

## **Annual Notices<sup>1</sup>** **August 2019**

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Numerous federal laws require school districts to provide students, parents, and/or the public with notices, many of which must be provided at the beginning of the school year. Fortunately, federal agencies or other entities oftentimes have created “model” notices (or provided information useful to creating notices) that can easily be tailored to meet individual district needs. Here, we describe some of the notices required by federal law, including the methods required to give notice where it is specified in the statutes and/or regulations. Where available, we provide links to model notices or guidance documents that may be of assistance in writing such notices. Not included here are employment-related notices required by federal or state law.

### **Elementary and Secondary Education Act**

The Elementary and Secondary Education Act (ESEA), reauthorized under the *Every Student Succeeds Act of 2015* (ESSA), requires state education agencies, school districts, and individual schools to provide numerous notices to parents, the public, and others. Several regulatory actions to implement ESSA are still in the proposed rule process, so some documents issued under No Child Left Behind Act (NCLB) remain in effect as current guidance as the Department of Education continues to put out agency information. Where applicable, NSBA will continue to reference the existing documents until new guidance is published.

Several ESSA provisions are summarized in *Transitioning to the Every Student Succeeds Act Frequently Asked Questions* (January 2017), which also has information about ESSA notice requirements that differ from those under NCLB. It is available at:

<https://www2.ed.gov/policy/elsec/leg/essa/essatransitionfaqs11817.pdf>.

ESSA requires that states and school districts engage families and parents in the work of ensuring positive outcomes for all students. School districts that receive Title I funds must have written family and parent engagement policies with expectations and objectives for implementing meaningful family and parent involvement strategies. They are required to involve family members and parents in developing district plans and to provide technical assistance to schools on planning and implementing

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<sup>1</sup>See also National School Boards Association, *Policies Required by Federal Law* (August 2019).

effective family and parent involvement activities to improve student academic achievement and school performance. ESSA requires all school districts that receive Title I funds to implement an effective means of outreach to parents of English learners and hold regular meetings for those parents. See the U.S. Department of Education's *Policy Statement on Family Engagement* (May 5, 2016) at:

<https://www2.ed.gov/about/inits/ed/earlylearning/files/policy-statement-on-family-engagement.pdf>.

Also, see the Department of Education's *ESSA Assessments under Title I, Part A and Title I, Part B:*

*Summary of Final Regulations* at:

<https://www2.ed.gov/policy/elsec/leg/essa/essaassessmentfactsheet1207.pdf>. The Department also

created a chart that compares drafted guidance with relevant prior guidance on Title I at:

<https://www2.ed.gov/policy/elsec/leg/essa/equitable-service-guidance-crosswalk-32719.pdf>.

Under ESSA, SEAs and LEAs that receive Title I funds must publish state and local report cards on their websites that are concise and in an accessible format. ESSA makes Title I funds accessible to private schools and the Department of Education has provided a draft for public comment on non-regulatory guidance on this topic. See the US Department of Education's *Title I, Part A of the Elementary and Secondary Education Act of 1965, as Amended by the Every Student Succeeds Act: Providing Equitable Services to Eligible Private School Children, Teachers, and Families* (March 11, 2019) at:

<https://www2.ed.gov/policy/elsec/leg/essa/drafteseatitleiequitable-services.pdf> (A final document has not been issued at this time.). For additional guidance, see also the US Department of Education's *Crosswalk Between Draft Title I, Part A Guidance on Equitable Services and Prior Non-Regulatory* (March 28, 2019). <https://www2.ed.gov/policy/elsec/leg/essa/equitable-service-guidance-crosswalk-32719.pdf>

The supplement-not-supplant requirement under Title I changed under ESSA, but the U.S.

Department of Education has not issued draft regulations. Instead, the Department recently provided a non-regulatory informational document along with addressed public comments. See U.S. Department of Education's *Supplement Not Supplant Under Title I, Part A of the Elementary and Secondary Education Act of 1965, as Amended by the Every Student Succeeds Act* (June 19, 2019) at:

<https://www2.ed.gov/policy/elsec/leg/essa/snsfinalguidance06192019.pdf>; *Summary Response to*

*Comments on Title I, Part A Supplement not Supplant Non-Regulatory Informational Document* (June 19, 2019) at: <https://www2.ed.gov/policy/elsec/leg/essa/sns-summaryofcomments062019.pdf>.

