



1-1-2001

Parental Rights in the Twenty-First Century: Parents as Full Partners in Education.

Linda L. Schlueter

Follow this and additional works at: <https://commons.stmarytx.edu/thestmaryslawjournal>



Part of the [Environmental Law Commons](#), [Health Law and Policy Commons](#), [Immigration Law Commons](#), [Jurisprudence Commons](#), [Law and Society Commons](#), [Legal Ethics and Professional Responsibility Commons](#), [Military, War, and Peace Commons](#), [Oil, Gas, and Mineral Law Commons](#), and the [State and Local Government Law Commons](#)

Recommended Citation

Linda L. Schlueter, *Parental Rights in the Twenty-First Century: Parents as Full Partners in Education.*, 32 ST. MARY'S L.J. (2001).

Available at: <https://commons.stmarytx.edu/thestmaryslawjournal/vol32/iss4/1>

This Article is brought to you for free and open access by the St. Mary's Law Journals at Digital Commons at St. Mary's University. It has been accepted for inclusion in St. Mary's Law Journal by an authorized editor of Digital Commons at St. Mary's University. For more information, please contact egoode@stmarytx.edu, sfowler@stmarytx.edu.

ST. MARY'S LAW JOURNAL

VOLUME 32

2001

NUMBER 4

ARTICLES

PARENTAL RIGHTS IN THE TWENTY-FIRST CENTURY: PARENTS AS FULL PARTNERS IN EDUCATION

LINDA L. SCHLUETER*

I. Introduction	613
II. Parents As Partners: The Texas Statutory Paradigm..	617
A. The Fundamental Right of Parents.....	617
B. The Extent of Parental Rights Under Texas Law .	620
1. Texas Education Code § 26.001(d): Dealing with Conflict	623
2. Texas Education Code § 26.001(e): Parent- Teacher Organizations.....	625

* Linda L. Schlueter is a Senior Staff Attorney with the Texas Justice Foundation (TJF) and Team Leader for the Education/Parental Rights Team. She is also the Legal Director for TJF's Parental Rights Council which helps parents become more involved in improving their child's education, informing them of their parental rights and responsibilities, and empowering them to work with their schools as partners in education. She regularly speaks to groups concerning parental rights and responsibilities and is the co-founder and coordinator of TJF's statewide School Board Member Training Program which includes a segment on parental rights. The author wishes to thank Allan Parker, Kathleen Cassidy Goodman, and Anne Newman, colleagues at the Texas Justice Foundation, who graciously took of their time to review the final draft of this Article.

3.	Texas Education Code § 26.003: Parental Rights Concerning Academic Programs.....	626
4.	Texas Education Code § 26.004: Parental Access to Student Records	633
5.	Texas Education Code §§ 26.005-.008: Other Parental Access Rights	635
	a. Access to Teaching Materials	635
	b. Access to the Classroom	637
	c. Access to School Board Meetings.....	639
6.	Texas Education Code § 26.009: Right of Prior Written Consent.....	640
7.	Right to Religious Freedom and Expression ..	643
	a. Religious Freedom Protection at the Federal Level	644
	b. Religious Freedom Protection in the Texas Education Code	645
	c. Texas Religious Freedom Restoration Act	646
III.	Other Frequently Encountered Parental Rights Issues	647
	A. Intra-District Transfers	647
	B. Inter-District Transfers	649
	C. School Violence	650
IV.	Remedies When Parental Rights Are Violated.....	656
	A. Assessing the Need for a Remedy	656
	B. Remedies: Filling the Void.....	658
	1. State and Federal Legislative Proposals.....	659
	a. Establishing a Civil Remedy for Parents to Enforce Chapter 26	660
	b. Preventing a School That Violates Parental Rights from Receiving “Exemplary” Status	660
	c. Demonstrating the State Protects Parent’s Fundamental Rights Prior to Federal Funding	662
	2. Judicial Remedies	662
	3. Administrative Remedies	663
	a. State Board of Education	664
	b. Texas Education Agency	665
	c. State Board for Educator Certification ...	666

2001]	<i>PARENTS AS FULL PARTNERS IN EDUCATION</i>	613
	d. Local Boards of Trustees.....	668
	e. Parent-Teacher Organizations.....	669
	V. Conclusion.....	670
	Appendix 1: Parent Involvement Pledge.....	671
	Appendix 2: School Law Survey.....	672
	Appendix 3: State Comparison Chart—Parental Rights.....	677

I. INTRODUCTION

In January 2001, President George W. Bush released his educational reform proposal entitled “No Child Left Behind.”¹ On February 15, 2001, the Secretary of Education, Dr. Roderick R. Paige, testified before the Senate Committee on Health, Education, Labor, and Pensions on the President’s proposal and its importance to educational reform.² These measures represent an important step as this country strives for excellence in education. Whether public, private, or charter school, however, parents also play a critically important role. For children to achieve excellence in education, schools and administrators must recognize that no parent should be left out or shut out of the educational process.

Fortunately, the state government shows signs of recognizing the importance of parental involvement. During the 1999 legislative session, the Texas Legislature designated “[t]he second Sunday in August of each year . . . to celebrate the Texas family and to emphasize the importance of parents taking an active role in the raising and future of their children.”³ The following year, then-Governor George W. Bush issued a proclamation declaring August 13 “Texas Parents Day” for the year 2000.⁴ Stating that “[s]trong

1. President George W. Bush, Radio Address by the President to the Nation (Jan. 27, 2001), <http://www.whitehouse.gov/news/radio/20010127.html> (announcing the plan to “offer every child . . . a quality education”).

2. Dr. Roderick R. Paige, U.S. Secretary of Education, Testimony Before the Senate Committee on Health, Education, Labor and Pensions (Feb. 15, 2001), <http://www.ed.gov/Speeches/02-2001/010215.html> (calling the “No Child Left Behind” proposal a “bold and ambitious” plan that builds reforms on the state, federal, local levels “to use standards, assessments, accountability, flexibility, and choice to improve the quality of education”). In essence, Dr. Paige asserts that it is “a comprehensive vision for closing the achievement gap and improving the quality of education for all of America’s children.” *Id.*

3. TEX. GOV’T CODE ANN. § 662.046 (Vernon Supp. 2001).

4. Tex. Gov. Proclamation, “Texas Parents Day” (Aug. 9, 2000) (on file with the *St. Mary’s Law Journal*).

families make a strong Texas,”⁵ Governor Bush recognized the value of parental involvement and the fundamental right of parents to direct the education of their children.

At the administrative level, the Texas Education Agency (TEA) emphasizes the need for parental involvement in its Parent Involvement Manual⁶ by stating that “[e]very research study on parent involvement conducted in the past 20 years has shown the same result: **parent involvement increases student achievement and self-esteem.**”⁷ Regardless of the size, location, and socioeconomic status of the community, research consistently links parental involvement with a child’s academic success.⁸ The TEA’s Parent Involvement Manual includes a statement from a recent study that demonstrates the importance of parental involvement:

Programs designed with strong parent involvement produce students who perform better than otherwise identical programs that do not involve parents as thoroughly, or that do not involve them at all. Schools that relate well to their communities have student bodies that outperform other schools. Children whose parents help them at home and stay in touch with the school score higher than children of similar aptitude and family background whose parents are **not** in-

5. *Id.* Governor Bush’s proclamation underscores the importance of parental involvement in education:

Throughout history, parents have served as teachers, nurturers and protectors for their children, passing down traditions, instilling core values, and preparing young people for future challenges. Parents’ irreplaceable contributions are the key to helping ensure children’s health, happiness, safety and well-being. Texas law recognizes a parent’s fundamental right and duty to care for, protect, and guide children and to direct their education. By actively exercising their rights and responsibilities, parents help protect young people from harm and provide the moral, spiritual and academic foundation for their success in school and in life. . . . In fully assuming their rights and responsibilities, parents prepare youngsters for the challenges and opportunities awaiting them and help create a better future for our state and nation.

Id.

6. See TEX. EDUC. AGENCY, PARENT INVOLVEMENT MANUAL 1 (last modified Mar. 22, 2000), available at http://www.tea.state.tx.us/parent_inv/pmanual.html (explaining that the Manual was created through a joint project between the Texas Education Agency and the Texas PTA).

7. *Id.* at 9.

8. *Id.*

volved. Schools where children are failing improve dramatically when parents are called in to help. And so it goes, on and on.⁹

The TEA defines parental involvement as “the participation of parents in every facet of the education and development of children from birth to adulthood, recognizing that parents are the primary influence in [their] children’s lives.”¹⁰ The TEA also recognizes that parental involvement can take many different forms.¹¹ Such involvement can include making everyday decisions regarding a child’s education, health and well-being, or participating in community organizations that affect all children.¹²

Despite the state’s efforts to increase the amount of parental involvement in education, however, many parents remain passive observers to their child’s education. Still others, while actively assisting in their child’s homework or participating in parent-teacher associations, feel their role in education remains subordinate to the school’s role. For these parents, teachers represent the same enigmatic authority figure from their days in school. Such a belief, however, does not comport with Chapter 26 of the Texas Education Code, the legislation codifying the rights and responsibilities of parents in the education process.¹³

Although the TEA briefly outlines that parents have certain responsibilities¹⁴ and rights,¹⁵ the agency misses the richness and es-

9. *Id.* (indicating that the TEA based its findings on a comprehensive report developed from recent studies) (citing Anne T. Henderson, *The Evidence Continues to Grow: Parent Involvement Improves Student Achievement*).

10. *Id.* at 7.

11. TEX. EDUC. AGENCY, PARENT INVOLVEMENT MANUAL 8 (last modified Mar. 22, 2000), available at http://www.tea.state.tx.us/parent_inv/pmanual.html.

12. *Id.*

13. See TEX. EDUC. CODE ANN. § 26.001-.012 (Vernon 1996).

14. TEX. EDUC. AGENCY, PARENT INVOLVEMENT MANUAL 7 (last modified Mar. 22, 2000), available at http://www.tea.state.tx.us/parent_inv/pmanual.html. The Manual makes the following statement about parental responsibility:

The parent, as a role model and initial teacher, has a responsibility to:

- Safeguard and nurture the physical, mental, social and spiritual education of the child;
- Provide opportunities for interaction with other children and adults;
- Lay the foundation for responsible citizenship, including instilling a knowledge of and respect for our nation’s diverse cultural heritage;
- Provide a home environment that encourages and sets an example for the child’s commitment to learning;
- Know, help and interact with the child’s teachers and school administrators;

sence of Chapter 26.¹⁶ A distinct difference exists between parental involvement and parental rights. The United States Supreme Court recognized this principle by stating that “[t]he child is not the mere creature of the State; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations.”¹⁷ Critical to that preparation is the type of education a child receives.

This Article discusses relevant state and federal protections for parental rights in the education process. Part II discusses the provisions of Chapter 26 of the Texas Education Code, analyzes its principles, and relates some of the practical problems that arise

-
- Communicate with and participate in the selection/election of school officials (e.g., school board members, superintendents, school councils); and
 - Develop, through observation, a knowledge of how the child functions in the school environment.

Id.

15. *Id.* The Manual makes the following statement about parental rights:

A parent has a right to:

- Clear, correct and complete information about the school and the child's progress;
- Confidentiality of information about the child;
- Clear understanding of the processes to gain access to the appropriate school officials, to participate in decisions that are made, and to appeal matters pertaining to his or her child;
- Expect a sensitivity to ethnic, language and cultural differences (inclusiveness); and
- Observe the child at school.

TEX. EDUC. AGENCY, PARENT INVOLVEMENT MANUAL 7 (last modified Mar. 22, 2000), available at http://www.tea.state.tx.us/parent_inv/pmanual.html. It should also be noted that Texas Family Code Section 151.003 is entitled “Rights and Duties of Parent” and lists some of those obligations. TEX. FAM. CODE ANN. § 151.003 (Vernon 1996). Like the revision of the Education Code, this section of the Family Code was added in 1995. *Id.* § 151.003 revisors note (Vernon 1996). Some of the relevant examples include:

- The right to have physical possession, to direct the moral and religious training, and to establish the residence of the child;
- The duty of care, control, protection, and reasonable discipline of the child;
- The duty to support the child, including providing the child with clothing, food, shelter, medical and dental care, and education;
- The right to consent to the child's marriage, enlistment in the armed forces of the United States, medical and dental care, and psychiatric, psychological, and surgical treatment;
- The right to make decisions concerning the child's education; and,
- Any other right or duty existing between a parent and child by virtue of law.

TEX. FAM. CODE ANN. § 151.003 (Vernon 1996).

16. See TEX. EDUC. CODE ANN. §§ 26.001-.011 (Vernon 1996), 326.005-.009 (Vernon Supp. 2001) (broadening parental rights beyond rights commonly attributed to parents).

17. *Pierce v. Soc'y of Sisters*, 268 U.S. 510, 535 (1925).

under the Code. Part III discusses other frequently encountered parental rights issues including school violence. Finally, Part IV calls for reforms including a remedies provision to Chapter 26 and various other judicial and administrative avenues for strengthening parental rights.

II. PARENTS AS PARTNERS: THE TEXAS STATUTORY PARADIGM

A. *The Fundamental Right of Parents*

In a long line of cases, the United States Supreme Court established that parents have a fundamental right to direct the upbringing and education of their children.¹⁸ Beginning in 1923, the Supreme Court articulated this principle in *Meyer v. Nebraska*.¹⁹ In *Meyer*, a teacher instructed a ten-year-old child in the child's native German language in violation of a Nebraska statute.²⁰ The Supreme Court held that the Due Process Clause of the Fourteenth Amendment includes the right of parents to "establish a home and bring up children"²¹ and "to control the education of their own."²²

Two years later, in *Pierce v. Society of Sisters*,²³ the Court reaffirmed the principle of parental autonomy as a fundamental right.²⁴ *Pierce* presented a parent's challenge to an Oregon law requiring all children between the ages of eight and sixteen to attend public schools.²⁵ The Supreme Court cited *Meyer* for the principle of parental rights and held that the "liberty of parents and guardians"²⁶ includes the right "to direct the upbringing and education"²⁷ of their children.

18. See *Pierce*, 268 U.S. at 534-35 (holding that a law requiring children to attend public schools violated the rights of parents to guide their children's education and upbringing); *Meyer v. Nebraska*, 262 U.S. 390, 399 (1923) (stating that the liberties protected by the Fourteenth Amendment include the right of parents to "establish a home and bring up children").

19. 262 U.S. 390 (1923).

20. *Meyer v. Nebraska*, 262 U.S. 390, 396-97 (1923).

21. *Id.* at 399 (noting that the Fourteenth Amendment guarantees certain privileges long recognized as essential to the pursuit of happiness).

22. *Id.* at 401.

23. 268 U.S. 510 (1925).

24. *Pierce*, 268 U.S. at 530.

25. *Id.*

26. *Id.* at 534-35.

27. *Id.*

Since that time, the courts have applied the *Meyer-Pierce* principle in a wide variety of circumstances.²⁸ The factual context may change, but the principle remains the same—parents have a fundamental right to direct the upbringing and education of their children.²⁹ For example, in *Prince v. Massachusetts*,³⁰ the Court stated that “[i]t is cardinal with us that the custody, care and nurture of the child reside first in the parents, whose primary function and freedom include preparation for obligations the state can neither supply nor hinder.”³¹ In *Wisconsin v. Yoder*,³² the Court recognized the principle of parental autonomy and specifically stated:

28. See, e.g., *Troxel v. Granville*, 530 U.S. 57, 70 (2000) (reasoning that Washington state lacked the compelling interest to second-guess a parent’s determination of third party visitation by grandparent’s); *Santosky v. Kramer*, 455 U.S. 745, 754 (1982) (explaining that a parent’s fundamental rights and correlating duties to provide for the custody, care and management of their child does not just disappear when they temporarily loose custody of their child); *Parham v. J.R.*, 442 U.S. 584, 623-25 (1979) (applying parental rights to the admission of children to state mental hospitals where the experiences of parents would enable them to detect illnesses and seek medical attention); *Wisconsin v. Yoder*, 406 U.S. 205, 213-14 (1972) (deciding whether parental rights are unreasonably interfered with when Amish parents decide to discontinue their children’s formal education after eighth grade and provide informal vocational education equivalent); *Stanley v. Illinois*, 405 U.S. 645, 649 (1972) (determining the parental rights of an unwed father where unfitness was presumed by law); *Prince v. Massachusetts*, 321 U.S. 158, 165-71 (1944) (analyzing the state’s ability to assert its power when parental rights are used in violation of the law to permit a child to sell religious literature).

29. See, e.g., *Troxel*, 530 U.S. at 65; *Santosky*, 455 U.S. at 753; *Parham*, 442 U.S. at 602; *Wisconsin*, 406 U.S. at 213-14; *Stanley*, 405 U.S. at 651; *Prince*, 321 U.S. at 166. The *Meyer-Pierce* principle has also generated discussion by commentators. See, e.g., Stephen L. Carter, *Parents, Religion, and Schools: Reflections on Pierce, 70 Years Later*, 27 SETON HALL L. REV. 1194, 1196 (1997) (reflecting on whether *Pierce* was rightly decided and rightly reasoned); Stephen G. Gilles, *On Educating Children: A Parentalist Manifesto*, 63 U. CHI. L. REV. 937, 1033 (1996) (supporting *Meyer-Pierce* and advocating that “parental educational authority should be respected and enlarged, not subordinated to contestable norms of democratic education”); William G. Ross, *The Contemporary Significance of Meyer and Pierce for Parental Rights Issues Involving Education*, 34 AKRON L. REV. 177, 207 (2000) (concluding that “both decisions compel significant restrictions on the power of the state to interfere with the autonomy of parents over the education of their children”); Jennifer L. Sabourin, Note, *Parental Rights Amendments: Will a Statutory Right to Parent Force Children to “Shed Their Constitutional Rights” at the Schoolhouse Door?*, 44 WAYNE L. REV. 1899, 1910 (1999) (explaining how the parental right to educate a child is not a parental right in and of itself). But see James G. Dwyer, *Parents’ Religion and Children’s Welfare: Debunking the Doctrine of Parents’ Rights*, 82 CAL. L. REV. 1371, 1371-72 (1994) (challenging parental rights and arguing for children’s rights by limiting the parental child-rearing privilege to actions that will not harm the child’s interests).

30. 321 U.S. 158 (1944).

31. *Prince v. Massachusetts*, 321 U.S. 158, 166 (1944).

32. 406 U.S. 205 (1972).

“The history and culture of Western civilization reflect a strong tradition of parental concern for the nurture and upbringing of their children. This primary role of parents in the upbringing of their children is now established beyond debate as an enduring American tradition.”³³

In the most recent pronouncement of the parental rights principle, the Court traced the history of the principle in a grandparent visitation case.³⁴ In *Troxel v. Granville*,³⁵ the Court acknowledged the interest of parents as “perhaps the oldest of the fundamental liberty interests recognized by this Court.”³⁶ In holding unconstitutional a Washington statute permitting a court to order increased visitation rights for grandparents against the sole surviving parent’s wishes, the Court reaffirmed the long line of decisions over the last seventy-five years protecting the fundamental right of parents.³⁷

In addition, federal statutory law reinforces the role of parents. Upon founding the United States Department of Education, Congress stated that “parents have the primary responsibility for the education of their children.”³⁸ Congress further stated that “States, localities, and private institutions have the primary responsibility for supporting that parental role.”³⁹ This principle puts the role of parents and educators in proper perspective.

Over the last five years, there has been a flurry of legislative activity at both the state⁴⁰ and federal⁴¹ level concerning parental rights. In particular, a movement⁴² began toward a “Parental

33. *Wisconsin v. Yoder*, 406 U.S. 205, 232 (1972).

34. *See Troxel v. Granville*, 530 U.S. 57, 65-67 (2000).

35. 530 U.S. 57 (2000).

36. *Troxel*, 530 U.S. at 64.

37. *Id.* at 65-66.

38. Department of Education Organization Act, 20 U.S.C. § 3401(3) (1994).

39. *Id.*

40. *See* NAT’L PARENTAL RIGHTS FOUND., OF THE PEOPLE, PARENTAL RIGHTS ACROSS THE STATES, at <http://www.ofthepeople.org/states.html> (last visited Apr. 3, 2001) (indicating which states have adopted the Parental Rights Amendment and which states have significant activity in this area) (on file with the *St. Mary’s Law Journal*); *see also* Appendix 3 of this Article (listing key parental rights provisions in the education codes of the fifty states).

41. Parental Rights and Responsibility Act of 1995, H.R. 1946, 104th Cong. § 2(b)(1) (1995) (enacted) (protecting “the right of parents to direct the upbringing of their children as a fundamental right”).

42. *See* NAT’L PARENTAL RIGHTS FOUND., OF THE PEOPLE, at <http://www.ofthepeople.org/execsum.html> (last visited Apr. 3, 2001) (providing information about the foundation which was founded in 1993 to educate parents and the community

Rights Amendment" (PRA) which would codify the *Meyer-Pierce* principle of the fundamental rights of parents. Specifically, the amendment would recognize that "the right of parents to direct the upbringing of their children is a fundamental right" while also recognizing that "the state maintains a compelling interest in investigating, prosecuting and punishing child abuse and neglect as defined by statute."⁴³ Texas represented the first state to pass legislation recognizing this principle.⁴⁴

B. *The Extent of Parental Rights Under Texas Law*

The Texas Constitution provides that "[a] general diffusion of knowledge being essential to the preservation of the liberties and rights of the people, it shall be the duty of the Legislature of the State to establish and make suitable provision for the support and maintenance of an efficient system of public free schools."⁴⁵ In accordance with this responsibility, the Texas Legislature has passed statutes that affect education. Those statutes which directly affect education have been codified into the Texas Education Code while other provisions that indirectly affect education may have been codified into other codes such as the Government Code.⁴⁶

about "the fundamental right of parents to direct the upbringing and education of their children") (on file with the *St. Mary's Law Journal*).

43. *Id.*

44. TEX. FAM. CODE ANN. § 151.005 (Vernon Supp. 2001) (mandating that state agencies "may not adopt rules or policies or take any other action that violates the fundamental right and duty of a parent to direct the upbringing of the parent's child"). See Jennifer L. Sabourin, Note, *Parental Rights Amendments: Will a Statutory Right to Parent Force Children to "Shed Their Constitutional Rights" at the Schoolhouse Door?*, 44 WAYNE L. REV. 1899, 1900-01 (1999).

45. TEX. CONST. art. VII, § 1.

46. In addition to statutory law, there is a body of administrative law that consists of administrative rules, regulations, and decisions. At the highest level, administrative responsibilities rest with the State Board of Education (SBOE), the Commissioner of Education, and the Texas Education Agency (TEA). See TEX. EDUC. CODE ANN. § 7.102 (Vernon Supp. 2001) (listing the designated duties of the SBOE); *id.* § 7.055 (noting that the Commissioner of Education is an executive officer). In addition to the duties listed in Section 7.055, other sections of the Code supplement actions the Commissioner can take. See generally *id.* § 39.131 (listing the accreditation sanctions available to the Commissioner). The Commissioner of Education also has quasi-judicial authority and may hear appeals in certain types of cases. TEX. EDUC. CODE ANN. § 7.057 (Vernon 1996). The TEA's specific duties are listed elsewhere. TEX. EDUC. CODE ANN. § 7.021 (Vernon Supp. 2001). Education functions that are not specifically delegated to the TEA or SBOE are reserved for the school district. TEX. EDUC. CODE ANN. § 7.003 (Vernon 1996). The local Board of Trustees for the school district are empowered to develop policies which play a

In 1995, the Texas Legislature completely revised the Texas Education Code and, in doing so, made “the most significant legislative changes in school law in fifty years.”⁴⁷ Senate Bill 1 had the primary goal of improving education.⁴⁸ To accomplish this goal, the legislature presented three steps in the bill. First, the bill removed “unnecessary mandates and baggage that detracted from education.”⁴⁹ Second, the bill returned “power to the local level.”⁵⁰ Third, the bill provided for more flexibility and accountability in the education process.⁵¹ As part of the reform package, the Legislature added Chapter 26 and articulated some of the basic rights and responsibilities held by parents.

Chapter 26 of the Texas Education Code is entitled “Parental Rights and Responsibilities.”⁵² The Legislature correctly places an emphasis on both rights and responsibilities. Parents need to be responsible in the upbringing and education of their children. From a practical standpoint, situations arise almost daily underscoring the importance of parental responsibility. For example, when teachers send letters home to inform a parent that a child failed to complete a homework assignment or to request a parent-teacher conference to discuss a failing grade, the parent needs to respond and participate in any way necessary to ensure that the child succeeds in the future. Complementing this responsibility, however, lies a series of rights parents can use to ensure that schools perform to the parent’s satisfaction.⁵³ While many parents accept this responsibility of participating in their child’s education,

key role in local governance. *See id.* at § 11.151(d) (stating that the board may develop “rules and bylaws necessary to carry out [their] powers and duties”). Another administrative board is the State Board of Educator Certification which regulates and oversees teacher education and certification as well as standards of conduct. TEX. EDUC. CODE ANN. § 21.031 (Vernon 1996). In 1995, the Legislature authorized the State Board of Educator Certification (SBEC) to “regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators.” *Id.*

47. Ellen Williams, *Education*, 49 SMU L. REV. 901, 902-03 (1996).

48. *Id.* at 903.

49. *Id.*

50. *Id.* at 903-04. As discussed later in this Article, section 7.003 and section 11.151(b) reserve the power not delegated to the agency and state board to local school boards of trustees. TEX. EDUC. CODE ANN. §§ 7.003, 11.151(b) (Vernon 1996).

51. Ellen Williams, *Education*, 49 SMU L. REV. 901, 904 (1996).

52. TEX. EDUC. CODE ANN. ch. 26 (Vernon 1996).

53. *See id.* (defining the rights and responsibilities of parents in regard to the education of their children).

these same parents often do not understand their rights that accompany the responsibility.

The Texas Legislature has recognized the rightful role of parents. The first words of Chapter 26 plainly state that “[p]arents are partners with educators, administrators, and school district boards of trustees in their children’s education.”⁵⁴ Furthermore, in setting the mission and objectives of public education, Objective 1 states: “Parents will be *full* partners with educators in the education of their children.”⁵⁵ The Purpose Statement for Chapter 26 contains two additional sections that significantly act to empower parents. First, Section 26.001(b) establishes that the rights listed in Chapter 26 do not constitute an exclusive list.⁵⁶ Specifically, Section 26.001(b) states that “[t]his chapter does not limit a parent’s rights under other law.”⁵⁷ Second, Section 26.001(c) provides that “[u]nless otherwise provided by law, a board of trustees, administrator, educator, or other person may not limit parental rights.”⁵⁸

The concept of a partnership between parents and educators emphasizes the important role of parents. The term “partner” connotes a working relationship between two or more people of equal standing.⁵⁹ Although the parental partner may delegate daily management responsibility to school officials, such delegation does not

54. TEX. EDUC. CODE ANN. § 26.001(a) (Vernon 1996). In setting the mission and objectives of public education, Objective 1 states: “Parents will be full partners with educators in the education of their children.” *Id.* § 4.001.

55. *Id.* § 26.001(a).

56. *Id.* § 26.001(b). The most significant statute affecting the broad scope of Section 26.001(b) appears in the Texas Family Code Section 151.005. *See* TEX. FAM. CODE ANN. § 151.005 (Vernon Supp. 2001). The Texas Legislature mandated in Section 151.005 that “state agenc[ies] may not adopt rules or policies or take any other action that violates the fundamental right and duty of a parent to direct the upbringing of the parent’s child.” *Id.* On May 26, 2000, the Attorney General issued an opinion concerning the fundamental rights provision noting that such a provision “simply codifies well-established principles announced by the United States Supreme Court as long ago as 1923 in *Meyer v. Nebraska*.” Op. Tex. Att’y Gen. No. JC-0226 at 1 (2000), available at <http://www.oag.state.tx.us/opinopen/opinions/op49cornyn/jc-0226.html>. The Attorney General stated where a fundamental right is at issue, a state agency may only limit the right if there is a “compelling state interest” that is “narrowly drawn to express only valid state interests.” *Id.* at 3. This is a difficult standard for the government to overcome and, therefore, serves to protect parental rights.

57. TEX. EDUC. CODE ANN. § 26.001(b) (Vernon 1996).

58. *Id.* § 26.001(c).

59. The concept of “partnership” is an important one. By way of analogy, partnership is defined as “an association of two or more persons to carry on as co-owners a business for profit.” TEX. REV. CIV. STAT. ANN. art. 6132b-1.01(11) (Vernon Supp. 2001) (accepting

constitute a relinquishment of parental rights in creating and implementing educational programs for their children. The role of parents is not merely to bring cookies to a bake sale or party; rather, a parent's role is to be substantial and meaningful in the education of their children. The Texas Legislature specifically acknowledges this role in the Code by stating that "[p]arents *shall be encouraged to actively participate in creating and implementing educational programs for their children.*"⁶⁰

1. Texas Education Code § 26.001(d): Dealing with Conflict

As with many partnerships, conflicts inevitably arise between parents and educators when determining the best course for the child. For the partnership concept to thrive in Texas education, the state must have a means for resolving conflicts in a reasonable and amicable manner. Fortunately, the Texas Legislature has provided for such a process.⁶¹ Under Texas Education Code Section 26.001(d), each school board "shall provide for procedures to consider complaints that a parent's right has been denied."⁶² School boards must adopt grievance procedures to address each complaint that the board receives concerning a violation of a parent's rights guaranteed under Chapter 26.⁶³ Typically, the parent initially discusses the matter with the teacher. If the matter remains unresolved, the issue goes to the principal. Thereafter, if the parent remains dissatisfied, the superintendent reviews the matter. The

the definition of a partnership as "co-owners" in the Texas Revised Partnership Act as previously defined in the expired Texas Uniform Partnership Act).

Management rights belong to all partners in a general partnership. Unless the partners agree otherwise, each partner has one vote in management matters regardless of the proportional size of his or her interest in the firm. Often, in a large partnership, partners will agree to delegate daily management responsibility to a management committee made up of one or more of the partners.

KENNETH W. CLARKSON ET AL., *WEST'S BUSINESS LAW 691* (7th ed. 1998). By definition, partners have a substantial and meaningful role. Accordingly, parents as partners should have a substantial and meaningful role in the education of their children and be respected as a partner in education. Another analogy may be in the area of family law where one parent is appointed the sole managing conservator. The Family Code provides that the managing conservator has the exclusive right "to make decisions concerning the child's education." TEX. FAM. CODE ANN. § 153.132 (Vernon 1996).

60. TEX. EDUC. CODE ANN. § 26.001(a) (Vernon 1996) (emphasis added).

61. *Id.* § 26.001(d).

62. *Id.*

63. *Id.* § 26.011.

matter then proceeds to the school board and, potentially, to the Commissioner of Education for a final resolution.

Many parents remain unaware that such procedures exist. Worse still, some parents have been told that no formal written policies exist and that the district chose instead to handle such disputes informally. As a matter of law, however, Texas requires each district to establish procedures for parental complaints.⁶⁴ As a result, parents should have access to these procedures on demand.⁶⁵ Parents with a complaint should go to the district office and ask for a copy of the school board's written policy and inquire whether the district has a particular form to complete or whether a letter of complaint will suffice. Most districts have a form that the parent can complete and will assist the parent in finding a satisfactory conclusion.

Through the complaint procedures, parents are entitled to basic due process. Due process requires that parents have a reasonable amount of time and a reasonable occasion to present their grievance.⁶⁶ The school board makes this determination; however, a parent may appeal the board's decision to an administrative law judge for a review for abuse of discretion.⁶⁷ In a case of first impression in 1999, the Commissioner of Education decided that parents who file a grievance on behalf of their children are entitled to be represented by an attorney before the school board.⁶⁸ The commissioner also noted that any questions regarding whether the parents followed the proper procedures should be decided only after a hearing.⁶⁹ If after the hearing the board decides that the parents have failed to exhaust their administrative remedies, the parents can appeal the decision to the Commissioner of Education.⁷⁰

64. *Id.* § 26.001(d).

65. 19 TEX. ADMIN. CODE § 247.2(b) (2000) (mentioning that Principle 1 of the Code of Ethics requires educators to "maintain the dignity of the profession by respecting and obeying the law, demonstrating personal integrity, and exemplifying honesty"). Standard 1 under that Principle states that educators "shall not intentionally misrepresent official policies of the school district or educational institution and shall clearly distinguish those views from personal attitudes and opinions." *Id.*

66. *James N. v. Sinton Indep. Sch. Dist.*, No. 098-R5-498 (Tex. Comm'r Educ. Aug. 6, 1999), available at <http://www.tea.state.tx.us/commissioner/1998/098498.DOC>.

67. *Id.*

68. *Id.*

69. *Id.*

70. *Id.*

2. Texas Education Code § 26.001(e): Parent-Teacher Organizations

One forum where parents and educators can work cooperatively as partners in education is through parent-teacher organizations. The Texas Education Code mandates that school districts provide for such organizations.⁷¹ Section 26.001(e) states that each school board “shall cooperate in the establishment of ongoing operations of at least one parent-teacher organization at each school in the district to promote parental involvement in school activities.”⁷²

One issue that has arisen in this context concerns whether schools must permit parent-teacher groups, other than the statutorily required parent-teacher organization, equal access to school facilities for after hours meetings. Because parent-teacher groups have similar goals and characteristics as the statutorily required parent-teacher organization, schools may not treat the organizations differently.⁷³ In Texas, parent-teacher organizations are to “promote parental involvement in school activities.”⁷⁴ As such, the school cannot constitutionally deny access.⁷⁵

Furthermore, Supreme Court precedent forbids schools from discriminating against another parent-teacher organization because of viewpoint.⁷⁶ The Court stated in *Lamb’s Chapel v. Center Moriches Union Free School District*,⁷⁷ that “the government violates the First Amendment when it denies access to a speaker solely to suppress the point of view he espouses on an otherwise includible subject.”⁷⁸ Where the school opens facilities to the PTA and other groups, other similar groups garner the same constitu-

71. TEX. EDUC. CODE ANN. § 26.001(e) (Vernon 1996).

72. *Id.* Although the Texas Justice Foundation is a nonprofit public interest litigation foundation, it believes in resolving issues through negotiation and using litigation only as a last resort. In an effort to work with parents and schools, it has formed the Parental Rights Council and local Parental Rights Organizations to help inform parents of their rights and responsibilities and to empower them to work with educators as full partners in education.

73. See *Perry Educ. Ass’n v. Perry Local Educators’ Ass’n*, 460 U.S. 37, 48-49 (1983) (setting the parameters for when school facilities may be used by certain groups).

74. TEX. EDUC. CODE ANN. § 26.001(e) (Vernon 1996).

75. *Perry*, 460 U.S. at 48 (arguing that if access is granted to certain organizations, similar organizations could not be denied similar access).

76. See *Lamb’s Chapel v. Ctr. Moriches Union Free Sch. Dist.*, 508 U.S. 384, 395-97 (1993).

77. 508 U.S. 384 (1993).

78. *Lamb’s Chapel*, 508 U.S. at 394 (citing *Cornelius v. NAACP Legal Defense & Ed. Fund, Inc.*, 473 U.S. 788, 806 (1985)).

tional protections regardless of the group's message or point of view.⁷⁹ Similarly, whatever restrictions the school imposes "must be 'bounded by clear and precise standards' capable of objective determination."⁸⁰

3. Texas Education Code § 26.003: Parental Rights Concerning Academic Programs

Parents also have rights concerning academic programs.⁸¹ As part of the concept of full partnership, educators must encourage parents "to actively participate in creating and implementing educational programs for their children."⁸² Although the Legislature has mandated this type of full partnership, it has not prescribed exactly how to accomplish this objective. However, schools enjoy many opportunities to implement this principle. For example, parents can serve on a variety of committees, such as the curriculum,

79. See *Perry*, 460 U.S. at 46 (stating that "[a]lthough a State [sic] is not required to indefinitely retain the open character of the facility, as long as it does so it is bound by the same standards as apply in a traditional public forum").

80. *Ysleta Fed'n of Teachers v. Ysleta Indep. Sch. Dist.*, 720 F.2d 1429, 1433-34 (5th Cir. 1983) (quoting *Southwestern Promotions Ltd. v. Conrad*, 420 U.S. 546, 553 (1975)).

81. The Code states:

(a) parent is entitled to:

- (1) petition the board of trustees designating the school in the district the parent's child will attend, as provided by Section 25.033;
- (2) reasonable access to the school principal, or to a designated administrator with the authority to reassign a student, to request a change in the class or teacher to which the parent's child has been assigned, if the reassignment or change would not affect the assignment or reassignment of another student;
- (3) request, with the expectation that the request will not be unreasonably denied:
 - (A) the addition of a specific academic class in the course of study of the parent's child in keeping with the required curriculum if sufficient interest is shown in the addition of the class to make it economically practical to offer the class;
 - (B) that the parent's child be permitted to attend a class for credit above the child's grade level, whether in the child's school or another school, unless the board or its designated representative expects that the child cannot perform satisfactorily in the class; or
 - (C) that the parent's child be permitted to graduate from high school earlier than the child would normally graduate, if the child completes each course required for graduation; and
- (4) have a child who graduates early as provided by Subdivision (3)(C) participate in graduation ceremonies at the time the child graduates.

- (b) The decision of the board of trustees concerning a request described by Subsection (a)(2) or (3) is final and may not be appealed.

TEX. EDUC. CODE ANN. § 26.003 (Vernon 1996).

82. TEX. EDUC. CODE ANN. § 26.001(a) (Vernon 1996).

planning, and budget committees, or they can actively help create or respond to various forms of communication to gather input from other parents.⁸³ If educators take seriously the concept of full partnership, many creative and meaningful ways exist to encourage parental involvement.

A parent also may request that a school add a specific academic class to the curriculum.⁸⁴ The Education Code states that “if sufficient interest is shown . . . to make it economically practical to offer the class,” the school will not unreasonably deny any such request.⁸⁵ Unfortunately, the legislature did not define “sufficient interest” and “economically practical.” By analogy, however, schools can determine finite numbers to represent each concept by the student-teacher ratio⁸⁶ and class size⁸⁷ discussed in the Education Code. Thus, if approximately twenty to twenty-two students show interest in a class, the school would have sufficient interest to make the class addition economically practical.

A parent has the right to petition the school board requesting a student’s transfer to a different academic class.⁸⁸ Furthermore, a parent has a right to reasonable access to the principal, designated administrator, and teacher in making these requests.⁸⁹ The Education Code guarantees only access, however, and not success.⁹⁰ The Code expressly designates the board’s decision as final and not appealable.⁹¹ Some commentators on school law note that “[t]his [rule] curtails the ability of parents to enforce the statutory provisions against a recalcitrant school board unless they can convince the commissioner or a judge that the board has acted illegally In this sense nothing is ever truly ‘final and nonappealable.’”⁹²

83. See ARIZ. REV. STAT. ANN. § 15-747(B) (West Supp. 2000) (indicating that Arizona conducts a random parent quality survey twice a year to get input from parents).

84. TEX. EDUC. CODE ANN. § 26.003(a)(3)(A) (Vernon 1996).

85. *Id.* (emphasis added).

86. *Id.* § 25.111 (allowing for an average ratio in Texas of one teacher per twenty students).

87. *Id.* § 25.112 (stating that as a general rule class size in Texas should be limited to twenty-two students).

88. *Id.* § 26.003(a)(2).

89. TEX. EDUC. CODE ANN. § 26.003(a)(2) (Vernon 1996).

90. See *id.* (providing parents “reasonable access” to school officials and personnel).

91. *Id.* § 26.003(b).

92. FRANK KEMERER & JIM WALSH, *THE EDUCATOR’S GUIDE TO TEXAS SCHOOL LAW* 39 (5th ed. 2000).

Section 26.003 has generated significant controversy and litigation, as exemplified by *Chiu v. Plano Independent School District*.⁹³ In *Chiu*, the Plano Independent School District (PISD) decided to implement an experimental, pilot math program in four middle schools during the 1996-1997 academic year.⁹⁴ This new system, the Connected Math Program (CMP), explores a new teaching approach to pre-algebra.⁹⁵ PISD planned to implement CMP in all middle schools in its district by the 1999-2000 academic year.⁹⁶ PISD argued that the program prepared students better for algebra and improved "scores on state mandated tests."⁹⁷ Many parents, however, sharply disagreed.

During the CMP consideration process, one of the parents whose daughter would be affected by CMP, brought materials to a Parent's Math Night sponsored by PISD.⁹⁸ The materials included articles reporting problems with the CMP in other school districts⁹⁹ and a petition requesting PISD to halt implementation of CMP.¹⁰⁰ When the parent initially discussed with the principal and PISD's Coordinator for Secondary Mathematics plans to distribute the information, he claimed district officials offered no objection.¹⁰¹ Shortly after the Parent's Math Night meeting began, however, district officials asked the parent to remove the materials.¹⁰² Several minutes later, an Assistant Superintendent approached and told the parent to refrain from circulating the petition on school property.¹⁰³ Although the principal agreed to allow the parent an opportunity to voice concerns after the district's presentation, the district later refused to uphold the agreement.¹⁰⁴

The next day, the Assistant Superintendent sent a memo to area principals advising that the district's legal position was "not to allow anyone to come on to your campus, inside or out, to circulate a

93. *Chiu v. Plano ISD*, No. 4:99CV196, slip op. at 1 (E.D. Tex. May 4, 2000).

94. *Id.* at 1-2.

95. *Id.* at 2.

96. *Id.*

97. *Id.*

98. *Chiu v. Plano ISD*, No. 4:99CV196, slip op. at 3 (E.D. Tex. May 4, 2000).

99. *Id.*

100. *Id.* at 3 n.2.

101. *Id.* at 4.

102. *Id.*

103. *Chiu v. Plano ISD*, No. 4:99CV196, slip op. at 5 (E.D. Tex. May 4, 2000).

104. *Id.*

petition or pass out material related to the Connected Math Program.”¹⁰⁵ The Assistant Superintendent’s memo referred to the “recent flap over the Connected Math Program” and warned principals: “Don’t get caught napping on this one.”¹⁰⁶

PISD subsequently held Parent’s Math Night at other middle schools.¹⁰⁷ At one of these meetings another parent attempted to distribute a report prepared by the Texas Education Agency (TEA) which described CMP as “nonconforming.”¹⁰⁸ When the parent tried to distribute literature concerning CMP, district officials told the parent to leave the school grounds.¹⁰⁹

Another parent who was a member of the district’s Citizens Textbook Advisory Committee also voiced concerns regarding CMP.¹¹⁰ Specifically, this parent unsuccessfully lobbied for the school to send a flier home with students concerning the CMP.¹¹¹ The district removed this parent from the Committee because “the committee would not accord with [the parent’s] ‘agenda.’”¹¹² The parent believes that the “agenda” to which the principal referred was a reference to her views on CMP.¹¹³

These Plano ISD parents filed a complaint that proceeded through the district hierarchy to the school board level.¹¹⁴ In the complaint, the parents requested, under Texas Education Code Section 26.003, that the district offer a traditional math class as an alternative to CMP.¹¹⁵ The board, however, denied the request.¹¹⁶ Four months later, the parents submitted petitions to the board with over 500 signatures of parents whose middle school children would be affected by the CMP.¹¹⁷ Counsel for the parents asked

105. *Id.* at 6.

106. *Id.*

107. *Id.* at 6-7.

108. *Chiu v. Plano ISD*, No. 4:99CV196, slip op. at 7 (E.D. Tex. May 4, 2000). A “nonconforming” text means that it “does not teach all of the Texas Essential Knowledge and Skill elements (“TEKS”) required by the state.” *Id.* at 8 n.7. Furthermore, the school must supplement the curriculum to cover the TEKS. *Id.*

109. *Id.*

110. *Id.* at 9.

111. *Id.* at 9-10.

112. *Chiu v. Plano ISD*, No. 4:99CV196, slip op. at 9 (E.D. Tex. May 4, 2000).

113. *Id.*

114. *Id.* at 10-11.

115. *Id.* at 12.

116. *Id.*

117. *Chiu v. Plano ISD*, No. 4:99CV196, slip op. at 12 (E.D. Tex. May 4, 2000).

that the district place the parents' request and petitions on the agenda for consideration at a future meeting, but the district curtly denied this request.¹¹⁸

The parents filed a lawsuit alleging that their rights had been violated under 42 U.S.C. § 1983 and under state law.¹¹⁹ The parents alleged that the district violated their First Amendment free speech rights when it refused to allow the parents to distribute literature, send material home concerning CMP, or solicit signatures for the petition on Parent's Math Nights.¹²⁰ The parents also alleged that the district violated Texas Education Code Section 26.003 by failing to offer a "traditional" math class.¹²¹ Additionally, the parents contended that PISD violated their Fourteenth Amendment liberty interest in directing the education of their children.¹²²

PISD made some disturbing statements in its reply brief, demonstrating its refusal to consider parents as partners in education.¹²³ PISD characterized parents as "outside visitors" and argued that "schools are not traditional public forums in which outside visitors . . . may freely espouse their views."¹²⁴ In an act of true arrogance, the district stated that the government "retains the right to set the curriculum in its own schools and insists that those who cannot accept the result exercise their right . . . and select private education at their own expense."¹²⁵ Such language clearly indicates that PISD does not understand the partnership concept, nor does the district care to maintain a partnership relationship with the over 500 parents in its district.

118. *Id.*

119. *Id.*

120. *Id.*

121. *Id.* at 13.

122. *Chiu v. Plano ISD*, No. 4:99CV196, slip op. at 13 (E.D. Tex. May 4, 2000).

