

Mallard Creek STEM Academy
Southwest Charlotte STEM Academy
Parent's Bill of Rights
Compliance Policies

The School believes that parent and family involvement must be aggressively pursued and supported by our communities, in homes, schools/colleges/universities, neighborhoods, businesses, faith congregations, organizations, and government entities by working together in a mutually collaborative effort. As such, the Board is committed to developing policies to involve parents in schools and their child's education effectively. N.C.G.S. § 115C-76.20(b)(3). All parents/families and educators must prioritize family involvement in education; thus, the Board commits to providing support and coordination for school staff and parents to implement and sustain appropriate parent involvement. Improved student achievement must be the equally shared responsibility and the goal of parents, teachers, the school system, and the community. Thus, the Board commits to seeing that each school has effective volunteer programs to address student needs and commits to utilizing schools to assist students and families in connecting with community resources. The Board commits that it will impact student achievement significantly by improving the quality and quantity of parent/family involvement. Consequently, the Board will provide guidance, support, cooperation, and the necessary funding to enable parents to become active partners in education.

A. Parent Rights

A parent has the right to the following:

- (1) To direct the education and care of their child.
- (2) To direct the child's upbringing and moral or religious training.
- (3) To enroll their 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 to comply with compulsory attendance laws, as provided in Part 1 of Article 26 of Chapter 115C of the General Statutes.
- (4) To access and review all education records, as authorized by the federal Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, relating to their child.
- (5) To make healthcare decisions for their child, unless otherwise provided by law, including Article 1A of Chapter 90 of the General Statutes.
- (6) To access and review all medical records of their 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 of the following:
 - A crime committed against the child under Chapter 14 of the General Statutes.
 - An abuse and neglect complaint under Chapter 7B of the General Statutes.
 - b. When otherwise prohibited by law.
 - (2) To prohibit the creation, sharing, or storage of a biometric scan of their child without the parent's prior written consent, except as authorized pursuant to a court order or otherwise required by law, including G.S. 7B-2102 and G.S. 7B-2201.
 - (3) To prohibit the creation, sharing, or storage of their 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, including G.S. 7B-2201.
 - (4) To prohibit the creation by the State of a video or voice recording of their 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 under Chapter 7B or Chapter 14 of the General Statutes.
 - c. When the recording will be used solely for any of the following purposes:
 - A safety demonstration, including one related to security and discipline on educational property.
 - An academic or extracurricular activity.
 - Classroom instruction.
 - Photo identification cards.
 - Security or surveillance of buildings, grounds, or school transportation.
 - (5) To be promptly notified if an employee of the State suspects that a criminal offense has been committed against their 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.

B. Limitations on the right to parent:

- (1) The requirements of this Article do not authorize a parent to do any of the following:
 - a. Engage in unlawful conduct.
 - b. Abuse or neglect of the child, as defined in Chapter 7B of the General Statutes.

- (2) The requirements of this Article do not prohibit the following:
 - a. A State official or employee from acting in their official capacity within the reasonable and prudent scope of their authority.
 - b. A court of competent jurisdiction from acting in its official capacity within the reasonable and prudent scope of its authority or issuing an order otherwise permitted by law.

C. Pursuant to N.C.G.S. § 115C-76.25, the School shall display on its website the following parental legal rights 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. The School will provide parents with a consent form prior to such programming.
- (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. Please consult the Student Handbook for this information.
- (3) The right to review statewide standardized assessment results as part of the State report card. The School will provide such information following such assessments.
- (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, as provided in Article 9 of this Chapter. Please consult the Student Handbook for this information.
- (5) The right to inspect and purchase public school unit textbooks and other supplementary instructional materials, as provided in Part 3 of Article 8 of this Chapter. Please refer to the School's Policy on Curriculum, Textbooks, Supplementary Materials and Library Materials.
- (6) The right to access information relating to the unit's policies for promotion or retention, including high school graduation requirements. Please consult the Student Handbook for this information.
- (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. Please consult the Student Handbook for this information.
- (8) The right to access information relating to the State public education system, State standards, report card requirements, attendance requirements, and textbook requirements. Please consult the Student Handbook for this information as well as the Department of Public Instruction.
- (9) The right to participate in parent-teacher organizations. This information will be provided directly from the parent-teacher organization.

