



School District Governance Association of New Hampshire

Model Policy approved Apr. 2, 2022

**Parent Rights and Responsibilities**

Policy Code(s): KB / KBB / KC

| Policy Text  | Annotations   |
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| It is the policy of this school district to recognize and reinforce the parents' role as the primary decision maker and moral authority in the lives of their children.                      |   |
| <b>Parental Approval of Services in Advance</b>  |   |
| The school district shall provide no service to a student without the prior knowledge and approval of the parents, with the exception of adult and emancipated minor students. This includes |   |
| Registration in the education program of the district, as well as registration for individual courses where applicable   | The intent is to ensure that the parent's primary role in selecting the student's academic program is respected. As the student advances, more options become available which have implications for commitments the family may need to make to support their child in programs like CTE, music and theater, STEM programming etc. |
| Registration in sports, clubs and other extracurricular activities   | The intent is to ensure that the parent's primary role in selecting the student's extracurricular program is respected, including parental preferences and priorities for commitments outside the offerings of the school system.   |
| DESSA, lifestyle or attitude surveys   | The intent is to prohibit and prevent the school from engaging students in forms of social and political grooming which undermine parental relationships and decision making  |
| Programming for Social and Emotional Learning, DARE, etc.  | The intent is to prohibit and prevent the school from engaging students in forms of social and political grooming which undermine parental relationships and decision making  |
| Provision of any services under an IEP or Section 504 Special Accommodation  | See reference below to RSA 186-C:7 II Parents Rights in development of IEP  |
| Provision of any medical services  | The intent is to prohibit and prevent the school from establishing confidential professional relationships which undermine parental relationships and decision making.  |
| Enrollment in any Title 1 services, free and reduced lunch, and pre- or post-school day care   |   |
| Excursions outside the school grounds  |   |
| Psychological or counseling services   | The intent is to prohibit and prevent the school from establishing confidential professional relationships which undermine parental relationships and decision making.  |

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| Referrals to external medical, psychological, or counseling services  | The intent is to prohibit and prevent the school from establishing confidential professional relationships which undermine parental relationships and decision making.  |
| Medications, medical testing, vaccinations and/or contraceptives  | The intent is to prohibit and prevent the school from establishing confidential professional relationships which undermine parental relationships and decision making.  |
| Exception: Emergency first aid and transfer to hospital emergency services are excepted, and shall be notified to the parents as promptly as possible.  | Nothing in this policy relieves school staff of their obligations as mandatory reporters if evidence of child abuse or neglect comes to their attention. This is addressed by Policy JHF in the standard policy rubric. |
| Parents are responsible for responding in a timely manner to requests and notifications pertaining to the services proposed or provided to their children, and are responsible for the possibility that their children could miss educational opportunities if parental approval is not provided in a timely manner.  |   |
| The Superintendent shall define procedures by which the professional staff of the district can recommend services to parents, propose a plan for delivery, and obtain parental input and approval to provide such services. The procedure shall include steps to be taken when the parents are unresponsive to communications from the school district.   |   |
| <b>Parental Access to Instructional Materials</b>   |   |
| Parents have the right to access and review all instructional materials which will be used in the educational program for their child, which exists independent of the general public right to know and its applicable limits. Parents who object to specific materials shall be offered a practical means of communicating their objection to school officials. The Superintendent shall establish procedures in support of this policy that provide for alternative instruction that does not include the objectionable material. | See NH RSA 186:11, IX-c in the references below   |
| <b>Notification to Parents of Impacting Events</b>  |   |
| The school district has a duty to promptly notify parents of events impacting their child, particularly when there is a specific impact to their child or their child's class. Examples of subject events include accidents, conflicts requiring staff intervention, evacuation of a classroom for a physical or disciplinary emergency.  |   |
| <b>Non-Discrimination</b>   |   |

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| <p>The district shall treat all similarly situated children equally in matters related to discipline or award of favorable recognition. This right to equal treatment shall include all students, and shall not be limited to the protected classes defined in law.</p> <p>Parents have a right to accountability from the district when they believe their child has not been treated equally. The Superintendent shall establish procedures whereby parents can bring forward claims of unequal treatment. The procedure shall include an option for the parents to escalate to the School Board.</p> | <p>See NH RSA 193:38 Discrimination in Public Schools</p>   |
| <p><b>Access to Student Records</b></p>   |   |
| <p>Parents have the right to access and review all of the student records pertaining to their child, subject to exceptions covered by law. The Superintendent shall establish procedures in support of this policy.</p>   |   |
| <p><b>Access to the Classroom</b></p>   |   |
| <p>Parents have the right to visit their child's classroom with reasonable advance notice and agreement. The Superintendent shall establish procedures for principals and classroom teachers to facilitate and fulfill such requests. The procedures may include reasonable limits on the duration and frequency of such visits.</p>  |   |
| <p><b>Access to Professional Staff</b></p>  |   |
| <p>Parents have the right to correspond and meet with the professional staff who work with their children. The Superintendent shall establish procedures for principals, teachers, and other professional staff to facilitate and fulfill meeting requests. The procedures may include reasonable limits on the duration and frequency of such visits. The procedures shall include an escalation process for parents who are not satisfied that they have been provided sufficient opportunity to communicate with their child's teacher.</p>  |   |
| <p><b>References</b></p>  |   |
| <p>IDEA (Individuals with Disabilities Education Act)</p>   |   |
| <p>The Rehabilitation Act of 1973 (Section 504)</p>   | <p>Children with disabilities who do not qualify for special education but need accommodations or modifications to receive an appropriate education may be entitled to what is known as a 504 Plan. Section 504 prohibits discrimination based on disability in programs and activities that receive federal financial assistance including public pre-schools, elementary, secondary and post-secondary schools.</p> |
| <p>ESSA (Every Student Succeeds Act)</p>  |   |
| <p>FERPA (Family Educational Rights and Privacy Act)</p>  |   |