Under ESSA, certain public notices are now required when a school has been identified for “comprehensive support and improvement” or “targeted support and improvement.” When the LEA receives notice from the State that it has been identified for comprehensive support and improvement, the LEA must “promptly notify the parents” of every enrolled student in the school:

- (1) that the school has been identified as such, 34 C.F.R. § 200.21(b)\*;
- (2) the reasons for the identification, 34 C.F.R. § 200.21(b)\*; and
- (3) how parents can become involved in the needs assessment under 34 C.F.R. § 200.21(c)\*, and developing and implementing a comprehensive support and improvement plan as described in 34 C.F.R. § 200.21(d)\*; 34 C.F.R. § 200.21(b)\*.

An LEA may provide all students enrolled in a school identified for “comprehensive support and improvement” the option to transfer their child to another public school, including information about

transportation to the new school and information on the academic achievement of the new school. 34 C.F.R. § 200.21(h)\*. For further information on the content of the notice, see Section D of the U.S. Department of Education’s *Public School Choice Non-Regulatory Guidance* (2009) available at: <http://www2.ed.gov/policy/elsec/guid/schoolchoiceguid.doc>. (No update since the passage of ESSA).

Additionally, when an LEA receives notice from the state that it has been identified for “targeted support or improvement,” it must “promptly notify the parents” with:

- (1) the reasons for identification under 34 C.F.R. § 200.19(b)\*;
- (2) a list of groups and subgroups that are underperforming under 34 C.F.R. § 200.19(b)(1)\* and low-performing under 34 C.F.R. § 200.19(b)(2)\*. 34 C.F.R. § 200.22(b)(2)(i)\*; and
- (3) how the parents can become involved in developing and implementing the targeted support and improvement plan in 34 C.F.R. § 200.22(c)\* and 34 C.F.R. § 200.22(b)(2)(ii)\*.

For both classifications, the notice must be given in an understandable and uniform format, and, “to the extent practicable,” written in a language that the parents can understand, or be orally translated. 34 C.F.R. § 200.21(b)(1)-(2)\*; 34 C.F.R. § 200.22(b)\* (consistent with requirements under § 200.21(b)(1) through (3)\*). In general, the notice must be provided to parents directly, through regular mail or e-mail, or “other direct means of distribution” and “in a timely manner.” 34 C.F.R. § 200.31(d)(3)(i)\*. The notice must also be provided in an “alternative format accessible to that parent” for a parent who is an individual with a disability as defined by the Americans with Disabilities Act. 34 C.F.R. § 200.21(b)(3)\*.

\*In 2016, federal regulations were promulgated after a mandatory notice-and-comment period under the Administrative Procedure Act. On August 22, 2018, the Department of Education [removed](#) these regulations from the federal register because they were “superseded, outdated, or unnecessary.” These regulations were created pursuant to the changes made by ESSA. They were only effective for a total of 17 months, and do not currently have a contemplated replacement. See, [Elementary and Secondary Education Act of 1965, As Amended by the Every Student Succeeds Act - Accountability and State Plans \(May 31, 2016\)](#); [Docket](#); [Delayed Effective Date](#). An archived version is available at: <https://www.govinfo.gov/content/pkg/CFR-2017-title34-vol1/pdf/CFR-2017-title34-vol1-part200-subpartA.pdf>.

## **Family Educational Rights and Privacy Act**

Pursuant to the Family Educational Rights and Privacy Act (FERPA), school districts must provide parents/guardians and eligible students (students at least 18 years of age) with annual notice of their rights to inspect and review education records, amend education records, consent to disclose personally identifiable information in education records, and file a complaint with the U.S. Department of Education. [34 C.F.R. § 99.7\(a\)\(2\)](#). The notice must include the procedure to request and review education records, as well as a statement that records may be disclosed to school officials without prior written consent. This statement should define a school official and what constitutes a legitimate educational interest providing the basis for accessing a student’s educational records. [34 C.F.R. § 99.7\(a\)\(3\)](#). Notice may be provided in any way that is reasonably likely to inform parents of their rights,

