



Book	Policy Manual
Section	5000 Students
Title	STUDENT/PARENT RIGHTS
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### 5780 - **STUDENT/PARENT RIGHTS**

The School Board recognizes that students possess not only the right to an education but the rights of citizenship as well. Federal and state law prohibits the Board from adopting any policy or rule, or from entering into any agreement, that infringes upon or waives the rights of freedoms afforded to students by the United States Constitution.

In providing students the opportunity for an education to which they are entitled, the District shall attempt to offer nurture, counsel, and custodial care appropriate to their age and maturity. The District shall, at the same time, guarantee that no student is deprived of the basic right to equal treatment and equal access to the educational program, due process, a presumption of innocence, free expression and association, and the privacy of his/her own thoughts.

Attendant to the rights guaranteed to each student, however, are certain responsibilities, which include respect for the rights of others, obedience to properly constituted school authority, and compliance with the procedures and rules of the District.

The Board realizes that as students differ in age and maturity, so they differ in ability to handle both the rights of citizens and the concomitant responsibilities. The exercise of each right shall be granted, therefore, with due regard for the degree of responsibility possessed by the student and the student's need for the continuing guidance and control of those responsible for his/her education.

Since a student who has reached the age of majority possesses the full rights of an adult, s/he may authorize those school matters previously handled by his/her parents, but s/he also assumes the responsibility for his/her performance in school, attendance, and compliance with school rules.

All K-12 students in Florida are entitled to a uniform, safe, secure, efficient, and high-quality system of education, one that allows students the opportunity to obtain a high-quality education. Parents are responsible to ready their children for school; however, neither the state of Florida nor the District can be a guarantor of any individual student's success. Parents and guardians are encouraged to visit the Parents & Students Link at [yourcharlotteschools.net](http://yourcharlotteschools.net) for valuable information pertaining to this policy.

#### Parental Access at School

Each parent has the right to pick up, visit, and meet with his/her student at school, without interference of or the need for consent from the other parent, unless the school has received a certified copy of an enforceable court order that provides to the contrary. The Principal may restrict the times, location, frequency, and length of parent visitations at school, based on legitimate pedagogical or scheduling reasons. The District will abide by enforceable no contact orders which have been provided to the school.

#### Educational Decisions

Both parents have an equal right to make decisions about the education and welfare of their student unless the school has received a certified copy of an enforceable court order that specifies that one of the parents, or someone else, has the sole right to make educational and/or general welfare decisions for the student.

If the parents cannot agree on a significant decision about the student's education or on matters affecting the health, safety, or welfare of the student, the school will take action based on what it considers to be in the best interests of the child.

## Attendance

### A. Termination of Enrollment

A student who attains the age of sixteen (16) years during the school year has the right to file a formal declaration of intent to terminate school enrollment if the declaration is signed by the parent. The parent has the right to be notified by the District of its receipt of the student's declaration of intent to terminate school enrollment; (see also Policy 5130 - Withdrawal from School)

### B. Married or Pregnant

Students who become or have become married or who are pregnant and parenting have the right to attend school and receive the same or equivalent educational instruction as other students; (see also Policy 5751 - Parental-Married Status of Students)

### C. Compulsory Attendance

Parents of students who have attained the age of six (6) years by February 1st of any school year but who have not attained the age of sixteen (16) years must comply with the compulsory school attendance laws. Parents have the option to comply with the school attendance laws by attendance of the student in a public school; a parochial, religious, or denominational school; a private school; a home education program; or a private tutoring program; (see also Policy 5112 - Entrance Requirements and Policy 5200 - Attendance)

### D. Absence for Religious Purposes

A parent of a student may request and be granted permission for absence of the student from school for religious instruction or religious holidays; (see also Policy 5223 - Absences for Religious Instruction and Policy 5225 - Absences for Religious Holidays)

### E. Dropout Prevention and Academic Intervention Programs

The parent of a student has the right to receive written notice by certified mail prior to placement of the student in a dropout prevention and academic intervention program. The parent will be notified in writing and entitled to an administrative review of any action by school personnel relating to the student's placement;

### F. Absence for Treatment of Autism Spectrum Disorder

A parent of a student may request and be granted permission for absence of the student from school for an appointment scheduled to receive a therapy service provided by a licensed health care practitioner or behavior analyst certified pursuant to Florida law for the treatment of autism spectrum disorder including, but not limited to, applied behavioral analysis, speech therapy, and occupational therapy.