123. Defendants' Motion for Summary Judgment at 15, *Chiu v. Plano Indep. Sch. Dist.*, No. 4:99CV196, slip op. (E.D. Tex. May 4, 2000) (justifying the exclusion of parents' viewpoints from their childrens' school campuses on the grounds that the campuses were not public forums).

124. *Id.*

125. *Id.* at 21.

The Texas Association of School Boards (TASB) filed an amicus curiae brief in support of PISD.¹²⁶ TASB filed the brief after growing “concerned about the educational chaos that would result from permitting small groups of parents to dictate to school districts the methodology by which schools teach their various classes.”¹²⁷ TASB accused the parents of attempting to “usurp the school board’s authority” through constitutional rights and unreasonable demands.¹²⁸ Ultimately, TASB expressed the same “take it or leave it” attitude by arguing that “if the Plaintiffs are so opposed to being taught by the Connected Math Program, they could move to another school district . . . send their children to any private school they choose, or educate them at home.”¹²⁹

This is the type of ivory tower, educational arrogance that has forced parents to stand up and remain silent no more. Parents, as partners in education, cannot be shut out of the education of their children. When a school district decides to use an experimental, pilot math program parents believe academically inadequate¹³⁰ and potentially harmful to their children, these parents have the right

126. Brief of Amicus Curiae Texas Association of School Boards Legal Assistance Fund in Support of Defendants’ Motion for Summary Judgment at 1, *Chiu v. Plano Indep. Sch. Dist.*, No 4:99CV196, slip op. (E.D. Tex. May 4, 2000).

127. *Id.* at 1-2.

128. *Id.* at 2.

129. *Id.* at 3-4.

130. Even though the Connected Math Program is a controversial program, the Department of Education included it on a list of ten Exemplary Mathematics Programs in October 1999. See Press Release, U.S. Dep’t of Educ. Expert Panel Selects Exemplary, Promising Mathematics Programs (Oct. 6, 1999), <http://www.ed.gov/PressReleases/10-1999/mathpanel.html>. See also EISENHOWER NAT’L CLEARINGHOUSE, EXEMPLARY & PROMISING MATHEMATICS PROGRAMS (last visited May 15, 2001), http://www.enc.org/professional/federalresources/exemplary/promising/documents/0,1944,CDS-000496-496_toc.htm. The controversial Connected Math Program inspired math and science experts to write a strongly worded letter to Secretary of Education Richard W. Riley requesting that:

[He should] withdraw the government’s endorsement of math programs that experiment with nontraditional teaching methods. The strongly worded letter expresses outrage that some of the 10 widely used programs leave out such basic skills as multiplying two-digit numbers and dividing fractions. “These curricula are among the worst in existence,” said David Klein, a Cal State Northridge math professor who was one of the letter’s authors. “To recommend these books as exemplary and promising would be a joke if it weren’t so damaging.”

Richard Lee Colvin, *California and the West Experts Attack Math Teaching Programs*, L.A. TIMES, Nov. 18, 1999, at A3 (reporting that parents in Plano, Texas filed a lawsuit in federal court after their school district refused to provide an alternative to Connected Math), available at 1999 WL 26196835.

and duty to request an alternative class. Such an action does not usurp the board's authority or dictate to the board the district's curriculum; rather, such an action merely constitutes parents requesting the district to serve the best educational interest of their children. Educators, as partners in education with parents, should respect this interest, commitment, and dedication to excellence in education.

PISD took a different course of action, however, and filed a motion for summary judgment.¹³¹ PISD argued that the court should bar the First Amendment claims because the parents failed to appeal the denial of permission, and, therefore, failed to exhaust administrative remedies.¹³² The court denied summary judgment on the First Amendment claims because PISD failed to present any authority that required an exhaustion of remedies.¹³³ The court added that assuming *arguendo* that such a requirement existed, the parents demonstrated an exhaustion of remedies in the complaint.¹³⁴

As to the liberty interest, however, the court granted PISD's motion for summary judgment.¹³⁵ The court recognized that parents have a liberty interest under the Fourteenth Amendment in the upbringing and education of their children.¹³⁶ Yet, the court rejected the parents' contention that this liberty interest constitutes a fundamental right requiring a compelling governmental interest.¹³⁷ The court took a narrow view of Supreme Court cases and determined that because the parents based objections on secular and not religious reasons, the parents have "no constitutional right to provide their children with . . . education unfettered by reasonable government regulation."¹³⁸ Thus, the court said that PISD's decision not to provide a traditional math class would remain intact unless the parents showed the decision unreasonably related to a legitimate state objective.¹³⁹ The court found the failure to provide

131. *Chiu v. Plano ISD*, No. 4:99CV196, slip op. at 17 (E.D. Tex. May 4, 2000).

132. *Id.* at 16-17.

133. *Id.* at 17.

134. *Id.* at 17-18.

135. *Id.* at 39.

136. *Chiu v. Plano ISD*, No. 4:99CV196, slip op. at 37 (E.D. Tex. May 4, 2000).

137. *Id.* at 37-38.

138. *Id.* at 38.

139. *Id.* at 39.

an alternative class “both reasonable and related to the government’s legitimate interest in educating its citizens.”¹⁴⁰

The court also granted PISD’s motion for summary judgment on the parental rights claim under Chapter 26 of the Texas Education Code. The court recognized the claim as a case of first impression¹⁴¹ and relied on Section 26.003(b) in its conclusion that the board’s decision is final and not appealable.¹⁴² The court also drew an analogy to Texas Education Code Section 37.009, which contains language¹⁴³ similar to Section 26.003(b).¹⁴⁴ The court stated that if the Texas Legislature wanted judicial review, the legislature could have provided for review in the text of the Code.¹⁴⁵ Furthermore, the court opined that it “is not inclined to create a remedy that was not envisioned by the Texas [L]egislature or found by the Texas courts.”¹⁴⁶ Thus, the court ultimately dismissed the parents’ claim under Section 26.003.¹⁴⁷ This case demonstrates the need for a remedy as proposed in the final section of this Article.

4. Texas Education Code § 26.004: Parental Access to Student Records

Parents have many rights concerning access to educational records of their children under both state and federal law.¹⁴⁸ Parents are entitled to access all of a school district’s written records

140. *Id.*

141. *Chiu v. Plano ISD*, No. 4:99CV196, slip op. at 40 (E.D. Tex. May 4, 2000).

142. *Id.*

143. TEX. EDUC. CODE ANN. § 37.009(b) (Vernon Supp. 2001) (stating that “[a]ny decision of the board or the board’s designee under this subsection is final and may not be appealed”); *see also Chiu v. Plano ISD*, No. 4:99CV196, slip op. at 40 (E.D. Tex. May 4, 2000) (finding that Section 26.003(b) is not subject to judicial review). The court cited two 1999 cases construing Section 37.009 and concluding that the Education Code prohibits judicial review. *Id.* (citing *Aledo Indep. Sch. Dist. v. Reese*, 987 S.W.2d 953, 959 (Tex. App.—Fort Worth 1999, pet. denied), and *Hankins v. P.H.*, 1 S.W.3d 352, 354 (Tex. App.—Corpus Christi 1999, pet. denied)).

144. TEX. EDUC. CODE ANN. § 26.003(b) (Vernon 1996) (stating the board’s decision “is final and may not be appealed”).

145. *See Chiu v. Plano ISD*, No. 4:99CV196, slip op. at 41 (E.D. Tex. May 4, 2000).

146. *Id.*

147. *Id.* The parents appealed the case to the United States Court of Appeals for the Fifth Circuit, which heard oral arguments on March 5, 2001.

148. *See, e.g.*, Family Educational Rights and Privacy Act of 1974 (FERPA), 20 U.S.C. § 1232g (1994) (providing the right to review and inspect education records); TEX. EDUC. CODE ANN. § 26.004 (Vernon 1996) (emphasizing that parents have access to all written records concerning their children).

concerning their child.¹⁴⁹ For example, a parent has a right to access attendance records, test scores, grades, disciplinary records, counseling records, psychological records, applications for admission, health and immunization information, teacher and counselor evaluations, and reports of behavioral patterns.¹⁵⁰

Under federal law, parents have the right to inspect and review their children's education records.¹⁵¹ The Federal Educational Rights and Privacy Act (FERPA) applies to any educational institution that receives federal funds.¹⁵² The Act gives parents and students access to student records,¹⁵³ as well as the right to challenge any material in the record¹⁵⁴ and the right to restrict the publication of certain information.¹⁵⁵ If a parent believes a violation has occurred, the parent may file a complaint within 180 days of the date that the parent knew or should have known of the violation.¹⁵⁶ Upon a showing of a violation, the parent may obtain remedies under the civil rights statute.¹⁵⁷

Parents have additional inspection rights under the Protection of Pupil Rights Amendment (PPRA).¹⁵⁸ Parents have the right to inspect all instructional materials including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation.¹⁵⁹ As with the rights listed in the Texas Education Code, however, many parents do not realize this authority exists.

149. TEX. EDUC. CODE ANN. § 26.004 (Vernon 1996).

150. *Id.*

151. Family Educational Rights and Privacy Act of 1974 (FERPA), 20 U.S.C. § 1232g (1994). This provision is also known as the Buckley Amendment. John E. Theuman, Annotation, *Validity, Construction, and Application of Family Educational Rights and Privacy Act of 1974 (FERPA) (20 U.S.C.A. § 1232G)*, 112 A.L.R. FED. 15 (1993).

152. Family Educational Rights and Privacy Act of 1974 (FERPA), 20 U.S.C. § 1232g(a)(1)(A) (1994).

153. *Id.*

154. *Id.* § 1232g(a)(2).

155. *Id.* § 1232g(a)(5)(B). Under this provision, parents must be given notice of what directory information will be published and reasonable time to inform the school that the information should not be released without the parent's prior consent. *Id.*

156. The complaint is filed with the U.S. Department of Education's Family Policy Compliance Office at 600 Independence Avenue, S.W., Room 1366, Washington, D.C. 20202-4605.

157. *See* 42 U.S.C. § 1983 (1994) (giving parents possible remedies if they prove that they were deprived of a constitutional right through a state action).

158. Protection of Pupils Rights Amendment (PPRA), 20 U.S.C. § 1232h (1994).

159. *Id.* § 1232h(a).

5. Texas Education Code §§ 26.005-.008: Other Parental Access Rights

In addition to access to student records under state and federal law, parents have other access rights under state law. For example, under Texas Education Code Section 26.005 parents have a right to view state assessment examinations.¹⁶⁰ The Texas Education Agency must release the questions and answers to each assessment examination after giving the exam for the last time in a school year,¹⁶¹ excluding only field tested questions.¹⁶² Field tested questions, however, do not count towards a student's score on the examination.¹⁶³

a. Access to Teaching Materials

Under Texas Education Code Section 26.006, parents also have access to teaching materials.¹⁶⁴ A parent may review "all teaching materials, textbooks, and other teaching aids" used in their child's classroom.¹⁶⁵ This also includes reviewing a test after administration.¹⁶⁶ Although the school district must make teaching materials and tests readily available for a parent's review, the school may specify reasonable hours for that review.¹⁶⁷

Furthermore, Texas Education Code Section 26.008 grants parents access to other information, such as full information about the school activities of a parent's child.¹⁶⁸ Such information does not

160. TEX. EDUC. CODE ANN. § 26.005 (Vernon Supp. 2001) (stating that "a parent is entitled to access a copy of each state assessment instrument administered under Section 39.023 to the parent's child").

161. *Id.* § 39.023(e). Parents can obtain a copy of the TAAS examination through the Texas Education Agency's website. See TEX. EDUC. AGENCY, RELEASED TAAS, END-OF-COURSE EXAMINATIONS AND RPTE TESTS (last modified Apr. 2, 2001), <http://www.tea.state.tx.us/student.assessment/resources/release/index.html>.

162. TEX. EDUC. CODE ANN. § 39.023(e) (Vernon Supp. 2001).

163. *Id.*

164. TEX. EDUC. CODE ANN. § 26.006 (Vernon 1996).

165. *Id.* § 26.006(a)(1).

166. *Id.* § 26.006(a)(2).

167. *Id.* § 26.006(b).

168. The Code states:

(a) A Parent is entitled to full information regarding the school activities of a parent's child except as provided by Section 38.004.

(b) An attempt by any school district employee to encourage or coerce a child to withhold information from the child's parent is grounds for discipline under Section 21.104, 21.156, or 21.211, as applicable.

include child abuse reports.¹⁶⁹ Furthermore, a school district may discipline any employee who either encourages or coerces a child to withhold information from the child's parents.¹⁷⁰ Such disciplining action may include termination or suspension.¹⁷¹

In a recent decision, the Commissioner of Education addressed the access rights under Sections 26.006 and 26.008.¹⁷² Prior to the Winter Holiday party and the Valentine's Day party in a school, the Petitioner asked to review "all teaching materials, textbooks, and other teaching aids" including decorations and music.¹⁷³ The Respondent did not give the Petitioner an opportunity to review the materials but provided a description of the parties and indicated that the PTA, as coordinator for the parties, had more detailed information.¹⁷⁴ The Petitioner, concerned about what would occur at the parties, had his daughter excused from attending the parties.¹⁷⁵ The Commissioner did not address the potential underlying religious issues but, instead, discussed Sections 26.006 and 26.008.¹⁷⁶

Concerning Section 26.006, the Commissioner found that the Respondent had misinterpreted the parent's request.¹⁷⁷ Respondent believed that the underlying dispute had a religious component and therefore, denied the request.¹⁷⁸ The Commissioner ruled that the school should have made the items available to the parents regardless of whether the items conveyed a religious message or not.¹⁷⁹ The Commissioner acknowledged that "[p]arents are

TEX. EDUC. CODE ANN. § 26.008 (Vernon 1996).

169. *Id.* § 26.008(a) (providing a statutory exception by cross-referencing the TEX. EDUC. CODE ANN. § 38.004 which regulates child abuse reports and programs).

170. *Id.* § 26.008(b).

171. Section 26.008(b) provides for the discipline of teachers with probationary contracts under Section 21.104, rule for continuing contracts under Section 21.156, and term contracts under Section 21.211. *Id.*

172. *See Conklin v. North East Indep. Sch. Dist.*, No. 050-R8-1199, at *2-3 (Tex. Comm'r Educ. Sept. 5, 2000), available at <http://www.tea.state.tx.us/commissioner/1999/0501199.DOC>.

173. *Id.* at 1.

174. *Id.* at 1-2.

175. *Id.* at 2.

176. *Id.*

177. *See Conklin v. North East Indep. Sch. Dist.*, No. 050-R8-1199, at *2 (Tex. Comm'r Educ. Sept. 5, 2000), available at <http://www.tea.state.tx.us/commissioner/1999/0501199.DOC>.

178. *Id.*

179. *Id.*

clearly entitled to review teaching materials, textbooks, and teaching aids.”¹⁸⁰ As for the decorations and music, the “school is not required to choreograph parties in advance,” but schools need to make school related items available to a parent upon request “[w]hen in the ordinary course of business such items are made or selected.”¹⁸¹

Concerning Section 26.008, the Commissioner outlined some important principles. The Commissioner began by recognizing that Section 26.008 grants a right to parents that is “very important and very broad.”¹⁸² The Commissioner emphasized that “[w]ithout full information about their child’s activities, parents cannot be partners.”¹⁸³ Texas Education Code Section 26.008 guarantees parents timely receipt of information upon request.¹⁸⁴ The parent can then use this information to actively participate in the parent/school partnership. The Commissioner found, however, that Respondent had provided Petitioner with “a good bit of information about the parties,” and, therefore, no violation of Section 26.008 occurred.¹⁸⁵

b. Access to the Classroom

The Texas Education Code clearly allows parents access to teaching materials,¹⁸⁶ but parents, as partners in education, should also have access to the classroom itself. In the “Parent Involvement Pledge,” the Texas Education Agency asks parents to “participate in classroom/school activities.”¹⁸⁷ In addition, with a compulsory education system, parents should know of their chil-

180. *Id.* at 3.

181. *Id.*

182. *See* Conklin v. North East Indep. Sch. Dist., No. 050-R8-1199, at *3 (Tex. Comm’r Educ. Sept. 5, 2000), available at <http://www.tea.state.tx.us/commissioner/1999/0501199.DOC>.

183. *Id.*

184. TEX. EDUC. CODE ANN. § 26.008 (Vernon 1996); *see also* Conklin v. North East Indep. Sch. Dist., No. 050-R8-1199, at *3 (Tex. Comm’n Educ. Sept. 5, 2000), available at <http://www.tea.state.tx.us/commissioner/1999/0501199.DOC>.

185. Conklin v. North East Indep. Sch. Dist., No. 050-R8-1199, at *3 (Tex. Comm’r Educ. Sept. 5, 2000), available at <http://www.tea.state.tx.us/commissioner/1999/0501199.DOC>.

186. TEX. EDUC. CODE ANN. § 26.006 (Vernon 1996).

187. *See* TEX. EDUC. AGENCY, PARENT INVOLVEMENT PLEDGE (last modified Mar. 22, 2000) (indicating how to obtain a copy of the pledge), available at http://www.tea.state.tx.us/parent_inv; *see also* Appendix 1 of this Article.

dren's daily activities. Both of these concepts embody the spirit of a true partnership.¹⁸⁸

Despite the spirit of partnership, however, questions persist as to the extent of access to the classroom. In *Ryans v. Gresham*,¹⁸⁹ a mother wanted to visit her son's classes over a three day period because her son alleged "that he was being mistreated, that his teachers and classmates disliked him because of his race and that he was afraid to go to school."¹⁹⁰ After an hour of classroom observation, the teacher told the mother to leave.¹⁹¹ The mother refused to leave because the school had granted permission to visit the class, and the class had not ended.¹⁹² After various encounters with the teacher and other school officials, the mother stayed until the end of class.¹⁹³ In the interim, however, the school called the police department.¹⁹⁴ The mother attempted to show the officer and the school's counselor the principal's note authorizing her presence in the classroom.¹⁹⁵ The school's counselor "refused to look at the principal's note" and threatened to have the officer arrest the mother if she did not leave.¹⁹⁶ After once again refusing to leave, the officer arrested the mother for criminal trespass.¹⁹⁷

After having the criminal trespass charge subsequently dismissed, the mother filed a lawsuit alleging violations of the First and Fourteenth Amendment, a violation of the civil rights statutes, and for false imprisonment.¹⁹⁸ The mother claimed that school officials and the district breached her "constitutional right . . . to have access to their child's educational environment" by having her arrested.¹⁹⁹ The court, however, found "no holding even remotely suggesting that this guarantee includes a right to access to the clas-

188. See, e.g., TEX. REV. CIV. STAT. ANN. art. 6132b-1.01(11) (Vernon Supp. 2001) (accepting the definition of a partnership as "co-owners," which was previously defined in the expired Texas Uniform partnership Act).

189. 6 F. Supp. 2d 595 (E.D. Tex. 1998).

190. *Ryans v. Gresham*, 6 F. Supp. 2d 595, 597-98 (E.D. Tex. 1998).

191. *Id.* at 598.

192. *Id.*

193. *Id.* 598-99.

194. *Id.* at 599.

195. *Ryans*, 6 F. Supp. 2d at 599.

196. *Id.*

197. *Id.*

198. *Id.* at 599-600.

199. *Id.* at 601.

ses in which one's child participates."²⁰⁰ The court also stated that the "rights afforded to parents of students under Texas law include no duty to provide parents with access to classes."²⁰¹ Thus, the court found no violation and concluded that the parent's constitutional right to direct her son's education did not impose upon the school an obligation to allow access to the boy's classes.²⁰²

The *Ryans* court failed to provide any analysis for its conclusion. The court simply made the assertion that no constitutional violation occurred.²⁰³ If parents and educators are to be partners in education, then reasonable access to the classroom is appropriate and necessary. Certainly, schools may place reasonable time, place, and manner restrictions on classroom access as in other types of cases. For example, the school appropriately may ask parents to enter the classroom at the beginning of class to avoid disrupting lessons. Furthermore, schools may reasonably limit the number of parents granted access on any given day to avoid an overcrowding problem and subsequent disruptions accompanying overcrowded classrooms.

In *Ryans*, the mother obtained prior permission from the principal, had a positive and valid motive to access the class, and created no disruption to the educational environment during the initial hour. Both the teacher and school administrators should have allowed the mother to stay in this case. In order for the partnership to succeed, parents and educators must work together for the best interests of the child. Denying access to the classroom and having parents arrested obviously does not help establish a workable partnership.

c. Access to School Board Meetings

Pursuant to Texas Education Code Section 26.007, parents have a right to attend school board meetings.²⁰⁴ The school board must hold public meetings, and parents are entitled to attend any meet-

200. *Ryans*, 6 F. Supp. 2d at 601.

201. *Id.* at 601 n.16.

202. *Id.* at 602.

203. *Id.*

204. The Code states:

(a) A parent is entitled to complete access to any meeting of the board of trustees of the school district, other than a closed meeting held in compliance with Subchapters D and E, Chapter 551, Government Code.

ing, other than closed meetings.²⁰⁵ The Education Code expressly guarantees this right for parents, but other general rules concerning open meetings located in the Government Code also apply.²⁰⁶ Parents wishing to address the board can request that an item be placed on the agenda for the next board meeting or to speak during the public comment phase of the meeting. Parents should realize, however, that issues discussed during the public comment time do not require any action or response on the board's part.²⁰⁷ Thus, parents wishing the board to address specific issues should have the issue placed on the agenda for discussion at a subsequent meeting.

6. Texas Education Code § 26.009: Right of Prior Written Consent

The parental consent requirement represents a source of potential problems.²⁰⁸ Consent issues are governed by both state and federal law.²⁰⁹ School officials need to know what the Education

(b) A board of trustees of a school district must hold each public meeting of the board within the boundaries of the district except as required by law or except to hold a joint meeting with another district or with another governmental entity, as defined by Section 2051.041, Government Code, if the boundaries of the governmental entity are in whole or in part within the boundaries of the district. All public meetings must comply with Chapter 551, Government Code.

TEX. EDUC. CODE ANN. § 26.007 (Vernon Supp. 2001).

205. *Id.*

206. *See generally* TEX. GOV'T CODE ANN. § 551 (Vernon 1994) (governing open meetings). School boards are specifically mentioned within the definition of "governmental body." *Id.* § 551.001(3)(E).

207. The board may only decide an issue if it is on the agenda and proper notice has been given. *Id.* § 551.042. Thus, the issue must be placed on the agenda for a subsequent meeting. *Id.* § 551.042(b).

208. Prior parental notification and consent are important factors in this concept of partnership. There are particular areas such as psychological surveys which have created problems when the school fails to obtain prior parental consent. This point is illustrated in the *James D. v. Northside Independent School District* and *Lisa T. v. San Antonio Independent School District*. Press Release, Texas Justice Foundation, Texas Justice Foundation Works for You! (on file with the *St. Mary's Law Journal*).

209. *See* Family Educational Rights and Privacy Act of 1974 (FERPA), 20 U.S.C. § 1232g (1994) (outlining parental consent requirements for release of student records); *see also* Protection of Pupil Rights Amendment (PPRA), 20 U.S.C. § 1232h (1994) (stating that written consent is needed for certain types of student surveys); TEX. EDUC. CODE ANN. § 26.009 (Vernon Supp. 2001) (dictating that parental consent must be obtained before giving a psychological exam, as well as limiting those situations where a child may be videotaped or recorded without consent).

Code requires in order to carefully follow the rules and avoid potential conflicts on consent issues.

Chapter 26 provides a nonexclusive list of basic protections for the student by requiring parental consent.²¹⁰ The Family Code²¹¹ and selected sections of the Education Code²¹² require parental consent prior to some actions. In addition, federal law may provide additional protections.²¹³ With only specific exceptions,²¹⁴ Section 26.009 provides that schools must obtain a parent's consent before videotaping a child or recording the child's voice.²¹⁵ Among the exceptions, schools may create a videotape or voice recording

210. See, e.g., TEX. EDUC. CODE ANN. § 26.081 (Vernon Supp. 2001) (concerning information in special education cases); *id.* § 26.085 (concerning requests under the Freedom of Information Act to release records about the child); *id.* § 26.009 (concerning consent for certain activities). Section 26.009 states:

(a) An employee of a school district must obtain the written consent of a child's parent before the employee may:

- (1) conduct a psychological examination, test, or treatment, unless the examination, test or treatment is required under Section 38.004 or state or federal law regarding requirements for special education; or
- (2) make or authorize the making of a videotape of a child or record or authorize the recording of a child's voice.

(b) An employee of a school district is not required to obtain the consent of a child's parent before the employee may make a videotape of a child or authorize the recording of a child's voice if the videotape or voice recording is to be used only for:

- (1) purposes of safety, including the maintenance of order and discipline in common areas of the school or on school buses;
- (2) a purpose related to a cocurricular or extracurricular activity;
- (3) a purpose related to regular classroom instruction; or
- (4) media coverage of the school.

Id. § 26.009.

211. See TEX. FAM. CODE ANN. § 32.001 (Vernon 1996) (announcing that parental consent is required for medical, dental, psychological, or surgical treatment of a child); *id.* § 32.102 (providing for delegation of consent for individuals to allow the immunization of children).

212. TEX. EDUC. CODE ANN. § 33.004(b) (Vernon 1996) (establishing that parents are afforded an opportunity to preview a developmental guidance and counseling program); TEX. EDUC. CODE ANN. § 38.010 (Vernon 1996) (stating that parental consent is required prior to referring a student to treatment for chemical dependency); TEX. EDUC. CODE ANN. § 38.011(c) (Vernon Supp. 2001) (requiring parental consent for school-based health center services).

213. See 20 U.S.C. § 1232g (1994) (giving the parent the right through the Family Educational Rights and Privacy Act (FERPA) to object to making information public); Protection of Pupil Rights Amendment (PPRA), 20 U.S.C. § 1232h (1994) (requiring parental consent before a guidance or counseling program can do psychological exams, tests, or treatment).

214. TEX. EDUC. CODE ANN. § 26.009(b) (Vernon Supp. 2001).

215. *Id.* § 26.009(a)(2).

to maintain order and discipline, to participate in a co-curricular or extra-curricular activity, for regular classroom instruction, or for media coverage of the school.²¹⁶

Both state and federal law protect children from taking psychological exams, tests, or treatment without parental consent.²¹⁷ Texas Education Code Section 26.009(a)(1) provides the basic protection, requiring parental consent, before the school can conduct a psychological examination, test, or treatment.²¹⁸ As with other areas of the Education Code, limited exceptions arise in child abuse or special education cases.²¹⁹

In addition to state law, the PPRA offers federal protection against various types of survey, analysis, and evaluation without prior parental consent.²²⁰ The school must obtain the parent's prior written consent to conduct any survey, analysis, or evaluation pertaining to political affiliations, mental and psychological problems, sex behavior and attitudes, illegal, anti-social, self-incriminating and demeaning behavior, critical appraisal of close family relationships, legal relationships such as lawyers, physicians, and ministers, or the family's income.²²¹ Although the PPRA does not define psychiatric or psychological exams, the administrative regulations applicable to the PPRA defines these terms broadly as "a method of obtaining information, including a group activity, that is not directly related to academic instruction and that is designed to elicit information about attitudes, habits, traits, opinions, beliefs or feelings."²²² The applicable regulations further define psychiatric or psychological treatment as "an activity involving the planned, systematic use of methods or techniques that are not directly related to academic instruction and that is designed to affect behavioral, emotional, or attitudinal characteristics of an individual or group."²²³

216. *Id.* § 26.009(b).

217. TEX. EDUC. CODE ANN. § 26.009(a)(1) (Vernon Supp. 2001); Protection of Pupil Rights Amendment (PPRA), 20 U.S.C. § 1232h (1994).

218. TEX. EDUC. CODE ANN. § 26.009(a)(1) (Vernon Supp. 2001).

219. *Id.*

220. Protection of Pupil Rights Amendment (PPRA), 20 U.S.C. § 1232h (1994).

221. *Id.* § 1232h(b).

222. 34 C.F.R. § 98.4(c)(1) (1999).

223. *Id.* § 98.4(c)(2).

Several cases illustrate the requirement that schools obtain parental consent before conducting psychological surveys. In *James D. v. Northside Independent School District*,²²⁴ the school gave tenth graders an intrusive survey during geography class regarding beliefs about homosexuality and the death penalty without prior parental notification or consent allowing the survey.²²⁵ Similarly, in *Lisa T. v. San Antonio Independent School District*,²²⁶ parents brought a class action against SAISD when the district gave psychologically intrusive surveys at several campuses without parental consent.²²⁷ In the settlement agreement, the school district agreed to provide in-service training for all employees about parental rights; put state and federal parental rights laws in the parent handbook; and shred the original surveys. In addition, SAISD acknowledged that in the future the district would not administer personally invasive surveys without parental consent and that it would form a district-wide Parent's Committee to review surveys that might be considered intrusive.²²⁸

7. Right to Religious Freedom and Expression

One of the most precious rights that Americans have is that of religious liberty under the First Amendment of the Constitution.²²⁹ As the United States Supreme Court has held, students do not shed their constitutional rights to free speech or expression at the schoolhouse gate.²³⁰ In addition to the protections afforded religious liberty by the United States Constitution, the Texas Constitution guarantees additional protection, by providing that “[a]ll men have a natural and inalienable right to worship Almighty God ac-

224. The Texas Justice Foundation represented the parents in *James D. v. Northside ISD*, and the case was settled. Press Release, Texas Justice Foundation, Texas Justice Foundation Works for You! (on file with the *St. Mary's Law Journal*).

225. The parents received written assurances that (1) this would not happen again; (2) that all NISD staff would be instructed on Texas and federal law governing intrusive surveys; and, (3) that parents would be informed of their rights in the Parent-Student Handbook. *Id.*

226. *Lisa T. v. San Antonio Indep. Sch. Dist.*, No. SA-98-CV-0794-FB (1999). The Texas Justice Foundation represented the parents in *Lisa T. v. SAISD*, and the case was settled. Press Release, Texas Justice Foundation, Texas Justice Foundation Works for You! (on file with the *St. Mary's Law Journal*).

227. *Id.*

228. *Id.*

229. See U.S. CONST. amend. I.

230. *Tinker v. Des Moines Indep. Cmty. Sch. Dist.*, 393 U.S. 503, 506 (1969).

ording to the dictates of their own consciences No human authority ought, in any case whatever, to control or interfere with the rights of conscience in matters of religion."²³¹

a. Religious Freedom Protection at the Federal Level

Courts have recognized religion and religious expression in public schools as "one of the most sensitive and controversial matters that has divided Americans when it comes to public education."²³² Although concerns continue regarding whether Supreme Court rulings in the 1960s prohibit religious expression in public schools, individual students can still express religious faith.²³³ In 1995, the Secretary of Education in consultation with the Attorney General drafted guidelines balancing the right of students to express religious beliefs and the need for the schools to refrain from government sponsored religious speech and activities.²³⁴ The government sent these guidelines to every superintendent in the country in August of 1995.²³⁵

The guidelines provide helpful information for superintendents and parents. In the section entitled "Religious Expression in Public Schools," the guidelines cover such topics as student prayer and religious discussion, graduation prayer and baccalaureates, official neutrality regarding religious activity, teaching about religion, student assignments, religious literature, religious excusals, release time, teaching values, and student garb.²³⁶ The guidelines also contain a section concerning the Equal Access Act and how student religious activities must receive the same access to public facilities as secular activities.²³⁷ In the final section, the Secretary provides a

231. TEX. CONST. art. I, § 6 (protecting right to worship and rights of conscience in religious matters).

232. Letter from Richard W. Riley, Secretary, Dep't of Educ., to Principals (Dec. 17, 1999), available at <http://www.ed.gov/inits/religionandschools/secletter.html> (on file with the *St. Mary's Law Journal*).

233. *Id.*

234. *Id.* at 2.

235. *Id.* (providing the guidelines which were revised in May of 1998 and again in December 1999).

236. *Id.* at 5-7.

237. Letter from Richard W. Riley, Secretary, Dep't of Educ., to Principals (Dec. 17, 1999), available at <http://www.ed.gov/inits/religionandschools/secletter.html> (on file with the *St. Mary's Law Journal*).

list of a wide variety of groups that can answer questions about religious expression in the schools.²³⁸

b. Religious Freedom Protection in the Texas Education Code

The Texas Legislature has also protected religious liberty.²³⁹ A school district must excuse a student from school for the purpose of observing religious holy days, even without prior written notice.²⁴⁰ Additionally, parents may exempt children from mandatory immunizations by presenting an affidavit stating that there is a conflict between the immunization and the tenets and practice of their religious beliefs.²⁴¹ Certain limited exceptions apply to this rule, however, such as in cases of emergency or epidemic.²⁴²

In 1995, when the legislature revised the Education Code, the state added an opt-out provision.²⁴³ If educational material conflicts with the parents' religious or moral beliefs, parents may temporarily remove their children from that class or school activity.²⁴⁴ Interestingly, the Legislature included both religious or moral beliefs in the opt-out provision.²⁴⁵ Such inclusions provide broad protections to parents and a powerful tool to shield students from material the parent deems questionable. Despite this broad coverage, however, opt-out provisions may not be very practical. For example, a parent may not know about questionable material or subject-matter until after the fact, when it is too late to request an opt-out for that class. As a result, the child would be exposed to

238. *Id.* at 8-9.

239. *See, e.g.*, TEX. EDUC. CODE ANN. § 25.087(b) (Vernon Supp. 2001) (excusing absence for religious holy days); *id.* § 26.010 (providing parents with an opt out provision if a school activity clashes with the parent's religious or moral beliefs); *id.* § 38.001(c)(1)(B) (exempting student from immunization because it conflicts with religious tenets or practice); TEX. CIV. PRAC. & REM. CODE ANN. § 110.003 (Vernon Supp. 2001) (protecting religious freedom).

240. TEX. EDUC. CODE ANN. § 25.087(b) (Vernon Supp. 2001) (modifying the previous rule requiring parents to submit a written request that their child be excused from school). In 1999, the Texas Legislature eliminated that provision. *Id.*

241. TEX. EDUC. CODE ANN. § 38.001(c)(1)(B) (Vernon 1996).

242. *Id.*

243. *See id.* § 26.010 (mandating an affirmative action by parents for removal of their child from a class).

244. *Id.* § 26.010(a).

245. *Id.*

the material that offended the parent's religious or moral beliefs, thus defeating the purpose of the opt-out provision.

c. Texas Religious Freedom Restoration Act

During the 1999 legislative session, the legislature provided another powerful weapon protecting religious liberty.²⁴⁶ The Texas Religious Freedom Reformation Act (TRFRA) provides a remedy when a governmental agency, such as a school, substantially burdens the free exercise of religion.²⁴⁷ TRFRA defines free exercise of religion as "an act or refusal to act that is substantially motivated by sincere religious belief."²⁴⁸ Significantly, the legislature stated that TRFRA does not require courts to determine that the religious belief constitutes "a central part or central requirement of the person's sincere religious belief."²⁴⁹ Such language substantially eases the plaintiff's burden of proof.

Under a TRFRA challenge, the school must show that the challenged action promotes a compelling governmental interest and that the state has used the least restrictive means in furthering that interest.²⁵⁰ In determining whether the state meets this burden, the court must give weight to the interpretation of the compelling governmental interest standard in federal case law under the Free Exercise Clause of the First Amendment of the United States Constitution.²⁵¹ Commonly referred to as strict scrutiny, such an analysis represents the highest burden a defendant must satisfy.²⁵²

If a parent believes a violation of TRFRA occurred, the parent must give notice to the school by certified mail with return receipt requested.²⁵³ The notice must include: (1) a statement that the school substantially burdened the person's free exercise of religion; (2) a statement regarding the particular religious belief burdened; and (3) the manner in which the school has burdened the free exercise of religion.²⁵⁴

246. TEX. CIV. PRAC. & REM. CODE ANN. § 110 (Vernon Supp. 2001).

247. *Id.* § 110.001 (codifying SB 138).

248. *Id.* § 110.001(a)(1).

249. *Id.*

250. *Id.* § 110.002.

251. TEX. CIV. PRAC. & REM. CODE ANN. § 110.001(b) (Vernon Supp. 2001).

252. 2 DAVID M. O'BRIAN, CONSTITUTIONAL LAW AND POLITICS 1248 (1991).

253. TEX. CIV. PRAC. & REM. CODE ANN. § 110.006 (Vernon Supp. 2001).

254. *Id.*

Upon receipt of notice, the school has sixty days to respond and cure the problem.²⁵⁵ If the school refuses or fails to cure the problem, the person may file suit²⁵⁶ in state district court.²⁵⁷ Remedies include up to \$10,000 for each entire, distinct controversy, and reasonable attorney's fees, court costs, or other reasonable expenses.²⁵⁸ Although untested, TRFRA represents another avenue that parents may take in protecting religious beliefs.²⁵⁹

III. OTHER FREQUENTLY ENCOUNTERED PARENTAL RIGHTS ISSUES

A. *Intra-District Transfers*

Occasionally, parents want to have their child transferred to another classroom or even to another school within the district. For example, parents may want to transfer their child from a school for academic reasons or because of safety concerns, such as assaults or other acts of violence upon the child. Pursuant to the Education Code, the school district may assign and transfer a student from either a school or classroom to another within its jurisdiction.²⁶⁰

As may be expected, both state and federal law place some limitations on student assignments or transfers. For example, a board or an agent acting on its behalf must not make a decision to transfer a student based on their national origin or ancestral language.²⁶¹ One district allowed transfers to all but one of fifty-nine schools.²⁶² The district justified this prohibition as a means to pre-

255. *Id.* § 110.006(a).

256. *Id.*

257. *Id.* § 110.005(c).

258. TEX. CIV. PRAC. & REM. CODE ANN. § 110.005(b) (Vernon Supp. 2001).

259. *Id.* *But see* *City of Boerne v. Flores*, 521 U.S. 507, 507, 532-36 (1997) (holding that the TFRA's federal counterpart, the Religious Freedom Restoration Act (RFRA), unconstitutionally exceeds Congress' power in its attempt to secure Fourteenth Amendment guarantees).

260. TEX. EDUC. CODE ANN. § 25.031 (Vernon 1996) (granting discretion for assignments and transfers to the governing board).

261. *Id.* § 25.032.

262. Plano Independent School District allowed students in all fifty-nine of its schools to transfer except those students who attended Barron Elementary School. After complaints by parents and a letter by the Texas Justice Foundation, the board approved a new intradistrict transfer policy which allows children to transfer from all fifty-nine schools. *See* School Board Meeting Agenda Discussion Item (Apr. 17, 2001) (recommending adoption of the new Plano ISD Intradistrict Transfer Policy on its first reading) (on file with the *St. Mary's Law Journal*). This is a fair decision by the board.

vent the school from reaching sixty-six percent minority enrollment in compliance with the 1971 federal court order concerning desegregation.²⁶³

The Texas Education Code allows transfers²⁶⁴ and outlines the procedures for a transfer.²⁶⁵ First, the parent should file a written request for transfer or objection to transfer with the principal.²⁶⁶ If the principal fails or refuses to resolve the issue, the parent may appeal by petitioning the school board.²⁶⁷ The school board then has thirty days to act on the petition or hold a hearing.²⁶⁸ The parent may present evidence supporting the request for a transfer,²⁶⁹ and the school board may investigate.²⁷⁰ In *Evelyn W. v. Conroe Independent School District*, the Commissioner of Education addressed the type of hearing the board must conduct to comply with the statute.²⁷¹ The Commissioner concluded that Section 25.034(c) "does not require a full blown due process hearing on the issue of student transfers; applicants receive sufficient process if they are allowed to present relevant evidence to the board of trustees in the public forum portion of a board meeting."²⁷²

The Education Code favors parents by requiring schools to grant the request unless the board finds a reasonable basis for denying

263. The Texas Education Agency has taken the position that it "may not impose any requirements on a school district as a result of such a campus population absent a finding of intentional discrimination on the part of the district." Letter from David A. Anderson, TEA General Counsel, to Senator Ken Ambrister and Representative Geanie Morrison at 2 (Dec. 13, 1999) (on file with the *St. Mary's Law Journal*). Mr. Anderson based his opinion on *United States v. Gregory-Portland Indep. Sch. Dist.*, 654 F.2d 989 (5th Cir. 1981) whereby the court rejected the notion that a campus with 66% minority population demonstrated intentional discrimination and prohibited the enforcement of the order without a showing that there had been intentional discrimination. *Id.* at 1. Therefore, a school district does not have an obligation to institute measures such as a prohibition on transfers unless the district committed intentional discrimination that contributed to the segregation.

264. See TEX. EDUC. CODE ANN. § 25.033(1) (Vernon 1996) (providing that parents may request transfer to another school); *id.* § 26.003(a)(2) (granting parental right to request classroom reassignment).

265. *Id.* § 25.034.

266. See *id.* § 25.033.

267. TEX. EDUC. CODE ANN. § 25.033 (Vernon 1996).

268. *Id.* § 25.034(a).

269. *Id.* § 25.034(c).

270. *Id.* § 25.034(d).

271. *Evelyn W. v. Conroe Indep. Sch. Dist.*, No. 051-R5-1196, at *5 (Tex. Comm'r Educ. 1997), available at <http://www.tea.state.tx.us/commissioner/1996/0511196.DOC>.

272. *Id.*

the request.²⁷³ Unless the parent alleges a violation of constitutional rights, however, the decision of the board is final.²⁷⁴ To succeed on an exception based on a violation of constitutional rights, the parent must timely file²⁷⁵ and must state the relevant facts.²⁷⁶ If the board overrules the exception, the parent may file suit in district court.²⁷⁷

B. *Inter-District Transfers*

On occasion, a parent may wish to transfer his or her child to another district within the same general area. In that situation, the school boards of two or more adjoining school districts may agree to make a transfer.²⁷⁸ Upon a successful transfer, the transferring school also executes a transfer of school funds.²⁷⁹

In 1995, the Texas Legislature provided an escape mechanism for parents with children trapped in a failing school.²⁸⁰ This program, referred to as the Public Education Grant Program (PEG), gives parents the choice of sending their child to another district.²⁸¹ Students may gain eligibility under PEG in two ways.²⁸² First, a child may transfer under PEG if the child attends a school where fifty percent or more of the students did not perform at least satisfactorily on the assessment examination for two of the preceding three years.²⁸³ Second, a child may transfer under PEG if the Commissioner of Education classifies the school as "low performing" at any time during the preceding three years.²⁸⁴

273. TEX. EDUC. CODE ANN. § 25.034(e) (Vernon 1996).

274. *Id.*

275. *Id.* § 25.034(f)(1).

276. *Id.* § 25.034(f)(2). Claims will be denied where sufficient facts are not raised. *Cf. W. v. Abilene Indep. Sch. Dist.*, No. 173-R5-898 (Tex. Educ. Comm'n July 27, 1999).

277. TEX. EDUC. CODE ANN. § 25.034(f) (Vernon 1996).

278. *Id.* § 25.035.

279. *Id.*

280. TEX. EDUC. CODE ANN. §§ 29.201 (Vernon 1996), 29.205 (Vernon Supp. 2001) (including the section on Parental Choice in 1995 and the section pertaining to the Public Education Grant Program (PEG) during the 1995 and 1997 legislative session).

281. TEX. EDUC. CODE ANN. § 29.201 (Vernon 1996) (allotting for a public education grant program that permits students to attend school in a district other than the one in which the student resides).

282. TEX. EDUC. CODE ANN. § 29.202(a)(1) (Vernon Supp. 2001).

283. *Id.*

284. *Id.* § 29.202(a)(2). By January 1st of each year, the Commissioner of Education must notify a school that it meets the eligibility criteria. *Id.* § 29.204(a). By February 1st of

A district may accept or reject a PEG transfer.²⁸⁵ If the district rejects a student, however, the district may not do so based on discriminatory factors of the "student's race, ethnicity, academic achievement, athletic abilities, language proficiency, sex, or socio-economic status."²⁸⁶ If a school receives more PEG applications than the school can accommodate, the school fills positions by lottery.²⁸⁷ Accepting PEG students entitles a district to additional state aid as prescribed in the statute.²⁸⁸

C. School Violence

The issue of school violence unfortunately has had a profound effect on American families.²⁸⁹ Hardly a week goes by without some report of school violence.²⁹⁰ Although the state has tried to make schools safer, whether the state has succeeded remains questionable. In the latest statistics from the Texas Education Agency on school violence for the 1998-99 academic year, Texas public schools experienced approximately "51,000 incidents of assaults against students, just under 3,800 incidents of assaults against

each year, the school district must notify the parents of that school that students are eligible for a Public Education Grant. *Id.* § 29.204(2)(b). The notice that the school district gives must be "a clear, concise explanation of the public education grant program and of the manner in which the parent may obtain further information about the program." TEX. EDUC. CODE ANN. § 29.204(b) (Vernon Supp. 2001).

285. *Id.* § 29.203(d).

286. *Id.*

287. *Id.* (stating that the district must also give priority to at risk students).

288. *Id.* § 29.203(b) (allowing additional aid if the "wealth per student [is] greater than the guaranteed wealth level but less than the equalized wealth level").

289. See Stacie Orsagh-Aguillon, *Student Rage Concerns S.A. Parents*, SAN ANTONIO EXPRESS-NEWS, Apr. 18, 2001, at H1 (discussing the fear that haunts parents every day their kids go to school), available at 2001 WL 17170777.

