



AFR - FAMILY RIGHTS

Declaration of Purpose

Seacoast Classical Academy Chartered Public School (“Academy”) regards the family as an intact integral social unit with natural rights. Within the family, the Academy recognizes and reinforces the role of the parent as the primary decision maker and moral authority in the life of the child.

Academic excellence and family rights go together naturally. By focusing on academics, we offer the manifold benefits of the primary social role of a public school to our scholars. Conversely, a loss of focus on academics puts those benefits at risk, especially for families with fewer resources and alternatives. It also overextends the demands on teachers, and encroaches on the proper roles of parents.

The exercise of family rights enables family engagement in education. By upholding the rights of families we show respect for families, and thereby strengthen the collaboration of home and school. This collaboration, founded upon mutual trust, is essential for the educational success of scholars.

With family rights come family responsibilities. Seacoast Classical Academy expects parents to exercise their rights and to oversee their child’s education, especially their moral and civic education.

Definitions

1. "Parent" means a person who has legal custody of a minor child as a natural or adoptive parent or a legal guardian, but such term does not include a parent as to whom the parent-child relationship has been terminated by judicial decree or voluntary relinquishment. To the extent that one Parent has been granted exclusive authority by a court of competent jurisdiction to make decisions and/or control access to information for an enrolled scholar, only that Parent shall be afforded the rights guaranteed by this Policy.
2. “Minor” means a person under the age of 18 years.
3. “Compelling state interest” includes a specific actual circumstance in which the Academy or Academy personnel have an objectively reasonable belief, supported by clear and convincing documented evidence, that compliance with one or more provisions of this policy is likely to cause an identifiable enrolled scholar to be abused or neglected as defined in RSA 169-C:3, except that a compelling state interest will not be found to exist solely because the Academy or Academy personnel believe that the enrolled scholar’s best interest is served by infringing family rights.

4. "Academy personnel" includes any teacher, administrator, officer, trustee, employee, or other individual acting in furtherance of or on behalf of the Academy.

Family Rights

The rights protected by this policy inhere to the family, and are reserved to each family of the enrolled scholars of the Academy. The Academy recognizes the parents as the persons who exercise these rights on behalf of the family. The rights of each family include, but are not limited to, the following:

1. The right to direct the upbringing and the moral or religious training of the family's minor child.
2. The right to direct the education of the family's minor child. This right includes the right to choose to enroll the child in the Academy, subject to all enrollment requirements and limitations, or to unenroll the child from the Academy.
3. The right to obtain access for an enrolled scholar to public curricular courses and co-curricular programs offered by the local school district where the scholar resides while choosing to enroll the scholar in the Academy, as set forth in RSA 193:1-c.
4. The right to inspect any instructional material used as part of the educational curriculum for an enrolled scholar within a reasonable period following a request, as set forth in 20 U.S.C. section 1232h(c)(1)(C).
5. The right to exempt a minor child from immunizations if, in the opinion of a physician, the immunization is detrimental to the child or because of religious beliefs, as set forth in RSA 141-C:20-a and RSA 141-C:20-c.
6. The right to exempt an enrolled scholar from participating in required statewide assessments in English, language arts, mathematics, and science, as set forth in RSA 193-C:6.
7. The right to receive information regarding the level of achievement and academic growth of an enrolled scholar in the state academic assessments in English, language arts, mathematics, and science, as set forth in the Every Student Succeeds Act, 20 U.S.C. section 1112 (e)(1)(B)(i).
8. The right to access and review all education records relating to a minor child within 14 days after the day the school receives a request for access as set forth in RSA 189:66, IV, and 34 C.F.R. 99.5.
9. The right to know, to the extent that records exist, the extracurricular activities, clubs, or organizations in which the family's enrolled minor child is participating, or has participated in.
10. The right to know, to the extent that records exist, the media that the family's enrolled minor child has checked out from the Academy's media resources.
11. The right to opt out of health or sex education and any other objectionable material, as set forth in RSA 186:11, IX-b and IX-c.
12. The right to be informed of any non-academic survey or questionnaire to be administered to the family's enrolled scholar and the requirement that the parent consent in writing to the scholar completing such a survey or questionnaire, as well as the right to opt the scholar out of the Youth Risk Behavior Survey developed by the Centers for Disease Control and Prevention, as set forth in RSA 186:11, IX-d.