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| 20 USC 6318, Title I Parental Involvement             | A local educational agency may receive funds under this part only if such agency conducts outreach to all parents and family members and implements programs, activities, and procedures for the involvement of parents and family members in programs assisted under this part consistent with this section. Such programs, activities, and procedures shall be planned and implemented with meaningful consultation with parents of participating children.  |
| 20 USC 1232 h, (c),(1),(C) Protection of Pupil Rights | <p><b>(a) Inspection of instructional materials by parents or guardians</b><br/> All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any applicable program shall be available for inspection by the parents or guardians of the children.</p> <p><b>(b) Limits on survey, analysis, or evaluations</b><br/> No student shall be required, as part of any applicable program, to submit to a survey, analysis, or evaluation that reveals information concerning</p> <ul style="list-style-type: none"> <li>(1) political affiliations or beliefs of the student or the student's parent;</li> <li>(2) mental or psychological problems of the student or the student's family;</li> <li>(3) sex behavior or attitudes;</li> <li>(4) illegal, anti-social, self-incriminating, or demeaning behavior;</li> <li>(5) critical appraisals of other individuals with whom respondents have close family relationships;</li> <li>(6) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;</li> <li>(7) religious practices, affiliations, or beliefs of the student or student's parent; or</li> <li>(8) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program),</li> </ul> <p>without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent.</p> |
| RSA 186-C:7 II Parents Rights in development of IEP   | The parents of a child with a disability have the right to participate in the development of the individualized education program for the child and to appeal decisions of the school district regarding such child's individualized education program as provided in rules adopted in accordance with RSA 541-A by the state board of education.  |

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| <p>RSA 186:11 IX-c Duties of State Board of Education requiring School Districts to establish policy enabling parent-directed opt-out from objectionable course material</p> | <p>Require School Districts to Adopt a Policy Allowing an Exception to Specific Course Material Based on a Parent's or Legal Guardian's Determination that the Material is Objectionable. Such policy shall include a provision requiring the parent or legal guardian to notify the school principal or designee in writing of the specific material to which they object and a provision requiring an alternative agreed upon by the school district and the parent, at the parent's expense, sufficient to enable the child to meet state requirements for education in the particular subject area. The policy shall also require the school district or classroom teacher to provide parents and legal guardians not less than 2 weeks advance notice of curriculum course material used for instruction of human sexuality or human sexual education. The policy shall address the method of delivering notification to a parent or legal guardian. To the extent practicable, a school district shall make curriculum course materials available to parents or legal guardians for review upon request. The name of the parent or legal guardian and any specific reasons disclosed to school officials for the objection to the material shall not be public information and shall be excluded from access under RSA 91-A.</p>   |
| <p>RSA 186:11 IX-d Duties of State Board of Education requiring School Districts to establish policy enabling parent-directed opt-out from non-academic surveys</p>          | <p>Require School Districts to Adopt a Policy Governing the Administration of Non-academic Surveys or Questionnaires to Students. The policy shall require school districts to notify a parent or legal guardian of a non-academic survey or questionnaire and its purpose. The policy shall provide that no student shall be required to volunteer for or submit to a non-academic survey or questionnaire, as defined in this paragraph, without written consent of a parent or legal guardian unless the student is an adult or an emancipated minor. The policy shall include an exception from the consent requirement for the youth risk behavior survey developed by the Centers for Disease Control and Prevention. The policy shall also allow a parent or legal guardian to opt-out of the youth risk behavior survey developed by the Centers for Disease Control and Prevention. The school district shall make such surveys or questionnaires available, at the school and on the school or school district's website, for review by a student's parent or legal guardian at least 10 days prior to distribution to students. In this paragraph, "nonacademic survey or questionnaire" means surveys, questionnaires, or other documents designed to elicit information about a student's social behavior, family life, religion, politics, sexual orientation, sexual activity, drug use, or any other information not related to a student's academics.</p> |

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| NH RSA 193:38 Discrimination in Public Schools              | No person shall be excluded from participation in, denied the benefits of, or be subjected to discrimination in public schools because of their age, sex, gender identity, sexual orientation, race, color, marital status, familial status, disability, religion, or national origin, all as defined in RSA 354-A.  |
| RSA 193:40 Prohibition of Teaching Discrimination           | This new section of NH state law implements the divisive concepts protection enacted in 2021.  |
| IGE Parental Objections to Specific Course Material         | Reference to the appropriate policy in the district policy book where applicable.  |
| RSA 141-C:20-c Communicable Disease Immunization Exemptions | A child shall be exempt from immunization if:<br>...<br>II. A parent or legal guardian objects to immunization because of religious beliefs. The parent or legal guardian shall sign a notarized form stating that the child has not been immunized because of religious beliefs.  |
| Policy KBBA Custodial and Non-Custodial Parents             | Reference to the appropriate policy in the district policy book defining how parental rights are applied in varying family situations.   |
| RSA 189:72 Child Abuse or Neglect Information               | The school board of each public school and chartered public school shall post in a clearly visible location in a public area of the school that is readily accessible to students a sign that is provided in an electronic or printed form by the division for children, youth, and families, and that contains the telephone number operated by the New Hampshire division for children, youth, and families of the department of health and human services, to receive reports of child abuse or neglect and instructions on how to access the division for children, youth, and families website. |
| RSA 193:1 Duty of Parent; Compulsory Attendance by Pupil    | I. A parent of any child at least 6 years of age and under 18 years of age shall cause such child to attend the public school to which the child is assigned in the child's resident district.   |
| RSA 169-C Child Protection Act                              | Requirements for mandatory reporting of abuse or neglect   |