

§355. Parental access to instructional materials

A. A parent of a child attending a public elementary or secondary school shall be entitled to access to instructional materials as provided in this Section.

B. A parent is entitled to:

(1) Review instructional materials used by or administered to the parent's child.

(2) Review any survey before the survey is administered or distributed by a school to a student.

C. Each local school board shall adopt rules and policies for each school to make instructional materials readily available for review as provided in this Section. The rules may specify reasonable hours for review. The rules shall provide that the school shall provide access to instructional materials to a parent upon request. If a parent requests a paper copy of material that can be readily copied using school equipment, such copy shall be provided. The rules shall establish reasonable and customary fees to be collected by the school to cover the cost of providing such copies. No provision of law or school board policy shall prohibit or interfere with a parent's ability to make his own copies on school premises via mobile or other device. The principal of each school shall ensure that the school complies with such rules.

D. For purposes of this Section:

(1) "Instructional materials" means content that conveys the knowledge or skills of a subject in the school curriculum through a medium or a combination of media for conveying information to a student. It also includes any nonsecure test, nonsecure assessment, or survey administered to a student. The term also includes books, supplementary materials, teaching aids, computer software, magnetic media, DVD, CD-ROM, computer courseware, online material, information, or services, or an electronic medium or other means of conveying information to the student or otherwise contributing to the learning process.

(2) "Parent" means the parent or legal guardian of a child.

(3) "Survey" means any evaluative instrument or questionnaire that is not an assessment of academic knowledge, skills, or abilities, administered as part of a state, national, or international assessment or by itself.

Acts 2014, No. 436, §1, eff. Aug. 1, 2014.

§406.9. Parents' Bill of Rights for Public Schools

A. The legislature finds all of the following:

(1) That parental involvement is a significant factor in increasing student achievement.

(2) That access to student information encourages greater parental involvement.

B. Parents of public school children who have not reached the age of majority shall have all of the following rights:

(1) To examine the textbooks, curriculum, and supplemental material used in their child's classroom.

(2) To inspect their child's school records, and to receive a copy of their child's records within ten business days of submitting a written request, either electronically or on paper. Parents shall not be required to appear in person for the purposes of requesting or validating a request for their child's school records. There shall be no charge for a parent to receive such records

electronically. Any charges for a paper copy of such records shall be reasonable and set forth in the official rules and regulations of the school governing authority. School records shall include all of the following:

(a) Academic records, including but not limited to results of interim or benchmark assessments.

(b) Medical or health records.

(c) Records of any mental health counseling.

(d) Records of any vocational counseling.

(e) Records of discipline.

(f) Records of attendance.

(g) Records associated with a child's screening for learning challenges, exceptionalities, plans for an Individualized Education Program, or Individual Accommodation Plan.

(h) Any other student-specific file, document, or other materials that are maintained by the school.

(3) To be notified when medical services are being offered to their child, except where emergency medical treatment is required. In cases where emergency medical treatment is required, the parent shall be notified as soon as practicable after the treatment is rendered.

(4) To be notified if a criminal action is deemed to have been committed against their child or by their child.

(5) To be notified if law enforcement personnel question their child, except in cases where the parent has been accused of abusing or neglecting the child.

(6) To be notified if their child is taken or removed from the school campus without parental permission.

(7) That the school shall not discriminate against their child based upon the sincerely held religious beliefs of the child's family.

(8) To receive written notice and the option to opt their child out of any surveys that include questions about any of the following:

(a) The student's sexual experiences or attractions.

(b) The student's family beliefs, morality, religion, or political affiliations.

(c) Any mental health or psychological problems of the student or a family member.

(9) To receive written notice and have the option to opt their child out of instruction on topics associated with sexual activity.

(10) To receive from the school the annual school calendar, no later than thirty days prior to the beginning of the school year, and to be notified in writing as soon as feasible of any revisions to such calendar. Such calendar shall be posted to the school's website and shall include, at a minimum, student attendance days and any event that requires parent or student attendance outside of normal school days or hours.

(11) To receive in writing each year or to view on the school's website a comprehensive listing of any required fee and its purpose and use and a description of how economic hardships may be addressed.

(12) To receive in writing each year or to view on the school's website a description of the school's required uniform for students.

(13) To be informed if their child's academic performance is such that it could threaten the child's ability to be promoted to the next grade level and to be offered an in-person meeting

with the child's classroom teacher and school leader to discuss any resources or strategies available to support and encourage the child's academic improvement.

C. Notwithstanding anything to the contrary, a public school shall not be required to release any records or information regarding a student's medical or health records or mental health counseling records to a parent during the pendency of an investigation of child abuse or neglect conducted by any law enforcement agency or the Department of Children and Family Services where the parent is the target of the investigation, unless the parent has obtained a court order.

Acts 2014, No. 699, §1; Acts 2018, No. 547, §1.