



## Policies Required By Federal Law\*

\*This chart lists federal laws that require a policy.

State and local policy requirements are not included in this chart.

NOTE: Links may break as statutes and regulations are updated.



Statute	Citation	Regulation	Citation	Summary of Requirements	Non-Regulatory Guidance/Sample Policies and Forms
Age Discrimination Act	<a href="#">42 U.S.C. § 6103</a>	Nondiscrimination on the basis of age	<a href="#">34 C.F.R. § 110.25</a>	Recipients of federal funds shall notify their beneficiaries of information regarding the Act, adopt and publish a <b>grievance procedure</b> , and designate at least one employee to coordinate compliance efforts.	<a href="#">Notice of Non-Discrimination</a>
Asbestos Hazard Emergency Response Act (AHERA)	<a href="#">15 U.S.C. § 2650</a>	Management plans	<a href="#">40 C.F.R. § 763.93</a>	School districts are required to have an <b>asbestos management plan</b> for each school and to maintain and update the plan to keep it current with ongoing operations and maintenance, periodic surveillance, inspection, reinspection, and response action activities.	<a href="#">Model AHERA Yearly Notification Form</a>
Children's Internet Protection Act (CIPA) (NCLB also requires Internet safety policies for schools receiving money for Enhancing Education Through Technology see 20 U.S.C. § 6777)	<a href="#">47 U.S.C. §§ 254(h)(5)(b) and (l)</a>	Internet safety policy	<a href="#">47 C.F.R. § 54.520</a>	Schools receiving money from the E-rate program and/or through Enhancing Education Through Technology must have an <b>Internet safety policy</b> that includes filtering obscene and other harmful and inappropriate content, educating minors about online safety, monitoring online activities of minors, protecting the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications, and preventing unauthorized access, including so-called "hacking," and other unlawful activities by minors online. In November 2009, the FCC released a Notice of Proposed Rulemaking that would require schools to revise their <b>Internet safety policies</b> to include education about appropriate online behavior and cyberbullying awareness.	<a href="#">Internet Safety Policies and CIPA: An E-Rate Primer for Schools (see Appendix B)</a>

Statute	Citation	Regulation	Citation	Summary of Requirements	Non-Regulatory Guidance/Sample Policies and Forms
Copyright Act	<a href="#">17 U.S.C. §§ 106, 107, and 110</a>	Fair use doctrine and face-to-face teaching exemption		The fair use doctrine and the face-to-face teaching exemption allow educators to use copyrighted materials in narrowly defined-teaching situations. School districts are expected to establish appropriate <b>control procedures</b> to maintain the integrity of the Guidelines for Off-Air Recording of Broadcast Programming for Educational Purposes.	<a href="#">Circular 21, Reproduction of Copyrighted Works by Educators and Librarians</a>
Drug-Free Workplace Act	<a href="#">41 U.S.C. § 702</a>	Requirements for Federal Grant Recipients	<a href="#">29 C.F.R. § 94.205</a>	Districts receiving direct federal grants must publish a <b>statement</b> and provide a copy to each employee notifying them that controlled substances are prohibited in the workplace and that specific actions will be taken against them for violating the prohibition.	
Family and Medical Leave Act of 1993 (FMLA)	<a href="#">29 U.S.C. § 2619</a>	Employers notice requirement	<a href="#">29 C.F.R. § 825.300</a>	Employers must post a <b>general notice</b> explaining the FMLA's provisions and complaint procedures. The notice must be posted prominently where it can be readily seen by employees and applicants and shall either be distributed to each new employee upon hiring <b>or be included in employee handbooks or other written guidance concerning benefits or leave rights</b> . Electronic posting is sufficient to meet these requirements.	<a href="#">FMLA Poster</a>

Statute	Citation	Regulation	Citation	Summary of Requirements	Non-Regulatory Guidance/Sample Policies and Forms
Health Insurance Portability and Accountability Act (HIPAA), Health Information Technology for Economic and Clinical Health Act (HITECH – see 42 U.S.C. §17938)	<a href="#">42 U.S.C. § 1320d-1</a>	Policies and procedures and documentation requirements	<a href="#">45 C.F.R. §164.316(b)</a>	Schools sponsoring group health plans must implement reasonable and appropriate <b>policies and procedures</b> to comply with HIPAA's security measures.	
Individuals with Disabilities Education Act (IDEA)	<a href="#">20 U.S.C. § 1415</a>	Procedural safeguards and notification to parents	<a href="#">34 C.F.R. § 300.121</a>	School districts shall establish and maintain <b>procedures</b> to ensure that children with disabilities and their parents are guaranteed procedural safeguards with respect to the provision of a free appropriate public education. School districts must give parents of a child with a disability a copy of procedural safeguards one time a year (and upon initial referral or parental request for an evaluation, upon filing a request for a due process hearing, upon a disciplinary action constituting a change in placement, and upon request of a parent). The notice must fully explain the safeguards in the parents' native language unless it is clearly not feasible to do so.	<a href="#">Model Form: Procedural Safeguards Notice</a>
McKinney-Vento Homeless Assistance Act (MHAA)	<a href="#">42 U.S.C. §§ 11432(g) and 11433</a>			All school districts must have <b>policies</b> that remove barriers to enrollment and retention of homeless children and youth including transportation and prevent homeless children and youths from being stigmatized or segregated.	<a href="#">Education for Homeless Children and Youth Program, Non-Regulatory Guidance</a>