and must effectively notify parents who have a primary or home language other than English and parents/guardians or eligible students who are disabled. [34 C.F.R. § 99.7\(b\)](#). The annual notification may be published by various means, including any of the following: in a schedule of classes; in a student handbook; in a calendar of school events; on the school's website (though this should not be the exclusive means of notification); in the student newspaper; and/or posted in a central location at the school or various locations throughout the school. See the Department of Education's FERPA General Guidance for Students at: <https://www2.ed.gov/policy/gen/guid/fpco/ferpa/for-eligible-students.pdf>. For an additional resource see the U.S. Department of Education's *Model Notification of Rights under FERPA for Elementary and Secondary Schools* at: <https://www2.ed.gov/policy/gen/guid/fpco/ferpa/lea-officials.html>.

Under FERPA, school districts may disclose directory information if they have given public notice to parents/guardians and eligible students of what information has been designated as directory information, and when and how parents/guardians and eligible students may opt out of allowing the district to disclose their directory information. [34 C.F.R. § 99.37\(a\)](#). Finally, under ESEA, school districts must provide notice that they routinely release the names, addresses, and phone numbers of secondary students to military recruiters unless parents opt out in writing. [20 U.S.C. § 7908](#). School districts may provide this notice as part of their general FERPA notice. The U.S. Department of Education's *FERPA Model Notice for Directory Information* is available at: <https://www2.ed.gov/policy/gen/guid/fpco/ferpa/mndirectoryinfo.html>.

FERPA regulations permit LEAs and schools to adopt limited directory information policies that allow the disclosure of directory information to specific parties, for specific purposes, or both. [34 C.F.R. § 99.37\(d\)](#). It is up to individual LEAs and schools to decide whether to adopt limited directory information policies and how to implement them.

The regulations' directory information exception makes clear that parents/guardians and eligible students may not, by opting out of the disclosure of directory information, prevent an LEA or school from requiring a student to wear or present a student ID or badge. [34 C.F.R. § 99.37\(c\)](#). While the Department does not require LEAs or schools to establish policies mandating that students wear badges, these are individual decisions that LEAs and schools should make, taking into account local circumstances.

The U.S. Department of Education recommends that districts post all FERPA and PPRA (see below) notices, including the directory information policy, on their websites. Find the U.S. Department of Education's *Transparency Best Practices for Schools and Districts* at: [https://studentprivacy.ed.gov/sites/default/files/resource\\_document/file/LEA%20Transparency%20Best%20Practices%20final.pdf](https://studentprivacy.ed.gov/sites/default/files/resource_document/file/LEA%20Transparency%20Best%20Practices%20final.pdf) (p. 5). The Department of Education provides additional guidance on FERPA, including:

- The U.S. Department of Education's *School Resource Officers, School Law Enforcement Units and FERPA* at: [https://studentprivacy.ed.gov/sites/default/files/resource\\_document/file/SRO\\_FAQs\\_2-5-19\\_0.pdf](https://studentprivacy.ed.gov/sites/default/files/resource_document/file/SRO_FAQs_2-5-19_0.pdf)

- The U.S. Department of Education's, *FERPA General Guidance for Students* at: <https://www2.ed.gov/policy/gen/guid/fpco/ferpa/students.html>.

## **Protection of Pupil Rights Amendment**

The Protection of Pupil Rights Amendment (PPRA) requires school districts to adopt several policies regarding surveys of students, instructional materials, physical examinations, personal information used for marketing, and the like. Parents must be notified of these policies at least annually at the beginning of the school year and within a reasonable time period after any substantial change to the policies. [20 U.S.C. § 1232h\(c\)\(2\)\(A\)](#). The U.S. Department of Education's *Model Notification of Rights Under the Protection of Pupil Rights Amendment* is available at: <https://www2.ed.gov/policy/gen/guid/fpco/ppra/modelnotification.html>.

