

1.31 Accountability – Parent Bill of Rights

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

The liberty of parents to direct the upbringing, education, health care and mental health of their children is an exclusive fundamental right.

This District shall not infringe on these rights without demonstrating that the compelling governmental interest as applied to the child involved is of the highest order, is narrowly tailored and is not otherwise served by a less restrictive means.

The Superintendent, in consultation with parents, teachers, and administrators, shall develop procedures for parental involvement in the school(s). These shall include:

A. A plan for parent participation in the school designed to improve parent and teacher cooperation in such areas as homework, attendance, and discipline. The plan shall provide for the administration of a parent-teacher satisfaction survey.

B. A method by which parents may learn about the course of study for their children and review learning materials, including the source of any supplemental educational materials.

C. Beginning January 1, 2023, develop procedures by which parents have access to the school's library collection of available books and materials borrowed from the library by their children. Schools are exempt from this procedure if:

1. The school does not have a full-time library media specialist or equivalent position
2. School District libraries that have agreements with county free library districts, municipal libraries, or other entities pursuant to section 15-362, subsection D.

D. A procedure by which parents who object to any learning material or activity on the basis that it is harmful may withdraw their children from the activity or from the class or program in which the material is used and request an alternative assignment. Objection to a learning material or activity on the basis that it is harmful includes objection to a material or activity because it questions beliefs or practices in sex, morality, or religion or, because of sexual content, violent content, or profane or vulgar language.

E. A procedure by which parents or guardians of students enrolled in the District shall have access in advance to the instructional materials, learning materials and activities currently used by, or being considered for use by, the District.

F. A procedure by which the District shall obtain signed, written consent from a student's parent or guardian before using video, audio or electronic materials that may be inappropriate for the age of the student.

G. Procedures to prohibit the School District from providing sex education instruction to a student unless the student's parent provides written permission for the student to participate

in the sex education curricula if the School District offers any sex education curricula pursuant to A.R.S. 15-711 on the requirement to include instruction to students in grades seven (7) through twelve (12) on laws relating to sexual conduct with a minor or 15-716 concerning instruction on immune deficiency syndrome, or pursuant to any rules adopted by the State Board of Education.

H. Procedures by which parents will be notified in advance of and given the opportunity to withdraw their children from any instruction or presentations regarding sexuality in courses other than formal sex education curricula.

I. Procedures by which parents may learn about the nature and purpose of clubs and activities that are part of the school curriculum, extracurricular clubs, and activities that have been approved by the school.

J. Procedures by which parents may learn about parental rights and responsibilities under the laws of this state, including the following:

1. The right to opt in to a sex education curriculum if one is provided by the District.
2. Open enrollment rights pursuant to A.R.S. 15-816.01, relating to the District policies on open enrollment.
3. The right to opt out of assignments pursuant to A.R.S. 1-601, Parents Bill of Rights.
4. The right to opt a child out of immunizations as authorized by A.R.S. 15-873, relating to an outbreak of a communicable disease.
5. The promotion requirements prescribed in A.R.S. 15-701 for students in grades one (1) through eight (8).
6. The minimum course of study and competency requirements for graduation from high school prescribed in A.R.S. 15-701.01.
7. The right to opt out of instruction on the acquired immune deficiency syndrome as provided by A.R.S. 15-716.
8. The right to review their child's standardized norm-referenced test results pursuant to A.R.S. 15-743.
9. The right to participate in gifted programs pursuant as prescribed by A.R.S. 15-779.01.
10. The right to access instructional materials as directed by A.R.S. 15-730.
11. The right to receive the school's annual report card pursuant to A.R.S. 15-746.
12. The school attendance and age requirements for children prescribed in A.R.S. 15-802, 15-803 and 15-821.
13. The right to public review of courses of study and textbooks in the common schools (preschool programs through grade eight [8]), as prescribed in A.R.S. 15-721, and in high schools, prescribed in A.R.S. 15-722.
14. The right to public review of all books and materials purchased after January 1, 2023 for any of the district's school libraries for a period of at least sixty days after the purchase. (Does not apply to material that will replace a lost or damaged book or material) - preschool programs through grade eight [8], as prescribed in A.R.S. 15-721, and in high schools, prescribed in A.R.S. 15-722.
15. The right to be excused from school attendance for religious purposes as described by A.R.S. 15-806.
16. Policies related to parental involvement pursuant to A.R.S. 15-102 and set out herein.
17. The right to seek membership on school councils pursuant to A.R.S. 15-351, describing the purpose, duties, and membership of a school council. [Subject to the exemption of certain school districts exempted as described in A.R.S. 15-352.]
18. Information about the student accountability information system (SAIS) as prescribed in section 15-1042.