290. See Jennifer L. Barnes, Comment, *Students Under Siege? Constitutional Considerations for Public Schools Concerned with School Safety*, 34 U. RICH. L. REV. 621, 622 & n.1 (2000) (reporting the increase in school violence and estimates that over 100,000 guns are brought to public schools every day), WL URMDLR 621; see also Diane Carman, *A Terrible, Familiar Violence*, DENVER POST, Mar. 6, 2001, at B1 (discussing the string of school violence in Oregon, Colorado, and California), available at 2001 WL 6745662; Steven A. Peterson, *What Is Driving Young Males-Not Females-to Commit Violence?*, THE HARRISBURG PATRIOT, Apr. 20, 2001, at A19 (pointing out that most school shootings are performed by young males and discussing student violence in Indiana, California and Pennsylvania), available at 2001 WL 2694942.

teachers or staff, and nearly 500 gun confiscat[ions].”²⁹¹ These statistics should frighten communities, schools, and particularly, parents. Students should be able to go to school focused on learning and not on whether they will be assaulted that day. Parents should be able to send their children to school wondering about what their children will learn, and not whether their children will return home.

Accordingly, Texas enacted the Safe Schools Act (also referred to as the Zero Tolerance Act) to make schools safe from violent students.²⁹² Under Chapter 37, school officials have the duty and the authority to remove disruptive and violent students from the classroom,²⁹³ and even from the school, for certain types of behavior.²⁹⁴ Parents understand and the courts have recognized that teachers cannot teach in the absence of order and discipline in the classroom. For example, the United States Supreme Court has recognized that “[t]he primary duty of school officials and teachers . . . is the education and training of young people. . . . Without first establishing discipline and maintaining order, teachers cannot begin to educate their students. . . . [T]he school has the obligation to protect pupils from mistreatment by other children.”²⁹⁵

The Education Code specifically establishes what steps schools must take to protect student safety.²⁹⁶ First, the school must adopt and enforce a student code of conduct.²⁹⁷ Under Chapter 37, the student code of conduct must: (1) specify the circumstances under

291. Press Release, Office of the Attorney General, Cornyn Releases School Violence Prevention Report (May 10, 2000), <http://www.oag.state.tx.us/newspubs/releases/2000/20000510schoolviorept.htm>.

292. OFFICE OF THE STATE AUDITOR, A REPORT ON SAFE SCHOOLS PROGRAMS, EXECUTIVE SUMMARY 1 (1999).

293. TEX. EDUC. CODE ANN. § 37.002 (Vernon 1996).

294. TEX. EDUC. CODE ANN. § 37.006 (Vernon Supp. 2001).

295. *New Jersey v. T.L.O.*, 469 U.S. 325, 350 (1985) (Powell, J., concurring).

296. See TEX. EDUC. CODE ANN. § 37 (Vernon 1996 & Supp. 2001) (delineating the specific guidance given to school districts and school officials by the Legislature). For example, Section 37.001 requires that the school board adopt a code of conduct. *Id.* § 37.001. Section 37.002 allows the teacher to remove a child from class. *Id.* § 37.002. Section 37.006 mandates that a student be placed in alternative education program (AEP) for certain conduct. *Id.* § 37.006. Section 37.007 provides for expulsion of the student for serious offenses. *Id.* § 37.007. Section 37.010 indicates when court involvement is necessary. *Id.* § 37.010. Section 37.011 provides for the development of a court ordered juvenile justice alternative education program (JJAEP). *Id.* § 37.011.

297. TEX. EDUC. CODE ANN. § 37.001 (Vernon Supp. 2001).

which a school may remove a student from a classroom, campus, or an Alternative Education Program (AEP); (2) specify conditions that authorize or require a principal or other appropriate administrator to transfer a student to an AEP; and, (3) outline the conditions under which a school may suspend or expel a student under relevant portions of the Education Code.²⁹⁸

In addition to satisfying the code of conduct requirement, school officials must satisfy individual responsibilities. A teacher, aware that a student violated the student code of conduct, must file a written report with the principal documenting the violation.²⁹⁹ The principal must then send a copy of the report to the student's parent within twenty-four hours.³⁰⁰ Furthermore, teachers may remove a disruptive, dangerous, or violent child from the classroom.³⁰¹ Principals have the duty to use appropriate discipline management techniques consistent with the provisions outlined in the student code of conduct to address violations.³⁰² For example, a principal may send a student to AEP for such things as assault, terroristic threats, public lewdness, or indecent exposure.³⁰³ A school may expel a student for such things as using, exhibiting or possessing a firearm, knife, or other weapon, aggravated assault, sexual assault, indecency with a child, and selling, giving, delivering or possessing a controlled substance, a dangerous drug, or alcoholic beverages.³⁰⁴

Once a school reassigns a student to AEP, the student may not return to the classroom or school campus until the school schedules a conference between the principal, parent, teacher, and student.³⁰⁵ If the school board decides to expel or reassign a student to AEP, an order will be issued "to the student and the student's parent" announcing the board's decision.³⁰⁶ In addition, the school board must deliver a copy of the board's order to the juvenile court before placing a student in AEP or expelling a student.³⁰⁷ Depend-

298. *Id.*

299. *Id.* § 37.001(b).

300. *Id.*

301. *Id.* § 37.002(a).

302. TEX. EDUC. CODE ANN. § 37.002(a) (Vernon Supp. 2001).

303. *Id.* § 37.006.

304. *Id.* § 37.007.

305. *Id.* § 37.009.

306. *Id.* § 37.009(g).

307. TEX. EDUC. CODE ANN. § 37.010 (Vernon Supp. 2001).

ing on the offense, the principal may be required to notify the school district police department and the municipal police department or sheriff.³⁰⁸ The school must notify the police when a student commits either a felony or terroristic threat.³⁰⁹

Parents as partners in education must take an active role to prevent school violence. In May 2000, the Attorney General released the final report of the School Violence Prevention Task Force.³¹⁰ The report provides recommendations and practical “action steps” that school districts, parents, students, and communities can take to prevent school violence. Specifically, Recommendation #11 states that “[s]chools and communities should facilitate parental involvement.”³¹¹ Recommendation #12 states that “[p]arents, youth, schools, and community leaders need to be involved in a community-wide dialogue about youth taking responsibility for their actions.”³¹² Parents must remain actively involved in talking with their children, being role models, and setting a proper example in order to show that violence is not an appropriate way to resolve disputes or vent frustration.

The State Auditor concluded that Chapter 37 “has been implemented in a way that does not guarantee that violent students are removed from regular classrooms and educated.”³¹³ Furthermore, “school officials do not consistently remove violent students to alternative education programs” as the law requires.³¹⁴ The title of a recent article in the *American Bar Association Journal* succinctly reflects the failings of many school officials—“Zero Tolerance, Zero Sense.”³¹⁵ At one end of the spectrum, some schools charge students with violations of the law in such a strict manner as to be

308. *Id.* § 37.015.

309. *Id.* § 37.015(a)(1), (3).

310. TEX. ATT’Y GEN., SCHOOL VIOLENCE PREVENTION TASK FORCE, FINAL REPORT 1 (May 2000) (providing copies of the report through the website or by calling the Attorney General’s Office at 800-252-8011), available at http://www.oag.state.tx.us/AG_Publications/pdfs/sch_viol_prev_task_force.pdf.

311. *Id.* at 11.

312. *Id.* at 13.

313. LAWRENCE F. ALVIN, OFFICE OF THE STATE AUDITOR, A REPORT ON SAFE SCHOOLS PROGRAMS, EXECUTIVE SUMMARY 1 (1999).

314. *Id.*

315. Margaret Graham Tebo, *Zero Tolerance, Zero Sense*, A.B.A.J. (May 4, 2000), available at <http://www.abanet.org/journal/may00/04fzero.html>.

senselessly oppressive.³¹⁶ On the other end of the spectrum, serious incidents continue to harm children with some schools taking no action.³¹⁷ For example, in *Doe v. Tyler Independent School District*, students assaulted a seventh grade girl five times in two years.³¹⁸ The girl's parents filed a lawsuit requesting the district to comply with the "zero tolerance" state law requiring the removal of the assaulting students to AEP.³¹⁹ After a year of litigation, the school district finally agreed to transfer the child and comply with the provisions of Chapter 37.³²⁰

In another recent case, a group of older students continually harassed and made racial slurs towards a first grade student.³²¹ The first grader's mother talked with school officials on several occasions concerning the incidents.³²² School officials, however, failed or refused to take any action, and the misconduct continued to escalate.³²³ Ultimately, one of the older students threw a brick that hit the first grade student in the head.³²⁴ After repeated complaints about an aching head, constant crying, and continued difficulty sleeping, the mother took the first grader to the doctor, who diagnosed swelling and bruising.³²⁵

The mother continued to talk with school officials about the misconduct of the older boys.³²⁶ Reluctantly, the mother sent her son back to school.³²⁷ Upon returning to school, one of the older boys

316. *See id.* (recounting incidents where seventh graders were charged with a drug violation when one girl gave a friend a Midol tablet and a six-year-old was charged with a weapons violation when his grandmother put a plastic knife in his lunch sack to spread his peanut butter).

317. *See, e.g., Doe v. Tyler Indep. Sch. Dist.*, No. 98-1377-B (1999) (concerning seventh grade female student who was assaulted five times in two years); *Crunk v. San Antonio Indep. Sch. Dist.*, No. 5A-01-CA-0109-HG (filed Feb. 6, 2001) (alleging deliberate indifference to repeated acts of peer racial harassment and violence against first grader).

318. The Texas Justice Foundation represented the parents in *Doe v. Tyler ISD*.

319. *Doe v. Tyler Indep. Sch. Dist.*, No. 98-1377-B (114th Dist. Ct., Smith County, Tex. Feb. 3, 1999).

320. *Id.*

321. *Crunk v. San Antonio Indep. Sch. Dist.*, Complaints for Damages for Violations of Civil Rights, No. 5A-01-CA-0109-HG (W.D. Tex. Feb. 6, 2001).

322. *Id.* at 4-5.

323. *Id.*

324. *Id.* at 5.

325. *Id.* at 6.

326. *Crunk v. San Antonio Indep. Sch. Dist.*, Complaints for Damages for Violations of Civil Rights, No. 5A-01-CA-0109-HG (W.D. Tex. Feb. 6, 2001).

327. *Id.*

followed the first grader to the bathroom and urinated on him.³²⁸ After repeated protests by the victim's mother and continued incidents, the principal rudely advised the mother that there were other schools where the victim could attend and a transfer was finally effectuated.³²⁹ Under Chapter 37, the perpetrators are to be removed and not the victim. The reality in both of these cases shows, however, that the victims often must transfer, again defeating the purpose of the legislation.

Chapter 37 remains ineffective when schools fail to apply the law consistently and sensibly. As a result of various concerns about the zero tolerance policy, the Criminal Justice Section of the American Bar Association (ABA) issued a report and recommendation to the ABA's House of Delegates. The recommendation stated that "the ABA opposes, in principle, 'zero tolerance' policies that have a discriminatory effect, or mandate either expulsion or referral of students to juvenile or criminal court, without regard to the circumstances or nature of the offense or the student's history."³³⁰

Furthermore, the most basic of rights should be freedom from fear and assaults on one's body. Children cannot concentrate on studies while in constant fear of assault. Efforts towards excellence in education will be thwarted if children fear going to school. The

328. *Id.*

329. *Id.* at 9, 11.

330. Ralph C. Martin, II, 2001 A.B.A., SEC. CRIM. JUST. & FAM. L. REP. 12 (Feb. 2001). Copies of the report and resolution are available through the ABA's Division for Media Relations and Communication Services, 750 N. Lake Shore Drive, Chicago, Illinois 60611 and phone number 312-988-5000. *See id.* The resolution which was amended and adopted by the House of Delegates on February 19, 2001 reads in its entirety as follows:

RESOLVED, that the American Association supports the following principles concerning school discipline:

- 1) schools should have strong policies against gun possession and be safe places for students to learn and develop;
 - 2) in cases involving alleged student misbehavior, school officials should exercise sound discretion that is consistent with principles of due process and considers the individual student and the particular circumstances of misconduct; and
 - 3) alternatives to expulsion or referral for prosecution should be developed that will improve student behavior and school climate without making schools dangerous;
- and

FURTHER RESOLVED, that the ABA opposes, in principle, 'zero tolerance' policies that have a discriminatory effect, or mandate either expulsion or referral of students to juvenile or criminal court, without regard to the circumstances or nature of the offense or the student's history.

Id.

ABA correctly asserts that "schools should . . . be safe places for students to learn and develop."³³¹ With violent and disruptive students, school officials should take action that is fair, sensible, and appropriate for the level of misconduct. Parents as full partners should be part of the process and should take an active role in communicating with and disciplining the child.

IV. REMEDIES WHEN PARENTAL RIGHTS ARE VIOLATED

A. *Assessing the Need for a Remedy*

The Texas Education Code should include a remedies provision because Chapter 26 does not provide for a remedy if the teacher, administrator, or district violate parental rights. Numerous reasons justify the addition of such a provision. First, some districts appear openly hostile to parents voicing opposition to the district's plans and programs. Such hostility often leads to violations of parental rights. A prime example of this occurred in Plano ISD's response to parents concerning the Connected Math Program discussed earlier. Districts demonstrate hostile attitudes by referring to parents as "outside visitors," rather than partners in education as the Education Code requires. It is the parent's child not the state's, and the parent has the primary responsibility for the education of their children as Congress correctly stated in creating the Department of Education.³³²

Second, parents who file suit to enforce their rights, like the Plano parents, run the risk of summary judgment in favor of the district because Chapter 26 does not provide a remedy. When parents have an inalienable, fundamental right to direct the upbringing and education of their children, the court should impose a remedy for violations of this right. Texas courts have traditionally provided a remedy where the Legislature has created a right, and violations of a parent's right to participate in a child's education should be no different.

Third, the district may label parents as a security risk and/or arrest parents in retaliation for being outspoken on issues regarding their parental rights. The Texas Justice Foundation has received several calls from parents about this problem. For example, in a

331. *Id.*

332. Department of Education Organization Act, 20 U.S.C. § 3401(3) (1994).

case against San Antonio Independent School District,³³³ the police arrested a PTA parent when the parent took his children to school. The arrest occurred at the request of the district in retaliation for the parent's voiced concerns and for criticizing school administrators for failing to protect the safety of the children.³³⁴ In another case not filed at this time, a school labeled a parent a "security risk" and forbid the parent from entering campus, even to drop off his son.³³⁵ The father believes the reason for the school's action was the outspoken criticism of educators about the type of education received by his son in special education. When schools have parents arrested and/or labeled security risks, the partnership has failed.

It should be emphasized that if any individual, including a parent, truly constitutes a security risk and disrupts the educational environment or creates a danger to students, teachers, administrators, or other employees, schools should take appropriate action. Principals have broad authority under the code for discipline at the campus.³³⁶ Schools should not, and need not, tolerate disruptive or threatening behavior by students, parents, teachers, or administrators and should deal with such behavior in an appropriate manner. Common sense dictates, however, that a partnership cannot last if one of the partners bans the other partner from participation because of voicing concerns about the education process.

By way of analogy, Chapter 37 of the Texas Education Code grants the school board or administrators certain authority to control disruptive individuals. Under Chapter 37 subchapter D, concerning the protection of buildings and grounds, the state's criminal laws apply.³³⁷ In addition, the school board may adopt rules "for the safety and welfare of students, employees, and prop-

333. The parent's name is omitted here because the record is in the process of being expunged. However, the Texas Justice Foundation represented the father in his suit against San Antonio Independent School District.

334. With the help of the Texas Justice Foundation, the charges against the father were dropped.

335. The parent's name is omitted here because the case has not been filed at this time and there is a fear of further retaliation.

336. TEX. EDUC. CODE ANN. § 11.202(b)(4) (Vernon 1996) (delegating to principals administrative responsibility and instructional leadership, under the supervision of the superintendent, for discipline at the campus).

337. *Id.* § 37.101.

erty of the district.”³³⁸ The school board or “its authorized representative may refuse to allow a person without legitimate business to enter on property . . . and may eject any undesirable person from the property on the person’s refusal to leave peaceably on request.”³³⁹ Furthermore, an unauthorized person trespassing on school grounds commits a Class C misdemeanor.³⁴⁰ The school board may commission an officer to enforce these rules.³⁴¹ Ultimately, the municipal court or justice of the peace in the county of the school district has jurisdiction to hear and determine criminal violations of Chapter 37.³⁴²

Under Chapter 37, even students are entitled to basic due process. This includes: (1) notice of the specific circumstances that may cause removal from the classroom or discipline;³⁴³ (2) documentation as to the specific acts of misconduct;³⁴⁴ (3) a hearing within three days whereby the student is told the reasons for the removal, given an explanation of the basis for the removal, an opportunity to respond to the reasons for the removal, and the student’s parent is entitled to notice and an opportunity to participate in the proceeding;³⁴⁵ and (4) there is an opportunity for court involvement which provides additional protections and guarantees.³⁴⁶ Since these students are entitled to basic due process, the parents who are partners in education should also be afforded the same safeguards in notice of the reasons, evidence (documentation) of misconduct, a fair hearing, and a right to appeal the decision.

B. Remedies: Filling the Void

Texas made tremendous strides in parental rights when revising the Education Code in 1995.³⁴⁷ The Texas Legislature dedicated

338. *Id.* § 37.102.

339. *Id.* § 37.105.

340. *Id.* § 37.107.

341. TEX. EDUC. CODE ANN. § 37.103 (Vernon 1996).

342. *Id.* § 37.104.

343. *Id.* § 37.001(a)(1).

344. *Id.* § 37.002(b)(1).

345. TEX. EDUC. CODE ANN. § 37.009(a) (Vernon Supp. 2001).

346. *Id.* § 37.010.

347. Appendix 3 of this Article is a comparison chart of other state provisions. Texas is unique in dedicating a chapter to parental rights and defining parents as full partners in education.

Chapter 26 to the issue of parental rights and established the guiding principles for parents as partners in education. However, experience over the last five years demonstrates that the state has more work to do.

Texas, once again, needs to consider reforms at all levels of government due to the extensive nature of the problem. The following proposed reforms address issues at both the state and federal level, as well as legislative, judicial, and administrative aspects of state law. First, governments at both the federal and state level should create a civil remedy for parents when school districts violate the parent's right to actively participate in the education of their child. Second, the Texas judiciary should create a remedy in law and equity for parents to protect this same right. Third, Texas agencies charged with overseeing public education should establish clearly defined administrative procedures that promote the partnership relationship between parents and educators.

1. State and Federal Legislative Proposals

In 1995, State Representatives Uher, Chisum, Heflin, and Goodman introduced H.B. No. 661. As part of the overhaul of the education system, the bill provided both a criminal penalty and a civil remedy for violations of parental rights.³⁴⁸ The criminal penalty stated that violations constitute a Class A misdemeanor.³⁴⁹ The civil remedy simply indicated that "a school district is liable . . . [f]or damages resulting from the district's violation of this subchapter, including reasonable attorney's fees incurred in bringing suit against the district."³⁵⁰ Unfortunately, however, the bill containing these criminal and civil remedies provisions were left pending in committee.

This Article proposes that the Texas Legislature amend Chapter 26 to provide a remedy to parents when a school district or school officials violate parental rights. This amendment would provide three primary means of protecting parental rights. The first proposal would give parents a compensatory civil remedy for any violation. The second proposal suggests an administrative change restricting schools that are hostile to parents or that violate paren-

348. Tex. H.B. No. 661, 74th Leg., R.S. (1995).

349. *Id.*

350. *Id.*

tal rights from qualifying for the state-recognized "exemplary" status. Finally, the third proposal affects funding at the federal level and would be an effective way to enforce a long line of United States Supreme Court rulings that respect the fundamental rights of parents to direct the upbringing and education of their children.

a. Establishing a Civil Remedy for Parents to Enforce Chapter 26

The Texas Legislature should amend Chapter 26 and provide a civil remedy to parents when school officials violate parental rights. This provision should state:

A parent, including persons acting in the place of a parent,³⁵¹ may enforce parental rights by asserting a claim in the district court with jurisdiction over the school or school district.³⁵² If a parent successfully asserts a claim that the school has violated parental rights under Chapter 26, the court should fashion an appropriate remedy in law and equity. Such a remedy might include, but is not limited to, specific performance, injunctive relief, and monetary damages. Compensatory damages awarded under this section should not exceed \$10,000 for each distinct violation of parental rights. In addition, if a parent can prove a district-wide pattern of parental rights violations, whether adjudicated by a court or not, the court may award punitive damages not to exceed \$20,000. A successful parent may recover reasonable attorney's fees, court costs, and other reasonable expenses incurred in bringing the action.

b. Preventing a School That Violates Parental Rights from Receiving "Exemplary" Status

The Texas Legislature remains concerned about district accountability, and therefore, it has directed the State Board of Education to develop academic excellence indicators³⁵³ and for principals to

351. See TEX. EDUC. CODE ANN. § 26.002 (Vernon 1996) (giving a definition of parent which includes any "person standing in parental relation").

352. See Tex. H.B. 661, 74th Leg., R.S. (1995) (analogizing House Bill 661, which proposes a civil remedy for violation of Chapter 21 of the Texas Education Code, with a proposal to change Chapter 26 of the Code to include a civil remedy for similar violations).

353. TEX. EDUC. CODE ANN. § 39.051 (Vernon 1996). In addition, the Texas Administrative Code has a chapter concerning "Planning and Accreditation." 19 TEX. ADMIN. CODE § 97.1-.1012 (West 2000). It states that the "purpose of school accreditation is to assure that school districts will be held accountable for excellence in student performance." 19 TEX. ADMIN. CODE § 97.1 (West 2000). Furthermore, under the accountability system,

review and revise campus improvement plans in light of the campus' performance on the academic excellence indicators.³⁵⁴ The academic excellence indicators include the results of state assessment tests as well as national tests such as the Scholastic Aptitude Test (SAT), dropout rates, student attendance, exit-level assessment tests, progress of those failing to pass the state assessment test, and percentage of students exempted from the state assessment test.³⁵⁵ In addition, the academic excellence indicators may include a consideration of whether there was compliance with statutory requirements and requirements imposed by the State Board of Education.³⁵⁶

School districts are rated³⁵⁷ as either exemplary,³⁵⁸ recognized,³⁵⁹ academically acceptable,³⁶⁰ or academically unacceptable.³⁶¹ Not surprisingly, school districts covet the exemplary rating. However, such a rating should not be awarded if it does not comply with the statutory requirement to treat parents as full partners in education and violates parental rights. As a result, the following proposal would help further protect parental rights.

Before a school may receive an exemplary rating, the school must demonstrate steps actively encouraging parent participation in the creation and implementation of educational programs. In addition, schools must show actions demonstrating a parent-friendly campus. If a school has a pattern of parental rights violations, either adjudicated or not, the school should not receive a higher rating.

schools will "receive optimal encouragement" and "maximum flexibility" to determine the kinds of programs to achieve excellence. *Id.* As discussed at the beginning of the Article, parents are a key factor in the excellence equation.

354. TEX. EDUC. CODE ANN. § 11.253(c) (Vernon 1996).

355. *Id.* § 39.051.

356. *Id.* § 39.072(b)(1).

357. *Id.* § 39.072 (listing the ratings as exemplary, recognized, academically acceptable, and academically unacceptable).

358. "Exemplary" means that the district "meets or exceeds state exemplary standards." *Id.*

359. "Recognized" means that the district "meets or exceeds required improvement and within ten percent of state exemplary standards." TEX. EDUC. CODE ANN. § 39.072 (Vernon 1996).

360. "Academically acceptable" means that the district is "below the exemplary and recognized standards but exceeds the academically unacceptable standards." *Id.*

361. "Academically unacceptable" means that the district is "below the state clearly unacceptable performance standard and does not meet required improvement." *Id.*

c. Demonstrating the State Protects Parent's
Fundamental Rights Prior to Federal Funding

Parental rights also need to be implemented at the federal legislative level. Although the United States Constitution does not delegate to the federal government the power to operate schools, the federal government can exert significant influence through its ability to provide funding. Justice William O. Douglas observed that "[t]he Federal Government has power to fix the terms on which its money allotments to the States shall be disbursed."³⁶² Thus, the federal government may attach certain "strings" or conditions to the funding it provides.³⁶³ Specifically, it should not provide educational funding where a school district violates the long-standing United States Supreme Court rulings on parental autonomy or a state's own mandate to recognize parents as full partners in education and to protect parental rights. Accordingly, before a state may receive federal funds for education, a state must demonstrate that it respects and protects the parents' fundamental rights to direct the upbringing and education of their children.

2. Judicial Remedies

Whether or not the Texas Legislature provides for a remedy, Texas courts should provide a remedy in law and equity. The Texas Supreme Court stated that the "first maxim of equity" is that a plaintiff should not "suffer a right to be without a remedy."³⁶⁴ The court went on to say that "[i]f the plaintiff has a right, he must of necessity have a means to vindicate and maintain it. It is a vain

362. *Lau v. Nichols*, 414 U.S. 563, 569 (1974) (finding that justice requires that public funds not be spent for programs that encourages, entrenches, subsidizes, or results in racial discrimination). In *Lau*, students of Chinese ancestry sued under Section 601 of the Civil Rights Act of 1964 because they alleged that the San Francisco school system's failure to provide English language instruction caused unequal educational opportunities and thereby denied them a meaningful opportunity to participate in the educational program. *Id.* at 563. Although the decision's interpretation of Section 601 has been criticized, Justice Douglas' observation is certainly true today.

363. For example, Section 504 of the Rehabilitation Act of 1973 prohibits discrimination due to disability in any program that receives federal financial assistance. The Rehabilitation Act of 1973, 29 U.S.C. § 794 (1994) (stating an otherwise qualified individual with a disability shall not be discriminated against based solely on the disability under any program or activity receiving federal financial assistance).

364. *Miers v. Brouse*, 153 Tex. 511, 271 S.W.2d 419, 421 (1954).

thing to imagine a right without a remedy.”³⁶⁵ Over the years, both the Texas Supreme Court and the lower courts have reiterated this principle as one of the pillars of justice.³⁶⁶

Nevertheless, in *Chiu v. Plano Independent School District*, the federal district judge dismissed the parents’ complaint because the legislature had provided no remedy, rendering the board decision final and not appealable.³⁶⁷ Where the Legislature has provided a right, the court should provide a remedy. Without a remedy, the fundamental right of parents to direct the upbringing and education of their children and the parental rights law in Chapter 26 become hollow promises without meaning or implementation.

3. Administrative Remedies

As stated above, there are various administrative bodies which have authority over education in Texas. Each body must do its part in recognizing parents as full partners in education and actively encouraging parents in creating and implementing educational programs as the Education Code mandates. As such, Texas agencies should establish clearly defined regulations promoting the parent/school partnership and procedures through which parents may exercise their role in the partnership.

365. *Id.* (quoting Lord Holt).

366. *See, e.g.*, *Chandler v. Welborn*, 156 Tex. 312, 319, 294 S.W.2d 801, 807 (1956) (recognizing this principle in trespass to try title case and stating “[e]quity will not suffer a right to be without a remedy”); *Miers v. Brouse*, 153 Tex. 511, 515, 271 S.W.2d 419, 421 (1954) (articulating the principle in a partnership dispute involving development and sale of land); *J.D. Blair & Co v. E.A. Thorp*, 33 Tex. 38, 47 (1870) (stating in a homestead case that it is “the boast of the common law that there can be no right without a remedy”); *Overton v. Crockett*, 12 Tex. 509, 518 (1854) (stating the principle in an adverse possession case); *Parvin v. Dean*, 7 S.W.3d 264, 277 (Tex. App.—Fort Worth 1999, no pet. h.) (recognizing the principle in a wrongful death action); *Mapco, Inc. v. Carter*, 808 S.W.2d 262, 273 (Tex. App.—Beaumont 1991) (stating “a cardinal principle of equity is that the chancellor will not suffer a right to be defeated by the lack of a reasonable, practical remedy”), *rev’d on other grounds*, 817 S.W.2d 686 (Tex. 1991); *King v. Acker*, 725 S.W.2d 750 (Tex. App.—Houston [1st Dist.] 1987, no writ) (emphasizing that “[i]t is well understood that the law affords a remedy for every invasion of a legal right. Under the maxim ‘where there is right, there is a remedy,’ equity will not suffer a right to be without a remedy”); *Southwest Weather Research, Inc. v. Duncan*, 319 S.W.2d 940, 944 (Tex. Civ. App.—El Paso 1958) (reiterating in an injunction action that “[i]t has long been understood that equity was created for the man who had a right without a remedy”), *aff’d sub nom.* *Southwest Weather Research, Inc. v. Jones*, 160 Tex. 104, 327 S.W.2d 417 (Tex. 1959).

367. *Chiu v. Plano ISD*, No. 4:99CV196, slip op. at 41 (E.D. Tex. May 4, 2000).

a. State Board of Education

The State Board of Education (SBOE) has developed a five-year long range plan. The plan correctly articulates the law and emphasizes the importance of parent involvement as “essential.”³⁶⁸ Specifically, the plan states that “[s]chools must comply” with Chapter 26.³⁶⁹ The SBOE has also “advocated high levels” of parent in-

368. STATE BD. OF EDUC., LONG-RANGE PLAN FOR PUBLIC EDUCATION 2001-2006 11 (Nov. 2000).

369. *Id.* The SBOE stated in its Long Range Plan that the schools must comply with Chapter 26 as follows:

- Welcome parents as partners with educators, administrators, and school district boards of trustees in the education of their children. Encourage parents and provide opportunities for them to actively participate in creating and implementing educational programs for their children.
- Not limit parental rights.
- Provide reasonable access to the school principal, or to a designated administrator with the authority to reassign a student, to request a change in the class or teacher to which the parent's child has been assigned, if the reassignment or change would not affect the assignment or reassignment of another student; [sic]
- Grant reasonable requests, such as the addition of a specific academic class in the course of study of the parent's child in keeping with the required curriculum if sufficient interest is shown in the addition of the class to make it economically practical to offer the class; permit a student to attend a class for credit above the child's grade level, whether in the child's school or another school, unless the board or its designated representative expects that the child cannot perform satisfactorily in the class; or be permitted to graduate from high school earlier than the child would normally graduate, if the child completes each course required for graduation; and allow a child who graduates early to participate in graduation ceremonies at the time the child graduates.
- Provide parents access to all written records of a school district concerning the parent's child, including: attendance records; test scores; grades; disciplinary records; counseling records; psychological records; applications for admission; health and immunization information; teacher and counselor evaluations; and reports of behavioral patterns.
- Provide access to a copy of each state assessment instrument administered under Section 39.023.
- Provide access to all teaching materials, textbooks, and other teaching aids used in the classroom of the parent's child for parents to review.
- Provide full information regarding the school activities of a parent's child except as provided by Section 38.004.
- Prohibit any school district employee from encouraging or coercing a child to withhold information from the child's parent and discipline those who do.
- Obtain written parental consent to conduct a psychological examination, test, or treatment, unless the examination, test, or treatment is required under Section 38.004 or state or federal law regarding requirements for special education; or to make or authorize the making of a videotape of a child or record or authorize the recording of a child's voice.

volvement.³⁷⁰ In the parent involvement initiatives, the SBOE states one of the goals as follows: "Assist education service centers, school districts, and campuses in identifying strategies and programs designed to enhance parent and family involvement in education. Communicate these strategies and programs to educators. Encourage school districts to incorporate indicators of quality parent involvement into their local accountability systems for campuses."³⁷¹

With this ambitious plan, the SBOE has taken steps to improve the parent/school partnership. Now the SBOE needs to determine indicators that ensure accountability for improved parental rights and involvement. Only through diligent supervision and evaluation will the SBOE's goals become reality.

b. Texas Education Agency

The Texas Education Agency (TEA) has a division for Parent Involvement and Community Empowerment, as well as a Parent Involvement Manual. The TEA should provide greater emphasis in the Parental Involvement Manual on parental rights versus parental involvement. Parents need to know their rights, which, in turn, empowers parents to work with educators as partners in education. Additionally, the TEA should act more aggressively against districts that fail to treat parents as partners in education. The TEA should closely scrutinize districts and administrators that label parents as security risks.

One of the TEA's primary assets, the extensive regional structure, has the potential to be Texas's greatest tool in building better parent/school partnerships. The TEA divides the state into twenty regions.³⁷² Each region contains a Regional Education Service Center designed to conduct training for teachers and administra-

-
- Allow parents to remove their children temporarily from a class or other school activity that conflicts with the parent's religious or moral beliefs if the parent presents or delivers to the teacher of the parent's child a written statement authorizing the removal of the child from the class or other school activity.
 - Provide parents full information regarding the district's grievance procedure.

Id. at 11-12.

370. *Id.* at 12.

371. *Id.* at 13.

372. See TEX. EDUC. AGENCY, Regional Education Service Centers (ESCs) (last visited May 14, 2001) (listing the twenty regions), <http://www.tea.state.tx.us/ESC>.

tors regarding new programs, new teaching methods, and issues pertaining to state law.³⁷³ These Regional Centers should conduct regular workshops on how schools can meet the mandate for making parents full partners in education and on the parental rights law of Chapter 26. These workshops should be conducted by individuals or organizations who have advocated or implemented parent-friendly policies and practices and who have worked with parents on various issues involving parental rights and Chapter 26. Such training will help prevent many conflicts before they arise and aid in bridging the gap to better parent/school relationships.

c. State Board for Educator Certification

The State Board for Educator Certification (SBEC) serves as the accrediting agency for teacher certification. The SBEC should require a course prior to certification on school law, which would provide a component on parents as full partners in education and parental rights.³⁷⁴ Business students have a course in business law which covers basic tort and contract law. Likewise, education students should have a course on school law that would provide a basic overview of the law, and particularly a segment on parental rights under Chapter 26.

Furthermore, educators as professionals are subject to a professional code of conduct. The SBEC Code of Ethics reflects the kind of high professional principles and ideals parents expect of educators.³⁷⁵ Texas adopted the current version of the Code of Ethics in

373. See, e.g., EDUC. SERV. CTR. REGION 20, Administrative Services (last visited May 14, 2001) (giving hyperlinks to campus planning, training, certification, and other services), <http://www.esc20.k12.tx.us/admin.htm>.

374. The author conducted a school law survey which was sent to the contact person at colleges and universities that have a Texas Educator Preparation Program. The survey and its results are summarized in Appendix 2 of this Article. Sixty-nine surveys were sent and twenty-three were returned. Seventeen schools did not require students to complete a course in school law to graduate. Three offered a graduate course. When parental issues were discussed in various courses, the discussion seemed to center around FERPA, special education, and parent-teacher conferences. None of these specifically pertain to Chapter 26 of the Texas Education Code. Thus, it is significant that educators are not being taught what is required in Chapter 26. SBEC should require a basic course in school law prior to graduation so that educators are better prepared to be partners in education with parents. Furthermore, this requirement should not be delayed until a graduate program of teachers and administrators are faced with these issues as soon as they enter the schoolhouse gate.

375. 19 TEX. ADMIN. CODE § 247.2(a) (2000). The Code states: "The educator shall comply with standard practices and ethical conduct toward students, professional col-

1998,³⁷⁶ and the Enforcement Procedures for the Code of Ethics became effective in 1999 and were amended to be effective in 2000.³⁷⁷ The Code of Ethics has five “Principles,” and each Principle has several “Standards.”³⁷⁸ In particular, Principle V pertains to the ethical conduct of educators toward parents and community.³⁷⁹ Principle V calls for “cooperation,” outlining how educators should communicate with parents and “manifest a positive role in school-public relations.”³⁸⁰ Still, Principle V and its Standards

leagues, school officials, parents, and members of the community. In conscientiously conducting his or her affairs, the educator shall exemplify the highest standards of professional commitment.” *Id.*

376. *Id.*

377. 25 Tex. Reg. 5332 (2000) (to be codified as an amendment to 19 TEX. ADMIN. CODE §§ 249.46-.56).

378. 19 TEX. ADMIN. CODE § 247.2 (2000). There are five Principles. “Principle I: Professional ethical conduct. The Texas educator shall maintain the dignity of the profession by respecting and obeying the law, demonstrating personal integrity, and exemplifying honesty.” *Id.* § 247.2(b); “Principle II: Professional practices and performance. The Texas educator, after qualifying in a manner established by law or regulation, shall assume responsibilities for professional administrative or teaching practices and professional performance and shall demonstrate competence.” *Id.* § 247.2(c); “Principle III: Ethical conduct toward professional colleagues. The Texas educator, in exemplifying ethical relations with colleagues, shall accord just and equitable treatment to all members of the profession.” *Id.* § 247.2(d); “Principle IV: Ethical conduct toward students. The Texas educator, in accepting a position of public trust, should measure success by progress of each student toward realization of his or her potential as an effective citizen.” *Id.* § 247.2(e); “Principle V: Ethical conduct toward parents and community. The Texas educator, in fulfilling citizenship responsibilities in the community, should cooperate with parents and others to improve the public schools of the community.” 19 TEX. ADMIN. CODE § 247.2(f) (2000).

379. 19 TEX. ADMIN. CODE § 247.2(b) (2000). Although Principle V pertains to parents, other Principles and Standards may apply. For example, Principle I, Standard 1 states that “[t]he educator shall not intentionally misrepresent official policies of the school district or educational institution and shall clearly distinguish those views from personal attitudes and opinions.” *Id.* § 247.2(b)(1). Thus, if a parent asks the principal or superintendent about the complaint procedures and is told that there are no complaint procedures, there is a violation of the Standard because there has been an intentional misrepresentation of the district’s policy. *See id.* § 247.2(b).

380. Principle V has three Standards:

- (1) Standard 1. The educator shall make reasonable effort to communicate to parents information that lawfully should be revealed in the interest of the student.
- (2) Standard 2. The educator shall endeavor to understand community cultures and relate the home environment of students to the school.
- (3) Standard 3. The educator shall manifest a positive role in school-public relations.

TEX. ADMIN. CODE § 247.2(f) (2000).

currently do not capture the essence of the law.³⁸¹ The state should provide standards stating that educators will work with parents as full partners in education, that educators will encourage parents to actively participate in creating and implementing educational programs for their children, and that educators will implement Chapter 26, understanding that Chapter 26 is not an exclusive list, and parental rights cannot be limited by a state agency.

Where an educator commits an ethical violation, the Enforcement Procedures provide for complaint procedures and disciplinary proceedings.³⁸² A parent has the right to file a complaint³⁸³ with the Executive Director of SBEC.³⁸⁴ If an educator has violated the Code of Ethics, then certain sanctions can be imposed, including restrictions on the certificate, reprimand, suspension of the certificate for a certain period of time, revocation or cancellation of the certificate either for a set term or permanently, or various other conditions or restrictions as may be necessary.³⁸⁵

d. Local Boards of Trustees

The Texas Legislature has given local school boards the "exclusive power and duty to govern and oversee the management" of the schools.³⁸⁶ If the power or responsibility has not been expressly delegated to the Texas Education Agency or to the State Board of Education, then it is reserved for the school board.³⁸⁷ The school board may also adopt whatever rules and bylaws necessary to carry out its powers and duties.³⁸⁸ In essence, the board has considerable

381. This is not a mere public relations campaign. The essence of the law is to recognize that parents and educators are full partners in education and to protect parental rights.

382. 25 Tex. Reg. 5332 (2000) (to be codified as an amendment to 19 TEX. ADMIN. CODE §§ 249.46-.56).

383. 25 Tex. Reg. 5332 (2000) (to be codified as an amendment to 19 TEX. ADMIN. CODE § 249.46(2)) (defining a complainant as "an educator or a parent or legal guardian of a student who files a complaint with the agency under this subchapter alleging a violation of the code of ethics by an educator. A parent or legal guardian of a student may file a complaint on behalf of the student").

384. 25 Tex. Reg. 5332 (2000) (to be codified as an amendment to 19 TEX. ADMIN. CODE § 249.49(c)).

385. 25 Tex. Reg. 5332 (2000) (to be codified as an amendment to 19 TEX. ADMIN. CODE § 249.56(c)).

386. TEX. EDUC. CODE ANN. § 11.151(b) (Vernon 1996).

387. *Id.*

388. *Id.* § 11.151(d).

power to set the tone for the district and effectuate changes in policy. Many trustees, however, do not understand the extent of their powers and duties.³⁸⁹

School boards can have a significant impact concerning parents and the relationship that the district has with its parents. In that regard, school boards should: (1) have regular discussions at school board meetings about steps taken to create parent-friendly schools in the district; (2) actively seek ways to make schools parent-friendly, including seeking parent input at meetings and conducting regular workshops on how schools can meet the mandate of Objective 1 in the Texas Education Code for making parents full partners in education, as well as meeting the mandate of parental rights in Chapter 26; and, (3) have regular training of school board members on the topic of parental rights. If parents are truly to be full partners in education, the board must exercise its exclusive power and duty to govern and oversee the management of the schools to ensure that the partnership exists and functions properly. The board should clearly state in district policies that superintendents and administrators must work cooperatively with parents as full partners in education.

e. Parent-Teacher Organizations

The Texas PTA is “the largest child advocacy organization in the state.”³⁹⁰ As a statewide organization, the Texas PTA has made an effort to inform parents and the educational community about the Texas Education Code.³⁹¹ However, more needs to be done. Parent-teacher organizations should have educational programs on parental rights and encourage parents to take an active role in creating and implementing educational programs for their children. These programs should be conducted by individuals who are

389. The Texas Justice Foundation conducts school board member training. During the course of our discussions with the school board members, it is apparent that they are not aware of the powers that they have to effectuate changes. There is a clear line of authority between the school board and the superintendent. *Compare* TEX. EDUC. CODE ANN. § 11.151 (outlining the responsibilities of the school board), *with* § 11.201 (describing the responsibilities of the superintendent).

390. TEXAS PTA, *PARENTAL RIGHTS IN THE PUBLIC SCHOOLS OF TEXAS: A GUIDE FOR PARENTS AND ADMINISTRATORS* (1996) (outlining provisions of state and federal law and indicating that copies of the pamphlet are available through the Texas PTA in Austin, Texas or by calling 1-800 TALK-PTA).

391. *Id.*

knowledgeable regarding the law and parent advocate groups that have worked with parents on various issues involving parental rights and Chapter 26, as well as those who have implemented such programs.

V. CONCLUSION

It has long been recognized that parents have a fundamental right to direct the upbringing and education of their children. The Texas Legislature has acknowledged this right and dedicated Chapter 26 of the Texas Education Code to "Parental Rights and Responsibilities." Although Chapter 26 goes a long way in protecting parental rights, it has one major shortcoming—failure to include a remedy provision following a violation of parental rights. The Texas Legislature should amend Chapter 26 and provide a remedy provision. Alternatively, if the legislature does not act, the courts should provide a remedy, because where a plaintiff has a right, courts should provide a means to vindicate that right. Anything less would be hollow and empty promises. In addition, various administrative reforms could be implemented to make parents full partners in education.

To guarantee that "no child is left behind," no parent should be left out. Schools must not continue to shut parents out of the educational process. As studies have shown, parents make a significant and positive difference in the educational lives of their children.³⁹² "Parents as full partners in education" must be a reality in the twenty-first century. Together, parents and educators must strive towards excellence in education to prepare our youth "for the challenges and opportunities awaiting them and help create a better future for our state and nation."³⁹³

392. See TEX. EDUC. AGENCY, PARENT INVOLVEMENT MANUAL 9 (last modified Mar. 22, 2000) (professing that "[e]very research study on parent involvement conducted in the past 20 years has shown the same result: parent involvement increases student achievement and self-esteem), available at http://www.tea.state.tx.us/parent_inv/pmanual.html.

393. Tex. Gov. Proclamation, "Texas Parents Day" (Aug. 13, 2000) (on file with the *St. Mary's Law Journal*).

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 671

APPENDIX 1: PARENT INVOLVEMENT PLEDGE

As a Parent, I pledge that, to the best of my ability, I will:

- Show my child that I value education;
- Encourage my child to be a reader;
- Talk with my child about his/her school work;
- Visit the school and meet the principal, teachers, and staff;
- Participate in classroom/school activities; and
- Become actively involved in the decision making process.

I pledge to become involved and stay involved, for education is a key to success and is one of the greatest gifts I can give my child.

Parent Signature

Student Signature

APPENDIX 2: SCHOOL LAW SURVEY

1. As a graduation requirement do you have a course on School Law?

Yes _____ No _____

Comments: _____

2. Do you use a text for that course that covers parental rights? Please note: parental rights are distinguished from parental involvement. Specifically, parental rights are covered primarily in Chapter 26 of the Texas Education Code).

Yes _____ No _____

Name of Text: _____

Publisher: _____

3. If the text covers parental rights, how extensive is the treatment, i.e., how many pages of the total text are dedicated to the issue?

Number of Pages _____ Total Pages in Text _____

4. How much time in class do you spend discussing parental rights?

Hours: _____

Comments: _____

5. How do you prepare educators to welcome and work with parents as partners in education as mandated in Objective 1 of the Texas Education Code which states "Parents will be full partners with educators in the education of their children."

6. Do you have any suggestions on how we can make educators aware of the importance of Chapter 26 of the Code concerning parental rights and responsibilities?

Signed: _____

Title: _____ University: _____

SCHOOL LAW SURVEY ANSWERS

1. As a graduation requirement do you have a course on School Law?

Yes 3 No 17

3 as a graduate course

Comments:

- School Law, including parental rights is covered in both the Secondary and Elementary Education coursework.
 - We have seminars on School law during student teaching.
 - We do cover the main points in our generic teaching class.
 - Only a section (unit) in a foundation course.
 - Not as a separate course; law and governance is included.
 - Undergrads: Special Learner/School Law; Master's Program: School Law.
 - School law is taught at the graduate level for degrees in educational leadership and Catholic school leadership.
 - We do include basic school law principles in other courses.
 - We discuss Federal Legislation and court cases in EDUC 3510 Foundations of Education.
 - Not a course; its content within a course.
 - School law is a small part of two courses and covered in others sometimes. Would be nice if we could make room in the curriculum – too many other things we must do in limited time, even in our 5 year program.
 - Education Law – EDAD 6604.
 - Graduate education requires one full course. Undergraduates preparation requires one complete strand with the student teaching block; 3 weeks of one hour per day covering contracts, discipline, curriculum, etc.
2. Do you use a text for that course that covers parental rights? Please note: parental rights are distinguished from parental involvement. Specifically, parental rights are covered primarily in Chapter 26 of the Texas Education Code).

