

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL DRS45456-NHa-173A

Short Title: Parents' and Students' Bill of Rights. (Public)

Sponsors: Senators Grafstein, Batch, and Garrett (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ENUMERATE THE RIGHTS HELD BY PARENTS RELATED TO THE
3 UPBRINGING, EDUCATION, HEALTHCARE, AND MENTAL HEALTH OF THEIR
4 MINOR CHILD AND TO ENUMERATE THE RIGHTS HELD BY STUDENTS
5 RELATED TO THEIR OWN EDUCATION.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.(a)** S.L. 2023-106 is repealed.

8 **SECTION 1.(b)** Subchapter VI of Chapter 115C of the General Statutes is amended
9 by adding the following new Articles to read:

10 "Article 29F.

11 "Parents' Bill of Rights.

12 "**§ 115C-407.80. Parents' bill of rights.**

13 A parent has the right to the following:

- 14 (1) To access and review all education records, as authorized by the federal
15 Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, relating to his
16 or her child.
- 17 (2) To make healthcare decisions for his or her child, unless otherwise provided
18 by law, including Article 1A of Chapter 90 of the General Statutes.
- 19 (3) To have access to transparent data about school and district academic
20 performance data.
- 21 (4) To have access to information, data, and statistics as to the successes,
22 shortcomings, or failures of each school his or her child is allowed to attend.
- 23 (5) To know the nutrition facts of his or her child's meals.
- 24 (6) For his or her child to have a fully resourced classroom with the tools and
25 technology to deliver curriculum requirements as required by the North
26 Carolina Constitution.
- 27 (7) To receive timely notification of information related to his or her child's
28 health, well-being, and education.
- 29 (8) To know of threats to his or her child's safety, whether to the child individually
30 or to the school or local school administrative unit as a whole.
- 31 (9) To have his or her child diagnosed and served by the education system for any
32 learning disabilities that may affect the child's educational outcomes.
- 33 (10) To be able to sit in his or her child's class, so long as it is within reasonable
34 limits set by the local school administrative unit.

35 "Article 29G.

36 "Students' Bill of Rights.



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1 **"§ 115C-407.85. Students' bill of rights.**

2 A student has the right to the following:

- 3 (1) A learning environment in which discrimination in all forms is not tolerated
4 by the public school unit or school administration, school police or security
5 personnel, or students.
- 6 (2) A feeling of safety and comfort at school, including sufficient protections and
7 resources for the public school and school unit, including physical and mental
8 protections for students and staff.
- 9 (3) Teachers and other school personnel who follow special plans that affect the
10 student's educational settings, such as individualized educational plans, 504
11 plans, and other accommodations.
- 12 (4) Extracurricular and after-school programs, the means and access to these
13 programs, and to request new clubs.
- 14 (5) Information, resources, and support to prepare them for life after high school,
15 including access to college readiness counselors and vocational counselors.
- 16 (6) A fully resourced classroom with the tools and technology to deliver
17 curriculum requirements as required by the North Carolina Constitution.
- 18 (7) Affordable and nutritious food, including an option for breakfast and lunch.
- 19 (8) Due process, transparency within the discipline process, and freedom from
20 searches of personal property without reasonable cause.
- 21 (9) Access to gang violence prevention, peer-based mediation, and substance
22 abuse programs on campus.
- 23 (10) To organize, and have the opportunity to organize, themselves and be
24 represented by their peers in important school decision-making processes.
- 25 (11) Self-representation in school district or charter school meetings and
26 notification of school district or charter school meeting times and places and
27 to organize collectively.
- 28 (12) Adequate access to and encouragement to use mental health and substance
29 abuse services in educational settings and to be given resources to other
30 outside mental health and substance abuse services.
- 31 (13) Access and the means to participate in school during emergencies, such as an
32 epidemic or pandemic, natural disaster, national security threat, or other
33 unforeseen event, including access to technology for online learning, mental
34 health services, nutritional services, and college or career readiness support.
- 35 (14) Access a copy of the public school unit's student bill of rights and to seek
36 changes to those rights when such changes will improve the learning
37 environment."

38 **SECTION 2.** There is appropriated from the General Fund to the Department of
39 Public Instruction the sum of fifty thousand dollars (\$50,000) in nonrecurring funds for the
40 2024-2025 fiscal year for the Department to conduct a public awareness campaign of the rights
41 enumerated in this act.

42 **SECTION 3.** Section 1 of this act is effective when it becomes law and applies
43 beginning with the 2024-2025 school year. Section 2 of this act is effective July 1, 2024. The
44 remainder of this act is effective when it becomes law.