

## PARENTAL RIGHTS

The Board of Trustees encourages parents/guardians to be involved in their student's school activities and academic progress. The Board of Trustees recognizes the fundamental rights and responsibilities of parents and guardians as the primary stakeholders in the education of their children. The Board affirms that decisions regarding the upbringing and control of children primarily belong to their parents or guardians.

As stated in Article IX, Section 1 of the Idaho Constitution, the Board is responsible to comply with the laws and rules enacted by "the Legislature to establish and maintain a general, uniform and thorough system of public, free common schools." The Board is legally mandated to adhere to state and federal laws, rules, and regulations including the Constitution of the State of Idaho, the rules of the Idaho State Board of Education (Idaho Administrative Procedures Act), and federal education laws, rules, and regulations.

Based upon the above provisions, as well as the State's adopted requirements for advancement and graduation, Bonneville School District 93 establishes practices, policies, and procedures, including approved curricular resources and assessments. Failure to follow the District's practices, policies, and procedures as well as the school's curriculum and assessment program amounts to a violation of State and/or federal laws, rules, and regulations by the District, including but not limited to the failure to provide a general, thorough, free, and uniform system of public education as well as putting the District's operations and funding in jeopardy.

Parents/guardians and students are expected to abide by the District's practices, policies, and procedures governing the operation of the schools which are required by various State and/or federal laws, rules, and regulations. Parents and educators are encouraged and expected to work together to design success for each child including collaborating on issues related to student attendance, discipline, academic progress and school activities.

### 1. Reasonable Accommodations

- a. A student's parent/guardian has the right to reasonable academic accommodations, meaning that the the school shall make its best effort to enable a parent/guardian to exercise their rights without substantial impact to District staff and resources, including:
  - i. Employee working conditions,
  - ii. Safety and supervision on school premises for school activities, and
  - iii. The efficient allocation of expenditures.

- b. Consideration of accommodations that are requested as part of students' 504 Plans, Individual Education Plans (IEPs), and/or medical plans will follow the criteria specified in the relevant Board policy, IDAPA rule, and state and federal laws that govern those plans:
  - i. Board Policy 2411 Section 504 Students
  - ii. Board Policy 2400 Provision of Special Education
- c. Parents and guardians must submit requests for academic accommodations to the classroom teacher and the school principal using Form 2428F1: Request for Academic Accommodations. A link to this form shall be published in the online posting page for Board policies.
  - i. Pursuant to Board Policy 2340 Controversial Issues and Academic Freedom, teachers shall notify parents / guardians at least five (5) school days prior to teaching any issues that may reasonably be anticipated to conflict with parents' firmly held beliefs, values or principles.
  - ii. The Request for Accommodations should be submitted at least three (3) school days prior to the activity provided that the classroom teacher has informed parents and guardians of planned learning activities at least five (5) days before beginning the activity.
  - iii. If the classroom teacher has not notified parents / guardians five (5) days prior to the activity, then the school shall make its best effort to provide the requested accommodation as soon as possible upon receiving the request.
- d. In making determinations regarding the reasonableness of requested accommodations, the school will strive to balance the rights of parents/guardians, the educational needs of other students, the academic and behavioral impacts to a classroom, a teacher's workload, and the assurance of the safe and efficient operations of the school.
- e. The classroom teacher, school principal, and other relevant staff members shall review the requested accommodations to determine if they can reasonably be provided and communicate that decision to the parent within two (2) school days of receiving the request.
- f. If the school determines that a requested accommodation is not reasonable according to the provisions of this policy, the parent/guardian may request a meeting to review that decision with the school principal, and, if necessary, the Superintendent/designee, and the Board of

Trustees by following Board Policy 4110 Public Complaints and Grievances.

## **2. Plans for Parent Participation**

- a. Each school shall follow the expectations established in Board Policy 4165 Parental Involvement to develop a plan to improve collaboration between teachers and parents/guardians in areas including homework, attendance, and discipline.