Yes 6 No 10

Name of Text: _____

Publisher: _____

- The Educator's Guide to Texas School Law by UT Press.
- Introduction to Foundations of American Education by Allyn & Bacon.

- Public School Law: Teachers and Students Rights by Allyn & Bacon.
- Knowing and Servicing Diverse Families by Prentice Hall.
- Foundation of American Education by Allyn & Bacon.
- We have plans to include parent rights in a new course.
- Legal Issues for Beginning Teachers in Texas by Kendall & Hunt
- Texas School Law Bulletin (not "text book" but compilation of statutes) by West.

3. If the text covers parental rights, how extensive is the treatment, i.e., how many pages of the total text are dedicated to the issue?

Number of Pages _____ Total Pages in Text _____

- 3 pages (Introduction to Foundations of American Education)
- 10 of 505 - not listed in Index! (Public School Law: Teachers and Students Rights)
- 60 of 500 (Knowing and Serving Diverse Families)
- 5 of 545 (Foundations of Education)

4. How much time in class do you spend discussing parental rights?

Hours: _____

Comments: _____

- I make undergrad students familiar with FERPA.
- Difficult to say as "parental rights" are infused throughout the book in most major sections.
- 3 hours limited to parent rights in placement of students in restricted environments and 2 hours in parent conferences.
- 3 hours on tested material
- One hour on FERPA.
- 4 class lectures – we discuss federal laws, special education laws, child abuse/domestic violence and the Texas Department of Protective Services.
- About 2 hours. Need to spend more time discussing parent responsibilities than we do discussing parent rights.
- 3 hours. Limited to parent rights in placement of students in restrict environments and parent conferences.
- 2 hours. This is presented as part of special education.
- Hard to say. It comes up in classes and seminars from time to time. We require our students to read and respond to the Code of Ethics for grades and the proficiencies for Teachers for Learner-Centered Schools.
- 1 hour.

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 675

5. How do you prepare educators to welcome and work with parents as partners in education as mandated in Objective 1 of the Texas Education Code which states “Parents will be full partners with educators in the education of their children.”
- This topic is woven into our professional coursework.
 - By demonstrating (by experience) and discussing why it is better for the students and the school to involve parents.
 - Role of parent-teacher conferences and communication with parents.
 - Discuss conferences with parents; encourage parents to be actively involved in decision-making encourage parents to be present in classrooms.
 - Emphasize the role of parents as a partner; grading and reporting student progress; involving parents in school-based decision-making; explain Competency 013 under Domain VI (sp) of teacher certification knowledge.
 - This is integrated into each education course. The required course on the exceptional child devotes three weeks to special education law.
 - Required course – Role Plays Req. proficiency in Portfolio – EDU 3240 School, Home, & Community Relations in Education.
 - I have a guest speaker in my class who does parent/school training for Bryan ISD. She gives students advice and suggestions. Parents as Partners in Education textbook used. They are in a field-based setting working with children and parents.
 - All courses stress the vital role of parents as equal partners in the education of their children. Site-based management is a key component to the total success of all educators. Parents are key members to the success of a campus site based council.
 - SOSOC 3330, a course that focuses on schools in society is required for all students preparing to be elementary or middle school teachers. A major theme is working with parents as partners.
 - By reviewing with students a number of personal experiences I have had as a long time public school teacher and administrator and by discussing a host of hypothetical situations.
 - Role of parent teacher conferences. Communication with parents.
 - In several courses and seminars, we address parents and education.
 - Reading and discussion in classes; field experiences culminating in a graduate teaching internship.
 - Additionally, we present seminars to undergraduate education majors and student teachers regarding legal issues.
 - This is covered in a variety of courses.

- At undergraduate level: one hour seminar each for (1) effective conferencing and (2) effective parental involvement and communication.
6. Do you have any suggestions on how we can make educators aware of the importance of Chapter 26 of the Code concerning parental rights and responsibilities?
- Encourage law makers to require that future teachers have responsible, university based professional education.
 - Make it a part of teacher orientation at the district where employed.
 - We would be happy to pass out a pamphlet or brochure on the topic. It would be welcomed.
 - Resource material is always helpful.
 - Listserve!; simple pamphlet; presentations at all professional educators' association's conferences.
 - A mandatory review of Chapter 26 should be implemented at the start of every school year by all public school districts.
 - Secondary teachers in Texas are required to major in the content they will be certified to teach. Serious thought at the state level needs to be given to other important aspects of secondary teacher preparation—including the topic of this survey.
 - The fear of having to deal with parents' rights and the legal profession is high on the list of factors driving young teachers and prospective teachers away from public education.
 - Focus must be on current teachers. If it becomes part of K-12 culture then pre-service teachers will also participate through field experience.
 - (1) present at state and regional teacher education conferences; (2) brochures to teacher ed programs (include alternative ones); (3) letters to deans and chairs of education; (4) send results of this survey to programs (I imagine *few* if any require a *course* in school law for *teacher* certification).

APPENDIX 3: STATE COMPARISON
CHART—PARENTAL RIGHTS

The following state comparison chart has been included to provide a flavor of the legislative provisions that exist in each state and as a template for state legislatures who may wish to improve parental involvement and to protect parental rights. For the sake of the children and for the future of our nation, educators and parents must work together as full partners in education so that there will be improvement in academics and the school environment.

Although this is a substantial review of the times when parental involvement, responsibility, or rights are discussed, there is no attempt to list every provision that mentions “parent.” Some provisions are grouped together because they are helpful but not directly on point. For example, parents have responsibilities concerning the compulsory attendance laws or rights concerning special education.

As will be discovered, the states take different approaches in the way the material is organized and what is emphasized. For example, California has many provisions where parental consent is required. North Carolina involves parents on different committees and in developing plans. Oregon developed a parental involvement policy and Rhode Island provides for grant money for districts with exemplary parent involvement programs.

Texas has taken a very positive but unique role in making parents *full* partners in education, protecting parental rights throughout the Education Code, and dedicating a chapter to the issue. Only five states come close to this. California refers to parents as “active partners;” Connecticut refers to educational partners and parents are included; Kentucky involves parents as partners in the at-risk program; and, Ohio refers to parents as partners who are actively involved in the decision-making process. Effective September 2000, South Carolina has dedicated a chapter entitled “Parental Involvement in Their Children’s Education” and refers to parents as partners. Although other states discuss parental involvement, there is a difference between parental involvement and parental rights as discussed in the Article. Furthermore, there is a significant difference in recognizing and treating parents as full partners in education. The role of parents is critically important and essential for excellence in education.

State	Citation	Subject
Alabama	ALA. CODE § 16-1-24.1(e)(2) (1995)	Safe school provision outlining responsibility of parents
	ALA. CODE § 16-1-24.3(c) (1995)	Principal shall notify parent of student who violates firearm provision
	ALA. CODE § 16-6B-3 (Supp. 2000)	Mandate to create programs to encourage parental involvement with at risk students
	ALA. CODE § 16-12-10 (1995)	Superintendent must assist parents in "acquiring knowledge of the aims and work of the schools"
	ALA. CODE § 16-28-2.1 (1995)	Parents held accountable for attendance
	ALA. CODE § 16-28-2.2 (1995)	Establish programs to inform parents of their educational responsibilities
	ALA. CODE § 16-28A-3 (1995)	School board shall develop policy on school discipline and broadly disseminate it to parents and others
	ALA. CODE § 16-30-2 (1995)	Responsibility of parents to have children immunized or tested
	ALA. CODE § 16-30-3 (1995)	Parent may object to immunization based on religious tenets and practices if no epidemic or immediate threat exists
	ALA. CODE § 16-36-62 (Supp. 2000)	Local textbook committee shall include parents
	ALA. CODE § 16-36-69(c) (Supp. 2000)	Parents liable for loss, abuse, or damage to textbook
	ALA. CODE § 16-36-70(c) (Supp. 2000)	Student and parents share responsibility to care for textbooks so they are not damaged
	ALA. CODE § 16-40-1.1(a) (1995)	Students in 7th thru 12th grades must receive courses in parental responsibility
	ALA. CODE § 16-40A-2(c)(9) (1995)	As part of the sex education course, students are to receive instruction in parenting skills and responsibilities
	ALA. CODE § 16-41-6 (1995)	Parent may exempt child from drug abuse instruction if "subjects conflict with religious teachings of his church"
	ALA. CODE § 16-63-2 (1995)	Purpose of Community Schools Act is to encourage greater community involvement but does not mention parents specifically
Alaska	ALASKA STAT. § 14.03.110(a) (Michie 2000)	Need written parental consent before administering questionnaire or survey concerning personal or family affairs
	ALASKA STAT. § 14.03.115 (Michie 2000)	Parents have access rights to school records of minor unless release of address would be threat to health or safety of child
	ALASKA STAT. § 14.03.120(c) (Michie 2000)	District must encourage parents to participate in preparing its annual report

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 679

State	Citation	Subject
	ALASKA STAT. § 14.03.123(e) (Michie 2000)	Must be maximum participation from parents and others in school improvement plan if school designated deficient
	ALASKA STAT. § 14.03.250-.255 (Michie 2000)	Charter schools must include a parent member on academic policy committee and must meet regularly with parents to review, evaluate, and improve operations of the charter school
	ALASKA STAT. § 14.20.149(b)(7) (Michie 2000)	Parents have input on certificated employee evaluation
	ALASKA STAT. § 14.30.010(a) (Michie 2000)	Parent has responsibility to comply with compulsory attendance laws
	ALASKA STAT. § 14.30.191(a) (Michie 2000)	Need notice and prior parental consent before initial evaluation or placement in special education and related services
	ALASKA STAT. § 14.30.193(a) (Michie 2000)	Parental refusal to consent or no response may result in hearing on the issue
	ALASKA STAT. § 14.30.195(d) (Michie 2000)	Parent may appeal decision
	ALASKA STAT. § 14.30.235 (Michie 2000)	Parent may withdraw consent
	ALASKA STAT. § 14.30.272(a) (Michie 2000)	Parents of exceptional children have various rights and procedural safeguards in review of records, tests, placement, and hearings
	ALASKA STAT. § 14.30.285(f) (Michie 2000)	Need parental consent before exceptional child can be transferred
	ALASKA STAT. § 14.30.350(3) (Michie 2000)	Defining "consent" to mean that parent has been fully informed of all information and the parent voluntarily agrees to the activity
	ALASKA STAT. § 14.33.020(b) (Michie 2000)	Need parental consent for child to be a member of the school safety patrol
	ALASKA STAT. § 14.33.100(a) (Michie 2000)	Parent member of crisis response team
	ALASKA STAT. § 14.33.110(1) (Michie 2000)	Parents, students and educators develop and implement standards for school behavior
	ALASKA STAT. § 14.33.120(a)(1) (Michie 2000)	Parents involved in periodic review of standards of conduct
	ALASKA STAT. § 14.37.010(a) (Michie 2000)	Legislature recognizes a parent's responsibility to select and monitor caregivers "to ensure a reasonably safe and developmentally appropriate child care environment"

State	Citation	Subject
	ALASKA STAT. § 14.37.299(9) (Michie 2000)	"Parent" defined
Arizona	ARIZ. REV. STAT. ANN. § 15-102(A) (West Supp. 2000)	Parental involvement provision mandating policy to include: procedures to learn about child's studies, review materials, an opt out of objectionable material because of beliefs or practices in sex, morality, or religion
	ARIZ. REV. STAT. ANN. § 15-141 (West Supp. 2000)	The FERPA equivalent to inspect and review educational records and have access to them
	ARIZ. REV. STAT. ANN. § 15-152 (West Supp. 2000)	- In consultation with parents and others, school will develop and adopt notification policy before pesticides are applied on school property - Parents must be given written notification during school year
	ARIZ. REV. STAT. ANN. § 15-154.01(B)(6) (West Supp. 2000)	Parents given precourse and postcourse survey of their assessment for character education program
	ARIZ. REV. STAT. ANN. § 15-181(A) (West Supp. 2000)	Charter school chapter providing "additional academic choices for parents"
	ARIZ. REV. STAT. ANN. §§ 15-191, 15- 191.01 (West Supp. 2000)	- Family Literacy Program - "Parent" defined - Identification and recruitment, screening, and parental involvement
	ARIZ. REV. STAT. ANN. § 15-203(A)(26) (West Supp. 2000)	Parent can object to child reciting part of the Declaration of Independence
	ARIZ. REV. STAT. ANN. § 15-241(H)(2) (West Supp. 2000)	- Students in low performing schools may select an alternative tutoring program and parent must agree to timeline for improvement - Parent may apply for reimbursement from failing school tutoring fund
	ARIZ. REV. STAT. ANN. § 15-341(A)(16) (West Supp. 2000)	- Parent does not have to accept teacher's decision to retain or promote student - Parent may request in writing a review of the teacher's decision.
	ARIZ. REV. STAT. ANN. § 15-342(24) (West Supp. 2000)	Part of the duties of the board is to provide notice to parents in various situations such as assessment of fees for extracurricular activities or damage deposits
	ARIZ. REV. STAT. ANN. § 15-344(B) (West Supp. 2000)	Parent must request to have school administer medications if that student is a minor
	ARIZ. REV. STAT. ANN. § 15-345 (West Supp. 2000)	District may adopt chemical abuse prevention policies and procedures after consultation with parents and others

State	Citation	Subject
	ARIZ. REV. STAT. ANN. § 15-346(A) (West Supp. 2000)	Board shall adopt policies and procedures concerning students with chronic health problems after consultation with parents and others
	ARIZ. REV. STAT. ANN. §§ 15-351(B), 15-352 (West Supp. 2000)	Parent members of school council and alternate school council established to accomplish decentralization
	ARIZ. REV. STAT. ANN. § 15-353(3) (West Supp. 2000)	Principal responsible for distributing a parental satisfaction survey once a year to every parent with a child in the school
	ARIZ. REV. STAT. ANN. § 15-443(A)(1) (West 1991)	Parents may sign a petition for a new common school district to be formed
	ARIZ. REV. STAT. ANN. § 15-482(D) (West Supp. 2000)	Parents or educators can identify children in kindergarten through third grade who are not succeeding in the school environment and place them in special programs
	ARIZ. REV. STAT. ANN. § 15-512(H) (West Supp. 2000)	Exception to fingerprint rule provided for work release program, advance placement course, or other off-campus program as long as parental consent is obtained
	ARIZ. REV. STAT. ANN. § 15-551(A) (West 1991)	In disciplinary hearing of employee, student's name must be kept confidential unless parent consents to its release
	ARIZ. REV. STAT. ANN. § 15-705(A) (West 1991)	After consultation with parents and teachers, board shall adopt policies and procedures for extracurricular activities
	ARIZ. REV. STAT. ANN. § 15-709(B) (West 1991)	Parents must be notified of the progress of their child in remedial education
	ARIZ. REV. STAT. ANN. § 15-715(C) (West Supp. 2000)	Parents notified of their child's progress in special academic assistance program
	ARIZ. REV. STAT. ANN. § 15-716(F) (West Supp. 2000)	Parent may excuse child from AIDS and HIV instruction
	ARIZ. REV. STAT. ANN. § 15-718(A) (West Supp. 2000)	If more than one systematic phonics instruction program is adopted, parents may select the one they feel is most beneficial to their child
	ARIZ. REV. STAT. ANN. § 15-719(D) (West Supp. 2000)	Parent may elect for their child not to participate in character education program
	ARIZ. REV. STAT. ANN. § 15-730 (West 1991)	Parents have access to instructional materials and may take them off-campus for up to 48 hours
	ARIZ. REV. STAT. ANN. § 15-743(E) (West Supp. 2000)	District must provide parents with test scores for the standardized norm-reference test and a copy of the scores on the Arizona instrument to measure standards test

State	Citation	Subject
	ARIZ. REV. STAT. ANN. § 15-744(C) (West Supp. 2000)	Although child may be exempted, a parent may request that certain exams be administered
	ARIZ. REV. STAT. ANN. § 15-746(D) (West Supp. 2000)	When annual report cards distributed, there must be description of parental responsibilities and school responsibilities
	ARIZ. REV. STAT. ANN. § 15-747(B) (West Supp. 2000)	As part of the state's accountability, the state board of education must administer a random parent quality survey two times a year
	ARIZ. REV. STAT. ANN. § 15-748(B)(3) (West Supp. 2000)	Technical advisory committee must select a statewide representative sample of parents who will participate in a parent quality survey and select a date for the survey
	ARIZ. REV. STAT. ANN. §§ 15-752 to -756 (West Supp. 2000)	- Bilingual Education Chapter - Parental notification of program - Parent chooses program - Parent helps determine if child is ready for English only instruction
	ARIZ. REV. STAT. ANN. § 15-761 (West Supp. 2000)	"Parent" defined
	ARIZ. REV. STAT. ANN. § 15-771(A) (West Supp. 2000)	Parental input and norm-referenced assessment to determine if preschool student is speech or language impaired
	ARIZ. REV. STAT. ANN. § 15-796(B) (West 1991)	Upon approval of parent, superintendent may recommend student placed in AEP
	ARIZ. REV. STAT. ANN. §§ 15-802 to -809 (West Supp. 2000)	Attendance laws
	ARIZ. REV. STAT. ANN. § 15-841(H) (West Supp. 2000)	Student may be expelled for threats against the school and the parent may have to also participate in mediation, community service, restitution, or other programs in which the parent takes responsibility for child's threat
	ARIZ. REV. STAT. ANN. § 15-842 (West 1991)	- Parents of child who has injured school property shall be liable for all damages caused by child - Student may be suspended or expelled
	ARIZ. REV. STAT. ANN. § 15-843(G) (West Supp. 2000)	Parental rights in student disciplinary proceedings
	ARIZ. REV. STAT. ANN. §§ 15-872 to -873 (West 1991)	Concerning immunizations, parents are entitled to notice and exemptions due to personal beliefs
	ARIZ. REV. STAT. ANN. § 15-874(C) (West 1991)	Parent may request a copy of the immunization record

State	Citation	Subject
	ARIZ. REV. STAT. ANN. § 15-881(B) (West Supp. 2000)	Factors in determining eligibility of handicapped students in extended school year program include parent interviews and recommendations and parental skills and abilities
	ARIZ. REV. STAT. ANN. § 15-918.02(6) (West Supp. 2000)	Career ladder program has components including parental involvement, parental support, and parent members of steering committee
	ARIZ. REV. STAT. ANN. §§ 15-919, 15-919.02 (West Supp. 2000)	Performance incentive program has component for parental involvement and parental satisfaction
	ARIZ. REV. STAT. ANN. § 15-1042(G) (West Supp. 2000)	Student or parent shall not be required to submit data that does not relate to the provision of educational services or assistance to the student
	ARIZ. REV. STAT. ANN. § 15-1181 (West Supp. 2000)	"Parent" defined
	ARIZ. REV. STAT. ANN. § 15-1183(D)(1) (West Supp. 2000)	Home school district must notify parent if child is eligible for special education
	ARIZ. REV. STAT. ANN. § 15-1251(C)(4) (West Supp. 2000)	Provide parents selected for early childhood education program with list of providers and explain that parent may choose
	ARIZ. REV. STAT. ANN. § 15-1346(A) (West 1991)	Responsibility of parent to pay personal expenses of student in state blind and deaf school
	ARIZ. REV. STAT. ANN. § 15-2002(A)(6) (West Supp. 2000)	Text of conditional amendment provides for survey of parent quality ratings
	ARIZ. REV. STAT. ANN. § 15-2011(G) (West Supp. 2000)	Under building adequacy standards, the board must consider the facilities and equipment of schools with the highest academic productivity scores and highest parent quality ratings in establishing guidelines
Arkansas	ARK. CODE ANN. § 5-27-206 (Michie Supp. 1999)	Parental responsibility where parent knows minor has illegal possession of firearm at school or school event (Class B misdemeanor)
	ARK. CODE ANN. § 6-5-601(9) (Michie 1999)	Governor's Partnership Council on Children and Families has parent members
	ARK. CODE ANN. § 6-5-605(c) (Michie 1999)	Parents have input on grant applications for the Governor's Partnership Council
	ARK. CODE ANN. § 6-10-109 (Michie 1999)	Optional special training program for parents under the Parents As Teachers program
	ARK. CODE ANN. § 6-13-1021(c)(3)(C) (Michie 1999)	Parent members of the evaluation committee

State	Citation	Subject
	ARK. CODE ANN. § 6-13-1302(3) (Michie 1999)	"Parent" defined
	ARK. CODE ANN. § 6-13-1304(2)(A) (Michie 1999)	Parent members of school council for site-based decision making
	ARK. CODE ANN. § 6-13-1305(1) (Michie 1999)	Policy to implement site-based decision making must also address parent participation and assessment reports to parents
	ARK. CODE ANN. § 6-13-1306(2) (Michie 1999)	School council has duty to select and implement discipline and classroom management techniques including responsibilities of parents
	ARK. CODE ANN. § 6-13-1309(b)(2) (Michie 1999)	Application for approval of the model for implementing site-based decision making must demonstrate that it was developed by parents and others
	ARK. CODE ANN. § 6-15-504(d) (Michie 1999)	Responsibilities of parent for testing of home schooled children upon enrollment in public school
	ARK. CODE ANN. § 6-15-804(a)(7) (Michie 1999)	Parent member of the Advisory Committee on Accountability
	ARK. CODE ANN. § 6-15-806(c) (Michie 1999)	- Office of Accountability must do annual school report card measuring performance and other factors - It must be in a format that can be easily understood by parents and others
	ARK. CODE ANN. § 6-15-1005(c) (Michie 1999)	- Safe schools provision includes a program and plan for parental involvement - Parents involved in developing school goals, priorities, and evaluation of effectiveness
	ARK. CODE ANN. § 6-15-1012(d)(2) (Michie 1999)	Parents receive a report of common core requirements for graduation
	ARK. CODE ANN. § 6-15-1201(a)(11) (Michie 1999)	Provides for parent members of the Education Standards Commission
	ARK. CODE ANN. § 6-15-1402(a) (Michie 1999)	To improve accountability and empower parents, Department of Education must "annually prepare and publish a school performance report" for each school in a format easily understood by, and distributed to, parents
	ARK. CODE ANN. § 6-16-125(a) (Michie 1999)	Legislature acknowledges that "teaching character and citizenship is primarily a parental responsibility" but the teachings are not isolated and must be strengthened in public school

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 685

State	Citation	Subject
	ARK. CODE ANN. § 6-16-313(c) (Michie 1999)	"Parental participation in planning, development, and evaluation" of programs for early childhood and kindergarten programs will be encouraged
	ARK. CODE ANN. § 6-16-603(a)(3) (Michie 1999)	"Parental involvement in student counseling and placement"
	ARK. CODE ANN. § 6-16-706 (Michie 1999)	Non-resident student may be transfer to another district for summer school, but parents have responsibility for transportation
	ARK. CODE ANN. § 6-17-701(d)(5) (Michie 1999)	In-service training programs must include "[i]deas for parental involvement in reading instruction"
	ARK. CODE ANN. § 6-18-102(b)(1) (Michie 1999)	Parents must be on an advisory committee concerning uniform dress code and there is an opt-out provision
	ARK. CODE ANN. § 6-18-104(a) (Michie 1999)	Doctor and the parent may certify that medical condition exists that impairs cognitive functioning, and therefore, student should not pursue the minimum core curriculum
	ARK. CODE ANN. § 6-18-203 (2001 Ark. Acts 1207), WL AR LEGIS 1207 (2001)	Child may enroll in school in district where parent resides or employed in the public school
	ARK. CODE ANN. § 6-18-206(a)(1) (Michie 1999)	- Arkansas Public School Choice Act of 1989 provides greater freedom to parents to choose a school to meet child's individual educational needs - Greater parental options increase the responsiveness and effectiveness of the schools
	ARK. CODE ANN. § 6-18-208(a) (Michie 1999)	Parents must furnish the school with certain information before a child can be enrolled
	ARK. CODE ANN. § 6-18-214(c) (Michie 1999)	If a student leaves school without graduating, school shall determine reason from student or parent and information may be shared with other governmental agencies
	ARK. CODE ANN. § 6-18-221(d) (Michie 1999)	Attendance laws which provide that delinquent students may be transported to parents by law enforcement agencies
	ARK. CODE ANN. § 6-18-307 (Michie Supp. 2001)	Right of parents to seek a transfer and the procedures
	ARK. CODE ANN. § 6-18-502(b)(1) (Michie 1999)	- Parents involved in the development of school district discipline policies - Notice and due process procedures for parents and students

State	Citation	Subject
	ARK. CODE ANN. § 6-18-507(e)(2) (Michie 1999)	If student expelled for possessing firearm or other weapon, parents must sign statement acknowledging that they have read and understand current laws and potential parental responsibility
	ARK. CODE ANN. § 6-18-701(f) (Michie 1999)	Parents may object to physical examination except for contagious or infectious disease
	ARK. CODE ANN. § 6-18-702(d)(2) (Michie 1999)	Parents may object to immunization based on conflicts with the religious tenets and practices of a recognized church or denomination of which the parent is an adherent or member
	ARK. CODE ANN. § 6-18-703(a)(1) (Michie 1999)	Need parental consent for child to receive services at school-based health clinic
	ARK. CODE ANN. § 6-18-804(a) (Michie 1999)	Need parental permission to participate in safety patrol
	ARK. CODE ANN. § 6-18-1003(2) (Michie 1999)	Parents have input in the development of a student services plan
	ARK. CODE ANN. § 6-18-1005 (Michie 1999)	<ul style="list-style-type: none"> - Guidance and counseling services must include consultation with parents and others concerning student problems and needs - School-initiated system of parental involvement - Consultation and counseling with parents - Home visits and referrals
	ARK. CODE ANN. § 6-18-1102(4) (Michie 1999)	"Parent" defined
	ARK. CODE ANN. § 6-18-1104(a)(5) (Michie 1999)	Need parental consent for elementary school students to participate in fundraising programs
	ARK. CODE ANN. § 6-20-302(c)(8) (Michie 1999)	Legislative finding that a suitable and efficient system of public education should encourage parental involvement in public schools and school activities
	ARK. CODE ANN. § 6-21-204(b) (Michie 1999)	Parents notified of that it is unlawful for school to deny equal access or to discriminate against a student who wishes to conduct a meeting on the basis of religious, political, philosophical, or other content-based speech
	ARK. CODE ANN. § 6-23-102 (Michie 1999)	Charter school provision: legislative intent to provide parents with expanded choices in the types of educational opportunities that are available within public school
	ARK. CODE ANN. § 6-41-206 (Michie 1999)	Rights of parents with children with disabilities
	ARK. CODE ANN. § 6-45-104(b) (Michie 1999)	Parents with children five years of age do not have to enroll child in an early childhood program

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 687

State	Citation	Subject
	ARK. CODE ANN. § 6-51-1004(a)(1)(C) (Michie Supp. 1999)	Parent member of board of directors of vocational and technical schools
California	CAL. EDUC. CODE §§ 305, 310, 311 (Deering Supp. 2001)	Pertains to being taught in English, waiver with prior written informed parental consent, and circumstances warranting parental exception waiver
	CAL. EDUC. CODE § 313(d)(3) (Deering Supp. 2001)	Parental opinion and consultation in English language proficiency assessment in determining whether to reclassify student as proficient
	CAL. EDUC. CODE § 320 (Deering Supp. 2001)	Parental enforcement of provision to have an English language public education
	CAL. EDUC. CODE § 406(e)(3)(H) (Deering Supp. 2001)	Instructional personnel at English Language Development Professional Institutes must increase their skills in parental involvement and effective practices for building partnership with parents
	CAL. EDUC. CODE § 1798 (Deering 1998)	Parental consent required for child to be admitted to technical, agricultural and natural resource conservation school
	CAL. EDUC. CODE § 8201 (Deering 1998 & Supp. 2001)	<ul style="list-style-type: none"> - Child Care and Development Services Act - Empowers and encourages parents to review the safety of program or facility and to evaluate the ability of it to meet the needs of the child - Parents must be fully informed of their rights and responsibilities - Parental choice of facility
	CAL. EDUC. CODE § 8212(b)(1) (Deering Supp. 2001)	Description of resource and referral programs to maximize parental choice in selecting child care services and to respect confidentiality rights of parents
	CAL. EDUC. CODE § 8220 (Deering 1998)	Alternative payment programs allow for maximum parental choice
	CAL. EDUC. CODE § 8240 (Deering 1998)	Superintendent of Public Instruction shall administer general child care and development programs which include parenting education and parent involvement
	CAL. EDUC. CODE § 8286 (Deering 1998)	Parent members of advisory committee for child care and development programs
	CAL. EDUC. CODE § 8801(a)(3), (e) (Deering 1998)	<ul style="list-style-type: none"> - Legislative findings that a substantial number of parents have their parental rights terminated by courts - Services should be provided through a consortia that includes parents
	CAL. EDUC. CODE § 8803 (Deering 1998)	Healthy Start Support Services for Children Grant Program promotes students and families service needs and in planning for and providing support services

State	Citation	Subject
	CAL. EDUC. CODE § 8806(a) (Deering 1998)	Local agency must establish procedures to ensure on-going consultation and collaboration that involves parents and others
	CAL. EDUC. CODE § 8902 (Deering 1998)	Educational materials to prevent teen pregnancy including information on meaning of parental responsibility and its effect on one's personal life
	CAL. EDUC. CODE § 8972(a) (Deering 1998)	Parent education and parent involvement are an integral part of the early primary program
	CAL. EDUC. CODE § 11500 (Deering 1998)	<ul style="list-style-type: none"> - Chapter on programs to encourage parental involvement - Legislative findings that parental involvement is an integral part of improving academic achievement - Research establishes that it can play an important and effective role in the participation of parents and in raising student achievement levels - SBOE urges the creation of parent involvement programs - School Improvement Program has historically maintained parent involvement as one of its component parts
	CAL. EDUC. CODE § 11501 (Deering 1998)	Provision outlining legislative purposes and goals concerning parental involvement
	CAL. EDUC. CODE § 11503 (Deering 1998)	Outlining the required aspects of a parental involvement program
	CAL. EDUC. CODE § 11504 (Deering 1998)	Each school district must adopt a policy on parent involvement consistent with this chapter
	CAL. EDUC. CODE § 11505 (Deering 1998)	District may contract with nonprofit agencies sophisticated in administering parent involvement programs to create and implement school's parent involvement program
	CAL. EDUC. CODE § 11506 (Deering 1998)	Schools that receive federal funds and funds for school improvement plans must comply with this chapter
	CAL. EDUC. CODE § 11603.1 (Deering 1998)	State Allocation Board must allocate funds to districts whose applications contain such things as a description of the extent to which parents and others were involved in drafting the district's technology plan
	CAL. EDUC. CODE § 17313 (Deering 1998)	Ten percent of parents at any school in any school district can request an examination and report on condition of any school building
	CAL. EDUC. CODE § 17389(f) (Deering 1998)	Parent members constituting a school district advisory committee
	CAL. EDUC. CODE § 17612(a) (Deering Supp. 2001)	Annual written notification to parents concerning all pesticides

State	Citation	Subject
	CAL. EDUC. CODE § 19336(a) (Deering 1995 & Supp. 2001)	Reading initiative program includes consultation with parents and others in developing list of recommended books
	CAL. EDUC. CODE §§ 19910, 19911 (Deering 1995)	Parent responsible for child who willfully and maliciously cuts, tears, defaces, or injures books, maps, pictures, or other items or willfully detains library property
	CAL. EDUC. CODE § 32243(a) (Deering 1995 & Supp. 2001)	Parents must be notified when a school has a high risk for lead content
	CAL. EDUC. CODE § 32255.1(f) (Deering 1995)	Parent must write substantiating objection to dissecting or otherwise harming or destroying animals
	CAL. EDUC. CODE § 32261 (Deering 1995)	Intent of legislature that school develops comprehensive safety plans that address the safety concerns of parents and others
	CAL. EDUC. CODE § 32270.5 (Deering Supp. 2001)	Cellular phone policy includes purpose and function of communicating with parents about student's education
	CAL. EDUC. CODE § 32390(b), (c) (Deering 1995)	- Need parental consent for fingerprinting kindergarten children - Parent to receive reports made with fingerprints
	CAL. EDUC. CODE § 33051 (Deering 1995)	State Board of Education shall approve all requests for waivers unless "guarantees of parental involvement are jeopardized"
	CAL. EDUC. CODE § 33126(a)(b)(22), (c) (Deering Supp. 2001)	- School accountability report card shall provide data whereby parents can make meaningful comparisons between schools thereby enabling them to make informed decisions where to enroll child - All parents shall receive a copy - Report must include various items including contact information for parental involvement
	CAL. EDUC. CODE § 33126.1(e)(j) (Deering Supp. 2001)	- Parents on advisory committee - Access to school report card for parents on the internet
	CAL. EDUC. CODE § 33133 (Deering Supp. 2001)	Parent members of schoolsite advisory councils and the information that is to be given to them
	CAL. EDUC. CODE § 33308.1 (Deering 1995)	Procedure for parents to file a child abuse complaint against a school employee will be given to parents
	CAL. EDUC. CODE § 33319 (Deering 1995 & Supp. 2001)	Parents must be provided with information concerning child's health
	CAL. EDUC. CODE § 33502(g) (Deering 1995)	Parent members of the Educational Innovation and Planning Commission
	CAL. EDUC. CODE § 33530 (Deering 1995)	Parent members of Curriculum Development and Supplemental Materials Commission

State	Citation	Subject
	CAL. EDUC. CODE § 33590(a)(3) (Deering 1995 & Supp. 2001)	Parent members of advisory commission on special education
	CAL. EDUC. CODE § 35146 (Deering 1995)	District shall hold closed session concerning disciplinary actions unless parent requests otherwise
	CAL. EDUC. CODE § 35182.5(3)(D), (E) (Deering Supp. 2001)	When contracts permit for electronic products or advertising to students, there must be written notice to parents and opportunity to request that student not be exposed to the program that contains the advertising
	CAL. EDUC. CODE § 35183(f) (Deering 1995)	- Section concerning gang related apparel - Board must provide method whereby parents may choose not to have their children comply with adopted school uniform policy
	CAL. EDUC. CODE § 35256(c) (Deering 1995)	Notify parents that a copy of school accountability report card will be provided upon request
	CAL. EDUC. CODE § 35291 (Deering 1995)	Notify parents of availability of school discipline rules
	CAL. EDUC. CODE § 35291.5(a)(1), (b) (Deering 1995)	- In developing school discipline rules, each school shall solicit the participation, views, and advice of parents and others - Parents are provided a copy of school discipline rules yearly
	CAL. EDUC. CODE § 35294.1(b)(2)(c) (Deering Supp. 2001)	Parent member of school safety planning committee
	CAL. EDUC. CODE § 35350 (Deering 1995)	Parental permission required for child to be transported for any purpose or reason
	CAL. EDUC. CODE § 37252(e) (Deering Supp. 2001)	- Supplemental instruction provisions; parent can inform school that student is "unable to attend Saturday school program for religious reasons" triggers student priority for enrolling at another time - Mechanism for parent to decline enrollment
	CAL. EDUC. CODE § 37305(h) (Deering 1995)	Success benchmark for a program after two years of operation set of more than sixty percent of parents and teachers expressing support for the program
	CAL. EDUC. CODE §§ 37616, 37617 (Deering 1995)	- Prior to implementing a continuous school program, school must consult with parents - Students of same family placed in same group unless parents request otherwise
	CAL. EDUC. CODE § 39800(a) (Deering 1995 & Supp. 2001)	Parents may contract with school board to provide transportation
	CAL. EDUC. CODE § 39806 (Deering 1995 & Supp. 2001)	Parents may be paid to transport a child to and from school daily if it is more cost effective

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 691

State	Citation	Subject
	CAL. EDUC. CODE § 39807.5 (Deering 1995 & Supp. 2001)	School districts may ask parents to contribute to cost of transporting students
	CAL. EDUC. CODE § 39809.5(a) (Deering 1995 & Supp. 2001)	Fees paid to parent cannot exceed actual cost
	CAL. EDUC. CODE § 41329.1(a)(5) (Deering Supp. 2001)	Community relations improvement plan includes specific strategies for improving the communication among governing board and parents
	CAL. EDUC. CODE § 42247.4(d)(2)(A) (Deering 1995 & Supp. 2001)	Notify parents of right to transfer under court ordered desegregation
	CAL. EDUC. CODE § 42249(b)(3)(D)(i) (Deering 1995 & Supp. 2001)	"Racially isolated minority school" staff development, instructional material, and other programs must include "new and creative parent training and involvement programs"
	CAL. EDUC. CODE § 44020 (Deering Supp. 2001)	Parents of children attending a private school must be notified when a private school hires a convicted sex offender
	CAL. EDUC. CODE § 44046(b) (Deering 1995)	Duties of social workers as counselors to parents
	CAL. EDUC. CODE § 44047 (Deering 1995)	Notification and consultation with parents concerning weekend classes
	CAL. EDUC. CODE § 44261.2 (Deering 1995)	<ul style="list-style-type: none"> - Parents are active partners in education. The role of parents in education is critically important - Active partnership between parents and educators are "essential features of effective education" - Educators need to acquire "perspectives to serve as active partners with parents" - Prospective teachers and educators must be prepared to "serve as active partners with parents" - "Standards shall address, through appropriate instruction and field experiences, the roles of parents in the educational process [and] strategies for involving and working with parents"
	CAL. EDUC. CODE § 44667.2(a) (Deering 1995)	School-based management plans must include parental involvement
	CAL. EDUC. CODE § 44670.3(e) (Deering Supp. 2001)	Staff development activities include improving the school and classroom environments by establishing working relationships with parents
	CAL. EDUC. CODE §§ 44670.4(a), 44670.5(b) (Deering 1995 & Supp. 2001)	Parents involved in development of annual school improvement objectives

State	Citation	Subject
	CAL. EDUC. CODE § 44683(a)(5) (Deering 1995)	Three year plan includes the leadership necessary to improve the relationship between parents, educators, and others
	CAL. EDUC. CODE §§ 44724(b)(2), 44731(d)(1), 44757.3(c)(4), 44759.4(b)(4) (Deering Supp. 2001)	- Grant application process includes involvement of parents - Eligibility for grant includes action plan that provides for integrating training in educational technology to involve parents - District grant applications include parental involvement
	CAL. EDUC. CODE § 44808.5 (Deering 1995)	Need notice and parental permission for high school student to leave campus for lunch
	CAL. EDUC. CODE §§ 44810, 44811 (Deering Supp. 2001)	Parent who willfully interferes with classroom discipline, order, or conduct is guilty of a misdemeanor
	CAL. EDUC. CODE § 45400 (Deering 1995)	Requiring employment of bilingual employees so they can communicate with parents
	CAL. EDUC. CODE § 46010.1 (Deering 2000)	School authorities may excuse student from school to obtain confidential medical services without parental consent
	CAL. EDUC. CODE § 46014 (Deering 2000)	With written parental consent, students may be excused to participate in religious exercises or instruction
	CAL. EDUC. CODE § 46147 (Deering 2000)	Parents may request exemption for full day for student who is enrolled in a work experience education program
	CAL. EDUC. CODE § 46162 (Deering 2000)	Prior to implementing an alternative schedule, school must consult with parents
	CAL. EDUC. CODE § 46300 (Deering 2000)	Attendance issues
	CAL. EDUC. CODE § 46600 (Deering 2000)	Inter-district attendance issues
	CAL. EDUC. CODE §§ 48000-48005.55 (Deering 2000)	Attendance laws and kindergartens
	CAL. EDUC. CODE § 48011 (Deering 2000)	Parental consent and grade placement
	CAL. EDUC. CODE § 48070.5(e) (Deering 2000)	Parental notification and consultation when student is at risk of retention
	CAL. EDUC. CODE § 48200 (Deering 2000)	Compulsory education law
	CAL. EDUC. CODE § 48208(a) (Deering 2000)	Parent has primary responsibility to notify school of student's temporary disability
	CAL. EDUC. CODE §§ 48600-48618 (Deering 2000)	Parental rights while child attending Adjustment Schools

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 693

State	Citation	Subject
	CAL. EDUC. CODE §§ 48900-48926 (Deering 2000)	- Chapter on student rights and responsibilities - Contains numerous provisions concerning student and parental rights when student is suspended or expelled
	CAL. EDUC. CODE §§ 48980-48985 (Deering 2000)	Notification provisions including notification of parental rights and responsibilities
	CAL. EDUC. CODE § 48987 (Deering 2000)	Dissemination of information to parents concerning filing a child abuse complaint
	CAL. EDUC. CODE § 49061(a) (Deering 2000)	Definition of parent
	CAL. EDUC. CODE § 49063 (Deering 2000)	Notification of parents of their rights to access to records
	CAL. EDUC. CODE § 49064(a) (Deering 2000)	Do not need to include parents on log of persons requesting information about student's record
	CAL. EDUC. CODE § 49067(a) (Deering 2000)	Notice and conference with parent concerning failing grade due to excessive absence
	CAL. EDUC. CODE § 49068 (Deering 2000)	Parental right to receive scholarship record and right to hearing to challenge contents of record
	CAL. EDUC. CODE § 49069 (Deering 2000)	- Parent has absolute right of access to any and all child's records - District must establish procedures - Parent can inspect, review, and copy records
	CAL. EDUC. CODE §§ 49069-49072 (Deering 2000)	Various rights of parents concerning records
	CAL. EDUC. CODE §§ 49073-49079 (Deering 2000)	Parental rights concerning privacy of student records and the release of directory information
	CAL. EDUC. CODE § 49083(d) (Deering 2000)	Data elements may not contain any questions that solicit or invite disclosure of personal beliefs or practices of student or parent as to sex, family life, morality, or religion, nor may it contain any question designed to evaluate personal behavioral characteristics including honesty, integrity, sociability, or self-esteem
	CAL. EDUC. CODE § 49091.10(a), (b) (Deering 2000)	- Parental right to review and inspect all instructional materials and assessments - Parents may observe instruction and other school activities
	CAL. EDUC. CODE § 49091.12(b), (c) (Deering 2000)	- Student can obtain confidential medical care or counseling for drugs, alcohol, or mental health without parental consent - Student may not be tested for behavioral, mental, or emotional evaluation without informed written parental consent

State	Citation	Subject
	CAL. EDUC. CODE § 49091.16 (Deering 2000)	Legislative intent to promote voluntary pupil-school-parent compacts
	CAL. EDUC. CODE § 49091.18(a)-(e) (Deering 2000)	<ul style="list-style-type: none"> - School may not require student or student's family to submit to or participate in: "any assessment, analysis, evaluation, or monitoring of the quality or character of the student's home life" - "Any form of parental screening or testing; any nonacademic home-based counseling program" - "Parent training" - "Any prescribed family education service plan"
	CAL. EDUC. CODE § 49110 (Deering 2000)	Need parental written request for a permit to work
	CAL. EDUC. CODE §§ 49130-49141 (Deering 2000)	Requirements for student to receive a full time work permit including sworn statement concerning incapacity by parent and parent must appear before person authorized to give permit some exceptions
	CAL. EDUC. CODE § 49306 (Deering 2000)	Medical and hospital care in safety patrol injuries provided unless parent objects
	CAL. EDUC. CODE § 49332 (Deering 2000)	Need to notify parent of injurious object and get parental consent to personally take possession of injurious object
	CAL. EDUC. CODE §§ 49350(a)(4), 49351(c) (Deering 2000)	<ul style="list-style-type: none"> - "The Community Policing and Mentoring for School Safety Pilot Program takes a multidimensional approach by involving parents, school, community, and law enforcement personnel" - Parent members of coordinating councils
	CAL. EDUC. CODE § 49403(a) (Deering 2000)	A supervising physician may administer an immunizing agent if parent has consented
	CAL. EDUC. CODE § 49407 (Deering 2000)	No liability for reasonable treatment of child without parental consent if child is ill or injured during school unless prior parental objection on file
	CAL. EDUC. CODE § 49408 (Deering 2000)	School may request emergency information from parent
	CAL. EDUC. CODE § 49423 (Deering 2000)	School nurse may assist student in taking prescribed medication if written statement by physician and parent
	CAL. EDUC. CODE § 49423.6 (Deering 2000)	Parental consent for administering medication

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 695

State	Citation	Subject
	CAL. EDUC. CODE § 49424(c), (g) (Deering 2000)	- Various functions of school psychologist including services to children and parents - Consultations with parents to assist in understanding the learning and adjustment processes of children - Psychological counseling with children and parents
	CAL. EDUC. CODE § 49451 (Deering 2000)	Parent may sign statement each year that parent does not consent to a physical examination of child
	CAL. EDUC. CODE § 49452.5 (Deering 2000)	Notice and referral to parent if child suspected of scoliosis
	CAL. EDUC. CODE § 49455 (Deering 2000)	Parent may object to vision screening on religious grounds
	CAL. EDUC. CODE § 49456(a), (b) (Deering 2000)	Report made to parent concerning visual defect
	CAL. EDUC. CODE § 49460(c) (Deering 2000)	No child is required to participate in standardized health assessments if parent objects because it conflicts with religious beliefs
	CAL. EDUC. CODE § 49463 (Deering 2000)	- Parent must be notified if assessment has detected health problems - Consultation or referral to doctor - No liability under this section
	CAL. EDUC. CODE §§ 49470-49472 (Deering 2000)	- Notice to parent participating in athletic activities whether there is medical or hospital services - Parental consent for medical and hospital services
	CAL. EDUC. CODE § 49480 (Deering 2000)	Notice and consent required for continuing medication regimen for nonepisodic condition
	CAL. EDUC. CODE §§ 49515-49520 (Deering 2000)	Under nutrition program, parent participation in various ways including in planning, preparation and serving meals at school
	CAL. EDUC. CODE § 49600(b)(1)(A) (Deering 2000)	Comprehensive educational counseling program includes “[e]stablishment and implementation with parental involvement” of student’s “immediate and long-range educational plans”
	CAL. EDUC. CODE § 49602(c) (Deering 2000)	Information to school counselor is confidential but will be reported to principal or parent when “counselor has reasonable cause to believe that disclosure is necessary to avert a clear and present danger to the health, safety, or welfare” of the student or others
	CAL. EDUC. CODE §§ 51100-51102 (Deering 2000)	This is the parental involvement chapter including concept that parents are fundamental to a healthy system, rights of parents, and availability of materials that describe a comprehensive partnership