If a district plans to (1) use students' personal information for selling or marketing purposes; (2) administer any survey about any of the eight topics listed in the statute (political beliefs, income, sex behavior or attitudes, etc.); or (3) administer certain non-emergency, invasive physical examinations, the district must directly notify parents at least annually at the beginning of the school year of the specific or approximate dates when these activities are scheduled or expected to be scheduled. [20 U.S.C. § 1232h\(c\)\(2\)\(B\), \(c\)\(2\)\(C\)](#). The Department has several [resources](#) listed on its website. See some examples below:

- The U.S. Department of Education's *PPRA Model General Notice of Rights*: [https://studentprivacy.ed.gov/sites/default/files/resource\\_document/file/ppra-gen-not.doc](https://studentprivacy.ed.gov/sites/default/files/resource_document/file/ppra-gen-not.doc)
- The U.S. Department of Education's *PPRA Model Notice and Consent/Opt-Out for Specific Activities*: [https://studentprivacy.ed.gov/sites/default/files/resource\\_document/file/ppra-gen-not-cons.doc](https://studentprivacy.ed.gov/sites/default/files/resource_document/file/ppra-gen-not-cons.doc)

The Department of Education lists policies that PPRA requires LEAs to develop, with the consultation of parents. These policies concern privacy, parental access to information, and administration of physical examinations of minors. See more at: <https://www2.ed.gov/policy/gen/guid/fpco/pdf/cover-letter.pdf>. The U.S. Department of Education recommends that districts post all FERPA and PPRA notices on their websites. See the U.S. Department of Education's *Transparency Best Practices for Schools and Districts*: [https://studentprivacy.ed.gov/sites/default/files/resource\\_document/file/LEA%20Transparency%20Best%20Practices%20final.pdf](https://studentprivacy.ed.gov/sites/default/files/resource_document/file/LEA%20Transparency%20Best%20Practices%20final.pdf) (p. 5).

## **Child Nutrition Programs**

If school districts participate in the National School Lunch Program, the School Breakfast Program, or the Special Milk Program, they must provide both parents and the public with information about free and reduced-price meals and/or free milk near the beginning of each school year. [7 C.F.R. § 245.5](#). Districts also must provide parents with an application form. Districts may not disclose children's free



and reduced eligibility status, unless the requestor of such information falls into one of the categories specified in the National School Lunch Act. [42 U.S.C. § 1758\(b\)\(6\)\(A\)\(i\)-\(v\)](#).

The USDA's *Eligibility Manual for School Meals* contains information on federal requirements regarding the determination and verification of eligibility for free and reduced-price meals in the National School Lunch Program and the School Breakfast Program. The document notes what the application for these programs is to contain, and includes a link to an online application. The document also describes to whom (pp. 83-84), and under what conditions information regarding free and reduced eligibility status may be disclosed (pp. 83-93). *Eligibility Manual for School Meals*, which contains relevant notices in the appendices, can be found here: [https://fns-prod.azureedge.net/sites/default/files/cn/SP36\\_CACFP15\\_SFSP11-2017a1.pdf](https://fns-prod.azureedge.net/sites/default/files/cn/SP36_CACFP15_SFSP11-2017a1.pdf).

Striving to reduce paperwork, Congress has incorporated three alternative provisions into the standard requirements for annual determinations of eligibility for free- and reduced-price school meals. These alternative provisions are available at: <https://www.fns.usda.gov/school-meals/provisions-1-2-and-3>.

Additionally, in schools where at least 80 percent of enrolled students have free or reduced-price meal eligibility, annual notification of program availability and certification only needs to occur once every 2 consecutive school years.

The 2016 amendment to the Healthy, Hunger-Free Kids Act of 2010 requires school districts to inform and update the public (including parents, students, and others in the community) about the content and implementation of their local school wellness policies. [42 U.S.C. § 1758b\(b\)\(4\)](#). School districts also must periodically measure and report on implementation of their local school wellness policies, including: (1) the extent to which schools under the jurisdiction of the local school district are in compliance with its local school wellness policy; (2) the extent to which the local school wellness policy of the local district compares to model local school wellness policies; and (3) the progress made in attaining the goals of the local school wellness policy. [42 U.S.C. § 1758b\(b\)\(5\)\(A\)](#). The USDA final rules for local school wellness policies, which became effective on August 29, 2016, appear at 7 CFR Parts 210 and 220. See the USDA's Local School Wellness Policy and other child nutrition-related information at: <https://www.fns.usda.gov/tn/local-school-wellness-policy>.

