

**POLICY TITLE: PARENTAL RIGHTS**

The Board of Trustees is mandated to adhere to 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), the rules and regulations of the Idaho State Department of Education, the laws, rules and regulations of the federal government and the U.S. Department of Education as well as educational provisions outlined in the Idaho Code. These mandates include the requirement stated at Article IX, Section 1 of the Idaho Constitution that it is “. . . the duty of the Legislature of Idaho to maintain a general, uniform and thorough system of public, free common schools.”

Based upon the above provisions, as well as the State’s mandated requirements for advancement and graduation, the Agency has established its practices, policies, and procedures as well as the approved curriculum and assessment program. The failure to follow the Agency’s practices, policies, and procedures as well as the school’s curriculum and assessment program amounts to the Agency’s violation of state and/or federal laws, rules, and regulations, including but not limited to the failure to provide a general, thorough, free and uniform system of public education as well as putting the Agency’s operations and funding in jeopardy.

The mandates upon the Agency include State enacted parental rights legislation. The provisions and allowances in the Parental Rights legislation must be read consistent with and in conjunction with other existing state and federal education mandates. Therefore, parents and students are expected to abide by the Agency’s practices, policies, and procedures governing the operation of the schools which are required by various state and/or federal laws, rules, and regulations.

If a parent has an objection to the Agency’s implementation of various mandates through the Agency’s practices, policies and procedures, the appropriate avenue for the parent is to first seek to address such concerns through communication with the school’s administration. Should that avenue not resolve the situation, a parent is free to address such concerns with the Board of Trustees in conformance with Board policy regarding public participation at Board meetings.

A parent who has objection to their child's participation in the Agency's adopted curriculum and/or the Agency's implementation of practices, policies, and procedures in accordance with educational mandates, with the exception of sex education curriculum, as provided for in Idaho Code, and who chooses to not have their child participate in the provided educational activity, shall be responsible for identification and provision of non-disruptive alternative educational activities for their child during any time of objection, at no cost to the Agency. The final decision as to the placement of such alternative educational activity shall be at the discretion of the Agency, with input of the parent, consistent with the requirements for advancement and graduation.

### Parents' Right-to-Know Notices

*NOTE: This list of parental notice requirements is limited to those required by ESSA 20 USC § 6312(e), other notices to parents are found in other policies. The notices described in this policy are paraphrased; please see the specific ESSA section cited for the exact requirements.*

### Student Privacy

1. The student privacy policies developed by the Agency shall provide for reasonable notice of the adoption or continued use of such policies directly to the parents of students enrolled in schools served by the Agency. At a minimum, the Agency shall provide such notice at least annually at the beginning of the school year and within a reasonable period of time after any substantive change in such policies; and offer an opportunity for the parent to opt the student out of the activity.
2. The Agency shall provide reasonable notice of such existing policies to parents and guardians of students, e.g., *"The Board has adopted and continues to use policies regarding student privacy, parental access to information, and administration of certain physical examinations to minors. Copies of those policies are available on request."*

### Program Notices to Parents Format

The notice and information provided to parents under this policy shall be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents of English Learners can understand.

## LEGAL REFERENCES:

Idaho Constitution Article IX  
I.C. § 32-1010 Intent of the Legislature – Parental Rights  
I.C. § 32-1012 Parental Right to Direct the Education of Children  
I.C. § 32-1213 Interference with Fundamental Parental Rights Restricted  
I.D.A.P.A. 08, Titles .01, .02, .03 and .04  
20 U.S.C. § 6311et seq. State Plans  
20 U.S.C. § 6312(e) Parents Right to Know  
20 U.S.C. 1414(d) Individuals with Disabilities Education Act  
20 U.S.C. 6318 Parental Involvement, as amended by ESSA of 2015  
20 U.S.C. § 6321 Fiscal Requirements  
20 U.S.C. § 7912 Unsafe School Choice Option  
20 U.S.C. §§ 1232g, et seq., Family Education Right to Privacy Act

## POLICY HISTORY:

**Adopted: Adopted 9/21/2015**

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