



## POLICY ON PARENTS' RIGHTS

**PARENTS' BILL OF RIGHTS.** Parents have the right to the following:

1. To direct the education and care of his or her child.
2. To direct the upbringing and moral or religious training of his or her child.
3. To enroll his or her child in a public or nonpublic school and in any school choice options available to the parent for which the child is otherwise eligible by law in order to comply with compulsory attendance laws.
4. To access and review all education records relating to his or her child, as authorized by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g.
5. To make health care decisions for his or her child, unless otherwise provided by law.
6. To access and review all medical records of his or her child, as authorized by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), P.L. 104-191, as amended, except as follows:
  - a. If an authorized investigator requests that information not be released to a parent because the parent is the subject of an investigation of either: (1) a crime committed against the child or (2) an abuse and neglect complaint; or
  - b. When otherwise prohibited by law.
7. To prohibit the creation, sharing, or storage of a biometric scan of his or her child without the parent's prior written consent, except as authorized pursuant to a court order or otherwise required by law.
8. To prohibit the creation, sharing, or storage of his or her child's blood or deoxyribonucleic acid (DNA) without the parent's prior written consent, except as authorized pursuant to a court order or otherwise required by law.
9. To prohibit the creation by the State of a video or voice recording of his or her child without the parent's prior written consent, except a recording made in the following circumstances:
  - a. During or as part of a court proceeding.
  - b. As part of an investigation into the alleged abuse or neglect of the child.
  - c. When the recording will be used solely for any of the following purposes:
    1. A safety demonstration, including one related to security and discipline on educational property.

2. An academic or extracurricular activity.
  3. Classroom instruction.
  4. Photo identification cards.
  5. Security or surveillance of buildings, grounds, or school transportation.
10. To be promptly notified if Sterling or an employee of Sterling suspects that a criminal offense has been committed against his or her child, unless the incident has first been reported to law enforcement or the county child welfare agency, and notification of the parent would impede the investigation.

**PARENTS' RIGHTS – CHILD'S EDUCATION.** Sterling Montessori Academy & Charter School recognizes and will allow parents to exercise the following rights which they have regarding their child's education:

1. The right to consent or withhold consent for participation in reproductive health and safety education programs, consistent with the requirements of G.S. 115C-81.30.
2. The right to seek a medical or religious exemption from immunization requirements, consistent with the requirements of G.S. 130A-156 and G.S. 130A-157.
3. The right to review statewide standardized assessment results as part of the State report card.
4. The right to request an evaluation of their child for an academically or intellectually gifted program, or for identification as a child with a disability, pursuant to state and federal law.
5. The right to inspect and purchase public school unit textbooks and other supplementary instructional materials.
6. The right to access information relating to the school's policies for promotion or retention, including high school graduation requirements.
7. The right to receive student report cards on a regular basis that clearly depict and grade the student's academic performance in each class or course, the student's conduct, and the student's attendance.
8. The right to access information relating to the State public education system, State standards, report card requirements, attendance requirements, and textbook requirements.
9. The right to participate in parent-teacher organizations.
10. The right to opt in to certain data collection for their child, as provided in Part 5 of Article 7B and Article 29 of Chapter 115C of the North Carolina General Statutes.
11. The right for students to participate in protected student information surveys only with parental consent, as provided in G.S. 115C-76.65.

12. The right to review all available records of materials their child has borrowed from a school library.

### **IMPLEMENTATION**

1. For purposes of this policy, “parent” is defined as a person who has legal custody of a child, including a natural parent, adoptive parent, or legal guardian.
2. Nothing in these policies authorizes a parent to engage in unlawful conduct or to abuse or neglect a child.
3. The requirements of these policies do not prohibit a State official, employee or court from acting within the reasonable and prudent scope of their authority or as permitted by law.
4. An employee who encourages, coerces, or attempts to encourage or coerce a child to withhold information from his or her parent may be subject to disciplinary action.
5. A copy of this policy shall be posted on the school website.

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References: N.C.G.S. 114A-10, -15, -20 (Parents’ Bill of Rights)  
N.C.G.S. 115C-76.25 (Parent legal rights for their child’s education)

Board Approval Date: \_\_\_\_\_, 2023