## Health Issues

### A. School-Entry Health Examinations

The parent of any student shall be exempt from the requirement of a health examination upon written request stating objections on religious grounds; (see also Policy 5112 - Entrance Requirements)

### B. Immunizations

The parent of any student shall be exempt from the school immunization requirements upon meeting any of the specified exemptions; (see also Policy 5320 - Immunizations and Policy 5112 - Entrance Requirements)

### C. Biological Experiments

Parents may request that their child be excused from performing surgery or dissection in biological science classes;

### D. Reproductive Health and Disease Education

A public school student whose parent makes written request to the school Principal shall be exempted from the teaching of

reproductive health or any disease, including HIV/AIDS; (see also Policy 2417 - Comprehensive Health Education)

#### E. Contraceptive Services to Students

Students may not be referred to or offered contraceptive services at school facilities without the parent's consent;

#### F. Career Education Courses Involving Hazardous Substances

High school students must be given safety glasses or devices in career education courses involving the use of hazardous substances likely to cause eye injury;

#### G. Substance Abuse Reports

The parent of a student must be timely notified of any verified report of a substance abuse violation by the student;

#### H. Inhaler Use

Asthmatic students whose parent and physician provide their approval to the school Principal may carry a metered-dose inhaler on their person while in school. The school Principal shall be provided a copy of the parent's and physician's approval;

#### I. Epinephrine Use and Supply

A student who has experienced or is at risk for life-threatening allergic reactions may carry an epinephrine auto-injector and self-administer epinephrine by auto-injector while in school, participating in school-sponsored activities, or in transit to or from school or school-sponsored activities if the school has been provided with written parental and physician authorization;

The School District shall be indemnified by the parent of a student who is authorized to carry an epinephrine auto-injector for any and all liability with respect to the student's use of an epinephrine auto-injector pursuant to this policy.

The District and its employees and agents, including the physician who provides the standing protocol for school epinephrine auto-injectors, are not liable for any injury arising from the use of an epinephrine auto-injector administered by trained school personnel who follow the adopted protocol and whose professional opinion is that the student is having an anaphylactic reaction:

1. Unless the trained school personnel's action is willful and wanton;
2. Notwithstanding that the parents or guardians of the student to whom the epinephrine is administered have not been provided notice or have not signed a statement acknowledging that the School District is not liable; and
3. Regardless of whether authorization has been given by the student's parents or guardians or by the student's physician, physician's assistant, or advanced registered nurse practitioner;

#### J. Diabetes Management

The District may not assign a student who has diabetes to a particular school on the basis that the student has diabetes, that the school does not have a full-time school nurse, or that the school does not have trained diabetes personnel;

Diabetic students whose parent and physician provide their written authorization to the school Principal may carry diabetic supplies and equipment on their person and attend to the management and care of their diabetes while in school, participating in school-sponsored activities, or in transit to or from school or school-sponsored activities, to the extent authorized by the parent and physician and within the parameters set forth by State Board of Education rule. The written authorization shall identify the diabetic supplies and equipment that the student is authorized to carry and shall describe the activities the child is capable of performing without assistance, such as performing blood-glucose level checks and urine ketone testing, administering insulin through the insulin-delivery system used by the student, and treating hypoglycemia and hyperglycemia.

The District and its employees and volunteers shall be indemnified by the parent of a student who is authorized to carry diabetic supplies or equipment for any and all liability with respect to the student's use of such supplies and equipment pursuant to this policy.

#### K. Use of Prescribed Pancreatic Enzyme Supplements

A student who has experienced or is at risk for pancreatic insufficiency or who has been diagnosed as having cystic fibrosis may carry and self-administer a prescribed pancreatic enzyme supplement while in school, participating in school-sponsored activities, or in transit to or from school or school-sponsored activities, IF the school has been provided with written

authorization from the student's parent and prescribing practitioner;

The District and its employees and volunteers shall be indemnified by the parent of a student who is authorized to use prescribed pancreatic enzyme supplements for any and all liability with respect to the student's use of the supplements under this policy.