State	Citation	Subject
	CAL. EDUC. CODE §§ 51120-51121 (Deering 2000)	- Nell Soto Parent/Teacher Involvement Program - Purpose is "to encourage and enhance student achievement through parental involvement in education: - One-time grant to schools where "a majority of teachers and parents agree to strengthen communication between schools and parents as means of improving student academic achievement"
	CAL. EDUC. CODE §§ 51131-51133 (Deering 2000)	Teresa P. Hughes Family-School Partnership Award and Grant Program "to establish or expand a family outreach program" particularly to challenged and at-risk families
	CAL. EDUC. CODE §§ 51140-51142 (Deering 2000)	Tom Hayden Community-Based Parent Involvement Grant Program for training courses for parents of "school-age children to enhance parent and guardian involvement in the education of their children"
	CAL. EDUC. CODE § 51201.5(d)(1) (Deering 2000)	Parents have right to notice, opt out, and prior consent on AIDS prevention instruction
	CAL. EDUC. CODE § 51220.2(b)(1) (Deering 2000)	- Teen court program - "Both defendant and defendant's parents agree to participate in the teen court" proceedings and abide by ruling
	CAL. EDUC. CODE § 51225.3(b) (Deering 2000)	Board with active parental involvement will adopt alternative means for student to complete course of study for graduation
	CAL. EDUC. CODE § 51226 (Deering 2000)	Superintendent shall seek the advice of parents and others in developing curriculum standards
	CAL. EDUC. CODE § 51229.8 (Deering 2000)	AIDS training to team of educators and parents
	CAL. EDUC. CODE § 51240 (Deering 2000)	Parent may excuse child from "health instruction and family life and sex education due to religious beliefs"
	CAL. EDUC. CODE § 51513 (Deering 2000)	Parental notification and consent before "test, questionnaire, survey, or examination containing any questions" about either student's or parent's personal beliefs or "practices in sex, family life, morality, and religion"
	CAL. EDUC. CODE § 51520(b), (c) (Deering 2000)	No solicitation on school premises of student or parents by dentist or optometrist for condition discovered during routine school screening
	CAL. EDUC. CODE § 51550 (Deering 2000)	Requires notice to parent on class and ability to opt out of sex education classes

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 697

State	Citation	Subject
	CAL. EDUC. CODE § 51554(b) (Deering 2000)	Parents entitled to written notice for instruction on sexually transmitted diseases
	CAL. EDUC. CODE § 51555 (Deering 2000)	Must provide notice and information explaining instruction on AIDS prevention
	CAL. EDUC. CODE § 51723 (Deering 2000)	Need written parental permission for student for attend evening high school program
	CAL. EDUC. CODE § 51747(c)(8) (Deering 2000)	Need parental permission for independent study
	CAL. EDUC. CODE § 51756(b) (Deering 2000)	- Legislative findings concerning nuclear age education curriculum - Responsibility of school and "parents to intellectually and emotionally prepare students for life in the nuclear age"
	CAL. EDUC. CODE § 51769.5(b) (Deering 2000)	Labor Code does not apply to work experience if several conditions met including parental approval
	CAL. EDUC. CODE § 51802 (Deering 2000)	Need parental consent for home teaching program on Saturdays
	CAL. EDUC. CODE § 51820 (Deering 2000)	Notice and right to inspect venereal disease instruction material and opt out provision
	CAL. EDUC. CODE § 51879.8 (Deering 2000)	Water safety course includes parental involvement materials
	CAL. EDUC. CODE § 51891 (Deering 2000)	Parents participate "in the planning, implementation, and evaluation of comprehensive health education program"
	CAL. EDUC. CODE § 51913(g) (Deering 2000)	Parents participate in evaluation of the comprehensive health education plans
	CAL. EDUC. CODE § 51914 (Deering 2000)	No comprehensive health plan can be approved by the "[SBOE] unless it . . . was developed with the active cooperation of parents" and others
	CAL. EDUC. CODE § 52000(f) (Deering 2000)	Legislative finding that schools need to maintain a schoolwide process of parental involvement reflecting "the socio-economic composition of the school attendance area"
	CAL. EDUC. CODE § 52011(b) (Deering 2000)	Duties of governing board include active parental involvement in school improvement plans
	CAL. EDUC. CODE § 52050.5(f) (Deering 2000)	Public Schools Accountability Act of 1999 requires active parental involvement
	CAL. EDUC. CODE § 52053.5(b)(4) (Deering 2000)	One of the factors in external evaluators of under-performing schools is parental involvement

State	Citation	Subject
	CAL. EDUC. CODE § 52054(b), (e) (Deering 2000)	- Must inform parents "that the school has been selected to participate in the Immediate Intervention/Underperforming Schools Program due to its below average performance" - Notify parents "of their opportunity to provide written recommendations of actions that should be taken to improve performance" - School action plan must include improving parental involvement
	CAL. EDUC. CODE § 52055.5(c)(2) (Deering 2000)	"Allow parents to apply directly to the [SBOE]" to establish a charter school and "allow parents to establish the charter school at the existing school site"
	CAL. EDUC. CODE § 52058(c)(2) (Deering 2000)	On evaluations, program implementation data includes a review of parental participation
	CAL. EDUC. CODE §§ 52060, 52065 (Deering 2000)	American Indian Early Childhood Education Program includes importance of parent involvement and a parent advisory group
	CAL. EDUC. CODE § 52128.5(b)(1), (d) (Deering 2000)	- Class Size Reduction Program evaluation includes parent and teacher satisfaction - Parent members of advisory panel
	CAL. EDUC. CODE §§ 52132, 52133(a)(4) (Deering 2000)	In bilingual education, need to facilitate communication between school, parents, and students
	CAL. EDUC. CODE §§ 52161-52173 (Deering 2000)	Various rights for parental involvement, consultation, notice, and option to withdraw in bilingual instruction
	CAL. EDUC. CODE §§ 52205(f), 52212(a)(1) (Deering 2000)	Parental involvement and participation in the gifted and talented pupil program
	CAL. EDUC. CODE §§ 52241, 52247(h)(5) (Deering 2000)	Advanced Placement Challenge Grant Program includes information, notice, and filings by parents
	CAL. EDUC. CODE § 52256(g) (Deering 2000)	In technology grant program, project applications must include a description of the role of parents and others in developing and supporting the plan
	CAL. EDUC. CODE §§ 52336.1, 52336.3(a)(2) (Deering 2000)	- Parent consent to choose either "traditional college preparatory curriculum or a career preparatory program" - Parental consent for participation in career preparatory program
	CAL. EDUC. CODE § 52353 (Deering 2000)	With parental consent, can enroll in and give precareer technical training to prevent dropouts
	CAL. EDUC. CODE § 52410 (Deering 2000)	Parental consent for summer environmental internship program

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 699

State	Citation	Subject
	CAL. EDUC. CODE § 52453(b)(5) (Deering 2000)	Parent member of agricultural advisory committee
	CAL. EDUC. CODE § 52488(c)(7) (Deering 2000)	Parent member of the home economics careers and technology advisory committee
	CAL. EDUC. CODE § 52616.2 (Deering 2000)	"Parenting programs offered to parents of high-risk pupils"
	CAL. EDUC. CODE §§ 52852, 52852.5(a) (Deering 2000)	- Parent members of schoolsite councils - Information to parents
	CAL. EDUC. CODE § 52901 (Deering 2000)	"[A]ctive involvement of parents, whenever appropriate, in programs and services to dropouts"
	CAL. EDUC. CODE § 53055 (Deering 2000)	Parent members of advisory committee for Governor's Reading Award Program
	CAL. EDUC. CODE § 53083(e)(2) (Deering 2000)	Funds from grant may be used for "schoolsite mentors as liaisons between educators, parents," and others
	CAL. EDUC. CODE §§ 54422(c)-54425 (Deering 2000)	- Application for federal funds may include preschool programs with intensive parent participation - Other elements may include employment of competent school-community coordinators to secure effective coordination of parents and others - Parent members of advisory committee
	CAL. EDUC. CODE §§ 54440-54444.4 (Deering 2000)	- Chapter concerning migrant children with various rights and responsibilities of parents - Parent advisory council including information and training for parents
	CAL. EDUC. CODE §§ 54631-54632(b)(1) (Deering 2000)	Under the School Improvement Act of 1970, parent members of community resource committee and parent advisory committee
	CAL. EDUC. CODE §§ 54685(c)(5), 54685.3(d) (Deering 2000)	- Early Intervention for School Success Program provides "comprehensive parent education that defines home activities that support pupil learning" - Management plan includes "[p]rovisions for training, materials, parent education, and technical assistance"
	CAL. EDUC. CODE §§ 54695(c), 54697(d) (Deering 2000)	- Parental consent for student to participate in partnership academies - "Evaluating entity shall ensure that all personally identifiable information" concerning student and his or her parent remains confidential
	CAL. EDUC. CODE § 54701(b)(7) (Deering 2000)	Description of plan under the university and college opportunities program must include the "development of strategies for parental involvement"

State	Citation	Subject
	CAL. EDUC. CODE §§ 54724-54726 (Deering 2000)	- School-based pupil motivation and maintenance program and dropout recovery - Parent members of school site councils - Parents have opportunity to establish council - Parents involved in student study team
	CAL. EDUC. CODE §§ 54740-54749.5 (Deering 2000)	California School Age Families Education Program (Cal-SAFE) focuses on comprehensive, continuous, and community linked school-based program for youth development and dropout prevention for pregnant and parenting students
	CAL. EDUC. CODE §§ 56000-56885 (Deering 2000)	Chapter 56000 pertains to the rights and responsibilities of parents with special education and exceptional needs children
	CAL. EDUC. CODE § 58404(e) (Deering 1987)	District must have a plan for community and parent involvement for individualized instruction program
	CAL. EDUC. CODE §§ 58500-58512 (Deering 1987)	- In alternative schools, parents and teachers work cooperatively to develop the learning process and its subject matter - Notice to parents of school - Parent may request such a school be established - Parents included in evaluation process - Parents may be entitled to payment for transportation expenses
	CAL. EDUC. CODE § 58700(d) (Deering Supp. 2000)	Tutoring and Homework Assistance Program is to support and not replace the role of parents
	CAL. EDUC. CODE §§ 58730, 58735(b)(1) (Deering Supp. 2000)	- Legislative findings for gang risk intervention programs declares that youth gang violence can be reduced through involvement of parents and others - Counseling available to students and parents
	CAL. EDUC. CODE § 58804.2(b)(1) (Deering Supp. 2000)	Parents included in assessment of specialized secondary schools
	CAL. EDUC. CODE §§ 58900-58909 (Deering Supp. 2000)	In restructuring education, parents are one of the core elements and must be given meaningful roles and responsibilities
	CAL. EDUC. CODE § 58916(a) (Deering Supp. 2000)	After consultation with parents and others, superintendent of public education must disseminate information on restructuring
	CAL. EDUC. CODE § 58920(b)(3) (Deering Supp. 2000)	The evaluation must include information regarding any changes in roles or responsibilities among educators, parents, and others
	CAL. EDUC. CODE § 59204(c) (Deering 1987 & Supp. 2000)	Counseling services are available for parents and families of disabled children

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 701

State	Citation	Subject
	CAL. EDUC. CODE § 60002 (Deering Supp. 2000)	Required to promote parental involvement in selection of instructional materials
	CAL. EDUC. CODE § 60061.5(a) (Deering 1987 & Supp. 2000)	Publisher of instructional materials must actively solicit or make available a process through which input from parents and others concerning the quality, content, and usability of textbooks and materials
	CAL. EDUC. CODE § 60119(a)(1) (Deering Supp. 2000)	Board shall hold hearing and encourage parental participation concerning sufficient textbooks or instructional material
	CAL. EDUC. CODE §§ 60600-60614 (Deering Supp. 2000)	- Leroy Greene California Assessment of Academic Achievement Act - Legislative intent is that individual assessments will aid parents and teachers in identifying student's academic strengths and weaknesses - Parent may request and receive individual student assessment results - Must be in easily understood format
	CAL. EDUC. CODE § 60614 (Deering Supp. 2000)	No test, examination, or assessment can contain questions on student's or parent's "personal beliefs or practices in sex, family life, morality, or religion nor" on personal behavioral characteristics including "honesty, integrity, sociability, or self esteem"
	CAL. EDUC. CODE § 60615 (Deering Supp. 2000)	Parent may request that a child be excused from any or all parts of the assessment
	CAL. EDUC. CODE § 60640(j)(4) (Deering Supp. 2000)	District must report to superintendent how many students were exempted from test at the request of their parents
	CAL. EDUC. CODE § 60641(b) (Deering Supp. 2000)	Individual student test results may only be released with the parent's permission
	CAL. EDUC. CODE § 60643(c) (Deering Supp. 2000)	- Test publisher requirements - Parents may decline to disclose income and any other information under FERPA
	CAL. EDUC. CODE § 60850(b) (Deering Supp. 2000)	Parent members of panel for high school exit examination
	CAL. EDUC. CODE § 62002.5 (Deering 1987)	Parent advisory committees and school site councils continue even after termination of program funding
Colorado	COLO. REV. STAT. § 22-1-113 (2000)	Parents must take oath or affirmation that information and record are true
	COLO. REV. STAT. § 22-1-116 (2000)	Parents must be informed when a deficiency is found in the child's sight and hearing tests
	COLO. REV. STAT. § 22-1-119 (2000)	School employee who dispense drugs with parent's permission has no civil or criminal liability for an adverse reaction

State	Citation	Subject
	COLO. REV. STAT. § 22-1-120(7) (2000)	Parent not held liable for student expression
	COLO. REV. STAT. § 22-1-122(3)(a) (2000)	Parents assist with transportation for students through the transportation token program
	COLO. REV. STAT. § 22-1-123 (2000)	State FERPA provision
	COLO. REV. STAT. § 22-2-109(3)(e) (2000)	As part of the performance based teacher licensure standards, the provisional teacher must demonstrate an "ability to engage parents as learning partners to promote student learning"
	COLO. REV. STAT. § 22-2-112(1)(g) (2000)	Part of the duties of the Commissioner is to communicate with parents in regard to government, finance, curriculum, and instruction
	COLO. REV. STAT. § 22-7-102(1) (2000)	Legislative declaration concerning accountability and parental involvement
	COLO. REV. STAT. § 22-7-104(1) (2000)	Parent members of district accountability committees
	COLO. REV. STAT. § 22-7-107(2)(b) (2000)	School advisory council shall report to parents and others concerning school's educational performance
	COLO. REV. STAT. § 22-7-204(1)(f) (2000)	Part of the goals and objectives for improving the educational system include increased parental support "and involvement in meeting expectations of the educational system"
	COLO. REV. STAT. § 22-7-401(1)(f) (2000)	Legislative declaration that through a shared sense of accountability and a cooperative spirit between educators and parents, educators can develop and teach to high standards which will enable students to achieve the highest level of knowledge and skills
	COLO. REV. STAT. § 22-7-405(1)(c) (2000)	Council must specifically seek recommendations from and work in cooperation with educators and parents in developing a state model content standards
	COLO. REV. STAT. § 22-7-407(4)-(5) (2000)	- In revising content standards, district must get recommendations from parents and work cooperatively with them - Must inform parents of the content and effect of the standards and how the student is progressing
	COLO. REV. STAT. § 22-7-409(1.3)(b) (2000)	Parent of home-based educational program can request that child be given assessment
	COLO. REV. STAT. § 22-7-502 (2000)	Legislative declaration that educators and parents are to give students the essential literacy skills
	COLO. REV. STAT. § 22-7-504(3) (2000)	If child's literacy is below level, then educators and parents "formulate an individual literacy plan"

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 703

State	Citation	Subject
	COLO. REV. STAT. § 22-7-506(2)(a)(V)(E) (2000)	Parent member of board appointed by Governor for the read-to-achieve grant program
	COLO. REV. STAT. § 22-7-601(1)(b), (e) (2000)	Legislative declaration that it is difficult for parents to determine if schools "are providing quality academic instruction in an environment conducive to learning," thus, a school report card will assist parents and others
	COLO. REV. STAT. §§ 22-7-603 to -605 (2000)	Process for reporting of school data and school report cards
	COLO. REV. STAT. § 22-7-606 (2000)	Website delivery of school report cards
	COLO. REV. STAT. § 22-7-608(1) (2000)	Parent member of the assessment team for low-graded schools
	COLO. REV. STAT. § 22-9-106(1) (2000)	School board must consult with parents and others in developing a district licensed personnel performance evaluation
	COLO. REV. STAT. § 22-9-107(1)(a) (2000)	Parent member of district's personnel performance evaluation council
	COLO. REV. STAT. § 22-11-201(5)(a) (2000)	The accreditation contract shall bind the school board to improve the school's performance by parental involvement
	COLO. REV. STAT. § 22-20-104(2)(a) (2000)	Parental involvement and procedures for children with disabilities
	COLO. REV. STAT. § 22-24-105(1)(a) (2000)	District must identify student whose dominant language is not English through the observation and recommendation of parents and others
	COLO. REV. STAT. § 22-25-104(3)(a), (6) (2000)	- Parents assist with the development of guidelines for implementation of local comprehensive health education programs - Parents must receive an overview of the topics and materials in the curriculum and a permission slip
	COLO. REV. STAT. § 22-25-106(2), (3)(a), (4)(a), (4)(b)(I) (2000)	- Parent members of health education advisory councils - Instruction must promote parental involvement - Parents may exempt child on basis of religious beliefs and teachings - Notice must be given to parents
	COLO. REV. STAT. § 22-25-110(2)(b) (2000)	Parent may exempt student from portion of health education program on basis of religious beliefs and teachings
	COLO. REV. STAT. § 22-28-102 (2000)	Legislative declaration encouraging districts and parents to work together to ensure children benefit from preschool programs
	COLO. REV. STAT. § 22-28-103(7) (2000)	"Parent" defined

State	Citation	Subject
	COLO. REV. STAT. § 22-28-104(1)(d) (2000)	Purpose of preschool programs to encourage parents to participate in the program with their children
	COLO. REV. STAT. § 22-28-105(1), (2)(e.7) (2000)	- Parent members of preschool program council - Parental involvement and training
	COLO. REV. STAT. § 22-28-106(1)(a)(III) (2000)	Parental responsibilities for children to be in preschool
	COLO. REV. STAT. § 22-28-107(1)(f.4) (2000)	Preschool plan to include parental involvement
	COLO. REV. STAT. § 22-28-108(1)(b)(IV) (2000)	District shall provide parents with books and other materials in preschool program
	COLO. REV. STAT. § 22-28-110 (2000)	Need for parental involvement in preschool programs
	COLO. REV. STAT. § 22-30-106(2)(a)(1) (2000)	Parent member of district's advisory accountability committee
	COLO. REV. STAT. § 22-30.5-102(1)(b), (c) (2000)	- Outlines the active role of parents in charter schools - Parents have a right and responsibility to participate in education
	COLO. REV. STAT. § 22-32-109.1(2) (2000)	Upon consultation with parents and others, district is to develop a safe school plan
	COLO. REV. STAT. § 22-32-109.2(2) (2000)	Before action is taken for psychiatric or psychological methods or procedures, parent must have adequate time to review and make recommendations
	COLO. REV. STAT. § 22-32-109.5(2) (2000)	Parent provided with special proficiency test scores
	COLO. REV. STAT. § 22-32-110(1)(bb) (2000)	Teacher must report the "mental, moral, and physical defectiveness" of child to principal who must notify the parent and recommend a thorough examination and treatment
	COLO. REV. STAT. § 22-32-113(4) (2000)	Board may reimburse parent for transportation
	COLO. REV. STAT. § 22-32-114 (2000)	Parent can transport his or her child and board may reimburse expenses
	COLO. REV. STAT. § 22-32-116(2)(b)(II) (2000)	If enrolled in a school and then becomes nonresident, parent may request the child stay enroll in that school
	COLO. REV. STAT. § 22-32-120(3) (2000)	Upon written parental request, child is not required to participate in a food service program or remain on school premises during lunch
	COLO. REV. STAT. § 22-32-126(5)(b) (2000)	District must inform the parent when "disciplinary information is communicated and to provide a copy of the disciplinary information" to the parent

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 705

State	Citation	Subject
	COLO. REV. STAT. § 22-33-104(5)(a) (2000)	- Section 5(a) states two of the most important facts in a "child's educational development are parental involvement and parental responsibility" - It is parent's obligation to ensure child "receives adequate education and training" - Parent must comply with compulsory attendance law
	COLO. REV. STAT. § 22-33-104.5(1), (3)(e) (2000)	- Legislature "declares that it is the primary right and obligation of parent to choose the proper education and training for children" - Recognizing home-based education - Parent must notify school and certify certain things
	COLO. REV. STAT. § 22-37-104(2)(e) (2000)	Grant program for in-school or in-home suspension is to include program for parental participation and involvement
	COLO. REV. STAT. § 22-38-104(d)(6), (d)(7) (2000)	- Parent must enter agreement to provide services or financial contribution to a school - Parent cannot be financially overburdened in order to make such contributions
	COLO. REV. STAT. § 22-52-101 (2000)	Legislative concern over children who do not succeed, and therefore, the second chance program with increased parental involvement
	COLO. REV. STAT. § 22-52-105(1)(e) (2000)	Department of Education to hear appeals of disputes arising between district and parents
	COLO. REV. STAT. § 22-60.5-110(3)(c)(V) (2000)	In selecting professional development activities for the renewal of a professional license, one of the goals is effective communication with parents and others
Connecticut	CONN. GEN. STAT. ANN. § 10-4b(a) (West 1996 & Supp. 2001)	Parent may file complaint
	CONN. GEN. STAT. ANN. § 10-4g(a), (b) (West 1996 & Supp. 2001)	- State Board of Education shall develop a model program to encourage parental involvement - Local boards must develop and implement plans to involve parents including but not limited to providing regular contact, opportunities to meet teachers, reviewing curriculum, developing strategies for parents to actively assist in the educational process, and develop materials to familiarize parents with curriculum and activities
	CONN. GEN. STAT. ANN. § 10-4n(a)(3) (West 1996)	Parent member of the Committee on Educational Equity and Excellence
	CONN. GEN. STAT. ANN. § 10-4o(a) (West 1996 & Supp. 2001)	Family resource center provides services to parents

State	Citation	Subject
	CONN. GEN. STAT. ANN. § 10-4p(a) (West Supp. 2001)	State Board of Education must develop a five-year implementation plan to encourage greater parental involvement
	CONN. GEN. STAT. ANN. § 10-15b(a) (West 1996)	Parents have access to student records
	CONN. GEN. STAT. ANN. § 10-16e (West 1996)	Parent may exempt child from part or all of the family life education program
	CONN. GEN. STAT. ANN. § 10-16n(c) (West 1996 & Supp. 2001)	Parent member of advisory committee for Head Start grant program
	CONN. GEN. STAT. ANN. § 10-16o(7) (West Supp. 2001)	As part of school readiness program, the family is to be strengthened through encouragement of parental involvement in the child's development and education
	CONN. GEN. STAT. ANN. § 10-17f (c) (West Supp. 2001)	Must meet with parents concerning bilingual education and various procedures
	CONN. GEN. STAT. ANN. § 10-18c(b) (West 1996)	Parent may opt out child from firearm safety program
	CONN. GEN. STAT. ANN. § 10-19(b) (West 1996 & Supp. 2001)	Parent may exempt child from classes on alcohol, nicotine, drugs or AIDS
	CONN. GEN. STAT. ANN. § 10-28b (West 1996 & Supp. 2001)	State plan for involving volunteers and educational partners including parents
	CONN. GEN. STAT. ANN. § 10- 66bb(d)(3)(A) (West Supp. 2001)	Parents on governing council of charter school
	CONN. GEN. STAT. ANN. § 10-66bb(d)(12) (West Supp. 2001)	Encourage parental involvement
	CONN. GEN. STAT. ANN. § 10- 76d(a)(2)(B), (a)(8), (e)(1) (West Supp. 2001)	- Parents of special education students are requested to apply for medicaid - Parents shall be notified when child needs special education - Parent may reimbursed for costs incurred when a child is placed in an "appropriate" placement
	CONN. GEN. STAT. ANN. § 10-76h (West 1996 & Supp. 2001)	Parental rights concerning hearing and review procedures for special education child
	CONN. GEN. STAT. ANN. § 10-76v(d) (West 1996)	Need parental consent for early detection and screening mental health and adjustment problems
	CONN. GEN. STAT. ANN. §§ 10-76a to -76d (West Supp. 2001)	Parental rights in assessment of special education

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 707

State	Citation	Subject
	CONN. GEN. STAT. ANN. § 10-94i (West 1996)	Surrogate parents have the same rights and liabilities as natural parents
	CONN. GEN. STAT. ANN. § 10-144d(b) (West 1996)	Parent member of the Advisory Council for Teacher Professional Standards
	CONN. GEN. STAT. ANN. § 10-144e(b) (West 1996)	Parent member of the Advisory Council for Administrator Professional Standards
	CONN. GEN. STAT. ANN. § 10-198a(c) (West 1996 & Supp. 2001)	Superior Court complaint filed when parents fails to comply with school attendance laws
	CONN. GEN. STAT. ANN. § 10-204a(a)(3) (West 1996 & Supp. 2001)	Parent may exempt child from immunization based on religious beliefs
	CONN. GEN. STAT. ANN. § 10-206(a) (West 1996 & Supp. 2001)	Parents entitled to prior notice of health examinations and must be present at assessment
	CONN. GEN. STAT. ANN. § 10-207(a) (West 1996)	Medical adviser must make prompt examination of child and notify parent of findings and recommendations
	CONN. GEN. STAT. ANN. § 10-208 (West 1996)	Parent may exempt child from physical or medical examination, treatment, or instruction based on religious grounds
	CONN. GEN. STAT. ANN. § 10-210 (West 1996)	Parent must receive written notification of disease or defects and parent must obtain treatment for child
	CONN. GEN. STAT. ANN. § 10-212a(a) (West 1996 & Supp. 2001)	Need written parental permission for school personnel to administer medications
	CONN. GEN. STAT. ANN. § 10-214(a), (b), (c) (West 1996 & Supp. 2001)	Notice to parents of results of vision, hearing, and posture screenings
	CONN. GEN. STAT. ANN. § 10-220(b) (West 1996 & Supp. 2001)	Local boards shall set goals with participation of parents and others
	CONN. GEN. STAT. ANN. § 10-220a(b) (West 1996 & Supp. 2001)	Professional development plan may include provisions on parental involvement
	CONN. GEN. STAT. ANN. § 10-220f (West Supp. 2001)	Parent members on district's safety committee
	CONN. GEN. STAT. ANN. § 10-221(f) (West Supp. 2001)	Local boards shall develop, adopt, and implement written policies and procedures to encourage parent-teacher communication

State	Citation	Subject
	CONN. GEN. STAT. ANN. § 10-221e (West Supp. 2001)	Parent may select school within a district
	CONN. GEN. STAT. ANN. § 10-221h (West Supp. 2001)	Three-year plan to improve reading skills includes a process for involving parents
	CONN. GEN. STAT. ANN. § 10-222a (West 1996)	Parental responsibility to pay for lost, damaged or stolen textbooks, library materials, or equipment
	CONN. GEN. STAT. ANN. § 10-228a (West 1996)	Parent may request loan of textbooks for nonpublic school student
	CONN. GEN. STAT. ANN. § 10-233d(a)(3) (West Supp. 2001)	Parental notice of formal hearing for student who is expelled
	CONN. GEN. STAT. ANN. § 10-233e (West 1996 & Supp. 2001)	Board must notify parents of disciplinary policies and action
	CONN. GEN. STAT. ANN. § 10-233h (West 1996 & Supp. 2001)	Parent may request police reports and information on arrest of student at expulsion hearing
	CONN. GEN. STAT. ANN. § 10-233j(a) (West Supp. 2001)	Restricted possession and use of telecommunication devices unless parent establishes to the principal's satisfaction that there is a reasonable basis for it
	CONN. GEN. STAT. ANN. § 10-239a (West 1996)	Demonstration Scholarship Program to provide greater parental choice
	CONN. GEN. STAT. ANN. § 10-263c(b) (West Supp. 2001)	- Grant program for use of technology to support instruction or to improve parent- teacher communication - Initiatives to strengthen parent involvement in school programs, activities, and educational policies
	CONN. GEN. STAT. ANN. § 10-265f(d)(4) (West Supp. 2001)	A full-day kindergarten program must provide for parental involvement and ensure that parents have access to information on strategies that may be used at home to improve reading skills
	CONN. GEN. STAT. ANN. § 10-265g(b)(1) (West Supp. 2001)	If student is substantially deficient in reading based on the mid-year evaluation, parents must be notified and a personal plan developed for the child
	CONN. GEN. STAT. ANN. § 10-266q(b)(7) (West Supp. 2001)	Grant application must include initiatives to strengthen parental involvement
	CONN. GEN. STAT. ANN. § 10-266t(e)(8) (West 1996 & Supp. 2001)	Grant applications for extended school building hours must provide for parent involvement in program planning and use of parents as advisers and volunteers

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 709

State	Citation	Subject
	CONN. GEN. STAT. ANN. § 10-277(b) (West 1996)	Upon request, board may enter into a written agreement with parents to pay costs to a high school other than the one transportation is furnished
Delaware	DEL. CODE ANN. tit. 14, § 122(b)(14) (Supp. 2000)	Parental consent for dual membership on a team for interscholastic athletics
	DEL. CODE ANN. tit. 14, §§ 124A(c), (d)(9), (g) (1999)	<ul style="list-style-type: none"> - Advisory committee shall have parents as members - Annual school profile reports contain information on parental involvement - Distributed to parents and others
	DEL. CODE ANN. tit. 14, § 131(a)(6) (1999)	Parents may exempt child from immunization because of religious beliefs
	DEL. CODE ANN. tit. 14, § 151(a) (1999)	Student assessment program designed to provide parents and others with timely and accurate information on achievement and educational attainments
	DEL. CODE ANN. tit. 14, § 153(d) (1999 & Supp. 2000)	Students who performance in reading and math are below grade proficiency, parent and district must agree on an individual improvement plan
	DEL. CODE ANN. tit. 14, § 154(c) (Supp. 2000)	<ul style="list-style-type: none"> - Parents on committee to recognize academic performance - School improvement plan must address parental involvement and implementation plan whereby educators and parents can track student progress
	DEL. CODE ANN. tit. 14, § 155 (e)(1)a (1999)	School district must have plan with policies and practices designed to promote parental involvement and implementation plan whereby educators and parents can track student progress
	DEL. CODE ANN. tit. 14, § 157(a), (b), (c) (1999)	<ul style="list-style-type: none"> - Recognizes "no adequate substitute" for parental involvement - Outlines parental involvement including in the decision-making process - Creating Parents' Declaration of Responsibilities which reflects elements of parental involvement
	DEL. CODE ANN. tit. 14, §§ 401, 414 (1999)	<ul style="list-style-type: none"> - Parental choice chapter that gives parents increased access to educational opportunity - Parents may enroll child anywhere within district
	DEL. CODE ANN. tit. 14, § 501-516 (1999)	<ul style="list-style-type: none"> - Charter schools to provide improved ways to measure school performance - It provides parents with improved measures of learning methods
	DEL. CODE ANN. tit. 14, § 701(g) (1999)	Board is to establish, adopt, publish and distribute to students and parents the policies and standards for behavior and discipline

State	Citation	Subject
	DEL. CODE ANN. tit. 14, § 802(b) (1999)	Parent member of advisory committee
	DEL. CODE ANN. tit. 14, § 1206(a)(4) (Supp. 2000)	Parent member of Professional Standards Board
	DEL. CODE ANN. tit. 14, § 1270(c) (Supp. 2000)	Student improvement is evaluated on several basis including chronic failure of parents to abide by the Parents' Declaration of Responsibilities under § 157 concerning parental involvement
	DEL. CODE ANN. tit. 14, § 1332(f) (1999)	Parent advisory committee for autistic students
	DEL. CODE ANN. tit. 14, § 1605(7) (1999)	In alternative education, grant application must certify that school level committees have parent members
	DEL. CODE ANN. tit. 14, § 1605A(1) (1999)	Outreach programs to promote parental involvement to prevent children from becoming a discipline problem
	DEL. CODE ANN. tit. 14, § 1722(a)(2) (1999)	Parent included as a responsible person for lost or damaged textbooks
	DEL. CODE ANN. tit. 14, § 2702 (Supp. 2000)	Parents shall enroll students in school and send students to school each day
	DEL. CODE ANN. tit. 14, § 3001(b) (1999)	Required performance standards include parental involvement
	DEL. CODE ANN. tit. 14, § 3101(7) (1999)	Definition of parent
	DEL. CODE ANN. tit. 14, § 3110(c) (1999)	Handicapped children and their parents are guaranteed procedural safeguards for a free, appropriate, public education
	DEL. CODE ANN. tit. 14, § 3122 (1999)	Parent of exceptional child may object to medical treatment on religious grounds
	DEL. CODE ANN. tit. 14, §§ 3130-3143 (1999)	Subchapter outlines procedural safeguards and parental rights of handicapped students
	DEL. CODE ANN. tit. 14, § 3455(a)(2) (1999)	Engineering and Applied Science Recruitment Fund will be allocated according to guidelines including a requirement for parental involvement
	DEL. CODE ANN. tit. 14, § 3805(a)(4) (1999)	Parent member of local drug-free school advisory committee
	DEL. CODE ANN. tit. 14, § 4111(a)(3) (1999)	Parents have access to school records
	DEL. CODE ANN. tit. 14, § 4112(a)(4) (1999)	"Parent" defined
	DEL. CODE ANN. tit. 14, § 4117(a) (1999)	Parents entitled to notice for any violations or problems relating to drug abuse
	DEL. CODE ANN. tit. 14, § 4118(a)(7) (1999)	Legislature recognizes that "parents are the first and most influential teachers" of their children

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 711

State	Citation	Subject
	DEL. CODE ANN. tit. 14, § 4122(b) (1999)	If parent failed to attend school conference with superintendent concerning violation of school rules, the superintendent may request subpoena to compel attendance
	DEL. CODE ANN. tit. 14, § 4131 (Supp. 2000)	Parental notification of certain crimes
District of Columbia	D.C. CODE ANN. § 31-402(a) (1998)	Compulsory attendance requirement
	D.C. CODE ANN. § 31-506(1) (1998)	Parent may exempt child from immunization for religious reasons
	D.C. CODE ANN. § 31-703 (1998)	Parent responsible for all loaned books and liable for lost, damaged, or destroyed books
	D.C. CODE ANN. § 31-2403 (1998)	Parent may exempt child from certain health tests if it would violate the established tenets and practices of parent's church or religious denomination
	D.C. CODE ANN. § 31-2404(a) (1998)	- Notice to parents of non-compliance with health requirements and possible fine - Parental consent for examination
	D.C. CODE ANN. § 31-2405 (1998)	Parents may be charged fee for health examination unless indigent
	D.C. CODE ANN. § 31-2406 (1998)	Parental duty to obtain medical treatment
	D.C. CODE ANN. § 31-2432 (1998)	- Lists the things parent must do to have school administer medication - School immune from liability
	D.C. CODE ANN. §§ 31-2702(a), 31-2703(b) (1998)	In a judicial or quasi-judicial proceeding, interpreter will be provided if parent is communication impaired
	D.C. CODE ANN. § 31-2803 (1998)	Charter schools are designed to provide parents with expanded choices in types of public education opportunities
	D.C. CODE ANN. §§ 36-1601(2), 36-1602a (1997)	- Defines parent and school-related event - Allows up to 24 hours during any 12 month period to attend or participate in school-related events
Florida	FLA. STAT. ANN. § 228.041 (West Supp. 2001)	Definitions of terms such as parent, school volunteer which includes parents, and habitual truant who is absent with or without parental knowledge or consent
	FLA. STAT. ANN. § 228.053(8)(a)(2) (West Supp. 2001)	Parent members of advisory board for developmental research schools
	FLA. STAT. ANN. § 228.056 (West Supp. 2001)	- Charter school provision - Provides for expanded learning experiences
	FLA. STAT. ANN. § 228.0565 (West Supp. 2001)	- Pilot program to deregulate public schools - "[S]chool must conduct a survey to show parental support for the proposal"

State	Citation	Subject
	FLA. STAT. ANN. § 228.057 (West Supp. 2001)	Parental choice in education provision
	FLA. STAT. ANN. § 228.0581(4) (West Supp. 2001)	A majority of parents at a school can apply to the school district to participate in the pilot program
	FLA. STAT. ANN. § 228.093 (West Supp. 2001)	- Rights of parents concerning student records and reports including access, waiver, challenge to content and hearing if not resolved, privacy, and notification - Penalty provision for violation
	FLA. STAT. ANN. § 229.0535 (West Supp. 2001)	Parents of students in failing schools can send their children to another district school of their choice
	FLA. STAT. ANN. § 229.0537 (West Supp. 2001)	Parents are eligible for opportunity scholarships for schools that have been failing for two of four years
	FLA. STAT. ANN. § 229.05371 (West Supp. 2001)	Scholarship program for students with disabilities whose parents do not believe that the student is progressing adequately
	FLA. STAT. ANN. § 229.57 (West Supp. 2001)	- Student assessments are to inform parents of the educational progress of their children - School performance data must be analyzed and reported to parents
	FLA. STAT. ANN. § 229.58 (West Supp. 2001)	Parent members of school advisory councils
	FLA. STAT. ANN. § 229.591 (West Supp. 2001)	Schools are to work to provide opportunities for involving parents as collaborative partners in accomplishing school improvement and accountability
	FLA. STAT. ANN. § 229.592(7)(d) (West Supp. 2001)	Parent members of assessment team of schools with "D" or "F" rating
	FLA. STAT. ANN. § 229.595(5) (West Supp. 2001)	Parent entitled to assessment of student's preparation to enter workforce
	FLA. STAT. ANN. § 229.832(2) (West Supp. 2001)	Diagnostic and learning resource centers provide assistance to parents in "identifying exceptional children and in planning educational programs" for them
	FLA. STAT. ANN. § 230.23(4)(m)(5) (West Supp. 2001)	Various rights of parents of children classified as exceptional students
	FLA. STAT. ANN. § 230.23005(1)(c), (5) (West Supp. 2001)	- Board may adopt procedures for student dismissed based on parental permission for child to leave campus - Board may adopt policies concerning parent volunteers and chaperones

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 713

State	Citation	Subject
	FLA. STAT. ANN. § 230.2301 (West 1998)	"At any meeting with school district personnel," a parent may be accompanied by an adult of parent's choice to assist "in communicating with school district personnel"
	FLA. STAT. ANN. § 230.2303 (West Supp. 2001)	Parental involvement in First Start Program
	FLA. STAT. ANN. § 230.2305 (West Supp. 2001)	Parental involvement in pre-kindergarten early invention program
	FLA. STAT. ANN. § 230.2316 (West Supp. 2001)	Parental notice and signature required in record of students in dropout prevention and academic intervention program
	FLA. STAT. ANN. § 230.2316(19) (West Supp. 2001)	Parent of exceptional students have due process rights outlined elsewhere in statutes
	FLA. STAT. ANN. § 230.33(7)(b), (8) (West Supp. 2001)	- Various duties of superintendent include input from parents on personnel salaries - Parental notice of charges and recommendations for expulsion and due process rights
	FLA. STAT. ANN. § 231.002 (West Supp. 2001)	Legislature finds that effective educators are able to "demonstrate knowledge and understanding of the value of, and strategies for, promoting parental involvement in education"
	FLA. STAT. ANN. § 231.095 (West Supp. 2001)	Parents must be notified when teacher is certified outside the field
	FLA. STAT. ANN. § 231.145 (West Supp. 2001)	Purpose of instructional personnel certification "is to protect the educational interests of students, parents, and the public"
	FLA. STAT. ANN. § 231.29(2)(c) (West Supp. 2001)	Mechanism for parental input in the teacher assessment process
	FLA. STAT. ANN. § 231.600(4)(b)(2) (West Supp. 2001)	The district's professional development program must include assessments of parental satisfaction
	FLA. STAT. ANN. § 232.01 (West Supp. 2001)	- Requirements for children's school attendance - Parents entitled to notice of child declaration of intent to terminate enrollment
	FLA. STAT. ANN. § 232.25 (West 1998)	- Notice to parents concerning supervision - Students required to make "daily conduct pledge"
	FLA. STAT. ANN. § 232.465(5) (West Supp. 2001)	Parent consent for school personnel to give or refer students for contraceptive services
	FLA. STAT. ANN. § 233.051(2) (West 1998)	Parents must be notified when child is working below skill level of assigned grade placement

State	Citation	Subject
	FLA. STAT. ANN. § 233.058(3)(h) (West 1998)	Parental involvement in program for limited English proficient students
	FLA. STAT. ANN. § 233.061(3) (West 1998)	Parent may make written request to be exempted from teaching reproductive health or disease
	FLA. STAT. ANN. § 233.0655 (West Supp. 2001)	Upon written request by parent, student must be excused from reciting the Pledge of Allegiance
	FLA. STAT. ANN. § 233.0674(2) (West 1998)	Students may be excused from performing biological experiments on living subjects upon written request of parent
	FLA. STAT. ANN. § 233.068(2)(f) (West 1998)	Upon parental request, course of study plan in job-related vocational instruction can be revised
	FLA. STAT. ANN. § 233.46(1) (West Supp. 2001)	Part of the duties of the principal is to insure proper instructional materials and to effectively communicate to parents how they are to be used
	FLA. STAT. ANN. § 233.47(1) (West 1998)	Parents are responsible for instructional materials and liable for their destruction or loss
	FLA. STAT. ANN. § 234.02 (West Supp. 2001)	Parental notice and consent on procedures for private transportation of students in medical situations
	FLA. STAT. ANN. § 234.0215(2)(d) (West Supp. 2001)	School safety transportation plan must identify parental responsibility for children's safety where transportation not provided
	FLA. STAT. ANN. § 235.2157(1)(b) (West Supp. 2001)	Legislative findings that smaller schools provide increased parental involvement
	FLA. STAT. ANN. § 236.685 (West Supp. 2001)	Parents must be given school public accountability report
Georgia	GA. CODE ANN. § 20-2-66(b)(3) (1996)	School must have a system to notify parents of the reduced price or free meal program
	GA. CODE ANN. § 20-2-85(a) (Supp. 2000)	- Legislative findings that there is a "need to improve communication and participation of parents" in management and operation of local schools - Parental support is critical to success of the student and the school
	GA. CODE ANN. § 20-2-86(d)(1), (k)(5) (Supp. 2000)	- Parent members of school councils - Council must "[e]ncourage the participation of parents"
	GA. CODE ANN. § 20-2-131(8) (1996 & Supp. 2000)	- Part of the objectives and purposes of education include providing parents with information on the quality and achievement of schools

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 715

State	Citation	Subject
	GA. CODE ANN. § 20-2-131(18), (19) (Supp. 2000)	- "Providing an environment where parents . . . can participate in school activities and support school personnel" - "Providing for parent[s] . . . school programs, policies, and management so that the school and community are connected in meaningful and productive ways"
	GA. CODE ANN. § 20-2-132(12) (Supp. 2000)	One of the primary goals of this section is to increase parental involvement
	GA. CODE ANN. § 20-2-133(b)(4) (1996 & Supp. 2000)	Transfer and use of record in IEP and when parental consent is necessary
	GA. CODE ANN. § 20-2-140 (1996)	At parent's discretion, student should be given competencies to master
	GA. CODE ANN. § 20-2-143(d) (1996 & Supp. 2000)	Parents have right to elect that child not receive course in sex education and AIDS prevention
	GA. CODE ANN. § 20-2-145(a) (Supp. 2000)	"[P]arental involvement in establishing expected outcomes of character education program"
	GA. CODE ANN. § 20-2-150(d) (1996)	Parent can object to having social security number on school records and the requirement can be waived
	GA. CODE ANN. § 20-2-210(b)(4) (Supp. 2000)	Part of teacher performance evaluation is how teacher can communicate with parents and others
	GA. CODE ANN. § 20-2-250(d)(1) (Supp. 2000)	Parent members interdisciplinary review panel
	GA. CODE ANN. § 20-2-258 (Supp. 2000)	Funds available to develop and implement written compacts between teachers, parents, and students
	GA. CODE ANN. § 20-2-260(k.1)(5) (Supp. 2000)	Six parents on delegation concerning school to be closed
	GA. CODE ANN. § 20-2-281(a) (1996 & Supp. 2000)	Parents provided with performance outcome assessments
	GA. CODE ANN. § 20-2-290(b) (Supp. 2000)	Parent of child "performing at or above grade level" may request child take additional academic classes instead of exploratory classes
	GA. CODE ANN. § 20-2-293(b) (1996)	Transfer of student to school where parent is a teacher, professional, or employee
	GA. CODE ANN. § 20-2-294(b) (Supp. 2000)	Parent may request reassignment to another school within district if space available
	GA. CODE ANN. § 20-2-306(b) (1996)	Parent must authorize enrollment in honors class
	GA. CODE ANN. § 20-2-312(c)(2) (Supp. 2000)	Parent members of evaluation of state program for middle school children during non-school hours