19. The right to access the failing schools tutoring fund pursuant to A.R.S. 15-241.
20. The right to access all written and electronic records of a school district or a school district employee concerning a parent's child pursuant to section 15-143.
21. Access to the Arizona Department of Education (DOE) statutory handbook of parental rights, which is posted on the DOE website and is prominently posted on a publicly accessible portion of the District website with a link to the statutory handbook of parental rights with the title and sections as listed below.
 - a. Title 1, chapter 6.
 - b. Section 15-102. x
 - c. Section 15-110.
 - d. Section 15-113.
 - e. Section 15-117.
 - f. Section 15-351.
 - g. Section 15-721.
 - h. Section 15-722.
 - i. Section 15-730.

The District plan under this policy may also include:

A . Making parents aware of this District parental involvement policy, including:

1. Rights under the Family Educational Rights and Privacy Act (FERPA) of 1974, as revised (20 U.S.C. 1232g) relating to access to children's official records.
2. The parent's right to inspect the District policies and curriculum.

B. Efforts to encourage the development of parenting skills.

C. The communication to parents of techniques designed to assist the student's learning experience in the home.

D. Efforts to encourage access to community and support services for children and families.

E. The promotion of communication between the school and parents concerning school programs and the academic progress of the parents' children.

F. Identifying opportunities for parents to participate in and support classroom instruction at the school.

G. Efforts to support, with appropriate training, parents as shared decision makers and to encourage membership on school councils.

H. The recognition of the diversity of parents and the development of guidelines that promote widespread parental participation and involvement in the school at various levels.

I. The development of preparation programs and specialized courses for certificated employees and administrators that promote parental involvement.

J. The development of strategies and programmatic structures at schools to encourage and enable parents to participate actively in their children's education.

K. Provide to parents the information in this policy in an electronic form.

Resumés of all current and former instructional personnel shall be maintained and available for inspection by parents and guardians of pupils enrolled. The resumé shall include individual educational and teaching background and experience in a particular academic content subject area.

For the purposes of this policy parent means the natural or adoptive parent or legal guardian of a minor child.

When a parent submits a written request for information to the Superintendent or a school principal during regular business hours:

A. The Superintendent or principal shall:

1. Deliver the requested information to the parent within ten (10) calendar days, or
2. Provide to the parent a written explanation for denial of the requested information.

B. If the requested information is denied or is not received by the parent within fifteen (15) calendar days:

1. The parent may submit to the Governing Board a written request for the requested information, and
2. The Governing Board shall consider the request at the next scheduled meeting of the Board on which the request can be properly noticed. If the request cannot be properly noticed on the next scheduled meeting agenda, the Governing Board shall formally consider the request at the next subsequent public meeting of the Governing Board.

If a school district violates ARS 15-143(A), a parent may file suit against them in the superior court of the county where the violation occurs. A parent who succeeds in their suit is able to recover:

1. Declaratory Relief
2. Injunctive relief to prevent or remedy a violation or the effects of the violation
3. Reasonable attorney fees and costs
4. Any other appropriate relief

LEGAL REF.:

A.R.S.

1-601

1-602

15-101

15-102

15-110

15-113

15-117

15-143

15-249

15-341

15-351

15-721

15-722

15-730

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