#### L. Involuntary Examinations of Students

Before a Principal contacts a law enforcement officer for possible removal of a student from school for involuntary examination, the Principal must verify that the school has used de-escalation strategies and initiated outreach to a mobile response team, unless the Principal reasonably believes that any delay in removing the student will increase the likelihood of harm to the student or others;

The Principal shall make a reasonable attempt to notify a parent of a student before the student is removed from school, school transportation, or a school-sponsored activity to be taken to a receiving facility for an involuntary examination pursuant to F.S. 394.463. Reasonable attempt to notify means the exercise of reasonable diligence and care by the Principal to make contact with the student's parent, guardian, or other known emergency contact whom the student's parent or guardian has authorized to receive notification of an involuntary examination. At a minimum, the Principal must take the following actions:

1. Use available methods of communication to contact the student's parent, guardian, or other known emergency contact including, but not limited to, telephone calls, text messages, e-mails, and voicemail messages following the decision to initiate an involuntary examination of the student;
2. Document the method and number of attempts made to contact the student's parent, guardian, or other known emergency contact, and the outcome of each attempt;

The Principal who successfully notifies any other known emergency contact may share only the information necessary to alert such contact that the parent or caregiver must be contacted. All such information must be in compliance with federal and state law.

The Principal may delay the required notification for no more than twenty-four (24) hours after a student is removed if:

1. The Principal deems the delay to be in the student's best interest and if a report has been submitted to the central abuse hotline, pursuant to F.S. 39.201, based upon knowledge or suspicion of abuse, abandonment, or neglect); or
2. The Principal reasonably believes that such delay is necessary to avoid jeopardizing the health and safety of the student;

#### M. Sun-protective Measures in School

A student may possess and use a topical sunscreen product while on school property or at a school-sponsored event or activity without a physician's note or prescription if the product is regulated by the United States Food and Drug Administration for over-the-counter use to limit ultraviolet light-induced skin damage.

### Discipline

#### A. Suspension

A student may be suspended only as provided by policy of the District. A good faith effort must be made to immediately inform the parent by telephone of the student's suspension and the reason. Each suspension and the reason must be reported in writing within twenty-four (24) hours to the parent by United States mail. A good faith effort must be made to use parental assistance before suspension unless the situation requires immediate suspension; (see also Policy 5610 - Removal, Suspension, and Expulsion of Students)

A student with a disability may only be recommended for suspension or expulsion in accordance with State Board of Education rules.

#### B. Expulsion

Public school students and their parents have the right to written notice of a recommendation of expulsion, including the charges against the student and a statement of the right of the student to due process. (see also Policy 5610 - Removal, Suspension, and Expulsion of Students)

### Safety

Students who have been victims of certain felony offenses by other students, as well as the siblings of the student victims, have the right to be kept separated from the student offender, both at school and during school transportation.

### Educational Choice

#### A. Public School Choices

Parents may seek whatever public school options are applicable and available to students in the School District;

Options also include the public educational choice options of the Hope Scholarship Program (see Policy 2371 - Hope Scholarships), the Opportunity Scholarship Program and the McKay Scholarships for Students with Disabilities Program. (see also Policy 2370 - Educational Options, and Policy 2370.01 - Virtual Instruction).

#### B. Private School Choices

Parents may seek private educational choice options under certain programs established under F.S. Chapter 1002;

#### C. Home Education

The parent may choose to place the student in a home education program, in accordance with state law; (see also Policy 9270 - Home-Education Programs)

#### D. Private Tutoring

The parent of a student may choose to place the student in a private tutoring program in accordance with state law;

#### E. Reading Scholarships

The parent of a student in grades 3 through 5 who scored below a Level 3 on the third or fourth grade statewide, standardized English Language Arts (ELA) assessment in the prior school year may seek a reading scholarship in accordance with state law;

By September 30th of each year, the District will notify the parent of each student in grades 3 through 5 who scored below a Level 3 on the statewide, standardized ELA assessment in the prior school year of the process to request and receive a reading scholarship, subject to available funds.

#### F. Request to Transfer to Different Classroom Teacher

Although parents do not have a right to choose a specific classroom teacher, parents may request that their child be transferred to a different classroom teacher. As part of the request, the parent must state with specificity the grounds supporting the request. Requests must be in writing. The written request must be given to the principal;

All requests for a student to be transferred to another classroom teacher shall be considered by the Principal or his/her designee. Within two (2) weeks of receiving a written request, the Principal or his/her designee shall notify the parent in writing as to whether the request is approved or denied. If denied, the Principal or his/her designee shall specify the reasons for the denial.

#### G. A parent whose student is assigned an out-of-field teacher may request that their child be transferred to an in-field classroom teacher within the school and grade in which the student is currently enrolled. Although parents do not have a right to choose a specific classroom teacher, parents may request that their child be transferred. Request must in writing. The written request must be signed and given to the principal.

