ANNUAL NOTICES REQUIRED BY FEDERAL LAW
2026-2027

1. **Individuals with Disabilities Education Act (IDEA)—Notice of Procedural Safeguards (Policy 2161)**
   Districts must give the parents of a child with a disability a copy of *Parental Rights* one time every year and upon:
   a. initial referral
   b. parent request for evaluation
   c. filing of a request for due process by either parent or district
   d. deciding to impose discipline that constitutes a change of placement and
   e. parent request

   The *Parental Rights (*IDEA Special Education Part B Procedural Safeguards Notice) are given to parents each time a-e (above) occurs. Olney Bissell School District also offers them at each Individual Education Plan (IEP) meeting.

2. **Title VI of the Civil Rights Act—prohibiting discrimination based on race, color and national origin**
   a. Section 504 of the Rehabilitation Act—prohibiting discrimination based on disability
   b. Title II of the Americans with Disabilities Act—prohibiting discrimination based on disability
   c. Title IX of the Education Amendments—prohibiting education based on sex and pregnancy
   d. Age Discrimination Act—prohibiting discrimination based on age
   e. Boy Scouts Act—providing equal access to the Boy Scouts and other designated youth groups

   Districts must notify students, parents, and others that they do not discriminate on the basis listed above and that they provide equal access to the Boy Scouts and other designated youth groups.

   The District notice must include the identity and contact information of the coordinators the District has designated to handle complaints under Section 504, Title II, Title IX and the Age Act.

   This notification is posted at the beginning of each school year in all school buildings and on the District website.

   If there are any questions, please feel free to contact Trevor Dahlman at 406-862-2828.

3. **Family Educational Rights and Privacy Act (FERPA) (Policy 3600)**
   Districts must provide parents and eligible students with annual notice of the following:
   a. the right to inspect and review education records
   b. the right to amend education records
   c. the right to consent to disclose personally identifiable information in education records
   d. the right to file a complaint with DOE
   e. the procedure to request and review education records in the district
   f. a statement that records may be disclosed to school officials without prior written consent and
   g. the definitions of "school official" and "legitimate educational interest"

   This notification is included in our Student Handbook.

   The Family Educational Rights and Privacy Act (FERPA) also specifies rights related to educational records. FERPA gives the parent or guardian the right to:
   1. Inspect and review his/her child's educational records;
   2. Make copies of the records;
   3. Receive a list of all individuals having access to the records;
   4. Ask for an explanation of any item in the records;
   5. Ask for an amendment to any report on the grounds that it is inaccurate, misleading, or violates the child's rights;
   6. A hearing on the issue if the school refuses to make requested amendments; Be represented by an attorney.

   If there are any questions, please feel free to contact Trevor Dahlman at 406-862-2828

Remember that the **Uninterrupted Scholars Act**, which became law in January 2013, allows a district to disclose education records of a student to an agency caseworker or representative from the state or a local child welfare agency or to a tribal authority if that person is determined to have a right to access and the agency/tribal authority is legally responsible for the student's care and protection. **(Policy 3600)**

This notification is found in the Student Handbook.

The District may grant release of a child's education records to child welfare agencies without the prior written consent of the parents.

Directory Information. FERPA also requires that districts give notice to parents and eligible students if they choose to disclose directory information about students. Virtually every district chooses to disclose directory information about students, so they can publish yearbooks, programs for athletic events, plays, music performances and graduation, honor roll lists, and the like. The district's directory information notice must include a list of the information it has designated as directory information and when and how parents and eligible students can opt out of allowing the district to disclose that information. Districts may choose to satisfy the ESEA notification requirement that they release names, addresses and phone numbers of secondary students to military recruiters (unless the parents opt out) in their FERPA notice. **(Policy 3600)**

This notification is found on the Annual Student Information Update Form and the Student Handbook,

The District may release certain directory information regarding students, except that parents may prohibit such a release. Directory information will be limited to:
Student's name
Grade Level
Most recent previous school attended
Dates of attendance
Photographs (including those on District website)
Diplomas/Awards received
Participation in school activities and sports

The notification to parents and students concerning school records informs them of their right to object to the release of directory information.

4. **Protection of Pupil Rights Amendment**—The PPR requires districts to notify parents annually, at the beginning of the school year, of their policies regarding surveys of students, physical exams, instructional materials, personal information used for marketing, etc. **(Policy 2132)**
   If your district plans to:
   - use student personal information for selling or marketing purposes
   - administer a survey to students about any of eight different areas of protected information (including political affiliations or beliefs and student/family mental or psychological problems) or
   - administer certain non-emergency physical exams to students,

   then you must directly notify parents at least annually at the beginning of the school year of the specific or approximate dates when the activity is scheduled or anticipated to be scheduled.

   Policy 2132 can be found in the Policy Manual on the district website: olneybissellschool.com

5. **McKinney-Vento Homeless Assistance Act (Policy 3125)**
   Under this law, your district's designated homeless student liaison (Trevor Dahlman) must provide public notice of the education rights of homeless students. The district is required to disseminate the notices in places where homeless students receive services, such as schools, family shelters and other programs that make food or meals available to the homeless population.

   Policy 3125 can be found in the Policy Manual on the district website: olneybissellschool.com

6. **Asbestos Hazard Emergency Response Act (Policy 8420)**
   AHERA requires that districts annually notify parents, teachers, other building occupants and employee organizations in writing of the availability of the district's asbestos management plan and planned or ongoing inspections, re-inspections, response actions and post-response actions.