The USDA published a guide on July 25, 2017 that highlights requirements for accommodating children with disabilities who participate in School Meal Programs. That guide is available at: <https://fns-prod.azureedge.net/sites/default/files/cn/SP40-2017a1.pdf>

With the help of school food service staff, LEAs must implement procedures to enable parents and guardians to request modifications to meal services for their children with disabilities. [7 C.F.R. §§ 15b.25, 15b.6 \(b\)](#). LEAs must notify parents and guardians of both the process (1) to request meal modifications that accommodate the child's needs; and (2) for resolving disputes. The hearing process must follow the necessary procedural requirements: notice, right to counsel, opportunity to participate, and examination of the record. <https://fns-prod.azureedge.net/sites/default/files/cn/SP26-2017os.pdf>.

According to “[Local School Wellness Policy: Guidance and Q&As](#)” (2017), the USDA does not require a specific timeline for updates to a wellness policy. Ideally, however, the policy should be updated after conducting a triennial assessment. [7 C.F.R. § 210.31\(e\)\(3\)](#). The updates are dependent on the structure of the LEA's policy. An LEA must notify the public about the content of its policy annually and discuss any updates. [7 C.F.R. § 210.31\(d\)\(2\)](#). It also must inform the public about the progress made towards meeting the goals of the local school wellness policy. [7 C.F.R. § 210.31\(d\)\(3\)](#).

For model and sample policy language endorsed by the USDA, see the resources below:

- <https://theicn.org/cnss/local-school-wellness-policy-process/>
- [http://uconnruddcenter.org/files/Pdfs/Model\\_Wellness\\_Policy\\_rev%203-3-16.pdf](http://uconnruddcenter.org/files/Pdfs/Model_Wellness_Policy_rev%203-3-16.pdf),
- [http://www.cdc.gov/healthyyouth/npao/pdf/PowerPoint\\_for\\_CDC\\_BTG\\_Local\\_School\\_Wellness\\_Policy\\_Briefs\\_School\\_Year\\_12\\_13.pdf](http://www.cdc.gov/healthyyouth/npao/pdf/PowerPoint_for_CDC_BTG_Local_School_Wellness_Policy_Briefs_School_Year_12_13.pdf),
- <https://www.fns.usda.gov/school-meals/guidance-and-resources>.

### **Asbestos Hazard Emergency Response Act**

The Asbestos Hazard Emergency Response Act (AHERA) requires school districts to inspect their buildings for asbestos-containing building materials, and develop, maintain, and update an asbestos management plan. School districts must annually notify parents, teachers, and employee organizations in writing of the availability of the management plan and planned or in-progress inspections, re-inspections, response actions, and post-response actions, including periodic re-inspection and surveillance activities. [40 C.F.R. §§ 763.84\(c\), \(f\), 763.93\(g\)\(2\)](#).

### **McKinney-Vento Homeless Assistance Act**

The McKinney-Vento Homeless Assistance Act requires school districts, through their homeless student liaisons, to provide public notice of the education rights of the homeless students enrolled in their districts. [42 U.S.C. § 11432\(e\)\(3\)\(C\)\(i\)](#). Such notice is to be disseminated in places where homeless students receive services under this Act, 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 U.S. Department of Education has issued guidelines for states, which address ways a state may (1) assist LEAs to implement McKinney-Vento, as amended by ESSA, and (2) review and revise policies and procedures, along with LEAs, that may present barriers to the identification, enrollment, attendance, and success of homeless children and youths in school. Download the guidelines at: <https://www.gpo.gov/fdsys/pkg/FR-2016-03-17/pdf/2016-06073.pdf>.

In March 2017, the U.S. Department of Education updated the *Education for Homeless Children and Youths Program Non-Regulatory Guidance*. This document highlights the key changes brought about by ESSA. It is available at:

<https://www2.ed.gov/policy/elsec/leg/essa/160240ehcyguidance072716updated0317.pdf>. For notice requirements under “tips for establishing an effective dispute resolution process”, see page 33.

Additional resources available from the U.S. Department of Education include:

<https://www2.ed.gov/policy/elsec/guid/secletter/160726.html> (Dear Colleague Letter: educational rights of homeless children and youths), and

<https://www2.ed.gov/policy/elsec/leg/essa/160315ehcyfactsheet072716.pdf> (fact sheet). Also, the National Center for Homeless Education (funded by the U.S. Department of Education) has created free Educational Rights posters (in black/white or color; English/Spanish; parents/students), available at: [http://center.serve.org/nche/pr/er\\_poster.php#youth](http://center.serve.org/nche/pr/er_poster.php#youth).