13. The right to be notified promptly if the family's enrolled scholar is alleged to be either the victim or the perpetrator of sexual harassment, or of bullying as set forth in RSA 193-F:4 II(h).
14. The right to be notified promptly if a criminal offense has been committed against the family's enrolled minor child, as set forth in RSA 193-D:4.
15. The right to be notified promptly whenever seclusion or restraint has been used on the family's enrolled scholar as set forth in RSA 126-U:7.
16. The right to be informed of the Academy's disciplinary policies and procedures, as set forth in RSA 193:13.
17. The right to inquire of the Academy, and to be truthfully and completely informed, of any educational, behavioral, or medical accommodation that the Academy has made or has been asked to make for the family's enrolled minor child.
18. The right to be notified promptly of any behavior or behavioral change of the family's enrolled scholar that is objectively and reasonably likely to indicate a need for mental-health services of a medical professional.
19. The right to consent in writing before any medical procedure or medical treatment is performed on the family's enrolled minor child. For the purpose of this policy, "medical procedure" includes the administration of any standardized psychometric assessment. For the purpose of this policy, "medical treatment" includes any mental-health treatment. This right to previous written consent does not apply to: cases pursuant to RSA 132:34; cases pursuant to RSA 141-C:18; the provision of first aid; and, the provision of emergency medical treatment.
20. The right to access and review all medical records of the family's enrolled minor child maintained by the Academy or Academy personnel, except:
 - a. As restricted by RSA 132:32-132:36, RSA 141-C:18, RSA 141-F:7, RSA 135-C:19-A; or
 - b. If the parent has been convicted of any crime of violence against the minor child; or
 - c. If the parent is the subject of an investigation of a crime committed against the minor child and a law enforcement agency has requested of the applicable court that the information not be released to the parent in order to protect the integrity of an ongoing investigation.
21. The right to consent in writing before a biometric scan of a child is made, shared, or stored, as set forth in RSA 189:65 and RSA 189:68.
22. The right to consent in writing before any record of a child's blood or deoxyribonucleic acid (DNA) is created, stored, or shared, except as required by general law or authorized pursuant to a court order.

Federal Law

If the Academy is receiving federal funds through Title I Part A, or Title I Part C, or Title III Part A, federal law provides for additional parent and family involvement including:

1. The right to receive information, including student reports, in an understandable and uniform format and to the extent practicable, in a language that parents can understand, as set forth in 20 U.S.C. sections 1112(e)(4); 1114(b)(4); 1116(e)(5); and 1116(f).
2. Upon request of the parent, the right to receive information regarding state qualifications of the student's classroom teachers and paraprofessionals providing services to the child, as set forth in 20 U.S.C. section 1112(e)(1)(A)(i-ii).
3. The right to receive an annual local educational agency report card that includes information on such agency as a whole and each school served by the agency, as set forth in 20 U.S.C. section 1111(h)(2)(A-B)(i-iii).

Violations and Non-Violations

The following, inter alia, are violations of this policy:

1. Infringing any of the rights described in this policy;
2. In regard to information required to be disclosed to, or forbidden to be withheld from, an enrolled scholar's family, pursuant to this policy:
 - a. Knowingly withholding information
 - b. Destroying information with the intent to avoid disclosure
 - c. Knowingly and intentionally providing misleading or inaccurate information
 - d. Falsely and knowingly denying of the existence of information;
3. Failing to provide annual written notice to all parents of enrolled scholars of their family rights as set forth in this policy.

The following, inter alia, are not violations of this policy:

1. The exclusions and limitations described in this policy;
2. The development or implementation of Academy curricula or programming as authorized by New Hampshire law when the disclosures required by this policy are made;
3. The denial of requests by parents that the Academy adopt a requested curriculum, curriculum resource, curriculum content, pedagogy, assessment practice, or programming, either for the Academy or for one or more enrolled scholars;
4. The denial of one or more requests by a parent that the Academy permit his or her enrolled scholar to engage in a course of study not approved by the Board of Trustees, except as specifically permitted by this policy or as required by New Hampshire law;
5. The disposal of records according to the Academy's records-retention policy;
6. Actions or inactions required by law; or
7. Actions or inactions that address a compelling state interest as defined in this policy, are supported by clear and convincing documented evidence, are narrowly tailored to address the compelling state interest, and are pre-approved by the Executive Director.

Notification of Family Rights

Annually, the Board of Trustees shall provide a written notice to all parents of enrolled scholars of their family rights as set forth in this policy.

Severability

If any provision of this policy or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this policy which can be given effect without the invalid provision or application, and to this end the provisions of this policy are severable.

Effective Date

This policy will take effect on Seacoast Classical Academy's first school day in 2024.

References:

- New Hampshire RSAs: 169-C:3; 193:1-c; 141-C:20-a; 141-C:20-c; 193-C:6; 189:66, IV; 186:11, IX-b and IX-c; 186:11, IX-d; 193-F:4 II(h); 193-D:4; 126-U:7; 193:13; 132:34; 141-C:18; 132:32-132:36; 141-C:18; 141-F:7; 135-C:19-A; 189:65; 189:68
- Federal laws: 20 U.S.C. section 1232h(c)(1)(C); 20 U.S.C. section 1112 (e)(1)(B)(i); 34 C.F.R. 99.5; 20 U.S.C. sections 1112(e)(4); 1114(b)(4); 1116(e)(5); and 1116(f); 20 U.S.C. section 1112(e)(1)(A)(i-ii); 20 U.S.C. section 1111(h)(2)(A-B)(i-iii)

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