Asbestos Notice -Olney Bissell School

5955 Farm to Market Rd.
Whitefish, MT 59901

Please contact the district office for information regarding the Annual Asbestos Report.

7. **Child Nutrition (Policy 8200)**
School districts that participate in the National School Lunch program, the School Breakfast program or the Special Milk Program must provide parents and the public with information about free and reduced price meals and/or free milk, at a point near the beginning of the school year.

Districts must also inform and update the public about the content and implementation of their school wellness policy. The U.S. Department of Agriculture has issued a *Memo* stating that districts can fulfill this requirement by developing or disseminating printed or electronic materials – at the beginning of the school year - to families of children attending its schools and other school community members and by posting its school wellness policy and the district's assessment of the policy's implementation on the district or school website.

Policy 8200 can be found in the Policy Manual on the district website: www.olneybissellschool.com

8. **Elementary and Secondary Education Act (ESEA)** requires districts and individual schools to provide annual notification to parents/guardians of the ability to request professional qualifications of their child's teacher. Under the Every Student Succeeds Act (ESSA), a new request form (see below) was developed for use.

Form 5420F, ESSA Qualification Notifications - Annual Notification - Option to Request Professional Qualifications can be found in the Policy Manual on the district website: www.olneybissellschool.com

9. **Limited English Proficient Students (LEP) (Policy 2500)**

In accordance with the Board's philosophy to provide a quality educational program to all students, the District shall provide an appropriate planned instructional program for identified students whose dominant language is not English. The purpose of the program is to increase the English proficiency of eligible students, so they can attain academic success. Students who have limited English proficiency (LEP) will be identified, assessed, and provided appropriate services.

The Board shall adopt a program of educational services for each student whose dominant language is not English. The program shall include bilingual/bicultural or English as a second language instruction.

The Superintendent or his/her designee shall implement and supervise an LEP program which ensures appropriate LEP instruction and complies with applicable laws and regulations. (see policy 2500)

Parents seeking more information about the District's LEP program please contact tdahlman@olneybissellschool.com

10. **The Children's Online Privacy Protection Act (COPPA)**

The Children's Online Privacy Protection Act (COPPA) regulates the collection of information regarding children under 13 years of age. COPPA requires commercial websites and online services (which include mobile apps) to provide notice and obtain consent from parents before collecting personal information about children under 13 years of age. However, COPPA has an exception that permits districts to act as the parent's agent and to consent to the collection of student information on the parent's behalf with parent permission. The district's ability to consent for the parent is limited to the educational context – where an operator collects personal information from students for the use and benefit of the school, and for no other commercial purpose.

If a district wishes to consent to the collection of student personal information for no commercial purpose, it is highly recommended that it advises the parents of this and seek either consent or an opt-out from the parent. In addition, it is advised that the District provide notice of the websites and other online services used in the classroom and for which it will provide consent (because information is collected for non-commercial purposes) as well as a link to that site's/services' privacy notice. This can be done through a link on the district webpage.

Consent can only be provided by the school for sites/services which do not collect information for commercial purposes. Districts should use caution in reviewing websites and other online services it seeks to use for educational purposes to determine the collection of student information. Although no annual notice is required, it is also important to note that in 2019, the Montana Legislature passed new laws (MCA § 20-7-1325) regarding use of educational apps that collect student information. Under that law, schools can contract with educational app providers to prohibit the use or collection of student information for targeted advertising. The law also prohibits educational apps from engaging in targeted advertising.

ANNUAL NOTICES REQUIRED BY MONTANA LAW

Notice regarding Electronic Photo Repository - As part of the action taken by the 2019 Legislature, OPI is required to establish a photograph repository that can be accessed by law enforcement in the event of a missing child. Local districts must provide annual notice to parents of their right to opt-in to the inclusion of their child's school photo in the repository. Information about the repository and instructions about uploading photos can be found at: https://opi.mt.gov/Photo-Repository. Districts may only provide those photos of students whose parents have opted-in to the repository.

Notice regarding Human Sexuality Instruction (2135) - The 2021 Legislature passed Senate Bill 99 which requires two types of notices regarding human sexuality instruction. "Human sexuality instruction" means teaching or otherwise providing information about human sexuality, including intimate relationships, human sexual anatomy, sexual reproduction, sexually transmitted infections, sexual acts, sexual orientation, gender identity, abstinence, contraception, or reproductive rights and responsibilities.

A district must annually notify the parents/guardians of every student "scheduled to be enrolled" in human sexuality instruction in the district or school. This annual notice must include: the basic content of the district's/school's human sexuality instruction intended to be taught and the parent's/guardian's right to withdraw the student from the human sexuality instruction.

In addition, a school is required to ensure that it will notify parents/guardians at least 48-hours prior to holding an event or assembly or introducing materials for instructional use. In other words, a district must send notice at least 48-hours of the specific event/instruction to be taught.

A draft annual notice and draft 48-hour notice are included. In the 48-hour notice, there are two options for parents to use: signing the form or calling the school. The law does not provide that the parent request has to be in advance of the instruction so a reasonable time should be afforded to parents to notify the school if a student will be or has been absent because of human sexuality instruction.