### **Title VI, Title IX, Section 504, the Age Discrimination Act, Title II of the Americans with Disabilities Act, and the Boy Scouts of America Equal Access Act**

Several federal statutes protect the rights of beneficiaries not to be discriminated against in programs or activities receiving federal and/or state financial assistance. Specifically, the following statutes prohibit discrimination: [Title VI, 34 C.F.R. § 100.6\(d\)](#) (race, color, ethnicity, and national origin); [Title IX, 34 C.F.R. § 106.9](#) (sex and pregnancy); [Section 504, 34 C.F.R. § 104.8](#) and [Title II, 28 C.F.R. § 35.106](#) of the Americans with Disabilities Act (disability); and the [Age Discrimination Act, 34 C.F.R. § 110.25](#) (age). [The Boy Scouts of American Equal Access Act, 34 C.F.R. § 108.9](#) requires public schools to provide equal access to the use of school property to the Boy Scouts and other designated youth groups.

The regulations implementing the above statutes require school districts to notify students, parents, and others that they do not discriminate on the basis of race, color, ethnicity, national origin, sex, pregnancy, disability, or age, and that they provide equal access to the Boy Scouts and other designated youth groups. The regulations contain minor differences relating to the required content of the notices and the methods used to publish them.

The U.S. Department of Education’s *Notice of Non-Discrimination* describes the content requirements of notices under these statutes, including the methods of notification required by Title IX and Section 504, and contains a sample notice of non-discrimination school districts may use to meet the requirements of all of the above statutes at:

<http://www2.ed.gov/print/about/offices/list/ocr/docs/nondisc.html>. **NOTE:** The notice must include the identity and contact information of the coordinators designated to handle complaints under Title IX ([34 C.F.R. § 106.8](#)), 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](#)).

### **Individuals with Disabilities Education Act**

Under the Individuals with Disabilities Education Act (IDEA), a school district must give parents of a child with a disability a copy of its procedural safeguards one time per year, and upon initial referral or



parental request for an evaluation, the filing of a first request for a due process hearing, a disciplinary action constituting a change in placement, and at the request of a parent. [20 U.S.C. § 1415\(d\)\(1\)\(a\)](#); [34 C.F.R. § 300.504\(a\)](#). The notice must fully explain the IDEA's procedural safeguards in an easily understandable manner, and in the native language of the parents unless it is clearly not feasible to do so. [20 U.S.C. § 1415\(d\)\(2\)](#); [34 C.F.R. § 300.504\(c\), \(d\)](#).

Parents may choose to receive the procedural safeguards notice and other notices under the IDEA by email, if the LEA makes this option available. [20 U.S.C. § 1415\(n\)](#); [34 C.F.R. § 300.505](#).

The U.S. Department of Education's *Model Form: Procedural Safeguards Notice* is resource that provides guidance on required content of forms under the IDEA. See, [https://sites.ed.gov/idea/files/modelform\\_Procedural\\_Safeguards\\_June\\_2009.pdf](https://sites.ed.gov/idea/files/modelform_Procedural_Safeguards_June_2009.pdf). NOTE: The procedural safeguards notice requirements in the IDEA also apply to parents of homeless children with disabilities. For more information, see Question B-2 in *Questions and Answers on Special Education and Homelessness* by the Office of Special Education and Rehabilitative Services and the Office of Elementary and Secondary Education at: <http://www2.ed.gov/policy/speced/guid/spec-ed-homelessness-q-a.pdf>.

The U.S. Department of Education analyzed when and how parents must be notified before “records containing personally identifiable information are destroyed under Part B of IDEA.” The question considered was whether “under [34 C.F.R. § 300.624](#), a school district must specifically notify parents at the time the district intends to destroy [a student's] records or whether such notice must be provided at the time the records are no longer needed.” The Department's letter states that under the IDEA, parents must be informed when the personally identifiable information is no longer needed to provide services. <https://sites.ed.gov/idea/files/idea/policy/speced/guid/idea/memosdcltrs/osep-letter-to-zacchini-2-27-17.pdf>.