



March 20, 2024

# Legal & Policy Services

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NEWSLETTER

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## Lead Stories

### Early Learning Resources and Guidance

The U.S. Department of Education recently released guidance for how states, school districts and schools can use federal Title I funds to expand access to high-quality preschool for three- and four-year-olds in a range of settings, including schools, Head Start and community-based organizations. The revised guidance document entitled "[\*\*Non-Regulatory Guidance on Serving Preschool Children through Title I, Part A of the Elementary and Secondary Education Act\*\*](#)" is intended to assist states, districts and schools leverage resources to expand access to preschool and enhance program quality. The Department of Education also released a [\*\*Dear Colleague Letter to Chief State School Officers\*\*](#) to provide more details about how states and communities can ensure early-learning opportunities.

### New Fact Sheets Highlight Section 504 Protections for Students

The U.S. Department of Education's Office for Civil Rights recently released several new resources on Section 504 protections for students with disabilities. Readers can access these documents by clicking on the following hyperlinks: (1) [Fact Sheet: Section 504 Protections for Students with Asthma](#); (2) [Fact Sheet: Section 504 Protections for Students with Diabetes](#); (3) [A Fact Sheet: Section 504 Protections for Students with Food Allergies](#); (4) [Fact Sheet: Section 504 Protections for Students with GER or GERD](#); (5) [Profile of Students with Disabilities in U.S. Public Schools During the 2020-21 School Year](#).

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## New “Dear Colleague Letter” Addresses Non-Discrimination Obligations

The Department of Education's Office for Civil Rights recently issued a new “[Dear Colleague Letter](#)” to remind schools of their obligations to address discrimination against Muslim, Arab, Sikh, South Asian, Hindu and Palestinian students. School districts are required to provide all students with a school environment free from discrimination based on race, color, or national origin, including shared ancestry or ethnic characteristics under Title VI of the Civil Rights Act of 1964 and its implementing regulations.

### HR Corner

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## DOL Fact Sheet Details FMLA Rules for “Instructional Employees”

The Wage and Hour Division of the U.S. Department of Labor has released a [Fact Sheet](#) entitled “Rules for Certain School Employees under the Family and Medical Leave Act.” This Fact Sheet covers specific FMLA rules for (1) instructional employees of public school boards and public or private elementary and secondary schools when they use intermittent or reduced schedule FMLA leave and (2) instructional employees of public school boards and public or private elementary and secondary schools when they use FMLA leave near the end of an academic term.

### Recently Released

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## Access Online Archives of Publications (website login required)

[Policy Perspectives](#) - March 2024: School Policy Implications of the UW System “Guaranteed Admission” Law Credit Requirement for High School Graduation

[Legal Comment](#) - March 2024: “Avoiding Common Open Meetings Law Errors”

**New Laws bulletins** - Coverage of legislative Acts is current through Act 95 of the 2023-24 legislative session. Coverage of DPI regulations is current through February 26, 2024.

**The WASB School Law and Policy Index** - The School Law and Policy Index is a great place to start when you have a legal- or policy-related question that may be affected by state statutes or DPI regulations. (The Index does not cover federal statutes or federal regulations. For best results, download and then open the Index in a PDF reader application rather than viewing the Index in a web browser.)

Looking for another practical resource? Visit our **webpage of useful links related to Wisconsin school law**. The page is intended to serve as a hub for many important WASB, state and federal resources. Scroll all the way down the page and open the different sections to get a sense of the scope of coverage.

#### About this newsletter

This newsletter is distributed up to twice a month by email to WASB members. The newsletter includes notices of and links to various WASB publications and member resources, as well as original content.

The WASB Legal and Policy Services Newsletter is intended as an informational newsletter for WASB members and not as legal or other professional advice. It contains information to facilitate a general understanding of the topics that are addressed, but it does not present an exhaustive treatment of the legal and policy issues. The newsletter should not be used as a substitute for legal advice from an attorney. For legal advice, it is important for the reader to consult with the school district's designated attorney, who will be able to apply the law to specific facts and circumstances. All original content created by the WASB within the Legal and Policy Services Newsletter is protected by copyright. The WASB claims no rights regarding non-WASB, third-party content that is electronically linked in this newsletter.

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