State	Citation	Subject
	GA. CODE ANN. § 20-2-643(1) (1996)	Educational grants may be available up to the amount paid by the parent
	GA. CODE ANN. § 20-2-660(b) (1996)	Parent may face criminal charges for giving school census taker knowingly and willfully false statements
	GA. CODE ANN. § 20-2-670 (Supp. 2000)	Outlines procedures to transfer student beyond 6th grade
	GA. CODE ANN. § 20-2-690(3) (Supp. 2000)	Parental responsibilities concerning attendance
	GA. CODE ANN. § 20-2-720 (1996)	Parental right to inspect and review educational records
	GA. CODE ANN. § 20-2-735(a) (Supp. 2000)	To improve student learning environment, the board must adopt policies including a parental involvement process
	GA. CODE ANN. § 20-2-736(a) (Supp. 2000)	Board must distribute student code of conduct to parents and students and get their signatures
	GA. CODE ANN. § 20-2-737(a) (Supp. 2000)	Parent notified concerning violation of code of student conduct
	GA. CODE ANN. § 20-2-738(b) (Supp. 2000)	Procedures once a student has been removed from class including notice to parents, conferences, and other procedures
	GA. CODE ANN. § 20-2-751.4(b) (Supp. 2000)	Parents notified about the prohibition against bullying and penalties for it
	GA. CODE ANN. § 20-2-751.5(b) (Supp. 2000)	Parent must acknowledge receipt of the code of conduct
	GA. CODE ANN. § 20-2-754(b)(1)-(3), (e) (Supp. 2000)	Parents rights during hearing and review in disciplinary matters
	GA. CODE ANN. § 20-2-765 (1996 & Supp. 2000)	Notice to parents of chronic disciplinary problems, invite parent to observe student in classroom situation, and request at least one parent conference "to devise a disciplinary and behavioral correction plan"
	GA. CODE ANN. § 20-2-766 (1996 & Supp. 2000)	Before a student may return from suspension or expulsion, there must be notice to parents and conference to devise a disciplinary and behavioral correction plan
	GA. CODE ANN. § 20-2-766.1 (Supp. 2000)	If parent fails to cooperate, board may proceed against parent in juvenile court
	GA. CODE ANN. § 20-2-768(a) (Supp. 2000)	Right to a hearing when suspended or expelled and refused readmission or enrollment
	GA. CODE ANN. § 20-2-771(e) (1996)	Parent may exempt child from immunization for religious reasons
	GA. CODE ANN. § 20-2-771.1 (Supp. 2000)	Requirement that parent immunize child for voluntary pre-enrollment of two year old children
	GA. CODE ANN. § 20-2-772(b) (1996)	Parent may exempt child from scoliosis screening

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 717

State	Citation	Subject
	GA. CODE ANN. § 20-2-984.2 (Supp. 2000)	Procedure if parent or others report criminal activity by an educator
	GA. CODE ANN. § 20-2-1000(b), (c) (1996 & Supp. 2000)	Parent may bring civil suit concerning discipline but liability is limited and penalties for frivolous suits
	GA. CODE ANN. § 20-2-1014 (1996)	Parent responsible for damaged, lost, or defaced textbooks, library books, or media material if willful intent or neglect
	GA. CODE ANN. § 20-2-1182 (1996)	- Parent who has been advised that child is "present and continues to upbraid, insult, or abuse" a teacher, administrator, or bus driver in presence and hearing of child on school premises or the bus may be ordered to leave the premises or bus - Failure to do so is misdemeanor and fine up to \$500.00
	GA. CODE ANN. § 20-2-1185(a) (1994 & Supp. 2000)	Parents have input in school safety plans
	GA. CODE ANN. § 20-2-2063(4) (Supp. 2000)	- Charter school chapter - Petition for charter must include how parents will be involved and a process for parents to express their concerns
Hawaii	HAW. REV. STAT. ANN. § 302A-301(c) (Michie 1998)	Parent member of incentive and innovation grant committee
	HAW. REV. STAT. ANN. § 302A-410(c) (Michie 1998)	- Department of Education must work cooperatively with parents and others in developing a quality early education plan - Plan includes parental involvement
	HAW. REV. STAT. ANN. § 302A-443(a) (Michie 1998)	Parent may request impartial hearing for identification, evaluation, program, or placement of handicapped child
	HAW. REV. STAT. ANN. § 302A-1004(a)(1), (a)(7), (d) (Michie Supp. 2000)	- Annual report of educational accountability including significant partners to the education process including parents - Report indicates parental involvement - Available to parents
	HAW. REV. STAT. ANN. § 302A-1130(a), (c) (Michie 1998)	- Parent responsibility for damage, loss, or destruction of school materials - Process of hearing and review
	HAW. REV. STAT. ANN. § 302A-1132(a) (Michie 1998)	Parental responsibility for attendance laws
	HAW. REV. STAT. ANN. § 302A-1133.5(a), (b) (Michie 1998)	- Notice and responsibility of parents that students comply with the student code of conduct - Parents penalized for child's lack of regular attendance and destruction of school property

State	Citation	Subject
	HAW. REV. STAT. ANN. § 302A-1138 (Michie 1998)	Parental consent for student to leave grounds
	HAW. REV. STAT. ANN. § 302A-1139(a) (Michie 1998)	Parental consent to release student for religious instruction
	HAW. REV. STAT. ANN. § 302A-1140 (Michie 1998)	Parental consent to release for religious holidays
	HAW. REV. STAT. ANN. § 302A-1144 (Michie 1998)	Parental consent to release records
	HAW. REV. STAT. ANN. § 302A-1153(a), (b), (c), (d) (Michie 1998)	<ul style="list-style-type: none"> - Parent may be responsible for student's vandalism - Parent must be given notice prior to a requirement to pay for vandalism - Parent, student, and principal must meet to discuss vandalism after an investigation - If parent disagrees with principal, principal reports vandalism to superintendent
	HAW. REV. STAT. ANN. § 302A-1155(a) (Michie Supp. 2000)	Provisional entrance to school is allowed if parents provides documentation that appointments for immunization have been made
	HAW. REV. STAT. ANN. § 302A-1156 (Michie 1998)	Parent may object to immunization based on bona fide religious tenets and practices
	HAW. REV. STAT. ANN. § 302A-1161 (Michie 1998)	School must notify parents for noncompliance with immunization requirements
	HAW. REV. STAT. ANN. § 302A-1182(b)(4), (c)(8) (Michie Supp.2000)	<ul style="list-style-type: none"> - Parent to serve on local school board of charter school - Sixty percent of parents must approve implementation plan
	HAW. REV. STAT. ANN. § 302A-1308 (Michie 1998)	Principal shall consult with parents and others concerning the use of money and positions
	HAW. REV. STAT. ANN. § 302A-1502 (Michie 1998)	Parental involvement in school health inspections
	HAW. REV. STAT. ANN. § 302A-1507(a) (Michie 1998)	Classroom cleaning projects include parents and others to clean the classrooms on a regular, continuing basis
Idaho	IDAHO CODE § 33-202 (Michie 1995)	Attendance laws
	IDAHO CODE § 33-203 (Michie 1995)	Parent of child enrolled in a private or a charter school may also enroll the child in public school
	IDAHO CODE § 33.207 (Michie 1998)	Suit brought against a parent who fails to enroll a child in school or otherwise provide for a child's education

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 719

State	Citation	Subject
	IDAHO CODE § 33-209 (Michie Supp. 2000)	Parent must furnish school records for child transferring from out-of-state
	IDAHO CODE § 33-210(1) (Michie Supp. 2000)	Parental notification of drug problem and availability of counseling
	IDAHO CODE § 33-519 (Michie 1995)	Parent can apply to have child released for religious instruction
	IDAHO CODE § 33-1002B(2) (Michie Supp. 2000)	Parents of special education child may be eligible for tuition equivalency allowance if reside in another district
	IDAHO CODE § 33-1222 (Michie 1995)	Certificated employees "shall be free from abuse by parents"
	IDAHO CODE § 33-1402 (Michie 1995)	- Parental options on where child attends school - Parent responsible for transportation
	IDAHO CODE §§ 33-1501, 33-1503 (Michie Supp. 2000)	Parents may be entitled to payments when transportation is not provided
	IDAHO CODE § 33-1602(5) (Michie Supp. 2000)	Parents may object to child saying the Pledge of Allegiance and singing the National Anthem
	IDAHO CODE § 33-1610 (Michie 1995)	School district must involve parents in "planning, development, evaluation, and revision of any instruction in sex education"
	IDAHO CODE § 33-1611 (Michie 1995)	Parent can excuse child from sex education class
	IDAHO CODE § 33-2002(4) (Michie 1995 & Supp. 2000)	Rights of parent under IDEA transfer to student at age 17 unless student is incompetent
	IDAHO CODE § 33-4501(3) (Michie Supp. 2000)	Parent member of task force on instructional improvement
	IDAHO CODE § 33-4502 (Michie Supp. 2000)	- School accountability report card developed with input from parents - Copies provided to parents upon request
	IDAHO CODE § 33-5202(5) (Michie Supp. 2000)	- Charter school provision - Provides parents with expanded choices
	IDAHO CODE § 33-5205(1) (Michie Supp. 2000)	Sixty percent of parents must approve the petition for a charter school
Illinois	105 ILL. COMP. STAT. ANN. 5/2-3.7a (West 1998)	Parent members of advisory committees
	105 ILL. COMP. STAT. ANN. 5/2-3.13a (West Supp. 2000)	If transferring from out of state, district is not required to admit student unless parent certifies that student is not currently serving a suspension or expulsion

State	Citation	Subject
	105 ILL. COMP. STAT. ANN. 5/2-3.25g (West 1998 & Supp. 2000)	Parents can testify at hearing on district's application and plan
	105 ILL. COMP. STAT. ANN. 5/2-3.25h (West 1998)	District and school may receive technical assistance for such things as parental involvement
	105 ILL. COMP. STAT. ANN. 5/2-3.39(4) (West 1998)	Provide for maximum practical parental involvement in bilingual education
	105 ILL. COMP. STAT. ANN. 5/2-3.54 (West 1998)	At parent's request, school may loan math and science equipment and instructional materials
	105 ILL. COMP. STAT. ANN. 5/2-3.62(e) (West 1998 & Supp. 2000)	Regional educational service center shall appoint a family life-sex education advisory board including two parents
	105 ILL. COMP. STAT. ANN. 5/2-3.63 (West 1998)	District must set objective and document progress for parents
	105 ILL. COMP. STAT. ANN. 5/2-3.64(a) (West 1998 & Supp. 2000)	- If student is two or more grades below level, consultation with parent to develop remediation program - Test results made available to parent
	105 ILL. COMP. STAT. ANN. 5/2-3.64a (West 1998 & Supp. 2000)	Parent members of state testing review committee
	105 ILL. COMP. STAT. ANN. 5/2-3.66 (West 1998 & Supp. 2000)	Parent involved in developing program under Truants' Alternative and Optional Education Program
	105 ILL. COMP. STAT. ANN. 5/2-3.71(a)(5) (West 1998)	Parental consent required before any evaluations are conducted to determine readiness for school
	105 ILL. COMP. STAT. ANN. 5/2-3.71a (West 1998)	Grants for model pilot early childhood parental training program
	105 ILL. COMP. STAT. ANN. 5/2-3.79 (West 1998)	Each pilot program for child with disability must include parental involvement
	105 ILL. COMP. STAT. ANN. 5/2-3.83(d) (West 1998 & Supp. 2000)	Various things parent must do in individual transition plan model for special education student
	105 ILL. COMP. STAT. ANN. 5/2-3.89 (West 1998)	Parent education program for children who are at-risk
	105 ILL. COMP. STAT. ANN. 5/2-3.106 (West 1998 & Supp. 2000)	Part of State Urban Education Partnership Grants must include parental involvement
	105 ILL. COMP. STAT. ANN. 5/10-17a(2) (West 1998)	School districts shall provide parents with a report card on the schools to promote better accountability

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 721

State	Citation	Subject
	105 ILL. COMP. STAT. ANN. 5/10-20.13 (West 1998)	School boards must have policies to provide text books when parents cannot afford them
	105 ILL. COMP. STAT. ANN. 5/10-22.6(b) (West 1998)	Parent can request hearing when student is suspended or expelled
	105 ILL. COMP. STAT. ANN. 5/10-22.18d(1)-(4) (West 1998)	Parent institutes shall provide information to enhance parental involvement, improve parental communication, "enhance parental knowledge of child development," and improve parental skill development
	105 ILL. COMP. STAT. ANN. 5/14C-3 (West 1998)	Need parental consent to enroll child in bilingual education for more than three years
	105 ILL. COMP. STAT. ANN. 5/14C-4 (West 1998)	Parents of child in bilingual education shall be notified of the child's enrollment and may withdraw the child
	105 ILL. COMP. STAT. ANN. 5/14C-10 (West 1998)	Districts shall provide for maximum practical involvement of parents in bilingual education programs
	105 ILL. COMP. STAT. ANN. 5/34-1.01B (West 1998)	The "primary responsibility for school governance and improvement in furtherance of achieving educational goals is in the hands of parents, community residents, teachers and the school principal at the school level"
	105 ILL. COMP. STAT. ANN. 5/34-1.1 (West 1998)	"Parent" defined
	105 ILL. COMP. STAT. ANN. 5/34-2.1(a) (West 1998 & Supp. 2000)	Six parents shall be members of local school councils
	105 ILL. COMP. STAT. ANN. 5/34-2.4 (West 1998)	Principal shall develop a school improvement plan in consultation with parents and others
	105 ILL. COMP. STAT. ANN. 5/34-2.4b (West 1998 & Supp. 2000)	Board of Education must develop methods of parental involvement at attendance centers and may delegate certain powers to parents
	105 ILL. COMP. STAT. ANN. 5/34-4.5(b) (West 1998)	Process for chronic truants including notice to parents, hearing, and penalties
	105 ILL. COMP. STAT. ANN. 5/34-8 (West Supp. 2000)	One of the duties of the superintendent is to evaluate school principals encouragement of parental involvement and community partnerships to achieve school improvement
	105 ILL. COMP. STAT. ANN. 5/34-8.1 (West Supp. 2000)	A majority of the principal's time shall be dedicated to curriculum and staff development, and "establishing clear lines of communication regarding school goals, accomplishments, practices and policies with parents and teachers"

State	Citation	Subject
	105 ILL. COMP. STAT. ANN. 5/34-8.11(5) (West 1998 & Supp. 2000)	Part of the evaluation criteria for Learning Zone designation is parental integration and involvement
	105 ILL. COMP. STAT. ANN. 5/34-18(4) (West 1998)	Parents responsible for transportation to before and after school programs
	105 ILL. COMP. STAT. ANN. 5/34-18(5) (West 1998)	The board may employ dentists but it is optional for parents to accept treatment
	105 ILL. COMP. STAT. ANN. 45/1-110(a) (West 1998)	Education for Homeless Children Act includes a parental choice of schools for homeless child
	105 ILL. COMP. STAT. ANN. 110/3 (West 1998)	Parents may make written objection to participation in any class or course on AIDS or family life instruction
	105 ILL. COMP. STAT. ANN. 225/2(3) (West 1998)	Legislative finding that one of the educational resources that the state has is parents
	105 ILL. COMP. STAT. ANN. 225/5(3) (West 1998 & Supp. 2000)	"Parents as Teachers program designed to provide training, materials, and other assistance to enable parents to provide basic preschool education in the home"
Indiana	IND. CODE ANN. § 20-1-1-6.3(g)(1), (2) (Michie Supp. 2000)	- Governing body may develop a policy to allow parents to transfer student - State Board of Education to inform parents of their rights under academic improvement program
	IND. CODE ANN. § 20-1-1.2-11(a)(2) (Michie Supp. 2000)	Onsite evaluation panel shall review parental and community involvement during onsite evaluation
	IND. CODE ANN. § 20-1-1.2-17(c) (Michie 1997)	If school has probationary accreditation status, school improvement plan must involve parents and others
	IND. CODE ANN. § 20-1-1.4-3(d) (Michie 1997)	At least one voting member of the board must be a parent
	IND. CODE ANN. § 20-1-1.6-7(b)(7) (Michie 1997)	At least one member of the advisory board must be a parent of school-age child
	IND. CODE ANN. § 20-1-1.8-8 (Michie 1997)	"Parent" defined
	IND. CODE ANN. § 20-1-1.8-12(7)(A) (Michie 1997)	Goal of early childhood grant program to encourage parental involvement
	IND. CODE ANN. § 20-1-1.9-2(2)(B) (Michie 1997)	Under school psychology program, parents provided with consultation, collaboration, intervention services, and referrals

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 723

State	Citation	Subject
	IND. CODE ANN. §§ 20-1-6-1 to -19 (Michie 1997 & Supp. 2000)	Special education provisions
	IND. CODE ANN. § 20-1-11.3-8 (Michie 1997)	Educational service center advisory council must have a parent as a member
	IND. CODE ANN. § 20-3.1-3-1(8)(C) (Michie 1997)	Legislative findings that school achievement improvement and performance awards will encourage development of parental involvement
	IND. CODE ANN. §§ 20-3.1-4-1 to -2 (Michie 1997)	Mandating parental choice provisions allowing parents to choose the school their child will attend
	IND. CODE ANN. § 20-3.1-5-1 (Michie 1997)	Definition of parents includes foster parents
	IND. CODE ANN. § 20-3.1-5-2 (Michie 1997)	Requires written compact between school, teachers, student, and parents outlining expectations for each party and each party must sign at start of school year
	IND. CODE ANN. § 20-3.1-5-3 (Michie 1997)	Foster parents must sign compact
	IND. CODE ANN. § 20-3.1-7-2(1) (Michie 1997)	As part of the board's plan for improvements in student achievement, plan must provide for increase support by students
	IND. CODE ANN. § 20-3.1-7-5(b)(3) (Michie 1997)	Board must assess and evaluate educational program and may obtain information from parents in preparing assessments and evaluations
	IND. CODE ANN. § 20-3.1-8-1(2)(F) (Michie 1997)	Part of the performance objectives includes "improvement in communication with parents and parental involvement in classroom and extracurricular activities"
	IND. CODE ANN. § 20-3.1-9-3 (Michie 1997)	"Each school's plan must include" ways to increase parental involvement
	IND. CODE ANN. § 20-3.1-11.3(1)(A) (Michie 1997)	Part of teacher's performance evaluation includes the development and maintenance of parental involvement in the classroom and extracurricular activities
	IND. CODE ANN. § 20-3.1-12.3(5) (Michie 1997)	Each school's performance award program for educators must include "[e]xtraordinary levels of parental involvement in the classroom and extracurricular activities, and development of successful parental involvement programs," and regular parent-teacher communications
	IND. CODE ANN. § 20-3.1-13-4(b) (Michie 1997)	Parents of at risk students can use subsidy for summer remediation services at school of their choice
	IND. CODE ANN. § 20-5-2-1.5 (Michie 1997)	Parents can request to use latch key program for K-6 children and provide documentation of results

State	Citation	Subject
	IND. CODE ANN. § 20-5-62-6(7)(d) (Michie Supp. 2000)	Parent has inspection and rescoring rights on assessments
	IND. CODE ANN. § 20-5-63.2 (Michie Supp. 2000)	Parent who disagrees with decision of the interscholastic athletic association has options for redress
	IND. CODE ANN. § 20-8.1-1-3(a) (Michie 1997)	"Parent" defined
	IND. CODE ANN. §§ 20-8.1-3-29 to -34 (Michie 1997)	Rights and responsibilities of parents concerning attendance laws
	IND. CODE ANN. § 20-8.1-4-3 (Michie 1997)	Parent and issuing officer may agree to allow child between 14 and 16 to withdraw to work
	IND. CODE ANN. § 20-8.1-5.1-7 (Michie 1997)	Chapter contains due process rights of parent for discipline issues such as suspension and expulsion
	IND. CODE ANN. § 20-8.1-6.1-1 (Michie Supp. 2000)	Chapter concerns rights of parents and procedures concerning transfer
	IND. CODE ANN. § 20-8.1-7-2(a) (Michie 1997)	- Chapter concerning health measures including various notices and reports to parents - Parent may object to any testing, examination, immunization, or treatment on religious grounds
	IND. CODE ANN. § 20-8.1-7-9.5(d) (Michie Supp. 2000)	School must notify parent of immunization requirements and parent must document immunity
	IND. CODE ANN. §§ 20-8.1-9-5, -6 (Michie 1997)	Notice to parents of financial assistance and reimbursement
	IND. CODE ANN. § 20-8.1-10.6 (Michie 1997)	Parent member of advisory board for Governor's scholars academy
	IND. CODE ANN. §§ 20-8.1-11.3, -.6 (Michie 1997)	Parent member of AIDS advisory council
	IND. CODE ANN. §§ 20-8.1-13.1 to -.3 (Michie 1997)	- Notifying parents of student absence - Immune from liability if attendance officer made reasonable effort to contact parent
	IND. CODE ANN. § 20-9.1-1-8.5 (Michie 1997)	Chapter on transportation and parents supplemental transportation contract
	IND. CODE ANN. § 20-10.1-1-9 (Michie 1997)	"Parent" defined
	IND. CODE ANN. § 20-10.1-4-4 (Michie 1997)	Morals instruction includes respect for parents
	IND. CODE ANN. § 20-10.1-4-4.5 (Michie 1997)	Good citizenship instruction includes respect for parents

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 725

State	Citation	Subject
	IND. CODE ANN. § 20-10.1-4-7 (Michie 1997)	Parent may object to health and hygiene course if it conflicts with religious teachings
	IND. CODE ANN. § 20-10.1-4-9.2 (Michie 1997)	Parent member of committee for drug-free schools
	IND. CODE ANN. § 20-10.1-4-15 (Michie 2000)	- Parent has right to inspect instructional materials - Need parental consent for personal analysis, evaluation, or survey - School must give parents notice of rights
	IND. CODE ANN. § 20-10.1-4.5-2 (Michie 1997)	Consultation with guidance counselor and parent to develop student career plan
	IND. CODE ANN. § 20-10.1-4.6-6.3 (Michie 1997)	In consultation with parent, it may be determined that child will benefit from alternative education program
	IND. CODE ANN. § 20-10.1-4.7-8 (Michie 1997)	Parental consent to disclose student's portfolio to prospective employer
	IND. CODE ANN. § 20-10.1-5.5-1 (Michie 2000)	- Bilingual education program - notice to parent before placing student in bilingual-bicultural program - Parent can visit the program or refuse placement
	IND. CODE ANN. § 20-10.1-7-10 (Michie 2000)	School must notify parents in writing of any voluntary religious observance and any alternatives
	IND. CODE ANN. § 20-10.1-7-10 (Michie 2000)	Textbook selection committee must be comprised of at least 40% parents
	IND. CODE ANN. § 20-10.1-10-3 (Michie 2000)	Parents may receive textbook before they are otherwise destroyed
	IND. CODE ANN. § 20-10.1-10-3 (Michie 2000)	Parents may receive textbook when they are no longer in use
	IND. CODE ANN. § 20-10.1-13-4 (Michie 2000)	Projects to receive funding for innovative education must include parental involvement
	IND. CODE ANN. § 20-10.1-13-6 (Michie 2000)	Need parental consent before child can participate in innovative education project
	IND. CODE ANN. § 20-10.1-13-7 (Michie 2000)	Project designed by teacher, parent, and student
	IND. CODE ANN. § 20-10.1-16-7 (Michie 2000)	Notification of parents of test scores
	IND. CODE ANN. § 20-10.1-17-3 (Michie 2000)	Survey parents on the importance and applicability of academic standards
	IND. CODE ANN. §§ 20-10.1-19-1 to -5 (Michie 2000)	Committee on educational attitudes, motivation, and parental involvement is to encourage parental involvement
	IND. CODE ANN. § 20-10.1-21-4 (Michie 2000)	Parental notification of students to be pilot testing selected materials

State	Citation	Subject
	IND. CODE ANN. § 20-10.1-22.4-2 (Michie 2000)	Both custodial and noncustodial parents have access to educational records
	IND. CODE ANN. § 20-10.1-23-1 (Michie 2000)	Student services summer institute is to provide parents with information and resources for counseling child
	IND. CODE ANN. § 20-10.1-23-4 (Michie 2000)	Student services summer institute is to notify parents that pilot program with direct services to student is available
	IND. CODE ANN. § 20-10.1-24-1 (Michie 2000)	- Chapter concerning early childhood preschool and latch key pilot programs - Department must address parental orientation and participation
	IND. CODE ANN. § 20-10.1-26-1 (Michie 2000)	With the establishment of the twenty-first century schools pilot program the department must increase parental involvement
	IND. CODE ANN. § 20-10.1-26-3 (Michie 2000)	To be eligible for grant program of the twenty-first century schools, the recipient must demonstrate a significant commitment by parents and educators towards achieving positive outcomes in school activities and establish a school/community improvement council with parent members
	IND. CODE ANN. § 20-10.1-26-4 (Michie 2000)	Funding under this chapter requires parental involvement strategies
	IND. CODE ANN. § 20-10.1-27-8 (Michie 2000)	Need parental consent for school to contract with community mental health centers to provide appropriate anti-gang counseling to students identified by guidance counselor as being at risk of becoming a member of criminal gang or gang activity
	IND. CODE ANN. § 20-10.1-29-3 (Michie 2000)	Parents may request that directory information be withheld from armed forces recruiter representatives
	IND. CODE ANN. § 20-10.2-3-1 (Michie 2000)	Parent members of improvement and achievement plan committee and input concerning annual review
	IND. CODE ANN. § 20-10.2-3-5 (Michie 2000)	The improvement and achievement plan must include component to maximize parental participation in the school
Iowa	IOWA CODE ANN. § 256.7 (West Supp. 2001)	- Under the duties of the state board, there are various provisions involving parents, such as membership on the advisory committee - Time for parent teacher conferences counted in instructional school day - Comprehensive school improvement plan must include parental involvement in assessing educational needs, establishing standards and achievement levels

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 727

State	Citation	Subject
	IOWA CODE ANN. § 256.9(35) (West Supp. 2001)	Duties of the director include development of standards and materials with "substantial parental involvement" which means physical presence of parents in the classroom, learning experiences designed to enhance the skills of parents in parenting and in providing for their children's learning and development, or educational materials which may be borrowed for home use
	IOWA CODE ANN. § 256.11(5)(g) (West 1996)	Parent can excuse 12th grader from physical education requirement
	IOWA CODE ANN. § 256.18(1) (West 1996)	Character education program: School is encouraged to work in close cooperation with parents
	IOWA CODE ANN. §§ 256A.4, 256A.5 (West 1996)	Family support programs encourage various ways of parental participation and involvement
	IOWA CODE ANN. § 256B.6 (West Supp. 2001)	Duties of parents of child in special education
	IOWA CODE ANN. § 256B.8 (West 1996)	Exceptions where parent is member of "well-recognized church or religious denomination" and opposes medical or surgical treatment because of the tenets or principles of that church or denomination
	IOWA CODE ANN. § 256C.1 (West 1996 & Supp. 2001)	Parent support services from the family resource centers
	IOWA CODE ANN. § 256D.1(1)(b)(1) (West Supp. 2001)	District must inform parents biannually of child performance on diagnostic assessments in kindergarten through third grade and whether intervention is appropriate
	IOWA CODE ANN. § 279.49(7) (West Supp. 2001)	Parental involvement component in design and direction of child care programs
	IOWA CODE ANN. § 279.50(1) (West 1996)	Parent may exempt child from human growth and development course
	IOWA CODE ANN. § 279.51(2)(b)(2) (West Supp. 2001)	Program for at-risk children permits educational support services to parents
	IOWA CODE ANN. § 280.6 (West 1996)	Religious books shall not be excluded nor shall any child be required to read them contrary to the wishes of the parent
	IOWA CODE ANN. § 280.12(2) (West 1996)	Parent members of advisory council
	IOWA CODE ANN. § 280.22(4) (West 1996)	Student exercise of free expression provision: Board is to make written publication code available to parents

State	Citation	Subject
	IOWA CODE ANN. § 280.25(4) (West Supp. 2001)	Need parental consent to share information under interagency agreements
	IOWA CODE ANN. § 282.2 (West 1996)	Parent whose child attends school in district where parent not resident is allowed to deduct the amount of school tax paid in that district from the amount of required tuition
	IOWA CODE ANN. § 282.11 (West 1996)	Request procedures for parent under whole grade sharing agreement.
	IOWA CODE ANN. § 282.18 (West Supp. 2001)	- Parental choice provision - Intended to maximize parental choice and access to educational opportunities - Open enrollment in school of another district permitted
	IOWA CODE ANN. § 282.20 (West 1996)	Tuition rebates to parents are unlawful
	IOWA CODE ANN. § 282.29 (West 1996)	Provision for special education where parental rights terminated by court
	IOWA CODE ANN. § 283A.2(2)(c) (West 1996)	Notice to parents of school breakfast and lunch programs
	IOWA CODE ANN. § 285.1 (West Supp. 2001)	Parental requirements and eligibility under the transportation provision
	IOWA CODE ANN. § 289.6 (West 1996)	Parent who violates provision of part-time school chapter is guilty of a simple misdemeanor
	IOWA CODE ANN. § 290.1 (West 1996)	Parent may appeal a state board decision or order of the board of directors of a school corporation
	IOWA CODE ANN. § 294A.12 (West 1996)	Legislative goals including bringing schools and home in "closer relationship" and providing methods whereby "parents and teachers may cooperate intelligently in the education of children"
	IOWA CODE ANN. § 294A.15 (West 1996)	Parent members of Phase III plan
	IOWA CODE ANN. § 299.1 (West 1996)	Parents must comply with compulsory attendance laws and enforcement through mediation or prosecution
	IOWA CODE ANN. § 299A.1 (West 1996)	Chapter concerning parental responsibilities if child is in private instruction
	IOWA CODE ANN. §§ 301.1, 301.30 (West 1996 & Supp. 2001)	- Upon request of parent, textbooks can be made available to students in nonpublic schools under comparable terms - Parent may be responsible for some payment
Kansas	KAN. STAT. ANN. § 72- 134(a) (Supp. 1999)	Parent may appeal decisions

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 729

State	Citation	Subject
	KAN. STAT. ANN. § 72-962 (1992 & Supp. 1999)	Special education chapter: Parental rights at due process hearings and appeal for special education children
	KAN. STAT. ANN. § 72-1046(d)(1) (1992)	"Parent" defined
	KAN. STAT. ANN. § 72-1046b(3)(b) (Supp. 1999)	Parent may request transportation for child
	KAN. STAT. ANN. § 72-1106(f) (1992)	Time for parent-teacher conferences is part of school term
	KAN. STAT. ANN. §§ 72-1111, -1113 (Supp. 1999)	Parental responsibility for attendance laws
	KAN. STAT. ANN. § 72-3603 (1992)	Parent education program
	KAN. STAT. ANN. § 72-5210 (Supp. 1999)	School may request that tests and inoculations be provided if parent has not provided them except those exempted on religious or medical grounds
	KAN. STAT. ANN. § 72-5211a(a) (1992)	- Parental notification given concerning exclusion of students because of tests or inoculations - Parent may request hearing
	KAN. STAT. ANN. § 72-5214(b) (Supp. 1999)	Parent can sign statement that child is adherent to a religious denomination whose teachings oppose the health assessment
	KAN. STAT. ANN. § 72-5399(b) (1992)	Parent may refuse to allow access to name and address of child to persons, groups, or military recruiters
	KAN. STAT. ANN. § 72-8239(a) (Supp. 1999)	Parent member of school attendance review board
	KAN. STAT. ANN. § 72-8240(a) (Supp. 1999)	The school attendance review board may request district court to issue subpoenas requiring the parent's attendance
	KAN. STAT. ANN. § 72-8243 (Supp. 1999)	Parental notification and procedures when student referred to school attendance review board
	KAN. STAT. ANN. §§ 72-8901 to -8908 (Supp. 1999)	Parents have various notice, hearing, appeal and other procedural safeguards when student is suspended or expelled
	KAN. STAT. ANN. § 72-89b03 (Supp. 1999)	Under School Safety and Security Act, parent entitled to reports on school safety
Kentucky	KY. REV. STAT. ANN. § 156.095(7)(d) (Michie Supp. 2000)	Department of Education's at risk program includes involving parent as partners to help their children and to improve their academic progress
	KY. REV. STAT. ANN. § 156.160(1)(d) (Michie Supp. 2000)	Parents may choose not to disclose student's Social Security number

State	Citation	Subject
	KY. REV. STAT. ANN. § 156.405(6)(a)(5) (Michie Supp. 2000)	- Parent members of the State Textbook Commission - One member of the eight member State Textbook Commission is reserved for a parent
	KY. REV. STAT. ANN. § 156.495(1)(a) (Michie 1996)	Forms prepared to identify and locate missing children will be forwarded to parents upon request
	KY. REV. STAT. ANN. § 156.497(1)(j) (Michie Supp. 2000)	The interagency task force on family resource centers includes three parent representatives
	KY. REV. STAT. ANN. § 156.497(4)(i) (Michie Supp. 2000)	Parental consent for sharing confidential information with other service providers
	KY. REV. STAT. ANN. § 156.557(2)(e) (Michie Supp. 2000)	Part of teacher and administrator performance criteria is a demonstration of effective interpersonal, communication, and collaboration skills among parents and others
	KY. REV. STAT. ANN. § 156.670(5) (Michie 1996)	Part of education technology master plan includes facilitation of communication among parents, teachers, and prospective employers
	KY. REV. STAT. ANN. § 156.675(4) (Michie Supp. 2000)	Parental consent for student Internet use
	KY. REV. STAT. ANN. § 157.140 (Michie 1996)	Students or their parents are responsible for books not returned
	KY. REV. STAT. ANN. § 157.170 (Michie Supp. 2000)	Regulations for the sale of books and materials to parents and students shall be promulgated by the chief state school officer
	KY. REV. STAT. ANN. § 157.196(1) (Michie Supp. 2000)	In the development of individual education plans for exceptional children, "parents play a critical role . . . and deserve respect and meaningful involvement"
	KY. REV. STAT. ANN. § 157.197(1)(b) (Michie Supp. 2000)	Special education mentors shall help increase effectiveness of parents and others in improving school performance
	KY. REV. STAT. ANN. § 157.280(3) (Michie 1996)	Parent assumes financial responsibility if a district has the appropriate educational program for special education but the parent wishes to send the child elsewhere
	KY. REV. STAT. ANN. § 158.005(2) (Michie Supp. 2000)	Character education should reflect the values of parents, teachers, and the local community
	KY. REV. STAT. ANN. § 158.031(3) (Michie Supp. 2000)	Primary school program must include positive parental involvement
	KY. REV. STAT. ANN. § 158.145 (Michie Supp. 2000)	The legislature found that "lack of parental support and encouragement" is one factor in school dropout rates

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 731

State	Citation	Subject
	KY. REV. STAT. ANN. § 158.146 (Michie Supp. 2000)	Dropout prevention programs will include funding for parental training
	KY. REV. STAT. ANN. § 158.148(1)(b) (Michie Supp. 2000)	Student discipline guidelines will include recommendations for improving parental involvement
	KY. REV. STAT. ANN. § 158.150(5) (Michie Supp. 2000)	Parents shall receive notice and a hearing before suspension or expulsion
	KY. REV. STAT. ANN. § 158.153(3) (Michie Supp. 2000)	Parents have civil cause of action for wrongful divulging information
	KY. REV. STAT. ANN. § 158.155 (Michie 1996)	Parent must complete sworn statement indicating that student has been expelled from a school or been adjudicated of a specified offense before being admitted to another school
	KY. REV. STAT. ANN. § 158.160(1) (Michie Supp. 2000)	Parent must notify the school of medical conditions that threaten safety of student or others
	KY. REV. STAT. ANN. § 158.170 (Michie 1996)	"[N]o child shall be required to read the Bible against the wishes of his parents or guardian"
	KY. REV. STAT. ANN. § 158.181(g) (Michie Supp. 2000)	To assist "parents in the enforcement" of their children's religious liberty rights they should be set out in a statute
	KY. REV. STAT. ANN. § 158.183(3) (Michie Supp. 2000)	Administrative remedies are available for parents to enforce their children's religious liberty rights
	KY. REV. STAT. ANN. § 158.210 (Michie 1996)	Parents may consent to moral instruction
	KY. REV. STAT. ANN. § 158.360 (Michie 1996)	Parental involvement with preschool instruction and family literacy
	KY. REV. STAT. ANN. § 158.442(3)(i) (Michie Supp. 2000)	Parent member of board of directors for Center for School Safety
	KY. REV. STAT. ANN. § 158.445 (Michie Supp. 2000)	Providing for parental training and involvement in school safety and discipline
	KY. REV. STAT. ANN. § 158.645 (Michie Supp. 2000)	Recognizing the "shared responsibilities between parents, state, community, and educators . . . parents and students must assist schools by assuring student attendance, preparation for school, and involvement in learning"
	KY. REV. STAT. ANN. § 158.6452 (Michie Supp. 2000)	Two parents shall be members of the School Curriculum, Assessment, and Accountability Council

State	Citation	Subject
	KY. REV. STAT. ANN. § 158.6453 (Michie Supp. 2000)	Revisions to core content of the assessment of the achievement of goals shall be developed through a public process including parents
	KY. REV. STAT. ANN. § 158.6455(4)(a) (Michie Supp. 2000)	The team for conducting scholastic audits shall include at least one parent member
	KY. REV. STAT. ANN. § 158.6458 (Michie Supp. 2000)	An annual technical report must be produced for parents and others
	KY. REV. STAT. ANN. § 158.648(1)(a) (Michie Supp. 2000)	Four members of the state advisory council for gifted and talented education shall be parents
	KY. REV. STAT. ANN. § 158.680(1) (Michie Supp. 2000)	State Advisory Committee for educational Improvement consists of 18 members representative of parents and others
	KY. REV. STAT. ANN. § 158.685(4) (Michie 1996)	Parents do not have an educational malpractice claim but there are administrative consequences such as removal of superintendent and board members in educationally deficient school districts
	KY. REV. STAT. ANN. § 158.710(1) (Michie 1996)	In a district that is educationally deficient, the improvement plan must involve parents and others
	KY. REV. STAT. ANN. §158.7603(1)(k) (Michie Supp. 2000)	Parent members of School-to-Careers Partnership Council
	KY. REV. STAT. ANN. §§ 159.010 to -990 (Michie 1996) and (Michie Supp. 2000)	Parental requirements for compliance with compulsory attendance laws
	KY. REV. STAT. ANN. § 160.295(2) (Michie 1999)	Two parents shall be members of the committee responsible for promulgating procedures for the construction of a code of student rights and responsibilities
	KY. REV. STAT. ANN. § 160.345(1)(d) (Michie 1999)	Providing a definition of parent
	KY. REV. STAT. ANN. § 160.345(2)(i)(7) (Michie 1999)	Including parents in the development of discipline and management techniques
	KY. REV. STAT. ANN. § 160.352(3)(d) (Michie 1999)	Providing for one parent member of screening of the committee for superintendent appointment
	KY. REV. STAT. ANN. § 160.710 (Michie 1999)	Parents shall receive notification of privacy and confidentiality rights
	KY. REV. STAT. ANN. § 160.715(1) (Michie 1999)	Parents have the right to inspect, review, and copy student education records

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 733

State	Citation	Subject
	KY. REV. STAT. ANN. § 160.720(1), (2) (Michie 1999)	With limited exceptions parents must consent to release records
	KY. REV. STAT. ANN. § 160.725(1) (Michie 1999)	Parent can refuse to have directory information released
	KY. REV. STAT. ANN. § 160.730 (Michie 1999)	Parent can challenge the contents of a student's record
Louisiana	LA. REV. STAT. ANN. § 17:8A(1)(b) (West 2001)	Parents are responsible for proper care and control of books and instructional materials
	LA. REV. STAT. ANN. § 17:10.1C(1)(a) (West 2001)	Two of the eight members of the School and District Accountability Advisory Commission must be parents
	LA. REV. STAT. ANN. § 17:10.2A(1) (West 2001)	Parents, educators, and community representatives shall develop a plan for improving academic achievement
	LA. REV. STAT. ANN. § 17:14.1A (West 2001)	Family literacy program for preschool children whose parents do not possess a high school diploma or an equivalent
	LA. REV. STAT. ANN. § 17:24.4G(4)(c)(iii) (West 2001)	Parents take responsibility of remediation to improve student's skills necessary to meet achievement level
	LA. REV. STAT. ANN. § 17:41B (West 2001)	Superintendent, upon request, shall give information on the rights and duties of parents
	LA. REV. STAT. ANN. § 17:104 (West 2001)	Parental consent or request is a factor in transferring a student
	LA. REV. STAT. ANN. §§ 17:106, :108 (West 2001)	Parental rights and procedures concerning transfers
	LA. REV. STAT. ANN. § 17:111 (West 2001)	Schools are not prohibited from considering a parent's request in school assignments
	LA. REV. STAT. ANN. § 17:151.3D (West 2001)	Parent must send child to kindergarten
	LA. REV. STAT. ANN. § 17:156 (West 2001)	Parental consent for physical examination or inspection
	LA. REV. STAT. ANN. § 17:158C (West 2001)	Parent may seek reimbursement for transportation
	LA. REV. STAT. ANN. § 17:170E (West 2001)	Parents can dissent concerning immunization
	LA. REV. STAT. ANN. § 17:175C (West 2001)	Parental notification and acknowledgment of courses student is taking and notice that consultation is available
	LA. REV. STAT. ANN. § 17:183.2B(1) (West 2001)	Parent must annually review student's five year educational plan

State	Citation	Subject
	LA. REV. STAT. ANN. § 17:183.4A(2)(a)(iii) (West 2001)	Parent members of curricula design team for vocational major programs
	LA. REV. STAT. ANN. § 17:183.7C (West 2001)	Parental survey for evaluation of vocational major program
	LA. REV. STAT. ANN. § 17:202(5) (West 2001)	Parenthood education course including parental responsibilities
	LA. REV. STAT. ANN. § 17:221E (West 2001)	Need parental consent to withdraw from school prior to graduation if 16 or 17 years old
	LA. REV. STAT. ANN. § 17:221.1 (West 2001)	Parents may not force children to be absent from school to participate in unauthorized demonstrations
	LA. REV. STAT. ANN. § 17:221.2A(1) (West 2001)	Parent can request assignment to any public school
	LA. REV. STAT. ANN. § 17:223.1C(7) (West 2001)	Parental involvement prior to suspension or expulsion
	LA. REV. STAT. ANN. § 17:232B(2) (West 2001)	Notification of parent concerning absence
	LA. REV. STAT. ANN. § 17:233B(1) (West 2001)	Student defined as habitually absent or tardy for more than five days without parental approval
	LA. REV. STAT. ANN. § 17:235.1A (West 2001)	Parents must take "parent orientation" course that explains board policies on various subjects
	LA. REV. STAT. ANN. § 17:235.2B (West 2001)	Parents must sign statement of compliance giving assurances that child will attend, be on time, and do homework and that parent will attend parent-teacher conferences
	LA. REV. STAT. ANN. § 17:236.1A (West 2001)	Parent can apply for approval of a home study program
	LA. REV. STAT. ANN. § 17:255(1) (West 2001)	Legislative findings that "parental attitudes about the value of education have significant effect on a child's ability and desire to learn"
	LA. REV. STAT. ANN. §§ 17:256 to :259 (West 2001)	Establishing Parents as Teachers Grant Program
	LA. REV. STAT. ANN. § 17:272A(1) (West 2001)	Parent may exempt child from French language, culture, and history instruction
	LA. REV. STAT. ANN. § 17:273B(1) (West 2001)	Parents may petition to initiate second language programs
	LA. REV. STAT. ANN. § 17:275 (West 2001)	Parents may exempt female students from instruction on breast self examination and need for annual Pap test for cervical cancer if it conflicts with religious beliefs

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 735

State	Citation	Subject
	LA. REV. STAT. ANN. § 17:279A (West 2001)	Parenthood education course required
	LA. REV. STAT. ANN. § 17:281D (West 2001)	Parents can review sex education materials and opt out their children
	LA. REV. STAT. ANN. § 17:282.2A (West 2001)	Character education is a parental responsibility but curriculum is offered
	LA. REV. STAT. ANN. § 17:332B(2)(a) (West 2001)	Parental consent is necessary for database information regarding student plans post graduation
	LA. REV. STAT. ANN. § 17:333B(1)(c) (West 2001)	Need for parental consent for certain information
	LA. REV. STAT. ANN. § 17:334C(2)(b) (West 2001)	Parent can request data base information be deleted
	LA. REV. STAT. ANN. § 17:348D(2) (West 2001)	Notice of parental responsibilities for deaf child's education
	LA. REV. STAT. ANN. § 17:351C(1) (West 2001)	State board of education must provide a parent with a copy of the rules and procedures to apply for home study program
	LA. REV. STAT. ANN. § 17:391.3D (West 2001)	Part of superintendent's duties is to prescribe guidelines for reporting the progress of students to parents
	LA. REV. STAT. ANN. § 17:391.7F (West 2001)	Description of tests and other evaluation instruments must be submitted to parents before they are administered
	LA. REV. STAT. ANN. § 17:391.11C (West 2001)	Parent must be advised of the nature of the child's level of readiness for school
	LA. REV. STAT. ANN. § 17:392.1B(1) (West 2001)	No child will be screened if his or her parent objects
	LA. REV. STAT. ANN. § 17:401.12 (West 2001)	- Parental input for summer enrichment program - School provides parent with notice of student eligibility - Program is voluntary and parent must register student
	LA. REV. STAT. ANN. § 17:406 (West 2001)	Family-School Partnership Act
	LA. REV. STAT. ANN. § 17:406.1A(1) (West 2001)	Finding that parental involvement is directly related to better student achievement, attitudes, and performance in school
	LA. REV. STAT. ANN. § 17:406.2 (West 2001)	State and local agencies are to encourage, foster, and promote expanded parental involvement

