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| <b>Policy 7200</b>    | <b>Parents Rights</b>                 |
| <b>Approval Date</b>  | <b>December 2023</b>                  |
| <b>Category</b>       | <b>School Board Governance</b>        |
| <b>Accountability</b> | <b>Board of Directors, Leadership</b> |

**This policy was adopted to meet compliance regulations specific to SB49 (2023) and North Carolina state law: N.C. Gen. Stat. § 115C-76.20.**

Pursuant to State and federal law, Pine Lake Preparatory recognizes that a parent has 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 any school choice option available to the parent for which the child is otherwise eligible
4. To access and review all education records relating to his or her child, as authorized by the Federal Educational Right 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:
  - If an authorized investigator requests that information not be released to a parent because the parent is subject to an investigation of either (i) a crime committed against the child or (ii) an abuse and neglect complaint or
  - 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 DNA without the parent’s prior written consent, unless otherwise authorized by law

9. To prohibit the creation by the State, or Pine Lake Preparatory, of a video or voice recording of his or her child without the parent's prior written consent, unless such record is made in connection with:
  - A court proceeding
  - An investigation into alleged neglect or abuse of the child
  - A safety demonstration
  - An academic or extracurricular activity
  - Classroom instruction
  - A photo identification card
  - Security or surveillance of buildings, grounds, or school transportation
10. To be promptly notified if the school, or any employee of the school, suspects that a criminal offense has been committed against his or her child, unless doing so would impede an investigation by law enforcement or a county welfare agency

### **Specific Rights Related to Child's Education**

Pursuant to G.S. 115C-76.25, a parent or legal guardian's rights with regard to his or her child's education include the following:

- The right to consent or withhold consent for participating in reproductive health and safety educational programs, consistent with the requirements of G.S. 115C-81.30
- 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
- The right to review statewide standardized assessment results as part of the State report card
- 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 by State and federal law
- The right to inspect and purchase public school unit textbooks and other supplementary instructional materials when available
- The right to access information relating to Pine Lake Preparatory's policies for promotion or retention, including high school graduation requirements
- 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

- The right to access information relating to the State public education system, State standards, report card requirements, attendance requirements, and textbook requirements
- The right to participate in any parent-teacher organizations
- The right to be informed of, and to opt-in to, any survey of protected information under G.S. 115C-76.65
- The right to opt into certain data collection for their child, as provided in Part 5 of Article 7B and Article 29 of Chapter 115C the North Carolina General Statutes
- The right to review all available records of materials their child has borrowed from the school library

### **Parent Guide for Student Achievement**

In accordance with N.C. Gen. Stat. § 115C-76.30, Pine Lake Preparatory will provide to parents, students, and school personnel, at the beginning of each school year, a parent guide for student achievement that meets all of the following requirements:

1. Includes, at a minimum, the State Board requirements developed as provided in G.S. 115C-76.35.
2. Is understandable to students and parents.
3. Is provided in writing to the parent.
4. Is discussed at the beginning of each school year in meetings of students, parents, and teachers.

### **Opportunities to Withhold Consent/Opt Out Notifications**

As a part of the annual notification described above, parents will be effectively notified that they may opt out of any of the following:

- release of student directory information about their child for school purposes or to outside organizations;
- release of their child's name, address, and telephone listing to military recruiters or institutions of higher education;
- instruction regarding reproductive health and safety, including instruction regarding health and safety, provided to students in Middle School Healthful Living/Physical Education class;

- their child's participation in academic or career guidance or personal or social counseling services of a generic nature offered to groups of students (e.g., peer relations strategies offered to all students). However, parental notification and permission are not required for: (a) short-duration academic, career, personal, or social guidance and counseling and crisis intervention that is needed to maintain order, discipline, or a productive learning environment; (b) student-initiated individual or group counseling targeted at a student's specific concerns or needs; and (c) counseling if child abuse or neglect is suspected;
- the use of your child's photos, videos, or other likenesses used by Pine Lake Prep for features on our website, official social media channels, and newsletters, in addition to other media.

Any parent or legal guardian who wishes to opt-out/withhold consent must do so in writing after receiving notice. Otherwise, consent to the programs or activities is presumed. After the annual notification, the school is not required to provide further notice to the parent or legal guardian as to the manner in which student directory information is used, the curriculum is provided, or guidance programs are made available.

### **Parent Permission Required**

Written parental permission is required prior to the following activities:

- the administration of medications to students by employees of Pine Lake Preparatory School;
- the release of student records that are not considered directory information, unless the release is allowed or required by law;
- off-campus trips;
- all decisions or actions as required by the IDEA with regard to providing special education or related services to students with disabilities;
- certain health services, as required by law;
- students' participation in surveys that are conducted concerning protected information (see Policy 3610: Student Surveys Involving Protected Topics).

### **Definitions**

As used in these policies, "parent" shall mean a person with legal custody of a child, including a natural parent, adoptive parent, or legal guardian.

### **Miscellaneous Provisions**

- Nothing in this policy shall prohibit or otherwise limit a State official, law enforcement, or a court of competent jurisdiction from acting pursuant to legal authority granted under local, state, or federal law.
- 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.