All requests for a student to be transferred to another classroom teacher shall be considered by the principal. Within two (2) weeks of receiving the written request, the principal shall notify the parent in writing as to whether the request is approved or denied.

If an in-field teacher for the student's course and grade level is employed by the school and the transfer would not violate maximum class size requirements, the request shall be approved. The student shall be transferred no later than two (2) weeks from the date the written request is received.

If denied, the principal shall specify the reasons for the denial.

### ACCEL Options

Parents may request student participation in Academically Challenging Curriculum to Enhance Learning (ACCEL) options, including whole-grade promotion, midyear promotion or subject matter acceleration. If the parent selects one of these ACCEL options and the student meets eligibility and procedural requirements in the student progression plan, the student will have the opportunity to participate in the ACCEL option.

### Nondiscrimination

All education programs, activities, and opportunities offered by the District are available without discrimination on the basis of race (including anti-Semitism [as defined in Bylaw 0100]), color, ethnicity, national origin, sex (including sexual orientation, gender status, or gender identity), recognized disability, pregnancy, marital status, age (except as authorized by law), religion, military status, ancestry, or genetic information, which are classes protected by state and/or federal law (collectively, protected classes). (see also Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity and Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability)

### Students with Disabilities

#### A. Notice and Due Process

Parents of students with disabilities and parents of students in residential care facilities are entitled to notice and due process; (see also Policy 2460 - Exceptional Student Education)

#### B. Graduation

Students with disabilities are provided the opportunity to meet the graduation requirements for a standard high school diploma. A student with disabilities who does not satisfy the standard high school diploma requirements shall be awarded a Certificate of Completion; (see also Policy 2623 - Student Assessment)

#### C. Meetings with District Personnel

Parents of students with disabilities, or eligible students with disabilities, may be accompanied by another person of their choice at any meeting with District personnel.

District personnel will not object to the attendance of such adult or discourage or attempt to discourage through any action, statement, or other means, parents or an eligible student, from inviting another person of their choice to attend any meeting. Parents, eligible students, or other individuals invited to attend such meetings by parents or eligible students on school grounds shall be asked to sign in and/or will be subject to security protocols in place at the school.

Parents, or eligible students, and District personnel shall, at the meeting's conclusion, be asked to sign a form which states whether or not any District personnel have prohibited, discouraged, or attempted to discourage the parents, or eligible student from inviting a person of their choice to the meeting pertaining to their child's, or their own, educational environment, placement, or discipline.

### Blind Students

Students who are blind have the right to an individualized written education program and appropriate instructional materials to attain literacy.

### Limited English Proficient Students

Instruction in the English language shall be provided to limited English proficient students. Such instruction shall be designed to develop the student's mastery of the four language skills, including listening, speaking, reading and writing, as rapidly as possible, and the students' parents have the right of parental involvement in the ESOL program

### Students with Reading Deficiencies

Each elementary school shall regularly assess the reading ability of each K-3 student. The parent of any K-3 student who exhibits a reading deficiency shall be immediately notified of the student's deficiency with a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in reading; and shall be informed that the student will be provided intensive, explicit, systematic, and multisensory reading interventions immediately following the identification of the deficiency.

### Pledge of Allegiance

A student will be excused from reciting the Pledge of Allegiance or the Declaration of Independence, upon written request by the student's parent, in accordance with state law. See also Policy 8800, Religious/Patriotic Ceremonies and Observances.

### Student Records

- A. Each parent has an equal right of access, right to waive access, right to challenge and hearing and right of privacy in the education records of his or her student who is a minor or a dependent adult pursuant to law, unless the school has received a certified copy of an enforceable court order that provides to the contrary; (see also Policy 8330 - Student Records)
- B. A student is not required to provide his/her social security number as a condition for enrollment or graduation; (see also Policy 8330 - Student Records)
- C. The school will not collect, obtain or retain information on the political affiliation, voting history, religious affiliation or biometric information of a student, parent or siblings.

### Student Report Cards

Students and their parents have the right to receive student report cards on a regular basis that clearly depict and grade the student's academic performance in each class or course, the student's conduct, and the student's attendance.

### Student Progress Reports

Parents shall be informed at regular intervals of the academic progress and other needed information regarding their child, including ways they can help their child to succeed in school.