State	Citation	Subject
	LA. REV. STAT. ANN. § 17:406.3 (West 2001)	Each school is to have a parental advocate who is to develop and encourage increasing parental involvement
	LA. REV. STAT. ANN. § 17:406.4 (West 2001)	State superintendent is to establish a clearinghouse of parental involvement to gather and disseminate to state and nation research, information, strategies, etc. on parental involvement
	LA. REV. STAT. ANN. § 17:406.5A (West 2001)	Provide grants and other assistance to develop innovative partnership activities
	LA. REV. STAT. ANN. §§ 17:407 to :407.8 (West 2001)	Louisiana Early Childhood Opportunity Program
	LA. REV. STAT. ANN. § 17:415.1B(1) (West 2001)	All textbook adoption committees must have not less than one-third parents
	LA. REV. STAT. ANN. § 17:416 (West 2001)	Rights and responsibilities of parent in discipline, suspension, and expulsion
	LA. REV. STAT. ANN. § 17:416.7 (West 2001)	Parental notification of dress code
	LA. REV. STAT. ANN. § 17:416.8A(1)(a)(ix) (West 2001)	Parent members of discipline policy review committees
	LA. REV. STAT. ANN. § 17:416.10A(2)(d) (West 2001)	Visitor authorization to campus does not apply to parents
	LA. REV. STAT. ANN. § 17:432A, B (West 2001)	Criteria for outstanding teacher award includes respect and rapport with parents and parental recommendations and opinions are considered in the final selection process
	LA. REV. STAT. ANN. § 17:433B(1), (2) (West 2001)	Criteria for outstanding state teacher award includes respect and rapport with parents and parental recommendations and opinions are considered in the final selection process
	LA. REV. STAT. ANN. § 17:436.1B (West 2001)	Parents can request that medication be given
	LA. REV. STAT. ANN. §§ 17:1943 to :1989.8 (West 2001)	Rights and responsibilities of parents with exceptional child
	LA. REV. STAT. ANN. § 17:1952 (West 2001)	Parents of child with exceptionalities have procedural safeguards
	LA. REV. STAT. ANN. § 17:1975 (West 2001)	Explanation and informed parental consent regarding contents of individualized family service plan
	LA. REV. STAT. ANN. § 17:1977 (West 2001)	Complaint and safeguard procedures for parents in individualized family service plan
	LA. REV. STAT. ANN. § 17:1989.7 (West 2001)	Registry of candidates for gifted and talented programs

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 737

State	Citation	Subject
	LA. REV. STAT. ANN. § 17:1989.8 (West 2001)	Conduct seminars and workshops for parents of gifted and talented children
	LA. REV. STAT. ANN. § 17:2112A (West 2001)	- Parent can request testing for sight, hearing, and dyslexia and may object to such reports
	LA. REV. STAT. ANN. § 17:2990.1 (West 2001)	Policy of the Equal Opportunity Education Assistance Act provides that parents should not be deprived of their right to choose between public and non-public school merely because of economic condition and should be enabled to exercise fundamental constitutional rights
	LA. REV. STAT. ANN. § 17:3005C(2) (West 2001)	Guidance counselors serve as a consultant to parents
	LA. REV. STAT. ANN. § 17:3827B(2) (West 2001)	Parent members of Teacher Incentive Pay Model Program Advisory Committee
	LA. REV. STAT. ANN. § 17:3912 (West 2001)	- Parents to receive a free copy of the parent-level profile of the school - Must be done in format that is easy to read, clear, and understandable
	LA. REV. STAT. ANN. § 17:3921.2C(2)(1) (West 2001)	Parent member of state technology advisory committee
	LA. REV. STAT. ANN. §§ 17:3973 to :4001 (West 2001)	- Charter school chapter - Programs and practices to ensure parental involvement
Maine	ME. REV. STAT. ANN. tit. 19-A, § 1501(5) (West 1998)	Parental rights and responsibility concerning decisions on education
	ME. REV. STAT. ANN. tit. 20-A, § 1(20) (West 1993)	"Parent" defined
	ME. REV. STAT. ANN. tit. 20-A, § 8(1)(C) (West 1993)	- "School restructuring is encouraged and "includes consideration of changing roles for parents" and others" - "It may include a significantly broadened role for schools"
	ME. REV. STAT. ANN. tit. 20-A, § 254 (West Supp. 2000)	"In consultation with organizations representing" parents and others, "the commissioner shall develop statewide standards for responsible and ethical student behavior"
	ME. REV. STAT. ANN. tit. 20-A, § 258-A(1) (West 1993)	Upon petition of 60% of the parents at one school, the commissioner will "inspect the school and report the findings and recommendations to the school board"

State	Citation	Subject
	ME. REV. STAT. ANN. tit. 20-A, § 258-B (West Supp. 2000)	- If 50% of the parents at one school petition, the commissioner will inspect and test the school for air quality - Superintendent must notify citizens of the petition process
	ME. REV. STAT. ANN. tit. 20-A, § 1001(15) (West Supp. 2000)	- With input from parents and others, the school board must adopt a district-wide student code of conduct consistent with statewide standards for student behavior - Board must ensure that school officials inform students and parents of the code
	ME. REV. STAT. ANN. tit. 20-A, § 1055(11) (West Supp. 2000)	Parent must be a member of notification team which is convened after notice from district attorney of an alleged juvenile offense
	ME. REV. STAT. ANN. tit. 20-A, § 4002(2) (West 1993)	Parent may buy required textbooks for that student's exclusive use
	ME. REV. STAT. ANN. tit. 20-A, § 4008(2) (West 1993)	School counselor or social worker may not be required to divulge or release information gathered during a counseling relationship with a parent
	ME. REV. STAT. ANN. tit. 20-A, § 4252(8) (West 1993)	Family outreach program for schools is to provide support programs "to improve parent- school relations and parenting skills"
	ME. REV. STAT. ANN. tit. 20-A, §§ 4772(5), 4773 (West Supp. 2000)	- Parental approval for secondary student to take postsecondary courses - Provide information to parents concerning available options
	ME. REV. STAT. ANN. tit. 20-A, § 5001-A (West 1993)	Laws for compulsory attendance
	ME. REV. STAT. ANN. tit. 20-A, § 5202 (West 1993)	"Parent" defined
	ME. REV. STAT. ANN. tit. 20-A, §§ 5203, 5205, 5814 (West 1993)	Various residency issues concerning parents and who pays tuition
	ME. REV. STAT. ANN. tit. 20-A, § 5401 (West 1993)	Parents are responsible for transportation if student resides in remote location inaccessible to schools or public highways
	ME. REV. STAT. ANN. tit. 20-A, § 5801 (West 1993)	School board can decide to accept tuition students whose parents reside in another school administrative unit
	ME. REV. STAT. ANN. tit. 20-A, § 6001 (West Supp. 2000)	Parental consent is necessary on dissemination of certain information
	ME. REV. STAT. ANN. tit. 20-A, § 6001-A (West Supp. 2000)	Parental access to information on school activities for which parental participation, involvement and awareness is in student's best interest

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 739

State	Citation	Subject
	ME. REV. STAT. ANN. tit. 20-A, § 6001-B (West Supp. 2000)	Notice must be sent to parents that education records must be sent to a school administrative unit to which a student applies for transfer and it must comply with FERPA standards
	ME. REV. STAT. ANN. tit. 20-A, § 6002 (West 1993)	Parent has duty when student enrolls to provide an official record of birth and refusal to comply will result in fine
	ME. REV. STAT. ANN. tit. 20-A, § 6201 (West 1993)	Legislative intent to provide parents with information about the achievements of their children on assessment program
	ME. REV. STAT. ANN. tit. 20-A, § 6205 (West 1993)	"[A]ssessment data shall become part of the student's educational record and shall made be available to the parents"
	ME. REV. STAT. ANN. tit. 20-A, § 6208 (West Supp. 2000)	Parents and educators have shared accountability
	ME. REV. STAT. ANN. tit. 20-A, § 6209 (West Supp. 2000)	Commissioner must develop accommodation "where course content conflicts with sincerely held religious beliefs and practices of a student's parent"
	ME. REV. STAT. ANN. tit. 20-A, § 6301 (West 1993)	Duty of superintendent to inform parent of parasite infestation and parent has duty to "promptly do what is reasonably necessary to ensure that the student is no longer offensive or dangerous"
	ME. REV. STAT. ANN. tit. 20-A, § 6353(5) (West 1993)	"Parent" defined
	ME. REV. STAT. ANN. tit. 20-A, § 6354(1) (West 1993)	Parent must have child immunized
	ME. REV. STAT. ANN. tit. 20-A, § 6355 (West 1993)	Parents may exempt child from immunization based on a sincere religious belief or "moral, philosophical or other personal reasons"
	ME. REV. STAT. ANN. tit. 20-A, § 6451 (West 1993)	Parent may exempt student from health screening on religious grounds
	ME. REV. STAT. ANN. tit. 20-A, § 6452 (West 1993)	Parent may exempt student from scoliosis screening on "religious, moral, philosophical or other personal objection"
	ME. REV. STAT. ANN. tit. 20-A, § 6453 (West 1993)	Parent must be informed of "student suffering from a disease or defect"
	ME. REV. STAT. ANN. tit. 20-A, § 6606 (West 1993)	- School board must notify parents that student is required to participate in substance abuse services - Board may request parent to participate in services
	ME. REV. STAT. ANN. tit. 20-A, § 6651 (West 1993)	Child care services and parenting education

State	Citation	Subject
	ME. REV. STAT. ANN. tit. 20-A, § 6805 (West 1993)	Parent liable for vandalism and damages by student
	ME. REV. STAT. ANN. tit. 20-A, § 6807 (West 1993)	Parent shall be notified and liable for injury or loss of textbooks and appliances furnished to student
	ME. REV. STAT. ANN. tit. 20-A, §§ 7201-7253 (West 1993)	- Concerning exceptional students, parents have right to be a member of a team - Receive notice of study - Request parental consent for agency to have access to case records - Due process hearings, and otherwise be involved
	ME. REV. STAT. ANN. tit. 20-A, § 7405(1) (West Supp. 2000)	Parental consent required for enrollment in programs for the deaf
	ME. REV. STAT. ANN. tit. 20-A, §§ 7725-7735 (West Supp. 2000)	Provisions for infants and children with disabilities
	ME. REV. STAT. ANN. tit. 20-A, § 13022(7) (West Supp. 2000)	Parent members of advisory committee on school psychological service providers
Maryland	MD. CODE ANN., EDUC. § 4-112 (1999)	Parents may serve on advisory committees for individual school or group of schools in region
	MD. CODE ANN., EDUC. § 4-308 (1999)	Parent and Community Advisory Board in Baltimore City Public School System to ensure parental involvement in the development and implementation of education policies and procedures
	MD. CODE ANN., EDUC. § 4-309(b)(5) (1999)	As part of educational reform, the Chief Executive Officer may consult with parents in developing master plan which shall identify actions necessary to increase parental participation
	MD. CODE ANN., EDUC. § 5- 206(g)(b)(iii)(3) (1999)	The Management Oversight Panel of the School Accountability Funding for Excellence Program shall include two parents
	MD. CODE ANN., EDUC. § 7-101(b)(2) (1999)	Upon request, student may attend school even though parent not domiciled in that county
	MD. CODE ANN., EDUC. § 7-102 (1999)	Parents to complete affidavit of disclosure about residency
	MD. CODE ANN., EDUC. § 7-301(a)-(c) (1999)	- Attendance laws - Duty of parents to see that child attends school or receives instruction required by law
	MD. CODE ANN., EDUC. § 7-305(a)(2), (c) (1999)	- Parent shall be given conference with principal if student suspended - Provides procedural safeguards
	MD. CODE ANN., EDUC. § 7-403(b) (1999)	Parent may object to immunization based on bona fide religious beliefs and practices

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 741

State	Citation	Subject
	MD. CODE ANN., EDUC. § 7-404(f) (1999)	Parent may object to hearing and vision screen if it conflicts with tenets and practice of a recognized church or religious denomination of which he is an adherent or member
	MD. CODE ANN., EDUC. § 7-405(e) (1999)	Parent may object to scoliosis screening
	MD. CODE ANN., EDUC. § 7-415(d) (1999)	Parental consent form for health services
	MD. CODE ANN., EDUC. §§ 7-416, -417 (1999)	Duty of health care providers in Baltimore City and Caroline County to establish a working relationship with parents and others and involve parents and integration of health care
	MD. CODE ANN., EDUC. § 7-504 (1999)	Eligibility guidelines for parental education and training programs under Youth Suicide Prevention School Programs
	MD. CODE ANN., EDUC. § 7-806(b) (1999)	Pupil transportation safety advisory committee shall include at least two parents
	MD. CODE ANN., EDUC. § 7-902(4) (1999)	Legislative findings that technology offers new and interesting possibilities to promote new partnerships among teachers, students, parents, communities, and industry in quest for knowledge and learning process
	MD. CODE ANN., EDUC. § 7-907(b)(3) (1999)	The consortium shall develop means to provide information to parents and others
	MD. CODE ANN., EDUC. § 8-2A-02(2) (1999)	Each county board must provide and disseminate to parents information on programs and services available for gifted and talented students
	MD. CODE ANN., EDUC. § 8-305 (1999)	Notice to parents of hearing impaired child of availability of educational programs
	MD. CODE ANN., EDUC. § 8-405(a)(1), (a)(2)(ii) (1999)	- Section on children with disabilities - Parents meet and participate with team to identify disabilities, definition of parent and parent surrogate - Rights of parents
Massachusetts	MASS. ANN. LAWS ch. 15, § 1G (Law. Co-op. 2000)	- Parent members of advisory councils for school breakfast and summer food service programs - Balance of members - Parental involvement
	MASS. ANN. LAWS ch. 15, § 52 (Law. Co-op. 2000)	Parent member of advisory council for dropout prevention

State	Citation	Subject
	MASS. ANN. LAWS ch. 15, § 54 (Law. Co-op. 2000)	- Meeting the needs of working parents with early care and education services - Parent members of partnership council - Parent members of advisory council
	MASS. ANN. LAWS ch. 15, § 58 (Law. Co-op. 2000)	- Part of leadership training for principals includes techniques for developing cooperative relationships with parents
	MASS. ANN. LAWS ch. 15, § 65 (Law. Co-op. 2000)	Parent members of school-based planning teams
	MASS. ANN. LAWS ch. 15A, § 2(i) (Law. Co-op. 1999)	Advisory committee on educational policy must consult with parents and others on goals for accountability and high standards of quality for the system of education in the commonwealth
	MASS. ANN. LAWS ch. 15A, § 3A(c) (Law. Co-op. 1999)	Educational technology plan must incorporate goal to increase involvement of parents
	MASS. ANN. LAWS ch. 69, § 1A (Law. Co-op. Supp. 2000)	Commissioner must develop school based management systems and it is to involve all school based professionals and parents
	MASS. ANN. LAWS ch. 69, § 1B (Law. Co-op. Supp. 2000)	Board is to publish profiles of schools with information pertinent to parents and others
	MASS. ANN. LAWS ch. 69, § 1D(i) (Law. Co-op. Supp. 2000)	Parent can review remedial plan and contest it
	MASS. ANN. LAWS ch. 69, § 1E (Law. Co-op. Supp. 2000)	Consult with parents and others concerning curriculum frameworks for core subjects
	MASS. ANN. LAWS ch. 69, § 1I (Law. Co-op. Supp. 2000)	Parental involvement in bilingual education in identifying students, informing parents, etc.
	MASS. ANN. LAWS ch. 69, § 1K (Law. Co-op. Supp. 2000)	Consequences for consistently failing to improve student performance, however, no action for educational malpractice
	MASS. ANN. LAWS ch. 69, § 1L (Law. Co-op. Supp. 2000)	- As the primary educators of their children, parents shall play a substantial role in the design, development, and implementation of programs and curriculum in comprehensive health education program - Parent members of advisory committee
	MASS. ANN. LAWS ch. 71, § 1 (Law. Co-op. 1991)	Parents may object to subject based on sincerely held religious beliefs
	MASS. ANN. LAWS ch. 71, § 1B (Law. Co-op. 1991)	Parental permission to participate in voluntary prayer at the beginning of each day
	MASS. ANN. LAWS ch. 71, § 1C (Law. Co-op. 1991)	Voluntary prayer at beginning of day with parental consent

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 743

State	Citation	Subject
	MASS. ANN. LAWS ch. 71, § 3 (Law. Co-op. 1991)	Parents may object to military drill based any religious denomination conscientiously opposed to bearing arms
	MASS. ANN. LAWS ch. 71, § 7A, (Law. Co-op. 1991)	Parental consent for transportation to a location
	MASS. ANN. LAWS ch. 71, § 13 (Law. Co-op. 1991)	Parents can request course in high schools
	MASS. ANN. LAWS ch. 71, § 31 (Law. Co-op. 1991)	Parent may object on basis of conscientious scruples to portion of the Bible being read without comment
	MASS. ANN. LAWS ch. 71, § 32A (Law. Co-op. Supp. 2000)	Parental notification of sex education curriculum
	MASS. ANN. LAWS ch. 71, § 34B (Law. Co-op. 1991)	Parent can petition court is any person refuses or neglects to provide transcript with 30 days
	MASS. ANN. LAWS ch. 71, § 34D (Law. Co-op. 1991)	Parent allowed to inspect academic, scholastic, or any other records of child
	MASS. ANN. LAWS ch. 71, § 34E (Law. Co-op. 1991)	Parent may inspect records regardless of age of child
	MASS. ANN. LAWS ch. 71, § 34H (Law. Co-op. Supp. 2000)	Parents can request certain information including academic and disciplinary records
	MASS. ANN. LAWS ch. 71, § 37D (Law. Co-op. 1991)	Parental choice to transfer non-white student where racial imbalance
	MASS. ANN. LAWS ch. 71, § 38G (Law. Co-op. Supp. 2000)	Part of certification for provisional educator requires demonstration of communication skills between school and parents
	MASS. ANN. LAWS ch. 71, § 38O (Law. Co-op. Supp. 2000)	Parent members of sex education advisory committees
	MASS. ANN. LAWS ch. 71, § 38Q (Law. Co-op. Supp. 2000)	Professional development plans include participatory decision making and parent involvement
	MASS. ANN. LAWS ch. 71, § 48A (Law. Co-op. 1991)	No parental liability for school safety patrols
	MASS. ANN. LAWS ch. 71, § 56 (Law. Co-op. 1991)	Parent notified of disease or defect
	MASS. ANN. LAWS ch. 71, § 57 (Law. Co-op. 1991)	- All public school children and parents of private school children may request various health screenings - Copy of report given to parent

State	Citation	Subject
	MASS. ANN. LAWS ch. 71, § 59C (Law. Co-op. Supp. 2000)	- Parent members of school council - Performance standards plan shall include the enhancement of parental involvement in the life of the school
	MASS. ANN. LAWS ch. 71, § 68 (Law. Co-op. Supp. 2000)	Parent an appeal transportation decision
	MASS. ANN. LAWS ch. 71, § 89 (Law. Co-op. Supp. 2000)	- Charter school provision - Provides parents with great options in choosing schools within and outside their school districts
	MASS. ANN. LAWS ch. 71A, §§ 1, 3 (Law. Co-op. 1991)	- Bilingual education chapter - Parents have right to visit bilingual classes and to withdraw their child
	MASS. ANN. LAWS ch. 71B, § 3 (Law. Co-op. Supp. 2000)	- Chapter on children with special needs - Rights of parents with children with special needs
	MASS. ANN. LAWS ch. 72, § 2 (Law. Co-op. 1991)	School registers
	MASS. ANN. LAWS ch. 74, § 6 (Law. Co-op. 1991)	Parents on advisory committee for vocational schools
	MASS. ANN. LAWS ch. 76, § 1A (Law. Co-op. 1991)	Attendance laws
	MASS. ANN. LAWS ch. 76, § 12B(h) (Law. Co-op. Supp. 2000)	School choice provision
	MASS. ANN. LAWS ch. 76, § 17 (Law. Co-op. 1991)	Parents have opportunity to be heard before student excluded
	MASS. ANN. LAWS ch. 76, § 18 (Law. Co-op. 1991)	Notice and meeting with parent before student permanently leaves school
Michigan	MICH. STAT. ANN. § 15.634(1) (Michie 2000)	Establishes parent cooperative preschool is administered by parents and includes active parental participation
	MICH. STAT. ANN. § 15.1795(6) (Michie 2000)	Provides restricted Internet access to minors and unrestricted access if accompanied by a parent
	MICH. STAT. ANN. § 15.1919 (924b) (Michie 2000)	Child may attend school where parent resides or where the legal guardian resides
	MICH. STAT. ANN. § 15.1919 (937) (Michie 2000)	- Final application for approval must include plan for active and continuous participation of parents - Parent members of advisory council

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 745

State	Citation	Subject
	MICH. STAT. ANN. §§ 15.1919 (967), (968) (Michie 2000)	- Career preparation system grants - Information to parents concerning opportunities to receive integrated academic and technical preparation in public schools
	MICH. STAT. ANN. § 15.1919 (1004a) (Michie 2000)	- Report state assessment scores to parents - Invite and encourage parent to attend meeting - Mail notice to parents - Parent may request post secondary courses
	MICH. STAT. ANN. §§ 15.1919 (1005), (1005c) (Michie 2000)	Notice to parents on various issues concerning nonresident pupils
	MICH. STAT. ANN. § 15.1919 (1066a) (Michie 2000)	- Parent has rights of notice, review, and observation of health or sex education classes - Parent may exempt student
	MICH. STAT. ANN. § 15.1919 (1066b) (Michie 2000)	Parent may enroll child in nonpublic school or home school
	MICH. STAT. ANN. § 15.2085 (23) (Michie 2000)	Parent member of advisory commission on education of the gifted and talented
	MICH. STAT. ANN. § 15.2097 (423) (Michie 1996)	Purpose of the educational trust is to provide "parents with economic protection against rising tuition costs" and to provide financing assistance to the educational institution of their choice
	MICH. STAT. ANN. § 15.4010 (Michie 1996)	- Parents' natural, fundamental right to direct the care, teaching, and education of their children - School's role is to serve the needs of student by cooperating with parents to develop students intellectual capabilities and vocational skills in a safe, positive environment
	MICH. STAT. ANN. § 15.4373 (Michie Supp. 2000)	Community assistance teams may develop parental involvement activities that focus on encouraging voluntary parenting education, enhancing parental and family involvement in education, and promoting adult and family literacy
	MICH. STAT. ANN. § 15.4472 (Michie 1996)	Recommendation of judge with consent by parent to place of confinement, discipline, instruction and maintenance of child
	MICH. STAT. ANN. § 15.4485 (Michie 1996)	School board must establish policies "for handling complaints, concerns, and recommendations from parent"
	MICH. STAT. ANN. § 15.4511 (Michie 1996)	Public school academies established to provide parents "with greater choices among public schools, both within and outside their existing school districts"
	MICH. STAT. ANN. § 15.41137 (Michie 1996)	- Recognizes rights of parents - District shall ensure that parents may review instructional material and observe class

State	Citation	Subject
	MICH. STAT. ANN. § 15.41137(1) (Michie Supp. 2000)	Outlines what information can be released to parent who is subject to personal protection order
	MICH. STAT. ANN. § 15.41155 (Michie 1996)	Notice to parent concerning bilingual education, right to visit class, right to withdraw student
	MICH. STAT. ANN. § 15.41170 (Michie 1996)	Parents may opt out their children from sex education class based on sincerely held religious beliefs
	MICH. STAT. ANN. § 15.41177 (Michie Supp. 2000)	Parents may object to immunization based on religious conviction or other objection
	MICH. STAT. ANN. § 15.41178 (Michie 1996)	Parent consent required to administer medication
	MICH. STAT. ANN. § 15.41204(1) (Michie 1996)	Annual educational report to include the number and percentage of parents who participate in parent-teacher conferences
	MICH. STAT. ANN. § 15.41272(1) (Michie 1996)	Notice to parent of breakfast and lunch programs
	MICH. STAT. ANN. § 15.41272(2) (Michie 1996)	Parent participation in planning and evaluating school meals and other foods sold or dispensed on school premises
	MICH. STAT. ANN. § 15.41277 (Michie Supp. 2000)	Parents and others invited and allowed to voluntarily participate in planning, development, implementation, and evaluation of district's intermediate school improvement plan
	MICH. STAT. ANN. § 15.41279 (Michie Supp. 2000)	- Parents given scores of high school students on state assessment - Invited and encouraged to attend meeting and provide feedback
	MICH. STAT. ANN. § 15.41282 (Michie Supp. 2000)	Parent given notice of meeting and invited and encouraged to attend meeting to assist student at achieve state endorsement
	MICH. STAT. ANN. § 15.41291 (Michie 1996)	Parent member of local school security task force
	MICH. STAT. ANN. § 15.41308 (Michie Supp. 2000)	- Parents notified if pupil is a victim or witness when law enforcement authorities interview the pupil - Parent must execute any waivers or consents necessary to allow school officials access to school, court, or other pertinent records of pupil concerning the incident or action taken as a result of it
	MICH. STAT. ANN. § 15.41309 (Michie Supp. 2000)	- If pupil suspended, teacher shall ask for parent-teacher conference regarding the suspension - Teacher or parent may request that a school administrator attend

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 747

State	Citation	Subject
	MICH. STAT. ANN. § 15.41310 (Michie Supp. 2000)	- If student is expelled, it is responsibility of parent to relocate child in suitable education program - AEP
	MICH. STAT. ANN. § 15.41310(1) (Michie Supp. 2000)	Parents entitled to yearly report on school violence
	MICH. STAT. ANN. § 15.41311 (Michie Supp. 2000)	- These sections deal with suspended and expelled students - Process for placing students in strict discipline academy and ability of parents to seek reinstatement of expelled student
	MICH. STAT. ANN. § 15.41312 (Michie 1996)	As an alternative to corporal punishment, a model list will be developed in consultation with parents and others
	MICH. STAT. ANN. § 15.41313 (Michie 1996)	Parent must be immediately notified if a dangerous weapon is found in the possession of a pupil while at school or school activity
	MICH. STAT. ANN. § 15.41321 (Michie 1996)	Transportation provided without charge to parents
	MICH. STAT. ANN. § 15.41506 (Michie 1996)	Parent may excuse pupil from reproductive health class
	MICH. STAT. ANN. § 15.41507 (Michie 1996)	For sex education class, parents must be notified in advanced, given opportunity to review materials, and advised of right to excuse pupil from class
	MICH. STAT. ANN. § 15.41507a (Michie 1996)	Parent may file a continuing written notice that pupil is to be excused from such classes and pupil may not be enrolled unless parent submits a written authorization for enrollment
	MICH. STAT. ANN. § 15.41561 (Michie 1996)	Attendance laws
	MICH. STAT. ANN. § 15.41711 (Michie 1996)	Parental consent for report concerning handicap student
Minnesota	MINN. STAT. ANN. § 120A.03 (West 2000)	Schools "shall serve the needs of the students by cooperating with the students' parents . . . to develop the students' intellectual capabilities and lifework skills in a safe and positive environment"
	MINN. STAT. ANN. § 120A.22 (West 2000 & Supp. 2001)	Various parental rights including access to performance records, exemptions from attendance
	MINN. STAT. ANN. § 120B.02(b)(3) (West 2000 & Supp. 2001)	Commissioner must set academic standards and provide information about them to parents
	MINN. STAT. ANN. § 120B.07 (West 2000)	Allows for early graduation with parental consent

State	Citation	Subject
	MINN. STAT. ANN. § 120B.11 subd. 3 (West 2000 & Supp. 2001)	- Parent members of district advisory committee on instruction and curriculum - Whenever possible, parents and community residents must comprise at least two-thirds of the advisory committee
	MINN. STAT. ANN. § 120B.20 (West 2000)	Provides for parental curriculum review
	MINN. STAT. ANN. § 120B.22(b)(4) (West 2000 & Supp. 2001)	District must encourage parental involvement in violence prevention program
	MINN. STAT. ANN. § 120B.30(d)(1) (West 2000 & Supp. 2001)	Exemptions from statewide testing and reporting only with parent approval
	MINN. STAT. ANN. § 120B.31 (West 2000)	When collecting and reporting data, commissioner must acknowledge impact of significant demographic factors single parent families, parents' level of education, and parents' income level
	MINN. STAT. ANN. § 120B.35(b) (West 2000 & Supp. 2001)	Plan to improve student achievement "must include parental involvement components"
	MINN. STAT. ANN. § 121A.15 (West 2000)	Parents may exempt child from immunization based on conscientiously held beliefs
	MINN. STAT. ANN. § 121A.16 (West 2000)	Purpose of early childhood health and development screening is to assist parents in improving child's health and planning educational and health programs
	MINN. STAT. ANN. § 121A.17 (West 2000)	- Parents may exempt child from screening based on conscientiously held beliefs - Parents may decline to answer questions - Parental notification for follow-up - School must provide parent with record of screening
	MINN. STAT. ANN. § 121A.18 (West 2000)	Data from screening programs can only be used with parental consent
	MINN. STAT. ANN. § 121A.22 subd. 1(1) (West 2000)	Parent may make request for school to administer medication to a child
	MINN. STAT. ANN. § 121A.23 subd. 1(5) (West 2000)	Sexually transmitted diseases program for child includes involvement of parents
	MINN. STAT. ANN. § 121A.26 (West 2000)	Preassessment team may give parents information concerning chemical abuse establishes a time frame for destroying records made or maintained by team
	MINN. STAT. ANN. § 121A.27 (West 2000)	Parent members of advisory team to address chemical abuse problems.
	MINN. STAT. ANN. § 121A.30 subd. 1 (West Supp. 2001)	Parents Right to Know Act requires notice to parents if school is to apply pesticide

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 749

State	Citation	Subject
	MINN. STAT. ANN. § 121A.34 subd. 2 (West 2000)	Parent must object in writing to school authorities appointing pupil to school safety patrol
	MINN. STAT. ANN. § 121A.41 subd. 6 (West 2000)	"Parent" defined
	MINN. STAT. ANN. §§ 121A.46, 121A.47, and 121A.49 (West 2000)	Parental notice and procedures for suspension and expulsion
	MINN. STAT. ANN. § 121A.54 (West 2000)	Parental notice of student's right to be reinstated
	MINN. STAT. ANN. § 121A.57 (West 2000)	Crisis management policy must be developed in consultation with parents and others
	MINN. STAT. ANN. § 121A.61 (West 2000 & Supp. 2001)	- Notice to parents concerning violations of rules of conduct and resulting disciplinary actions - Early involvement of parents
	MINN. STAT. ANN. § 121A.62 (West 2000)	Parents must form part of school site mediation board
	MINN. STAT. ANN. § 121A.63 (West 2000)	Ombudsperson service for parents
	MINN. STAT. ANN. § 121A.65 (West 2000)	Parents help to review discipline policy and whether this policy has been enforced
	MINN. STAT. ANN. § 121A.67(3) (West 2000)	Parents must be notified after the use of aversive or deprivation procedures in an emergency
	MINN. STAT. ANN. § 121A.72 subd. 2 (West 2000)	Parent must receive copy of school locker policy
	MINN. STAT. ANN. § 121A.75(c)(2) (West Supp. 2001)	Data from disposition order is considered private but may be disseminated to parent
	MINN. STAT. ANN. § 122A.19 (West 2000)	Parent advisory committees in bilingual education
	MINN. STAT. ANN. § 122A.20 (West 2000)	Parental consent to provide information to the school board concerning suspension or revocation of an educator's license
	MINN. STAT. ANN. § 122A.28 (West 2000)	Parents are members of teacher selection committee
	MINN. STAT. ANN. § 122A.60 (West 2000)	Parent members of staff development advisory committee
	MINN. STAT. ANN. § 122A.624 (West 2000)	Outcomes of the educational effectiveness program include increase in the meaningful parental involvement in site-based decision making
	MINN. STAT. ANN. § 122A.63 (West 2000)	Grant application to prepare Indian teachers must be developed with the participation of the parent advisory committee

State	Citation	Subject
	MINN. STAT. ANN. § 122A.64 (West 2000)	Teachers of color program includes both early childhood and parent education
	MINN. STAT. ANN. § 122A.72 (West 2000)	Parents are required to be members of policy board
	MINN. STAT. ANN. § 122A.75 (West 2000)	Parent are members of committee to govern the administrators academy
	MINN. STAT. ANN. §§ 123A.06, 123A.09 (West 2000)	Center programs and services for serving limited English proficient students and their parents
	MINN. STAT. ANN. § 123A.18 subd. 3(a) (West 2000)	Pupil and parent shall consult with a career teacher, counselor, or principal before transferring to another district
	MINN. STAT. ANN. § 123A.21 (West 2000)	Parents are members of advisory committees of service cooperatives
	MINN. STAT. ANN. § 123A.32 subd. 5 (West 2000)	- Prior to entering into an inter-district cooperation agreement, board must consult with parents and others - Parents may be given notice of meeting
	MINN. STAT. ANN. § 123A.36 subd. 6(3) (West 2000)	Plan must include procedures of involving parents "in developing learner outcomes in curricular areas"
	MINN. STAT. ANN. § 123B.04 (West 2000 & Supp. 2001)	- Parent may be members of site-based decision making team - Involve parents in decision making - Mechanism to implement parental involvement programs and to provide for effective parental communication and feedback on this involvement at site level
	MINN. STAT. ANN. § 123B.06 (West 2000)	Parents must receive grading and reports on student progress
	MINN. STAT. ANN. § 123B.07 subd. 3(b) (West 2000)	- Parental must consent to participate in fingerprinting program to assist in the location and identification of missing children - Provide notification of program - Give fingerprint card to parents
	MINN. STAT. ANN. § 123B.08 (West 2000)	If parent provides records from the district where student is transferring, then school must seek written verification
	MINN. STAT. ANN. § 123B.36 (West 2000)	Board must notify parents of policy that fees may be charged for textbooks, workbooks, and library books that are lost or destroyed
	MINN. STAT. ANN. § 123B.40 (West 2000)	Declaration of policy that parents have "freedom of choice in education"
	MINN. STAT. ANN. § 123B.41 subd. 4 (West 2000)	Defining what constitutes guidance and counseling services to students and parents
	MINN. STAT. ANN. § 123B.43(c) (West 2000)	Upon parental request, textbooks and individualized instructional materials must be loaned only to individual students
	MINN. STAT. ANN. § 123B.91 (West 2000)	Policy for school bus safety includes parental responsibility and notice

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 751

State	Citation	Subject
	MINN. STAT. ANN. §§ 124D.03-.08 (West 2000 & Supp. 2001)	Procedures for transfers and enrollment alternatives
	MINN. STAT. ANN. § 124D.081 (West Supp. 2001)	Parental consent for certain services under first-grade preparedness program
	MINN. STAT. ANN. § 124D.09 subd. 21 (West 2000)	Counseling of parents is required concerning pupil enrollment in post-secondary courses
	MINN. STAT. ANN. § 124D.10 (West 2000 & Supp. 2001)	Charter school provision
	MINN. STAT. ANN. § 124D.114(a) (West 2000 & Supp. 2001)	Require a written request from a parent to provide lactose reduced milk to child
	MINN. STAT. ANN. § 124D.123 (West 2000)	Student in same family must be placed in same group in flexible learning year program unless parent requests child be in different group
	MINN. STAT. ANN. § 124D.124 (West 2000)	Must consult with parents prior to implementing a flexible learning year program
	MINN. STAT. ANN. § 124D.128 (West 2000 & Supp. 2001)	Continual learning plan must be developed for each student with the participation of parent and others
	MINN. STAT. ANN. § 124D.13 (West 2000)	Educational and parental involvement program in early childhood family education programs
	MINN. STAT. ANN. § 124D.15 (West 2000)	- School readiness program must include parents' involvement in meeting children's educational, health, and other needs - Goals include to provide parent education to increase parents' knowledge, understanding, skills, and experience in child development and learning and to foster substantial parental involvement
	MINN. STAT. ANN. § 124D.19 (West 2000)	Parental involvement in school age care program design and direction
	MINN. STAT. ANN. § 124D.23 subd. 2(6) (West 2000 & Supp. 2001)	Family services and community-based collaboratives to encourage parents to actively participate by involving parents and using flexible scheduling
	MINN. STAT. ANN. § 124D.27 (West 2000)	- Parent members of advisory council - Majority of the members must be parents
	MINN. STAT. ANN. § 124D.28 subd. 1(4) (West 2000)	Mandatory component of family connection program is procedures to involve parents in the learning and development experiences of their children
	MINN. STAT. ANN. § 124D.29 subd. 5(1) (West 2000)	Career teacher must design plan with parent

State	Citation	Subject
	MINN. STAT. ANN. § 124D.49 (West 2000)	Education and employment transitions partnership must include parents and other sectors of the community
	MINN. STAT. ANN. § 124D.59 subd. 7 (West 2000)	"Parent" defined
	MINN. STAT. ANN. § 124D.60 (West 2000)	- Rights of parents of child in Limited English Proficiency program - Must encourage parental involvement, and solicit their views
	MINN. STAT. ANN. §§ 124D.74-83 (West 2000 & Supp. 2001)	- American Indian Education Act - Parental participation and parent committee for American Indian education
	MINN. STAT. ANN. § 124D.892 subd. 3 (West Supp. 2001)	Advisory board for office of desegregation/integration is to solicit comments from parents and others
	MINN. STAT. ANN. § 124D.895 subd. 1(2) (West Supp. 2001)	Parental involvement programs outlining goals, plan, and activities
	MINN. STAT. ANN. § 125A.06 (West 2000)	The establishment of blind student's rights does not supersede parental rights of child with disability under state and federal laws
	MINN. STAT. ANN. § 125A.08 (West 2000 & Supp. 2001)	- Chapter on special education - Parents are guaranteed procedural safeguards and right to participate in decisions involving identification, assessment, and placement of child with disability
	MINN. STAT. ANN. § 125A.09 (West 2000)	Various procedural rights for parents concerning decisions involving identification, assessment, and placement of child with disability
	MINN. STAT. ANN. § 125A.13 (West 2000)	Establishing parental choice for parents of child with disability to attend school of choice
	MINN. STAT. ANN. § 125A.17 (West 2000)	Parental issues when determining residency of child with disability
	MINN. STAT. ANN. § 125A.21 (West 2000 & Supp. 2001)	- Parents of child with disability are not obligated to use health coverage - Requirement of disclosure and consent
	MINN. STAT. ANN. § 125A.27 (West 2000)	- "Parent" defined for early childhood intervention - Parents included on interagency early intervention committees - Parental rights in early intervention, mediation procedure, complaint process, dispute process, and due process hearings
	MINN. STAT. ANN. § 126C.15 (West 2000 & Supp. 2001)	Substantial parent involvement in developing and implementing remedial education or intervention plans
	MINN. STAT. ANN. § 127A.47 (West 2000)	Parents responsible for transportation when parents divorced and reside with each on alternate weeks

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 753

State	Citation	Subject
	MINN. STAT. ANN. § 128C.01 (West 2000)	Parent members are a required part of high school league board
Mississippi	MISS. CODE ANN. § 37-1-2(a) (1999)	Parents and educators have joint and shared responsibility for the quality of education
	MISS. CODE ANN. § 37-3-53 (1999)	Mississippi Report Card must provide parents with reports on their children plus on the school, school district, and state public education
	MISS. CODE ANN. § 37-3-61 (1999)	Alliance for Families program is to mobilizing parental support for education and to strengthen communication between school and parents
	MISS. CODE ANN. § 37-3-63(a) (1999)	Alliance for Families program includes assessment of parent support level
	MISS. CODE ANN. § 37-3-65(b) (1999)	Alliance for Families program is to provide on the district level a parent involvement plan tailored to each school's needs
	MISS. CODE ANN. § 37-3-67 (1999)	<ul style="list-style-type: none"> - Alliance for Families program includes various components such as a signed parent pledge to assist with identification of ways to improve their child's performance - Emphasis on parent education events such as "back to school night" parent training on how to participate effectively - Newsletters to parents - Home surveys to assess parent perceptions - Parent-teacher conferences
	MISS. CODE ANN. § 37-3-73 (1999)	State Board of Education gives awards for parental involvement
	MISS. CODE ANN. § 37-3-81 (1999)	Center for Prevention of School Violence is a state-wide information clearing for parents and others
	MISS. CODE ANN. § 37-3-83(4)(b) (1999)	Video camera in classroom enables teachers to present clear and convincing evidence of student's disruptive behavior to parents and others
	MISS. CODE ANN. § 37-7-301(ff) (Supp. 2000)	Parents are responsible for textbooks and may have to pay for books that are not returned
	MISS. CODE ANN. § 37-9-14(2)(w) (1999 & Supp. 2000)	Superintendent must notify parents if student is expelled for criminal activity
	MISS. CODE ANN. § 37-9-71 (1999)	<ul style="list-style-type: none"> - Suspension procedures - Parent entitled to due process hearing
	MISS. CODE ANN. § 37-11-17(2)(d) (1999)	<ul style="list-style-type: none"> - Parental notification of screening - Parent may object based on his conscientiously held religious beliefs
	MISS. CODE ANN. § 37-11-19 (1999)	Parent liable for damages for injuring school property and Student may be suspended or expelled

State	Citation	Subject
	MISS. CODE ANN. § 37-11-21 (1999)	Parent may be guilty of misdemeanor for abuse of superintendent, principal, teacher, school bus driver while school is in session or at school activities
	MISS. CODE ANN. § 37-11-53(1)-(3) (1999), 2001 Miss. Laws Ch. 486 § 8, WL MS LEGIS 486 (2001)	<ul style="list-style-type: none"> - Parent given copy of discipline plan - Parental financial responsibility for destructive acts - Parent must attend conference or can there are criminal consequences - Parent may attend class with student in lieu of suspension
	MISS. CODE ANN. § 37-11-55 (1999), 2001 MISS. Laws Ch. 486 § 6, WL MS LEGIS 486 (2001)	<ul style="list-style-type: none"> - Board must adopt and make available to parents code of student conduct - Teacher may remove students who are disruptive until a parent conference may be held
	MISS. CODE ANN. §§ 37-13-89(3)(g), - 91(3) (1999 & Supp. 2000)	Notice to parents of enrollment and attendance requirements
	MISS. CODE ANN. § 37-13-92(2)(c) (1999 & Supp. 2000)	Notice to parents concerning AEP
	MISS. CODE ANN. § 37-13-171(1), (4) (1999)	<ul style="list-style-type: none"> - Abstinence education and what it teaches - District may host programs designed to teach parents how to discuss abstinence with their children
	MISS. CODE ANN. § 37-13-173 (1999)	Parental notification of sex education, right to review materials, and opt out
	MISS. CODE ANN. § 37-15-3 (1999)	Access to transcripts and records under FERPA
	MISS. CODE ANN. § 37-15-9(3) (1999)	When child applies for admission or enrollment, parent must indicate on form if child has been expelled from a public or private school
	MISS. CODE ANN. § 37-15-11 (1999)	Parent to accompany child to school to enroll
	MISS. CODE ANN. §§ 37-15-17, -21 (1999)	Parents rights to review and appeal school assignment
	MISS. CODE ANN. §§ 37-15-29(2), - 31(1)(a) (1999)	Parental rights in transferring students
	MISS. CODE ANN. § 37-17-6(14)(a) (Supp. 2000)	If school does not meet performance accreditation standards and does not improve during probationary period, then conservator appointed who may appoint a parent advisory committee to make recommendations concerning the administration, management, and operation of the school district

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 755

State	Citation	Subject
	MISS. CODE ANN. § 37-18-1(1)(b) (Supp. 2000)	- Range of performance established through a formal procedure including parents, educators, and others - Incentive funds may be used for training parents
	MISS. CODE ANN. § 37-18-3(3)(g) (Supp. 2000)	Parent members of evaluation team for Priority Schools
	MISS. CODE ANN. § 37-18-5(1) (Supp. 2000)	Evaluation team can establish a local parents advisory council to provide input and guidance to develop an improvement plan
	MISS. CODE ANN. § 37-19-22(2) (1999)	Parent member of alternative school advisory board
	MISS. CODE ANN. § 37-21-51 (Supp. 2000)	- Legislative finding that parents have the primary duty to education their young preschool children - State can assist and educate parents in their role as the primary caregivers and educators - Need to explore innovative approaches and strategies for aiding parents
	MISS. CODE ANN. § 37-21-55 (Supp. 2000)	Parent members of interagency advisory committee
	MISS. CODE ANN. § 37-23-1 to 37-23-15 (1999 & Supp. 2000)	- Chapter concerning exceptional children - Rights of parents with children with disabilities including notice, consent, evaluation, complaint procedures, mediation process, and due process hearings
Missouri	MO. ANN. STAT. § 160.261 (West 2000 & Supp. 2001)	Parents must receive copy of discipline policy
	MO. ANN. STAT. § 160.264 (West 2000 & Supp. 2001)	Incentives for school excellence program includes matching funds for parent participation programs
	MO. ANN. STAT. § 160.405 (West 2000)	- Charter school provision - Must give a description of parental involvement in the governance and operation of charter school
	MO. ANN. STAT. § 160.500 (West 2000)	Outstanding Schools Act includes funding for parents as teachers
	MO. ANN. STAT. § 160.510 (West 2000)	Parent members of commission on performance
	MO. ANN. STAT. § 160.522 (West 2000)	District's annual report includes various factors including rates of participation in parent-teacher conferences
	MO. ANN. STAT. § 160.526 (West 2000)	Commissioner of education must establish "a procedure for the state board of education to regularly receive advice and counsel from . . . parents" and others
	MO. ANN. STAT. § 160.530 (West 2000)	"Statewide areas of critical need for learning and development shall include . . . [i]ncreasing parental involvement in the education of their children"

