

Each employer must post, in conspicuous places on the premises of the employer where notices to employees and applicants for employment are customarily posted, a notice prepared or approved by the Secretary of Labor regarding the federal minimum wage law. The poster (2023) may be downloaded at [FLSA Minimum Wage](#).

National Motto

Ref: [2003 Uncodified VA General Assembly Acts](#)

See: **VSBA Sample Policy IEB “National Motto.”**

The statement “‘In God We Trust,’ the National Motto, enacted by Congress in 1956” must be posted in a conspicuous place in each school.

Online Courses and Programs

Ref: [Va. Code § 22.1-212.25](#).

See: **VSBA Sample Policy IGBGA “Online Courses and Virtual School Programs.”**

Divisions must post information regarding online courses and programs available through the division on their websites. The information should include the types of online courses and programs available, when the division will pay course fees and other costs for nonresident students, and the granting of high school credit.

Pregnancy, Childbirth and Related Medical Conditions

Ref: [Va. Code § 2.2-3909](#).

School Boards must post in a conspicuous location and include in any employee handbook information concerning an employee's rights to reasonable accommodation for known limitations related to pregnancy, childbirth, or related medical conditions. Such information must also be directly provided to new employees and to any employee within 10 days of such employee's giving notice to the employer that she is pregnant.

Uniformed Service Employment and Reemployment Act (USERRA)

Ref: [38 U.S.C. § 4312 et seq.](#) ; [38 U.S.C. § 4334\(a\)](#).

Employers are required to provide employees with notice of their rights, benefits and obligations under USERRA. Employers may provide the notice by posting a copy of "Your Rights Under USERRA" (2022), which can be downloaded at [USERRA Poster](#), where employee notices are customarily placed. However, employers are also free to provide the notice to employees in other ways that will minimize costs while ensuring that the full text of the notice is provided (e.g., by handing or mailing out the notice, or distributing the notice via electronic mail).

Virginia Unemployment Compensation Act

Ref: Va. Code [Va. Code § 60.2-106](#).

All employers in Virginia, including school divisions, must post all notices related to unemployment insurance furnished by the Virginia Unemployment Commission including the notice which can be downloaded from [Required Posters for Virginia Employers](#) in various languages.

Workers' Compensation

School divisions must post, at a location frequented by employees, notice of compliance with the provisions of the Virginia Workers Compensation Act, which provide employees with their rights in case of injury or occupational disease. You may a notice here: [Workers' Compensation Notice](#).