



**GOVERNING BOARD AGENDA ITEM  
AMPHITHEATER UNIFIED SCHOOL DISTRICT NO. 10**

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**DATE OF MEETING:**            **November 16, 2010**

**TITLE:**     **Study of Draft Governing Board Policy Regarding a Parent Bill of Rights**

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**BACKGROUND:** As the Board has previously studied, the Arizona Legislature enacted SB1309 during its last session, which created a new statute, A.R.S. § 1-601, that makes two declarations: (A) the liberty of parents to direct the upbringing, education, health care and mental health of their children is a fundamental right, and (B) this state, any political subdivision of this state or any other governmental entity 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 bill also created A.R.S. 1-602, known as the "Parent's Bill of Rights" and made substantial revisions to A.R.S. 15-102 pertaining to parental involvement in the school. The parental rights required by 15-102 are largely embodied in already existing governing board policies and laws, such as the federal No Child Left Behind Act, the Hatch Amendment, and the Pupil Rights Amendment. Nonetheless, Senate Bill 1309 specifies that each school district governing board adopt a policy to promote the involvement of parents and guardians in schools and to set out parent rights.

At a minimum, the policy to be adopted by each governing board is to include the following:

- procedures by which parents may learn about and review the source of any supplemental education materials;
- procedures to prohibit a school district from providing sex education instruction to a pupil unless the pupil's parent provides written permission for the child to participate in the curricula;
- procedures by which parents will be notified in advance of an given the opportunity to withdraw their children from any instruction or presentations regarding sexuality in courses other than formal sex education curricula; and 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.
- the right to opt in to a sex education curriculum if one is provided by the school district;
- open enrollment rights;
- the right to opt out of immunizations and assignments;
- the competency requirements to promote a pupil from one grade to the next;
- the minimum course of study and competency requirements for graduation from high school;
- the right to opt out of instruction on AIDS;
- the right to review test results, access instructional materials and receive a school report card;
- the right to participate in gifted programs;
- attendance requirements;
- the right to public review of courses of study and textbooks;
- the right to be excused from school attendance for religious purposes;
- policies related to parental involvement;
- the right to participate in a parental satisfaction survey;
- information about the student accountability information system; and
- the right to access the Failing Schools Tutoring Fund.

The bill allows the governing board to provide information to parents in an electronic form, and also creates procedures for a parent to request information from a school or school district and states that if the request is denied or the parent does not receive the information they may request that the Board hear the request.

As the Board has previously been informed, current Governing Board policies, District regulations, and state and federal law already guarantee each of the "rights" or privileges which the bill requires. Revisions to Policy KB however, have been prepared which would direct the Superintendent to ensure that parents are informed of these rights and privileges that do exist under law and district policy. The draft is attached. As is typically the case, revisions to existing policy language are in redline format, with deletions shown in ~~striketrough text~~ and additions shown in underlined text.

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**RECOMMENDATION:** This item is presented for study and direction at this time only. Following Board study, this draft will be presented at a future Board meeting for finalization and adoption.

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**INITIATED BY:**



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Todd A. Jaeger, Associate to the Superintendent

Date: November 8, 2010



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Vicki Balentine, Ph.D., Superintendent

K-0150 © KB  
PARENT INVOLVEMENT IN EDUCATION

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

- A plan for parent participation in the school designed to improve parent and teacher cooperation in such areas as homework, attendance, and discipline.
- 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.
- 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. 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. 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 student 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.
- 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.
- 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.
- Procedures by which parents may learn about parental rights and responsibilities under the laws of this state, including the following:
  - The right to opt in to a sex education curriculum if one is provided by the District.
  - Open enrollment rights pursuant to A.R.S. 15-816.01, relating to the District policies on open enrollment.
  - The right to opt out of assignments pursuant to A.R.S. 1-601, Parents Bill of Rights. [See exhibit KB-EA]
  - The right to opt out a child out of immunizations as authorized by A.R.S. 15-873, relating to an outbreak of a communicable disease.
  - The promotion requirements prescribed in A.R.S. 15-701 for students in grades one (1) through eight (8).
  - The minimum course of study and competency requirements for graduation from high school prescribed in A.R.S. 15-701.01.
  - The right to opt out of instruction on the acquired immune deficiency syndrome as provided by A.R.S. 15-716.
  - The right to review their child's standardized nor-referenced test results pursuant to A.R.S. 15-743.

- The right to participate in gifted programs pursuant as prescribed by A.R.S. 15-779.01.
- The right to access instructional materials as directed by A.R.S. 15-730.
- The right to receive the school's annual report card pursuant to A.R.S. 15-746.
- The school attendance and age requirements for children prescribed in A.R.S. 15-802, 15-803 and 15-821.
- 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.
- The right to be excused from school attendance for religious purposes as described by A.R.S. 15-806.
- Policies related to parental involvement pursuant A.R.S. 15-102 and set out herein.
- The right to representation on school councils pursuant to A.R.S. 15-351, describing the purpose, duties, and membership of a school council.
- The right to participate in a parental satisfaction survey to be distributed to the parent of every child enrolled at the school, pursuant to A.R.S. 15-353.
- Information about the student accountability information system (SAIS) as prescribed in section 15-1042.
- The right to access the failing schools tutoring fund pursuant to A.R.S. 15-241.
- Resumes of all current and former instructional personnel shall be maintained and available for inspection of parents and guardians of pupils enrolled. The resume shall include individual educational and teaching background and experience in a particular academic content subject area.

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

- The Superintendent or principal shall:
  - Deliver the requested information to the parent within ten (10) calendar days, or
  - Provide to the parent a written explanation for denial of the requested information.
- If the requested information is denied or is not received by the parent within fifteen (15) calendar days:
  - The parent may submit to the Governing Board a request for the requested information, and
  - 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.

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

Adopted: January 12, 2010

LEGAL REF.: A.R.S. 15-101  
15-102  
15-341

CROSS REF.: ABA - Community Involvement in Education  
IHBD - Compensatory Education  
IJ - Instructional Resources and  
KDB - Public's Right to Know/Freedom of Information