## **3. Review of Educational Materials**

- a. Pursuant to Idaho Code §33-6001, parents / guardians have the right to learn about the course of study for their children and to review curricular materials including the source of any supplemental curricular materials that teachers plan to use for any course in which their children are enrolled.
- b. Teachers are expected to inform parents of the course of study for their children by providing a course syllabus at the beginning of each grading period and / or by providing an overview of each unit of instruction.
- c. Parents / guardians may submit a request to review all learning materials (defined in Board Policy as “curricular resources”), including the source of any supplemental educational materials (defined in Board Policy as “supplemental curricular resources”) using Form 2428F2: Request to Review Curricular Resources.
  - i. Within three (3) school days of the submission of the request, the school principal and / or classroom teacher will provide the parents / guardians the opportunity to review the requested materials.

## **4. Objections to Curricular Materials or Learning Activities**

- a. Parents/guardians may object to approved curricular materials by following the process established in Board Policy 2540 Selection and Adoption of Curricular Materials.
- b. A parent/guardian who objects to any learning material or activity on the basis that it harms the child or impairs the parents’ firmly held beliefs, values or principles may withdraw their child from the activity, class or program in which the material is used by submitting the request in writing using Form 2428F: Request for Academic Accommodations. A link to this form shall be published in the online posting page for Board policies.
  - i. A parent/guardian who requests to withdraw their child from participation in an educational activity shall be responsible to

identify and provide non-disruptive alternative educational activities for their child during the time of withdrawal, at no additional cost to the District.

- ii. If the student cannot participate in the alternative learning activity without disrupting the normal classroom environment, then the school principal/designee and parent should agree on an alternative location for the student until the activity is completed.
- c. **Withdrawing from Class or Programs.** Students whose parents/guardians submit a request using Form 2428F to withdraw them from a class on the basis that it harms the child or impairs the parents' firmly held beliefs, values or principles within twenty (20) school days of the start of the grading period shall not have the class reported on their high school transcript. If the request is received after twenty (20) school days from the start of the grading period, the course shall be reported on the transcript with a grade of Incomplete.
  - i. To request an exception to this provision, parents/guardians must request a meeting with the school principal and teacher within five (5) school days of the student withdrawing from the class.
- d. In the case of dual credit courses offered by an institution of higher education, academic accommodations and excusing students from objectionable assignments is solely at the discretion of the course provider and not the District. The District has no control over the selection, adoption and removal of curricular materials and it is the responsibility of the parent to have knowledge of and/or review such prior to student enrollment.
- e. If the teacher and parents/guardians cannot agree to a reasonable accommodation, parents may request a meeting with the school principal, and, if necessary, the Superintendent/designee, and the Board of Trustees by following Board Policy 4110 Public Complaints and Grievances.

#### **5. Parental Notification Regarding Changes in Mental, Emotional, or Physical Health or Well-Being**

- a. All provisions regarding notifications to parents/guardians will be subject to all relevant state and federal laws.
- b. School principals or their designee shall notify a parent/guardian of known changes to a student's mental, emotional, or physical health or well-being unless such change relates to physical abuse, abandonment, or neglect by the parent or legal guardian.

- c. Unless otherwise precluded by relevant state and federal laws, school employees should follow these steps in making such notifications.
  - i. If a school employee has direct evidence that a change to a student's mental, emotional, or physical health or well-being is impacting the student's ability to learn, the employee shall inform the school principal/designee of their concerns.
    - 1. If school employees deem it necessary, they may inform the student's parents/guardians directly of their concerns.
    - 2. School employees may also notify the Superintendent/designee if they have compelling reasons to not inform the school principal of their concerns.
  - ii. Upon receiving a report from a school employee, the school principal/designee shall notify the parents/guardians of the student about the reported concerns using a District-approved method of communication. Notifications shall be limited to the observed changes, and may not extend to offering speculation, recommendations, and/or a diagnosis outside the staff member's area of expertise and licensure.
  - iii. However, before notifying parents/guardians, the school principal may meet with other staff members who have direct knowledge of the student to verify the concern and to gain a deeper understanding regarding the observed change.
    - 1. If the concern is verified to be a known change by other staff members, the school principal or a designated staff member shall notify the student's parents/guardians of the observed change using a District-approved method of communication.
    - 2. If the concern is not verified as a known change by other relevant staff members, the principal shall retain notes regarding the notification for sixty (60) school days.
  - iv. Records of such notifications should be noted as a confidential log entry in the District student information system (SIS).
  - v. Schools shall not adopt procedures, policies, or student support forms that prohibit public school personnel from notifying a parent or legal guardian about a student's mental, emotional, or physical health or well-being or a change in related services or monitoring.