- (10) The right to opt into certain data collection for their child, as provided in Part 5 of this Article and Article 29 of this Chapter. Please consult the Student Handbook for this information
- (11) The right for students to participate in protected student information surveys only with parental consent, as provided in Part 5 of this Article. Please consult the Student Handbook for this information.
- (12) The right to review all available records of materials their child has borrowed from a school library. Please refer to the School's Policy on Curriculum, Textbooks, Supplementary Materials, and Library Materials.

D. Parent Guide for Student Achievement Pursuant to 115C-76.30.

The Parent Guide to Student Achievement is an effort by the State Board of Education (“SBE”). The SBE’s Guide will be posted on the School’s website once it has been provided by the State Board of Education and going forward at the beginning of each school year. The SBE’s Guide will be in writing, understandable to students and parents, and discussed at the beginning of the school year during Open House, Back to School events, or in any forum designated by the School. The SBE Guide shall meet the requirements set forth in N.C.G.S. 115C-76.30.

E. The School’s Guide for Student Achievement Pursuant to 115C-76.30.

- (1) The School has chosen to comply with these provisions by ensuring the following information is in the Student Handbook available on this School’s website:
 - a. Requirements for students to be promoted to the next grade.
 - b. School entry requirements, including required immunizations and the recommended immunization schedule.
 - c. Ways for parents to do the following:
 - Strengthen their child's academic progress, especially in reading, as provided in Part 1A of Article 8 of this Chapter.
 - Strengthen their child's citizenship, especially social skills, and respect for others.
 - Strengthen their child's realization of high expectations and setting lifelong learning goals.
 - Enhance communication between the school and the home.
- (2) The School has chosen to comply with 115C-76.30, making the following information available through its website; the Student Handbook found on the School’s website; School and classroom communications (hard copy or via email); communications from the School’s PTO; as well as through any other medium appropriate to communicate in an understandable way with parents and students:
 - a. Services available for parents and their children, such as family literacy services; mentoring, tutoring, and other academic reinforcement programs;

college planning, academic support, and student counseling services; and after-school programs.

- b. Opportunities for parental participation, such as parenting classes, adult education, school advisory councils, and school volunteer programs.
- c. Opportunities for parents to learn about rigorous academic programs that may be available for their child, such as honors programs, Career and College Promise and other dual enrollment opportunities, advanced placement, Advanced International Certificate of Education (AICE) courses, International Baccalaureate, North Carolina Virtual High School courses, and accelerated access to postsecondary education.
- d. Educational choices available to parents, including each type of public-school unit available to residents of the county in which the child lives and nonpublic school options, educational choice options offered within the public school unit, and scholarship grant programs under Part 2A of Article 39 and Article 41 of this Chapter.
- e. Rights of students who have been identified as students with disabilities, as provided in Article 9 of this Chapter.
- f. Contact information for school and unit offices.
- g. Resources for information on the importance of student health and other available resources for parents, including the following information on available immunizations and vaccinations:
 - A recommended immunization schedule in accordance with the United States Centers for Disease Control and Prevention recommendations.
 - Information about meningococcal meningitis and influenza, as required by G.S. 115C-375.4.

F. Efforts to Increase Parent Involvement Pursuant to § 115C-76.35.

The School shall, in consultation with parents, teachers, administrators, and community partners, develop and adopt policies to promote parental involvement and empowerment. The School will use existing committees, communication mediums, and structures to engage in the consultation requirement set forth in § 115C-76.35 and/or may create new avenues to comply with this provision. Opportunities and information will be available on the School's website and/or in community and/or school communications. The School will ensure policies provide for parental choices as set forth in SB49, establish parental responsibilities, and provide for parental involvement, which shall include the following:

- (1) Providing links to parents for community services.
- (2) Establishing opportunities for parental involvement in developing, implementing, and evaluating family involvement programs.

- (3) Establish opportunities for parents to participate in school advisory councils, volunteer programs, and other activities.