Statute	Citation	Regulation	Citation	Summary of Requirements	Non-Regulatory Guidance/Sample Policies and Forms
National School Lunch Act, Child Nutrition Act, Child Nutrition and WIC Reauthorization Act of 2004, and Food and Nutrition Act	<a href="#">42 U.S.C. 1751</a>	USDA Regulations – Competitive Food Services	<a href="#">7 C.F.R. §§ 210.11 and 220.12</a>	Districts participating in a federal school food program shall have a <b>local school wellness policy</b> that includes goals for promoting student wellness, nutrition guidelines for all foods available on campus, assurance that guidelines for reimbursable school meals are not less restrictive than federal regulations, and a plan for measuring implementation of the local wellness policy. The policy must prohibit the sale of foods of minimal nutritional value in the food areas during the breakfast and lunch periods as required by the USDA.	
No Child Left Behind (NCLB)	<a href="#">20 U.S.C. § 7912</a>	Unsafe School Choice		Districts that can offer a transfer option are required to have a <b>policy</b> allowing a student who attends a persistently dangerous public school or who becomes a victim of a violent criminal offense while in or on school grounds, to attend a safe school within the district, including a public charter school.	<a href="#">Unsafe School Choice Option, Non-Regulatory Guidance</a>
No Child Left Behind (NCLB) Title I, Part A	<a href="#">20 U.S.C. § 6318</a>	Parental involvement	<a href="#">34 C.F.R. § 200.28(c)</a>	Districts and schools receiving Title I funds must have a <b>parental involvement policy</b> . Among other things, a <b>district parental involvement policy</b> must provide support for schools in planning and implementing parent involvement activities, build schools' and parents' capacity for parental involvement, coordinate and integrate parental involvement strategies, and conduct an annual evaluation of the content and effectiveness of the policy. Among other things, a <b>school parental involvement policy</b> must share responsibilities for high student achievement, build capacity for involvement, and be accessible.	<a href="#">Parental Involvement Title I, Part A</a>

Statute	Citation	Regulation	Citation	Summary of Requirements	Non-Regulatory Guidance/Sample Policies and Forms
No Child Left Behind (NCLB): Comparable Services - Equivalence in Instructional Staff and Materials	<a href="#">20 U.S.C § 6321</a>			Districts with Title I programs shall use federal funds for certain designated programs only to supplement, not to supplant funds that would be otherwise available from non-federal sources. School districts shall file with the state education agency a written assurance that it has established and implemented: (i) a school district-wide salary schedule; (ii) a <b>policy</b> to ensure equivalence among schools in teachers, administrators, and other staff; and (iii) a <b>policy</b> to ensure equivalence among schools in the provision of curriculum materials and instructional supplies. School districts shall maintain records that are updated biennially documenting compliance.	
Omnibus Transportation Employee Testing Act	<a href="#">49 U.S.C. §§ 5331, 31306</a>	Federal Motor Carrier Safety Administration	<a href="#">49 C.F.R. § 382.601</a>	Employers must have a <b>policy</b> for employees engaged in safety-sensitive positions to be tested for drugs/alcohol. Testing of bus drivers is required for districts that provide transportation.	
Protection of Pupil Rights Amendment (PPRA)	<a href="#">20 U.S.C. § 1232h(b) and (c)</a>	Student rights in research, experimental programs, and testing	<a href="#">34 C.F.R. §§ 98.3 and 98.4</a>	Districts receiving federal funds shall have <b>policies</b> regarding parents' rights to inspect a student survey, arrangements to protect student privacy in surveys covering particular topics, parents' right to inspect instructional materials, the administration of physical examinations of students, the collection, disclosure, or use of personal student information for marketing or selling purposes, and parent's right to inspect any instrument for collection of information for marketing/selling purposes. See parental notification requirements, 20 U.S.C. 1232h(c)(2).	<a href="#">PPRA Model Notice and Consent/Opt-Out for Specific Activities</a>

Statute	Citation	Regulation	Citation	Summary of Requirements	Non-Regulatory Guidance/Sample Policies and Forms
Section 504 of the Rehabilitation Act and Americans with Disabilities Act (ADA)	<a href="#">29 U.S.C. § 794</a>	Equal Educational Opportunities (Nondiscrimination on the basis of disability)	<a href="#">34 C.F.R. §§ 104.7 and 104.8</a>	Recipients of federal funds that employ 15 or more persons shall designate at least one employee to coordinate compliance efforts, adopt and publish a <b>grievance procedure</b> , and notify participants, beneficiaries, applicants, and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipient that it does not discriminate on the basis of disability. (See also 28 C.F.R. § 35.106 "nondiscrimination on the bases of disability in state and local government services")	<a href="#">Notice of Non-Discrimination</a>
Safe and Drug-Free Schools & Communities Act (SDFSCA)	<a href="#">20 U.S.C. § 7114</a>			Schools receiving SDFSCA grants shall have appropriate and effective <b>school discipline policies</b> that prohibit disorderly conduct, the illegal possession of weapons, and the illegal use, possession, distribution, and sale of tobacco, alcohol, and other drugs by students.	
Title IX of the Education Amendments of 1972	<a href="#">20 U.S.C. §§ 1681 - 1688</a>	Equal Educational Opportunities (Nondiscrimination on the basis of sex)	<a href="#">34 C.F.R. § 106.8</a>	Districts receiving federal funds shall adopt and publish <b>grievance procedures</b> providing for prompt and equitable resolution of student and employee complaints alleging any discrimination on the basis of sex in education programs or activities receiving federal financial assistance. (Same requirements as 45 C.F.R. § 86.8 - "nondiscrimination on the basis of sex in education programs or activities receiving federal financial assistance").	<a href="#">Notice of Non-Discrimination</a>