

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL 74

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

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

Referred to: Rules and Operations of the Senate

February 7, 2023

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.** Subchapter VI of Chapter 115C of the General Statutes is amended by
8 adding the following new Articles to read:

9 "Article 29F.

10 "Parents' Bill of Rights.

11 **"§ 115C-407.70. Parents' bill of rights.**

12 A parent has the right to the following:

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

34 "Article 29G.

35 "Students' Bill of Rights.

36 **"§ 115C-407.75. Students' bill of rights.**



1 A student has the right to the following:

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

37 **SECTION 2.** This act is effective when it becomes law and applies beginning with
38 the 2023-2024 school year.