
Parent Bills of Rights
Rights conferred by the 2023 Parents Bill of Rights (SB 49)

I. RIGHT TO MAKE OR HAVE INPUT INTO DECISIONS REGARDING THE PARENT'S CHILD

❖ General

- To direct the education and care of his/her child (G.S. 114A-10(1))
- To direct the upbringing and moral or religious training of his/her child (G.S. 114A-10(2))
- To enroll his/her child in a public or non-public school and in any school choice options available for which the child is otherwise eligible by law (G.S. 114A-10(3))

❖ Curriculum Related

- Request AIG or IDEA evaluation (G.S. 115C-76.25(a)(4))
- Consent in writing to child's participation in most protected information surveys (G.S. 115C-76.25(a)(11))
- Consent to use of a well-being questionnaire or health screening form for child in K-3 (G.S. 115C-76.45(a)(3))

❖ Health-Related

- Seek a medical or religious exemption from immunization requirements (G.S. 115C-76.25(a)(2))
- Make health care decisions for his/her child, unless otherwise provided by law (G.S. 114A-10(5))
- Except for physicians providing emergency care, consent in advance to the provision, solicitation, or arrangement of treatment of their child by a "health care practitioner" (which includes persons authorized under Chapter 115C of the General Statutes (the school code) to provide health care services as part of their job) (G.S. 90-21.10B)
- Not be prevented from learning about their child's mental, emotional, or physical health or well-being or a change in related services or monitoring or from being involved in critical decisions affecting a student's mental, emotional, or physical health or well-being (G.S. 115C-76.45 (d), (e))
- Prohibit creation/sharing/storage of child's biometric scan, blood, or DNA without prior consent (G.S. 114A-10(7), (8))

❖ **Other**

- Prohibit creation of a video or voice recording of child without prior consent (except in certain circumstances, including for certain school-related purposes) (G.S. 114A-10(9))
- Opt in to certain data collections (G.S. 115C-76.25(a)(10))

II. RIGHT TO NOTICE AND/OR INFORMATION

❖ **Notices**

▪ **General Notices to All Parents**

- Rights under FERPA and state law for education records (G.S. 115C-402.15))
- Each health care service offered at school and means of providing consent for any specific service (G.S. 115C-76.45(a)(1))
- Procedures to exercise the parental remedies provided by G.S. 115C-76.60 for concerns regarding the school system's procedures or practices related to notifying parents of student physical and mental health as required under G.S. 115C-76.45, -76.50, and -76.55 (G.S. 115C-76.45(a)(2))

▪ **Notices for Certain Groups**

- Means to consent to use of student well-being questionnaire or health screening form for a child in K-3 and a copy of the questionnaire or form (G.S. 115C-76.45(a)(3))

▪ **Individualized Notices**

- Suspicion that child has been a victim of a criminal offense, except in certain circumstances (G.S. 114A-10(10))
- Report cards grading student's academic performance, conduct, and attendance (G.S. 115C-76.25(a)(7))
- Prior or contemporaneous notice of any change in services or monitoring related to child's mental, emotional or physical health or well-being and school's ability to provide a safe and supportive learning environment (G.S. 115C-76.45(a)(4))
- Prior notice of any change in the name or pronoun used for a student in school records or by school personnel (G.S. 115C-76.45(a)(5))

❖ Right to Information

▪ Health and Safety Related

- Medical records of parent's child, as authorized by HIPAA (except in limited circumstances) (G.S. 114A-10(6))

▪ Curriculum Related

- Child's course of study and source of any supplementary materials (G.S. 115C-76.35(b)(3))
- Annual parent's guide for student achievement, covering an array of information parents need to know about their child's educational progress and how parents can help their child to succeed in school (G.S. 115C-76.20(b)(2); 115C-76.30(c))
- The manner in which textbooks are used to implement the school's curricular objectives (G.S. 115C-76.35(b)(2))

▪ Information re: Legal Rights of All Parents

- Parental rights and responsibilities with regard to their child's education (G.S. 115C-115C-76.20(b)(1))

▪ Right to Access or Review Information

- All education records relating to child, as authorized by FERPA (G.S. 114A-10(4))
- Statewide standardized assessment results as part of the State report card (G.S. 115C-76.25(a)(3))
- Objectives and materials used in the reproductive health and safety program (G.S. 115C-76.25(a)(1); G.S. 115C-76.35(b)(5); G.S. 115C-81.30 (c))
- LEA's policies on promotion and retention, including high school graduations requirements (G.S. 115C-76.25(a)(6))
- Information regarding the State public education system, State standards, report card requirements, attendance requirements, and textbook requirements (GS. 115C-76.25(a)(8))
- All available records of materials their child has borrowed from a school library (G.S. 115C-76.25(a)(12))
- Textbooks and supplementary materials used in their child's classroom (G.S. 115C-76.35(b)(3))
- Information regarding protected information surveys at least 10 days in advance of administration, to include full text of survey and process for providing consent (G.S. 115C-76.65(b))
- Nature and purpose of clubs and curricular and extracurricular activities offered at child's school (G.S. 115C-76.35(b)(6))

▪ Information that Must be Posted on the School System Website

- List of parental rights provided in G.S. 115C-76.25(a) (or make available electronically) (G.S. 115C-76.25(b))
- Local policy on inspection and review of textbooks and supplementary instructional materials (G.S. 115C-76.35(b)(3))

III. PROCEDURAL RIGHTS

❖ Appeal and Hearing Rights

- To request access to information to which parent is entitled and, thereafter, to appeal to the superintendent and board (G.S. 115C-76.40)
- To resolve concerns regarding required notifications of their child's physical or mental health and, thereafter, to appeal to the State Board of Education or to a court of law (G.S. 115C-76.60)

❖ Other Procedural Rights

- Procedure to object to textbooks and supplementary materials (G.S. 76.35(b)(4))

IV. OPPORTUNITIES FOR PARENT PARTICIPATION GENERALLY

- Parent-Teacher Organizations (G.S. 115C-76.25(a)(9))
- Other opportunities identified in the local parent involvement policies developed in consultation with parents, teachers, administration, and community partners (G.S. 115C-76.35(a))
- Boards are required to adopt policies to promote parental involvement and empowerment that include links to community services, provide opportunities for parental involvement in family involvement programs, and establish opportunities for parents to participate in activities (G.S. 115C-76.35(a))
- Boards are required to adopt policies to provide for parental participation in their child's education to improve parent/teacher cooperation in certain areas (G.S. 115C-76.35(b)(1))