G. The School has established policies to do all the following:

- (1) Provide for parental participation in their child's education to improve parent and teacher cooperation in areas such as homework, school attendance, and discipline that aligns with the parent guide for student achievement required by G.S. 115C-76.30. **For more information**, please consult the School's website and Student Handbook on the School's website.
- (2) Effectively communicate to parents the way textbooks are used to implement the school's curricular objectives. For more information, please refer to the School's Policy on Curriculum, Textbooks, and Library Materials the School's website and the Student Handbook on the School's website.
- (3) Establish a procedure for parents to learn about their child's course of study and the source of any supplementary instructional materials. This procedure shall include the process for parents to inspect and review all textbooks and supplementary instructional materials that will be used in their child's classroom. The policy shall be available for in-person review by parents at the school site and publicly available on the school's website. For this section, a textbook is defined in G.S. 115C-85, and supplementary instructional materials include supplementary textbooks, periodicals, audiovisual materials, and other supplementary materials used for instructional purposes. For more information, **please refer to the School's Policy on Curriculum, Textbooks, and Library Materials.**
- (4) Establish a means for parents to object to textbooks and supplementary instructional materials. For more information, *please refer to the School's Policy on Curriculum, Textbooks, Supplementary Materials, and Library Materials.*
- (5) Establish a process for parents to review materials for and to consent or withhold consent for participation in reproductive health and safety education programs consistent with the requirements of G.S. 115C-81.30. The School already provides such review, notice, and consent requirements and will continue to follow our current procedures. **For more information, please review** the Student Handbook available on the School's website. Establish a process for parents to learn about the nature and purpose of clubs and activities offered at their child's school, including both curricular and extracurricular activities. Such information will be provided through School and/or classroom communications.

H. Other Information

- (1) The qualifications of teachers, including licensure status, will be made available to parents at the beginning of each school year and updated from time to time as

needed. This information will include teacher degrees, licensure status, and any other information necessary to comply with §115C-76.30(1)(d).

- (2) Our School is a school of choice. Parents have other educational choices available to them, including traditional district schools, non-public schools (religious and secular), other charter schools, and home schools. Information on scholarship programs is available at [Opportunity Scholarship - NCSEAA \(https://www.ncseaa.edu/k12/opportunity/\)](https://www.ncseaa.edu/k12/opportunity/)

I. Student Health Notifications Pursuant to N.C.G.S. § 115C-76.45

- (1) The School does not prohibit school employees from notifying a parent about their child's mental, emotional, or physical health or well-being or a change in related services or monitoring.
- (2) The School does not encourage or have the effect of encouraging a child to withhold from that child's parent information about their mental, emotional, or physical health or well-being or a change in related services or monitoring.
- (3) School personnel shall not discourage or prohibit parental notification of and involvement in critical decisions affecting a student's mental, emotional, or physical health or well-being except where a reasonably prudent person would believe that notification would result in the child becoming an abused juvenile or neglected juvenile, as those terms are defined in G.S. 7B-101 or jeopardize the student's safety.
- (4) Notifications:
 - a. At the beginning of each school year, The School Leader will notify parents about each healthcare service offered at the school and provide information on how parents can consent to such service via the annual back to school dissemination of materials, including the Parent-Student Handbook. The School Leader will notify parents of changes, prior to or contemporaneous with changes, in service or monitoring related to their child's mental, emotional, or physical health or wellbeing and the school's ability to provide a safe and supportive learning environment for that child. (§115C-78.45)
 - b. The School Leader or Designee shall notify parents of kindergarten through grade three students of any student well-being questionnaire or health screening form prior to administration and shall provide information on how parents can consent to such questionnaire or health screening.
 - c. The School Leader or Designee shall provide notice of a change prior to any changes in the name of a pronoun used for a student in school records or by school personnel except where a reasonably prudent person would believe that notification would result in the child becoming an abused juvenile or

neglected juvenile, as those terms are defined in G.S. 7B-101 or jeopardize the student's safety.