### Student Accountability and School Improvement Rating Reports

Parents of public school students are entitled to an easy-to-read report card about the school's grade designation or, if applicable, school's improvement rating, and the school's accountability report, including the school financial report.

### Statewide Standardized Assessment Results

The parents have a right to review his/her child's Statewide Standards Assessment Results.

### High School Athletics

#### A. Eligibility

A student is eligible in the school in which s/he first enrolls each school year, the school in which the student makes himself/herself a candidate for an athletic team by engaging in practice before enrolling, or the school to which the student has transferred with approval of the Board, in accordance with state law;

#### B. Medical Evaluation

Students must satisfactorily pass a medical evaluation each year before participating in athletics, unless the parent objects in writing based on religious tenets or practices, in accordance with state law.

### Extra-Curricular Activities

#### A. Eligibility

Students who meet specified academic and conduct requirements are eligible to participate in extra-curricular activities; (see also Policy 2430 - Student Clubs and Organizations)

#### B. Home Education Students

Home education students who meet specified academic and conduct requirements are eligible to participate in extra-curricular activities at the public school to which the student would be assigned or could choose to attend according to Board policies, or may develop an agreement to participate at a private school;

#### C. Charter School Students

Charter school students who meet specified academic and conduct requirements are eligible to participate in extra-curricular activities at the school to which the student would be assigned or could choose to attend according to Board policies unless such activity is provided by the student's charter school;

#### D. Florida Virtual School Full-Time Students

Florida Virtual School full-time students who meet specified academic and conduct requirements are eligible to participate in extra-curricular activities at the public school to which the student would be assigned or could choose to attend according to Board policies.

### Instructional Materials

#### A. Core Courses

Each student is entitled to sufficient instructional materials in the core courses of mathematics, language arts, social studies, science, reading, and literature;

#### B. Curricular Objectives

The parent of each student has the right to receive effective communication from the school Principal as to the manner in which instructional materials are used to implement the school's curricular objectives;

#### C. Sale of Instructional Materials

Upon request of the parent of a student, the Principal will sell to the parent any instructional materials used in the school;

#### D. Dual Enrollment Students

Instructional materials purchased by the District or a Florida College System institution board of trustees on behalf of dual enrollment students are available to the dual enrollment students free of charge;

#### E. Parent Access to Instructional Materials

Parents have the ability to access their child's instructional materials and may object to the use of a specific instructional material or contest the adoption of instructional material (See Policy 2520, Selection and Adoption of Instructional Materials).

### Juvenile Justice Programs

Students who are in juvenile justice programs have the right to receive educational programs and services, in accordance with state law.

### Parental Input and Meetings

#### A. Meetings with School District Personnel

Parents may be accompanied by another adult of their choice at a meeting with School District personnel;

#### B. District Educational Facilities Program

Parents and other members of the public have the right to receive proper public notice and opportunity for public comment regarding the District's educational facilities work program, in accordance with state law;

#### C. Parent-Teacher Associations and Organizations

Parents have the right to participate in parent-teacher associations and organizations that are sanctioned by the Board or by the Florida Department of Education.

### Transportation

#### A. Transportation to School

Students are provided transportation to school in accordance with the provisions of state law; (see also Policy 8600 - Transportation)

#### B. Hazardous Walking Conditions

Students in grades K-6 are provided transportation if they are subjected to hazardous walking conditions, in accordance with state law;



### C. Parental Consent

Each parent of a public school student must be notified in writing and give written consent before the student may be transported in a privately owned motor vehicle to a school function in accordance with state law. (see also Policy 8660 - Transporting Students by Private Vehicles)

### Orderly, Disciplined Classrooms

Students will be in orderly, disciplined classrooms conducive to learning without the distraction caused by disobedient, disrespectful, violent, abusive, uncontrollable, or disruptive students. (see also Policy 5600 - Student Discipline)

### Safe Schools

Parents of District students will be timely notified pursuant to procedures adopted by the Superintendent of threats and the following unlawful acts or significant emergencies that occur on school grounds, during school transportation, or during school-sponsored activities:

- A. Weapons possession or use when there is intended harm toward another person;
- B. Murder, homicide, or manslaughter;
- C. Sex offenses, including rape, sexual assault or sexual misconduct with a student by school personnel;
- D. Natural emergencies, including hurricanes, tornadoes, and severe storms;
- E. Exposure as a result of a manmade emergency.

Parents of District students have a right to access school safety and discipline incidents as reported pursuant to F.S. 1006.07 (9).

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