## **6. Encouraging Student and Parental Discussions**

- a. Staff shall encourage students to discuss issues related to their well-being with the student's parent or legal guardian unless such change relates to reported or observed physical abuse, abandonment, or neglect by the parent or legal guardian.

When such changes are related to reported or observed physical abuse, abandonment, or neglect, school employees shall follow the process established in Board Policy 5260 Reporting Abuse Abandonment or Neglect to report their observations to law enforcement or child protective services per state law.

- b. If requested, school principals, teachers, school counselors, or social workers may facilitate discussions of such changes with the student and their parents/guardians. Additional trained staff may be asked to support the meeting.
- c. In the case of a potential conflict of interest or potential violation of confidential information, the Superintendent/designee may authorize an independent third-party to facilitate discussions between the student and their parents/guardians.
- d. Schools shall not adopt procedures, policies, or student support forms that encourage or have the effect of encouraging a student to withhold from a parent or legal guardian information about a student's mental, emotional, or physical health or well-being.

### **Grievances**

A parent/guardian who feels the District has violated their rights, as described in this policy and otherwise provided in IC 33-6001 may file a grievance as described in Policy 4110 Public Complaints and Grievances and according to relevant state and federal laws, rules, and regulations.

### **Annual Notice**

Annual notification of District policies for parents/guardians will be made available on the District's webpage. It is the responsibility of parents/guardians to read and become informed of the contents, requirements, and expectations of these policies. Hard copies will be made available upon request.

### **DEFINITIONS**

**Reasonable Academic Accommodation:** means the school shall make its best effort to enable a parent/guardian to exercise their rights without substantial impact to District staff and resources, including the following:

- Employee working conditions,
- Safety and supervision on school premises for school activities, and
- The efficient allocation of expenditures.

**Direct Evidence:** pursuant to Idaho Code § 33-512B, means “evidence which directly proves a fact without inference and which in itself, if true, conclusively establishes that fact.”

**Emotional Health:** means a person’s ability to cope with and be aware of their own emotions, both positive and negative.

**Known Change to Student’s Mental Health, Emotional Health or Well-Being:** means having direct evidence of a noticeable recurring difference of behavior from the typical for an individual student that impacts their ability to learn. It may also mean a single indication of danger to self or others.

**Known Change to Student’s Physical Health:** means having direct evidence of a noticeable lingering difference in physical ability or illness that is not typical for an individual student that impacts their ability to learn.

### **Learning Objectives:**

**Mental Health:** means the state of health of somebody’s mind.

**Physical Health:** means the condition of a person’s body and the extent to which it is free from illness or is able to resist illness.

**Well-Being:** means a person’s sense of feeling healthy and happy.

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09-13-2023

Cross Reference: Student and Family Privacy Rights #2140  
Homebound, Hospital and Home Instruction #2380  
Provision of Special Education #2400  
Section 504 students #2411  
Public Complaints and Grievances #4110  
Parental Involvement in Title 1 Schools #4165  
Reporting Abuse Abandonment or Neglect #5260

## INSTRUCTION

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Legal Reference: Idaho Constitution Article IX Education and School Lands  
Idaho Code § 33-512B Suicidal Tendencies-Duty to Warn  
Idaho Code § 32-1010 Intent of the Legislature – Parental rights  
Idaho Code § 32-1012 Parental right to direct the education of children  
Idaho Code § 32-1013 Interference with fundamental parental rights restricted  
Idaho Code § 33-6001 Parental rights  
Idaho Code § 33-6002 Annual notice of parental rights  
IDAPA §§ 08.01-.04 State Board of Education and State Department  
of Education Administrative Rules