- d. The School's policy and procedure for parents to exercise the parental remedies provided by G.S. § 115C-76.60 is set forth in this policy, **Entitled Parental Remedies**.

J. Timelines for parental requests for information under § 115C-76.40.

- (1) This information parents have a right to access under this SB49 has been made accessible to parents as set forth in this policy. Parents are encouraged to review this policy and the policies referenced herein before making a request for information under § 115C-76.40.
- (2) A parent of a child enrolled at our School may request in writing from the School Leader for any of the information the parent has the right to access, as provided in this Part. The request must be made via email sent to the school via email to the school leader or certified mail addressed to the school leader. Within 10 business days, the School Leader or Designee shall either (i) provide the requested information to the parent or (ii) provide an extension notice to the parent that, due to the volume or complexity of the request, the information will be provided no later than 20 business days from the date of the parental request.
- (3) If the School Leader denies or does not respond to the request for information within 10 business days, the parent may appeal the denial or lack of response to the governing body of the public school unit no later than 20 business days from the date of the request to the School Board Superintendent/Executive Director/Head of School, as provided in subsection (2) of this section. The Board shall place the parents' appeal on the agenda for the next regularly scheduled board meeting occurring more than three business days after submission of the appeal. During that meeting, the Board shall make a decision regarding the appeal. The Board's decision under this section is final and is not subject to judicial review.

K. Student support services training § 115C-76.50.

Student support services training developed or provided by the School to the school personnel shall adhere to student services guidelines, standards, and frameworks established by the Department of Public Instruction.

L. Parental rights to opt-in to protected information surveys § 115C-76.65

- (1) Definitions:
 - a. Adult student – An enrolled student who is 18 or older or an emancipated minor.
 - b. Protected information survey – A survey, analysis, or evaluation that reveals information concerning any of the following:
 - Political affiliations or beliefs of the student or the student's parent.

- Mental or psychological problems of the student or the student's family.
 - Sex behavior or attitudes.
 - Illegal, antisocial, self-incriminating, or demeaning behavior.
 - Critical appraisals of other individuals with whom respondents have close family relationships.
 - Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers.
 - Religious practices, affiliations, or beliefs of the student or student's parent.
 - Income other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.
- (2) The School shall make the following available to parents and adult students at least 10 days prior to administration of a protected information survey. The public school unit shall provide opportunities for review of the following both electronically and in person:
- a. The process for providing consent to participation in the protected information survey.
 - b. The full text of the protected information survey.
- (3) No student shall be permitted to participate in a protected information survey without the parent or the adult student's prior written or electronic consent.
- (4) The requirements of this provision are in addition to the rights provided to parents and students under the Protection of Pupil Rights Amendment, which are set forth in the Student Handbook available on the School's website.

M. Procedures and Remedies for Parent Concerns

This provision sets forth procedures and remedies required by § 115C-76.60. A parent has the right to notify the principal about concerns under this policy pursuant to § 115C-76.60. The School's procedures and remedies for parental concerns are as follows:

- (1) The parent shall submit in writing a detailed description of their concern to the School via email to the School Leader's email as depicted on the school's website. Such description shall clearly state the SB49 procedure or practice of concern. For a concern to be covered by this Section, it must be a concern about the School's procedure or practice under SB49.
- (2) Within seven business days of receiving the concern, the School Leader or Designee shall either:
 - a. Resolve the concern and notify the parent of the resolution, or

- b.** Develop a plan for resolution and notify the parent of the plan to resolve the concern within 30 days of receiving written notification of the concern from the parent, or
 - c.** Notify the parent of why the concern cannot be resolved.
- (3)** If the concern is not resolved within 30 days, a parent may do one of the following:
 - a.** Notify the State Board of Education and request a Parental Concern hearing, or
 - b.** Bring an action against the school as provided in Article 26 of Chapter 1 of the North Carolina General Statutes for a declaratory judgment that the unit's procedure or practice violates N.C.G.S. § 115C-76.45, § 115C-76.50, or § 115C-76.55.
- (4)** The court may award injunctive relief to a parent and shall award reasonable attorneys' fees and costs to a parent awarded injunctive relief.