State	Citation	Subject
	MO. ANN. STAT. § 160.538 (West 2000)	Four of seven members of council must be parents of a current student
	MO. ANN. STAT. § 160.545 (West 2000)	Grant program must have a partnership plan developed in cooperation and with the advice of parents and others
	MO. ANN. STAT. § 160.570 (West 2000)	Parent must be given policy on participation in statewide assessments
	MO. ANN. STAT. § 161.506 (West 2000)	Parent members of the drug-free school advisory committee
	MO. ANN. STAT. § 161.650 (West 2000)	Violence prevention program is to encourage parental participation in program instruction
	MO. ANN. STAT. § 162.553 (West 2000)	Parent members of ad hoc committee on dropout prevention
	MO. ANN. STAT. § 162.626 (West 2000)	Board must establish a policy and procedures to review and act upon parental request that student be transferred to a different class with a different teacher
	MO. ANN. STAT. § 162.858 (West 2000)	Parental advisory committee for special school districts concerning parental rights
	MO. ANN. STAT. § 162.959 (West 2000)	Parents' right to due process hearing cannot be delayed or denied through the use of mediation
	MO. ANN. STAT. § 162.961 (West 2000)	"A parent . . . may request a due process hearing by the state board of education"
	MO. ANN. STAT. § 162.1042 (West 2000)	"Parent" defined
	MO. ANN. STAT. § 162.1052 (West 2000)	Nonresident district may reject application if dwelling is not within ten miles of nonresident district
	MO. ANN. STAT. § 167.020 (West 2000 & Supp. 2001)	- Parent must register a child - Penalties for parent filing false information to register a child
	MO. ANN. STAT. § 167.023 (West Supp. 2001)	- Parent may be required to state whether student has been expelled from another school upon enrollment - Criminal penalties for making materially false statement
	MO. ANN. STAT. § 167.031 (West 2000)	- Attendance laws - Parent is responsible for student enrollment and attendance
	MO. ANN. STAT. § 167.161 (West 2000)	Parental notice and procedural rights when student may be suspended or expelled
	MO. ANN. STAT. § 167.164 (West 2000)	Suspension or expulsion does not relieve the state or parents of their responsibilities to educate student
	MO. ANN. STAT. § 167.171 (West Supp. 2001)	Parent may appeal suspension

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 757

State	Citation	Subject
	MO. ANN. STAT. § 167.181 (West 2000)	Parent may object to immunization based on religious beliefs or medical contraindications
	MO. ANN. STAT. § 167.183 (West 2000)	Information and records concerning immunization may be made to certain individuals listed in the section without parental consent
	MO. ANN. STAT. § 167.191 (West 2000)	Penalties for parent who send child to school with contagious disease
	MO. ANN. STAT. § 167.231 (West 2000)	Eligibility for transportation
	MO. ANN. STAT. § 167.268 (West 2000)	If child is reading below grade level, individual plan of reading intervention may be developed after consultation with parents
	MO. ANN. STAT. § 167.273 (West 2000)	Parent education programs such as at risk families, potential dropouts, etc.
	MO. ANN. STAT. § 167.278 (West 2000)	Superintendent must provide parents with post-secondary financial assistance information
	MO. ANN. STAT. § 167.280 (West 2000)	Applications for funds for support services for at high risk students must include program for promoting parental involvement as counselors in program
	MO. ANN. STAT. § 167.335 (West 2000)	Alternative educational opportunities for disruptive students including parent-as-teachers program
	MO. ANN. STAT. § 167.340 (West 2000)	Reading improvement instruction may use various methods including use of parents
	MO. ANN. STAT. § 167.343 (West 2000)	Additional priority in grants is given to programs that include a parental involvement component
	MO. ANN. STAT. § 167.611 (West 2000)	- Parents are members of advisory committee to review and advise on health services that are offered - Each parent must receive consent form and checklist of services
	MO. ANN. STAT. § 167.621 (West 2000)	Parental consent for health services
	MO. ANN. STAT. § 167.627 (West 2000)	Parental consent and procedures for self-administration of medication
	MO. ANN. STAT. § 167.640 (West 2000)	District may require parents of remediation students to commit to conduct home-based tutorial activities with their children and create an individual plan with parental involvement
	MO. ANN. STAT. § 170.015 (West 2000)	District must notify parent of basic content of human sexuality instruction and parent's right to opt out
	MO. ANN. STAT. § 178.585 (West 2000)	If grant is received under this section, then there must be parent members of advisory committee

State	Citation	Subject
	MO. ANN. STAT. § 178.699 (West 2000)	Parental consent for release of information obtained by development screening program
Montana	MONT. CODE ANN. § 20-1-213 (1999)	When records are released, official must certify that information will not be disclosed without prior written consent of parents
	MONT. CODE ANN. § 20-1-308 (1999)	Upon parental request, student may be released for up to two hours for religious instruction
	MONT. CODE ANN. § 20-1-408 (1999)	Need parental consent before student can participate in school safety patrols
	MONT. CODE ANN. § 20-1-501 (1999)	School personnel should have an awareness and understanding of Indian tribes to allow them to relate effectively with Indian parents and students
	MONT. CODE ANN. § 20-3-324 (1999)	District must make available to parents any health or medical records maintained by the district
	MONT. CODE ANN. § 20-4-303 (1999)	Any parent who insults or abuses a teacher on school grounds is guilty of a misdemeanor
	MONT. CODE ANN. §§ 20-5-102 to -111 (1999)	- Attendance laws - Parents responsible for enrollment and attendance - Parent responsibilities for home-schooled children
	MONT. CODE ANN. § 20-5-201 (1999)	Parent financially responsible if child defaces or damages school property
	MONT. CODE ANN. §§ 20-5-320 to -322 (1999)	Procedures for parent choosing another district, notification for appeal for attendance agreement
	MONT. CODE ANN. §§ 20-5-405, -409 (1999)	- Parent can object to immunization based on written evidence of conflicting medical or religious reasons - Injunction is possible if parent has not . . . shown either immunization or exemption
	MONT. CODE ANN. § 20-6-502 (1999)	Attempt to open or reopen an elementary school requires petition from parents of at least three students
	MONT. CODE ANN. §§ 20-7-401 to -422 (1999)	Special education for exceptional children
	MONT. CODE ANN. § 20-7-601 (1999)	Upon parental request, textbooks may be sold to them at cost
	MONT. CODE ANN. § 20-7-902 (1999)	In identifying gifted and talented children, parents should be consulted
	MONT. CODE ANN. § 20-10-105 (1999)	Eligibility for school bus transportation
Nebraska	NEB. REV. STAT. § 79-209 (Supp. 2000)	Attendance laws regarding compulsory attendance, non attendance and enforcement

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 759

State	Citation	Subject
	NEB. REV. STAT. §§ 79-220 to -222 (1996)	- Parental notification concerning immunization and right to refuse - Refusal based on "conflicts with the tenets and practice of a recognized religious denomination" or personal, sincerely followed religious beliefs
	NEB. REV. STAT. § 79-232 (1996)	Legislative finding that parents "have the primary responsibility of ensuring" the best education possible for their children
	NEB. REV. STAT. §§ 79-237 to -239 (1996)	Procedures for transfer where there is a desegregation order
	NEB. REV. STAT. § 79-241 (Supp. 2000)	Parent responsible for transportation of option student
	NEB. REV. STAT. § 79-248 (1996)	Parental notification to be given concerning health problems and contagious or infectious disease and consent required for physical exam of student
	NEB. REV. STAT. § 79-258 (1996)	Need parental consent for counseling or evaluation under the Student Discipline Act
	NEB. REV. STAT. §§ 79-260, -262 (1996)	Notice to parents under Student Discipline Act
	NEB. REV. STAT. § 79-265 (1996)	Notice and procedures to parent when student suspended
	NEB. REV. STAT. §§ 79-268 to -292 (1996)	Procedures when student has long-term suspension or expulsion
	NEB. REV. STAT. § 79-2,104 (1996)	Access to student files or records including "right to inspect, review, and obtain copies"
	NEB. REV. STAT. § 79-530 (1996)	- Legislative findings regarding parent involvement include that it is a key factor in a child's education - Parents need to be informed of educational practices - Schools "should foster and facilitate parental information" about involvement
	NEB. REV. STAT. § 79-531 (1996)	Each district must "develop and adopt a policy" indicating how the district will involve parents and what parental rights are concerning "access to the schools, testing information, and curriculum matters"
	NEB. REV. STAT. § 79-532 (1996)	Outlines the issues that the parental involvement policy must contain
	NEB. REV. STAT. § 79-533 (1996)	Policy is to receive public hearing and annual review
	NEB. REV. STAT. § 79-598 (Supp. 2000)	- Allows for parental choice of district - Provisions for sending child to another district
	NEB. REV. STAT. §§ 79-599, 79-5, 108 (1996)	- Provision for child attending school in adjoining state - Procedures for appealing decision

State	Citation	Subject
	NEB. REV. STAT. § 79-1101 (1996)	- Early childhood education chapter - "[T]he role of . . . parent[s] is of critical importance"
	NEB. REV. STAT. §§ 79-1110 to -1167 (Supp. 2000)	Various parental rights and responsibilities for special education students
Nevada	NEV. REV. STAT. § 385.347(2)(j) (1999)	Each district must report efforts made by the district to increase communication with parents and the participation of parents in the educational process and activities.
	NEV. REV. STAT. § 385.378(1)(c) (1999)	Parent members of panel to supervise academic probation of school
	NEV. REV. STAT. § 385.381(1)(f) (2000)	Panel to make the written report available to parents upon request
	NEV. REV. STAT. § 385.448 (2000)	With parental permission, student can take test of general educational development to demonstrate that they have achieved an educational level which is an acceptable substitute for completing high school
	NEV. REV. STAT. § 386.360 (2000)	Board of trustees must give parents notice of plan for implementation of statutes
	NEV. REV. STAT. § 386.4154(2) (2000)	Policies concerning school-based decision making must provide for the involvement of parents
	NEV. REV. STAT. § 386.505 (2000)	Charter school chapter
	NEV. REV. STAT. § 386.655 (1999)	- Need parental consent to release child's records - FERPA provision
	NEV. REV. STAT. § 388.060(1)(b) (1999)	With parental agreement, kindergarten instruction may be offered in child's home and licensed educational personnel can assist and consult with parent
	NEV. REV. STAT. § 388.368(4)(a) (2000)	Under occupational education, there is a partnership consisting of employers, local educational agencies, parents, and others
	NEV. REV. STAT. § 388.460 (2000)	If parent believes student is receiving adequate educational advantages, then student does not have to be part of special provisions for students with disabilities or gifted and talented students
	NEV. REV. STAT. § 388.470(1)(a) (2000)	There must be consultation with parent prior to placement in special program for children with disabilities or gifted and talented
	NEV. REV. STAT. §§ 388.5275, .528 (2000)	- Procedures for using physical or mechanical restraint - Copy of report given to parent
	NEV. REV. STAT. § 388.790(1)(g) (1999)	Parent member of commission on educational technology

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 761

State	Citation	Subject
	NEV. REV. STAT. § 389.015(3)(a) (1999)	School to notify parent of results of achievement and proficiency examination
	NEV. REV. STAT. § 389.065 (1999)	- Advisory Committee for sex education will include five parents - Notice must be given to parents about the sex education course - Parents must consent or child opted out
	NEV. REV. STAT. § 389.165 (2000)	Parental consent required before student may participate in community service project for credit
	NEV. REV. STAT. § 389.180 (1999)	Parents assist in organization of occupational guidance and counseling curriculum
	NEV. REV. STAT. § 389.510(2)(a) (2000)	Council to establish academic standards shall have two parents appointed by the governor
	NEV. REV. STAT. § 391.208 (1999)	- School nurse must report results of general health and physical development evaluation to parents - Parents approve plan for nursing care of special needs child
	NEV. REV. STAT. § 392.029 (1999)	Compliance with access and confidentiality requirements under federal law
	NEV. REV. STAT. § 392.040 (1999)	Attendance laws
	NEV. REV. STAT. § 392.126(1)(d) (1999)	Parent as member of advisory board to review school attendance in each county
	NEV. REV. STAT. §§ 392.165, .167 (2000)	Parent must provide documents for enrollment
	NEV. REV. STAT. §§ 392.170, .180 (1999)	Investigation of charges against parent and complaint
	NEV. REV. STAT. § 392.215 (1999)	Misdemeanor if parent makes false statements concerning age or attendance
	NEV. REV. STAT. § 392.300 (1999)	Transportation regulations
	NEV. REV. STAT. § 392.350 (1999)	If transportation is not practical or economical, parent must furnish but may be entitled to payment
	NEV. REV. STAT. § 392.375(3) (1999)	School must provide parent information on school bus safety
	NEV. REV. STAT. § 392.380(4) (1999)	With parental consent, student may be employed as driver if student meets qualifications
	NEV. REV. STAT. § 392.420 (1999)	Parental notification of visual or auditory problem, scoliosis, or gross defect
	NEV. REV. STAT. §§ 392.435, .437 (1999)	- Requires parent to show proof of immunization - Parent may exempt child from immunization on basis of religious belief
	NEV. REV. STAT. § 392.439 (1999)	Parent and physician may exempt child from immunization due to medical condition

State	Citation	Subject
	NEV. REV. STAT. § 392.443 (1999)	There may be additional requirements of immunization and parent would have to provide certificate
	NEV. REV. STAT. § 392.448 (1999)	Penalties for failure to comply with immunization laws
	NEV. REV. STAT. § 392.458 (1999)	Board in consultation with parents may adopt uniform policy
	NEV. REV. STAT. § 392.4644 (2000)	Principal must establish a discipline plan with input and participation from parents
	NEV. REV. STAT. §§ 392.4645, .4646 (2000)	Requires conference with parent and gives procedures when child is to be removed from class
	NEV. REV. STAT. § 392.4648 (2000)	Principal must inform parent that committee will conduct meeting to determine where student will be placed
	NEV. REV. STAT. § 392.4655 (2000)	Consultation, plan, and agreement with parent when child is a habitual disciplinary problem
	NEV. REV. STAT. § 392.4657 (2000)	There must be a conference with parent before student can return to class once he has been suspended
	NEV. REV. STAT. § 392.490 (2000)	Employer cannot terminate or threaten parent if school seeks conference or notifies of an emergency
	NEV. REV. STAT. § 393.080 (1999)	Parental notification required prior to changing the location of a school, closing a school, or changing the use of a school building
	NEV. REV. STAT. § 393.105 (1999)	District must make material safety data sheets available to parents
	NEV. REV. STAT. § 393.170 (1999)	Parent financially responsible for damaged, lost, or destroyed books, materials, or equipment
	NEV. REV. STAT. § 395.030 (1999)	Parent may file an application with board for disability benefits
	NEV. REV. STAT. § 395.050 (1999)	State to pay for special education program and related services without charge to parents
New Hampshire	N.H. REV. STAT. ANN. § 186-C:3-b (1999)	- Parent members of advisory committee on education of children with disabilities - Other rights and responsibilities of parents
	N.H. REV. STAT. ANN. § 189:1-e (1999)	Parental rights concerning directory information consistent with the FERPA
	N.H. REV. STAT. ANN. § 189:9-a (1999)	Parental notice and procedures when student suspended from school bus because of behavior
	N.H. REV. STAT. ANN. § 189:14-f (1999)	Requirements for status of master teacher include quantitative evaluations of teaching quality by parents and others
	N.H. REV. STAT. ANN. § 189:49-a (1999)	Parental consent for student participation in finger-printing program to facilitate locating missing children

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 763

State	Citation	Subject
	N.H. REV. STAT. ANN. § 193:1 (1999)	Duty of parents under attendance laws
	N.H. REV. STAT. ANN. § 193:12 (1999)	Determination of residency based on parent's residence
	N.H. REV. STAT. ANN. § 193:13 (1999)	Procedures available to parents when child suspended or expelled
	N.H. REV. STAT. ANN. § 193:14-a (1999)	Rights and responsibilities of parents seeking a transfer to a different school
	N.H. REV. STAT. ANN. § 193:32 (1999)	Missing child education program includes materials on how parents can reduce the risk that the minor will become a missing child
	N.H. REV. STAT. ANN. § 193:34 (Supp. 2000)	Parent as Teachers Program is to educate parents how they can best impact early childhood development
	N.H. REV. STAT. ANN. §§ 194-C:1 to -C:3 (1999)	<ul style="list-style-type: none"> - Needs parental participation in improvement and assessment program - Commissioner consults with parents - Widespread dissemination of reports to parents
	N.H. REV. STAT. ANN. § 194-C:10 (1999)	Parents have access to assessment materials
	N.H. REV. STAT. ANN. § 194-C:11 (1999)	<ul style="list-style-type: none"> - Anonymity of student assessment results unless parent provides written authorization or as required under federal law - Parent has access to individual student's results - FERPA
	N.H. REV. STAT. ANN. § 194-D:4 (Supp. 2000)	Board discipline policy states circumstances under which parents shall be notified of simple assaults
	N.H. REV. STAT. ANN. § 194-D8 (1999)	Under safe schools provision, complete school record including discipline must be sent to new school upon request of parent
	N.H. REV. STAT. ANN. § 194:24 (1999)	Parents may apply for transfer to more accessible school
	N.H. REV. STAT. ANN. § 194:31-a (1999)	Upon authorization of parent, student records may be furnished to another school
	N.H. REV. STAT. ANN. § 194-B:1 (1999)	Charter school chapter
	N.H. REV. STAT. ANN. § 194-C:4 (1999)	Part of superintendent's duties include daily administration and provision of educational services to students and parent issues
	N.H. REV. STAT. ANN. § 198:48-a (Supp. 2000)	If there are more than one school with approved alternative kindergarten program, then consideration is given to parental preference
	N.H. REV. STAT. ANN. § 198:49 (1999)	Parent members of adequate education and education financing commission
	N.H. REV. STAT. ANN. § 200:32 (1999)	Parent may object to physical examination of child based on religious tenets and teachings

State	Citation	Subject
	N.H. REV. STAT. ANN. § 200:34 (1999)	- If problems are found, the parent is referred to an appropriate practitioner for examination and evaluation - If parent fails to do so within reasonable period of time, then child may be examined by school physician or other qualified personnel
	N.H. REV. STAT. ANN. § 200:35 (1999)	- Parent must be informed or counseled concerning any defects or disabilities discovered and identified through observation, screening, or physical exams - Parent conferences may be arranged
	N.H. REV. STAT. ANN. § 200:39 (1999)	- Parent must be notified as soon as possible if child exhibits symptoms of contagion or is a hazard to himself or others - Child excluded from classroom
New Jersey	N.J. STAT. ANN. § 18A:6-1.1 (West 1999)	Parental consent prior to experimental of stimulation drugs or medications
	N.J. STAT. ANN. § 18A:7B-7 (West 1999)	- Parent of child in state facility may request an administrative review of educational classification - Hearing - Due process rights
	N.J. STAT. ANN. §§ 18A:7C-5, -5.1 (West 1999)	- Parents entitled to graduation policies - Board prohibited from excluding financial hardship student from graduating because of fees
	N.J. STAT. ANN. § 18A:7C-6.1 (West 1999)	In developing graduation proficiency test, Commissioner of Education shall consult with educators, parents, and others
	N.J. STAT. ANN. § 18A:35-4.6 (West 1999)	Parents Rights to Conscience Act of 1979
	N.J. STAT. ANN. § 18A:35-4.7 (West 1999)	Parents can opt out child from sex education on basis of conscience or sincerely held moral or religious beliefs
	N.J. STAT. ANN. § 18A:35-4.8 (West 1999)	Parents can object to medical treatment or medical or physical exam
	N.J. STAT. ANN. § 18A:35-4.9 (West 1999)	Parental notification of policies and procedures for promotion and remediation and student's progress
	N.J. STAT. ANN. § 18A:35-10 (West 1999)	Parents may exempt child from military training course if they have "conscientious scruples" against such training
	N.J. STAT. ANN. § 18A:35-19.2 (West 1999)	Parent may appeal placement in bilingual program
	N.J. STAT. ANN. § 18A:35-22 (West 1999)	Notice given to parents that child is eligible for bilingual education

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 765

State	Citation	Subject
	N.J. STAT. ANN. § 18A:36-19 (West 1999)	Parents have access to records
	N.J. STAT. ANN. § 18A:36-25.1 (West 1999)	- Parents must provide proof of identity - Records transferred from one district to another
	N.J. STAT. ANN. § 18A:36-29 to -31 (West 1999)	Participation in fingerprint program upon request of parent
	N.J. STAT. ANN. § 18A:36A-2 (West 1999)	- Charter schools established to increase parental choices - Discussion of parental involvement and procedures
	N.J. STAT. ANN. § 18A:36B-4(a) (West Supp. 2000)	Information and procedures for parents to participate in the interdistrict public school choice program
	N.J. STAT. ANN. § 18A:37-3 (West 1999)	Parents financially responsible for child who injures school property
	N.J. STAT. ANN. § 18A:38-1 (West 1999)	Parental responsibilities for attendance laws
	N.J. STAT. ANN. § 18A:39-1 (West 1999)	Parental responsibilities for transportation
	N.J. STAT. ANN. §§ 18A:40-4 to -5 (West 1999)	- Various screenings and examinations - Parents can limit exam by signing statement that it interferes with the free exercise of his religious beliefs
	N.J. STAT. ANN. §§ 18A:40-8 to -9 (West 1999)	- Notice to parent why student excluded for health and cleanliness reasons - Penalties for failure to remove child
	N.J. STAT. ANN. §§ 18A:40-12.3 to .6 (West 1999)	- Parental consent for student to self administer medication - School officials to give epi-pen
	N.J. STAT. ANN. § 18A:40-30 (West 1999)	Parent may object to services
	N.J. STAT. ANN. §§ 18A:40A-12, -16, -17 (West 1999)	Reporting, guidelines, and outreach programs for parents of child with substance abuse
	N.J. STAT. ANN. § 18A:42-1 (West 1999)	Need parental consent for child to participate in safety patrols
	N.J. STAT. ANN. §§ 18A:46-5.2 (West 1999)	Full participation of parent in any decision concerning evaluation, classification, and placement of handi-capped student
	N.J. STAT. ANN. § 18A:46A-5 (West 1999)	Need parental consent for auxiliary services
New Mexico	N.M. STAT. ANN. § 21-5-2 (Michie Supp. 2000)	At least one regent for school for the visually handicapped must be a parent of such student

State	Citation	Subject
	N.M. STAT. ANN. § 22-1-1.1 (Michie 1998)	One of the purposes of education reform was to increase parental involvement
	N.M. STAT. ANN. § 22-2-6.11 (Michie Supp. 2000)	Parents involved with educators in design of reading initiative
	N.M. STAT. ANN. § 22-2-8.2 (Michie 1998)	Must give parents notice for waiver of class load requirement
	N.M. STAT. ANN. § 22-2-8.4 (Michie 1998)	Must notify and get signature of parents concerning graduation requirements
	N.M. STAT. ANN. § 22-2-8.6 (Michie 1998)	Parent's role in the remediation process
	N.M. STAT. ANN. § 22-2-19 (Michie Supp. 2000)	Parents may voluntarily participate in full-day kindergarten
	N.M. STAT. ANN. § 22-15A-6 (Michie 1998)	Council on technology in education must have two parent members
	N.M. STAT. ANN. § 22-23-5 (Michie 1998)	Parent advisory committee for bilingual education to review the goals and plan and to make recommendations
	N.M. STAT. ANN. § 28-18-1 (Michie 2000)	Parent can choose to participate in family, infant, toddler program for at risk children
New York	N.Y. EDUC. LAW § 2(10) (McKinney 2000)	Parental relation defined
	N.Y. EDUC. LAW § 309-a(1)(b) (McKinney 2000)	Commissioner designs "twenty-first century school program" and consults, selects, and develops with parents
	N.Y. EDUC. LAW § 313(5)(a) (McKinney 2000)	Parents can file a complaint of unfair educational practices.
	N.Y. EDUC. LAW § 316(6) (McKinney 2000)	Board for teacher resource and computer training center shall include at least one parent
	N.Y. EDUC. LAW § 402-a(1) (McKinney 2000)	A committee for closing of a school building may include parents of pupils attending public schools
	N.Y. EDUC. LAW § 559 (McKinney 2000)	- Legislative findings including for parents to select school - Alternatives to public education are desirable and vital - Tuition reimbursement to low income parents
	N.Y. EDUC. LAW § 561(a) (McKinney 2000)	"Parent" defined
	N.Y. EDUC. LAW § 562 (McKinney 2000)	Tuition reimbursement to parents
	N.Y. EDUC. LAW § 610(9) (McKinney 2000)	Inform parents of liberty scholarships

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 767

State	Citation	Subject
	N.Y. EDUC. LAW § 612(a)(2) (McKinney 2000)	Liberty partnership grant applications must include a program for facilitating parental involvement
	N.Y. EDUC. LAW § 802(3) (McKinney 2000)	Military instruction with the consent of the parent
	N.Y. EDUC. LAW § 803-a(3) (McKinney 2000)	Parents may be members of an advisory council to prevent child abduction
	N.Y. EDUC. LAW § 804(4)(b) (McKinney Supp. 2001)	Parent pamphlets on health education
	N.Y. EDUC. LAW § 806(3) (McKinney 2000)	Parental consent for school safety patrols
	N.Y. EDUC. LAW § 809(4) (McKinney 2000)	Parents may object to dissection of animals for moral or religious reasons
	N.Y. EDUC. LAW § 903 (McKinney 2000)	Parents must provide health certificate
	N.Y. EDUC. LAW § 904 (McKinney 2000)	Must notify parents of physical defects or disabilities and if parent is unable or unwilling to provide relief or treatment, then report to health inspector so it can be provided
	N.Y. EDUC. LAW § 905(1), (4) (McKinney 2000)	Parental notice concerning scoliosis and eye tests
	N.Y. EDUC. LAW § 909(4) (McKinney 2000)	Parental notice concerning hygiene
	N.Y. EDUC. LAW § 910 (McKinney 2000)	Parental choice as to the form or manner of treatment or remedial care
	N.Y. EDUC. LAW § 912-a(2) (McKinney 2000)	Urine analysis or drug examination upon written request or consent of parent
	N.Y. EDUC. LAW § 916 (McKinney 2000)	Parental consent to carry asthmatic inhaler
	N.Y. EDUC. LAW §§ 1125, 1126, 1128 (McKinney Supp. 2001)	- "Parent" defined - Duties of school officials in child abuse cases
	N.Y. EDUC. LAW § 2590 (McKinney 2000 and Supp. 2001)	Chapter 2590 pertains to New York City and various provisions for maximizing parental participation
	N.Y. EDUC. LAW § 2801(2)(a) (McKinney Supp. 2001)	Parental participation in hearing to develop the code of conduct for maintaining order on school property
	N.Y. EDUC. LAW § 2801-a(4) (McKinney Supp. 2001)	Parental participation in hearing on school safety plans

State	Citation	Subject
	N.Y. EDUC. LAW § 3201 (McKinney 2000)	Discrimination prohibited but parent can request assignment
	N.Y. EDUC. LAW § 3204 (McKinney 2000)	Parents may excuse child from health and hygiene classes based on religious conflicts
	N.Y. EDUC. LAW § 3212 (McKinney 2000)	Duties of parents
	N.Y. EDUC. LAW § 3213 (McKinney 2000)	Responsibilities of parents concerning attendance laws
	N.Y. EDUC. LAW § 3601-a (McKinney Supp. 2001)	A district that receives funds for students with compensatory educational needs must implement programs, activities, and procedures for parental involvement
	N.Y. EDUC. LAW § 3602 (McKinney Supp. 2001)	School districts with funding above \$150,000 with compensatory educational needs must implement programs, activities, and procedures for parental involvement
	N.Y. EDUC. LAW § 3635 (McKinney Supp. 2001)	Parent may waive transportation
	N.Y. EDUC. LAW § 4401 (McKinney Supp. 2001)	Various parental rights and procedures for children with handicap
	N.Y. EDUC. LAW §§ 4451-4453 (McKinney 2000)	Various provisions for parents with gift children including handbook, guidelines, and advisory council with a parent member
North Carolina	N.C. GEN. STAT. § 115C-12(9a) (1999)	State Board of Education has power to develop content standards and shall involve and survey educators and parents
	N.C. GEN. STAT. § 115C-16 (1999)	State Board of Education develops guidelines for uniform pilot program and one factor is ways to promote parental involvement in the program
	N.C. GEN. STAT. § 115C-47(32a), (34) (1999)	- Duties of local board include getting parents involved in decision for alternative learning program - Encouraging employers to give parents time to attend parent-teacher conferences
	N.C. GEN. STAT. § 115C-81(e1)(4)g, (e1)(5), (e1)(6)c (1999)	Discusses various areas for parental involvement and consent in the Basic Education Program
	N.C. GEN. STAT. § 115C-81.2(a) (1999)	Comprehensive reading plan developed with active involvement of parents and educators
	N.C. GEN. STAT. § 115C-84.2(a)(5) (1999)	Local board will consult with parents and school personnel concerning school calendar

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 769

State	Citation	Subject
	N.C. GEN. STAT. § 115C-87 (1999)	Governor appoints textbook commission which must have parent members
	N.C. GEN. STAT. § 115C-98(b1) (1999)	Local boards establish committee to investigate and evaluate challenges from parents about textbooks and instructional material on basis that they are educationally unsuitable, vulgar or inappropriate for age group
	N.C. GEN. STAT. § 115C-100 (1999)	Parent may be responsible for loss or abuse of textbooks
	N.C. GEN. STAT. § 115C-105.27 (1999)	- Parents on the school improvement team to develop plan - Legislature recognizes parental involvement is critical to success and positive student achievement
	N.C. GEN. STAT. § 115C-105.31(a)(2) (1999)	Parent members of the Task Force on School Based Management which is to advise and report to state agencies
	N.C. GEN. STAT. § 115C-105.32 (1999)	Parental involvement programs are part of school improvement plan
	N.C. GEN. STAT. § 115C-105.33 (1999)	Parental involvement in safe and orderly schools
	N.C. GEN. STAT. § 115C-105.37(a1), (b) (1999)	Parents notified of schools are identified as low performing and plan for addressing the needs of the school
	N.C. GEN. STAT. § 115C-105.39 (1999)	Parents notified that principal of low performing school is being transferred
	N.C. GEN. STAT. § 115C-105.40 (1999)	Plan for rigorous academic performance must be reported to parents in clear and understandable method
	N.C. GEN. STAT. § 115C-105.47(a) (1999)	Parents involved in developing local safe school plans
	N.C. GEN. STAT. § 115C-105.48(b) (1999)	Parents encouraged to provide input on student needs when placed in alternative learning programs
	N.C. GEN. STAT. § 115C-106(b) (1999)	State policy to ensure that the rights of parents and students with special needs are protected
	N.C. GEN. STAT. § 115C-146.1 to .4 (1999)	Parents entitled to individual programs, etc. for handicapped children
	N.C. GEN. STAT. § 115C-150.7(a) (1999)	Parents involved in academically gifted students program
	N.C. GEN. STAT. § 115C-154(2) (1999)	Parents involved in developing plans for vocational students
	N.C. GEN. STAT. § 115C-208 (1999)	At least half the members of the community school advisory councils should be parents

State	Citation	Subject
	N.C. GEN. STAT. §§ 115C-210.1, .2 (1999)	Half of the State Advisory Council on Indian Education consists of parents and they serve for particular terms
	N.C. GEN. STAT. § 115C-238.29A (1999)	Charter schools provides opportunities for expanded parental choices
	N.C. GEN. STAT. § 115C-288 (1999)	- Duties of principal include: - Making budget and improvement plan available to parents - Obtaining consent from parents to disclose information to Division of Motor Vehicles
	N.C. GEN. STAT. § 115C-307(c) (1999)	Upon written request from parent, teacher may give prescription drug to student
	N.C. GEN. STAT. § 115C-366 (1999)	Parental rights concerning assignment to a particular school
	N.C. GEN. STAT. § 115C-378 (1999)	Attendance laws
	N.C. GEN. STAT. § 115C-391 (1999)	Notice to parent that corporal punishment administered and discipline policies
	N.C. GEN. STAT. § 115C-397.1 (1999)	Parental involvement in the management of disruptive students
	N.C. GEN. STAT. § 115C-398 (1999)	Parents may be liable for damages to school buildings, furnishings, and textbooks
	N.C. GEN. STAT. § 115C-523 (1999)	Parents may be liable for gross negligence or willful damage or destruction of school property by child up to \$5,000
	N.C. GEN. STAT. § 115C-566(c) (1999)	Need consent of parent to disclose information to Division of Motor Vehicles
North Dakota	N.D. CENT. CODE § 15-19-01(6) (Supp. 1999)	Parent must supervise correspondence lessons if student is exempt from compulsory school attendance
	N.D. CENT. CODE § 15-29-08.6 (Supp. 1999)	Parental consent for school-to-work program
	N.D. CENT. CODE § 15-34.1-00.1 (Supp. 1999)	Defining terms with regard to home schooling used in attendance laws and home schooling
	N.D. CENT. CODE § 15-38-10 (1993)	Teachers must give moral instruction, including obedience to parents
	N.D. CENT. CODE § 15-38.2-04 (1993)	If parent or others make complaint against teacher, it must be called to attention of teacher if it goes in teacher's personnel file
	N.D. CENT. CODE § 15-40.2-02 (1993)	Procedures and tuition for transferring a student
	N.D. CENT. CODE § 15-40.3-01 (1993)	Open enrollment procedure—parent may apply to enroll student in another district
	N.D. CENT. CODE § 15-47-38(2) (Supp. 1999)	If student is a witness against a teacher in a hearing, student must be accompanied by parent
	N.D. CENT. CODE § 15-59 (1993 & Supp. 1999)	Chapter concerning special education

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 771

State	Citation	Subject
	N.D. CENT. CODE § 15.1-06-18(5)(e) (Supp. 1999)	Governor shall appoint two parents of school-aged children on ad hoc committee to review information and report
	N.D. CENT. CODE § 15.1-08-04(2) (Supp. 1999)	School board for military installation shall respect the parent's wishes concerning the provision of education
	N.D. CENT. CODE § 15.1-09-36(2) (Supp. 1999)	School board can waive student fees if parent cannot pay them
	N.D. CENT. CODE § 15.1-19-04 (Supp. 1999)	Upon request of parent, student may be excused from religious instruction
	N.D. CENT. CODE § 15.1-19-09(1) (Supp. 1999)	Parent entitled to participate at due process hearing if student suspended or expelled
	N.D. CENT. CODE § 15.1-19-11 (Supp. 1999)	Need parental consent for child to participate in school safety patrols
	N.D. CENT. CODE § 15.1-19-12 (Supp. 1999)	Parents are immune from liability arising from school safety patrols
	N.D. CENT. CODE § 15.1-24-03 (Supp. 1999)	Parent may be notified and given information if chemical abuse preassessment team reports violations by minor student
	N.D. CENT. CODE § 15.1-24-04 (Supp. 1999)	Records of chemical abuse are confidential and cannot be released without written consent of parent
Ohio	OHIO REV. CODE ANN. § 3313.206 (West 1988)	Block parent program to provide temporary refuge
	OHIO REV. CODE ANN. § 3301.131 (West 1991)	School-parent partnership whereby parents are actively involved in the decision-making process
	OHIO REV. CODE ANN. § 3301.134(A) (West, WESTLAW through 2001 Legislation)	State gives awards for innovative and exemplary parental involvement programs
	OHIO REV. CODE ANN. § 3301.30(C) (West 1988)	Parents given information about available programs for migrant agricultural laborers
	OHIO REV. CODE ANN. § 3301.52(B)(3) (West 1988)	"Parent" defined
	OHIO REV. CODE ANN. § 3301.53(A)(1) (West 1988)	Requirements that parents of preschool children complete emergency medical authorization form
	OHIO REV. CODE ANN. § 3301.56(A)(4) (West 1988)	Parental access to directory information

State	Citation	Subject
	OHIO REV. CODE ANN. § 3301.58 (West 1991)	Parental access to license of preschool provided
	OHIO REV. CODE ANN. § 3313.205 (West 1991)	Board policy concerning notification of parents when student is absent
	OHIO REV. CODE ANN. § 3313.208 (West 1991)	Notice to parents of latchkey program
	OHIO REV. CODE ANN. §§ 3313.48(A), 3313.481 (West 1988)	- Reporting of parent-teacher conferences - Conferences for alternative school attendance plans
	OHIO REV. CODE ANN. § 3313.57 (West 1988)	Subject to parental approval, board may provide summer activities
	OHIO REV. CODE ANN. § 3313.60(A)(5)(d) (West 1991)	Parent may opt out student from first aid class
	OHIO REV. CODE ANN. § 3313.646(A)(1) (West 1991)	Parent may have fees for preschool waived by board in hardship cases
	OHIO REV. CODE ANN. § 3313.66(B) (West 1991)	Parental rights and procedures when student is suspended, expelled, or removed from
	OHIO REV. CODE ANN. § 3313.67(A) (West 1988)	Parental access to immunization record kept by school
	OHIO REV. CODE ANN. § 3313.671(A)(3) (West 1988)	Parent may object to immunization for good cause including religious conviction
	OHIO REV. CODE ANN. § 3313.673(A) (West 1991)	Parent may object to health screening
	OHIO REV. CODE ANN. § 3313.68 (West 1988)	Only with parental consent can remedial or corrective dental services be provided
	OHIO REV. CODE ANN. § 3313.71 (West 1988)	Parent notice and school board authorization concerning tuberculosis testing
	OHIO REV. CODE ANN. § 3313.712(A) (West 1988)	Parental consent concerning emergency medical treatment
	OHIO REV. CODE ANN. § 3313.713(C)(1) (West 1988)	Parent consent for administration of prescription drug to student
	OHIO REV. CODE ANN. § 3313.714(C) (West 1991)	Parental notice and consent for healthcheck program

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 773

State	Citation	Subject
	OHIO REV. CODE ANN. § 3313.73 (West 1988)	Report and recommendation to parent required when board of health examines a school child
	OHIO REV. CODE ANN. § 3313.94 (West 1988)	Annual progress report shall be made in formats useful for parents
	OHIO REV. CODE ANN. § 3313.96(B) (West 1991)	Provide informational programs and obtain parental consent for fingerprinting in missing children program
	OHIO REV. CODE ANN. § 3313.97 (West 1991)	Adopt open enrollment policies and procedures
	OHIO REV. CODE ANN. §§ 3313.98, .981 (West 1991)	- Procedures for enrollment from adjacent districts - Transportation upon parental request
	OHIO REV. CODE ANN. § 3315.07(B)(4) (West 1991)	For public awareness, board shall publish information to keep parents and others aware of the operations of the school district
	OHIO REV. CODE ANN. § 3319.321(B)(1), (2) (West 1991)	- Parental consent for release of records - FERPA provision
	OHIO REV. CODE ANN. § 3321.01 (West 1991)	Attendance laws
	OHIO REV. CODE ANN. § 3323.04 (West 1991)	Parental rights concerning handicapped child
	OHIO REV. CODE ANN. § 3329.09 (West 1988)	Parent can purchase textbook
Oklahoma	OKLA. STAT. ANN. tit. 70, § 3-126 (West Supp. 2001)	Educational improvement plan must include a demonstration that there has been collaboration with educators and parents
	OKLA. STAT. ANN. tit. 70, § 3-131(A)(4) (West Supp. 2001)	One of the reasons for the charter school program is for more parental choices
	OKLA. STAT. ANN. tit. 70, § 3-141(B) (West Supp. 2001)	Charter school must provide parents with transportation information
	OKLA. STAT. ANN. tit. 70, § 5-117.4(A) (West 1998)	Advisory planning committee comprised of parents and teachers
	OKLA. STAT. ANN. tit. 70, § 5-118 (West 1998)	Parental involvement in hearing concerning suspension or expulsion
	OKLA. STAT. ANN. tit. 70, § 5-130 (West 1998)	School buildings may be used for parental involvement purposes
	OKLA. STAT. ANN. tit. 70, § 5-141.2(B) (West 1998)	Local board shall appoint incentive pay plan advisory committee consisting of parents and teachers

State	Citation	Subject
	OKLA. STAT. ANN. tit. 70, § 10-105 (West 1998)	Attendance laws
	OKLA. STAT. ANN. tit. 70, § 11-105.1(A) (West 1998)	Parents entitled to notice and information concerning sex education and can opt out child
	OKLA. STAT. ANN. tit. 70, § 11-106 (West 1998)	Parents have right to inspect instructional material
	OKLA. STAT. ANN. tit. 70, § 11-107 (West 1998)	Prior written parental consent required for psychiatric or, psychological exam, testing, treatment, or survey
	OKLA. STAT. ANN. tit. 70, § 1210.229-5(c) (West 1998)	Parents entitle to notice and information concerning life skills and drug and alcohol abuse prevention course and can opt out child
	OKLA. STAT. ANN. tit. 70, § 1210.273(6) (West 1998)	Need parental consent before initial evaluation of child with special needs
	OKLA. STAT. ANN. tit. 70, § 1210.275(3) (West 1998)	Consultation with parents and educators in developing and interpreting individualized learning plan
	OKLA. STAT. ANN. tit. 70, § 1210.276(D) (West 1998)	Prior written notice and parental consent for evaluation under IDEA
	OKLA. STAT. ANN. tit. 70, § 1210.278(C), (E) (West 1998)	Parent may object to educational screening
	OKLA. STAT. ANN. tit. 70, § 1210.282(A) (West 1998)	Parents entitled to results of screening
	OKLA. STAT. ANN. tit. 70, § 1210.283 (West 1998)	Prior written notice and parental consent for screening
Oregon	OR. REV. STAT. § 326.575(1) (1999)	School must annually notify parents of their right to review and propose amendments to student education records
	OR. REV. STAT. § 329.007(9) (1999)	Parents defined
	OR. REV. STAT. § 329.025(13) (1999)	Characteristics of school include emphasis on parental involvement in students' total education
	OR. REV. STAT. § 329.045(1) (1999)	Review of curriculum involves parents and includes ample opportunity for public comment
	OR. REV. STAT. § 329.095(1) (1999)	Districts are encourage to have communication process that involves parents and others
	OR. REV. STAT. § 329.105(2)(a) (1999)	In consultation with parents and others, State Board of Education shall adopt criteria for grading schools

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 775

State	Citation	Subject
	OR. REV. STAT. § 329.125(1) (1999)	Parental involvement policy requires that districts provide opportunities for parents to be involved in establishing and implementing educational goals and to participate in decision-making at school
	OR. REV. STAT. § 329.170(2) (1999)	"Approved Parent as Teacher" programs provide information and support
	OR. REV. STAT. § 329.175(1) (1999)	Upon request of parent, eligible children shall be admitted to prekindergarten programs
	OR. REV. STAT. § 329.190 (1999)	Advisory committee shall include parent members
	OR. REV. STAT. § 329.195(1) (1999)	Prekindergarten program specifically requires parental involvement
	OR. REV. STAT. § 329.237(2)(b)(C) (1999)	Early Childhood Improvement Program must have programs to encourage parent participation
	OR. REV. STAT. § 329.255(2)(c) (1999)	Child development specialists to assist parents in understanding their child's aptitudes and needs
	OR. REV. STAT. § 329.485(3), (4) (1999)	- Progress on standards and grading must be measured in a manner that enables parents to know whether the student is making progress - If not progressing, child can be placed in alternative education program with parental consent
	OR. REV. STAT. § 329.555(2)(b)(C) (1999)	Improvement in 21st Century School Program measured by such factors as the extent and nature of parental involvement in school activities
	OR. REV. STAT. § 329.575(3) (1999)	Applications for 21st Century School Program must have statements of support from parents and others
	OR. REV. STAT. § 329.700(2)(E) (1999)	Advisory committee includes parents
	OR. REV. STAT. § 329.704(2) (1999)	Parents shall be members of Local 21st Century School Councils
	OR. REV. STAT. § 332.061(1) (1999)	Parent can request a public hearing on issues such as expulsion of a minor student and examination of confidential medical records
	OR. REV. STAT. § 336.035(2) (1999)	- Parental notification of courses on sexually transmitted diseases - Right to inspect instructional material - Right to opt out
	OR. REV. STAT. § 336.067(1)(a) (1999)	Special instructional emphasis in ethics and morality, segment on respect for parents and the home
	OR. REV. STAT. § 336.113(1)(b) (1999)	Examine strategies to inform parents about multicultural and diversity laws and policies
	OR. REV. STAT. § 336.390(3) (1999)	Parental consent needed for dental examination or treatment

State	Citation	Subject
	OR. REV. STAT. § 336.400 (1999)	Parent entitled to report of dental examination
	OR. REV. STAT. § 336.410 (1999)	District not liable to parent for injury caused in dental health program
	OR. REV. STAT. § 336.465 (1999)	Parents have right to prior notice, inspection of instructional materials, and option to exempt child out of human sexuality class
	OR. REV. STAT. § 336.635(1)(a) (1999)	Need parental consent to enroll child in alternative program
	OR. REV. STAT. § 336.637(2) (1999)	Alternative program must annually report results of assessment to parents
	OR. REV. STAT. § 337.120(1) (1999)	School board must involve parents in textbook adoption process
	OR. REV. STAT. § 338.015(4) (1999)	- Charter school provision - Legitimate avenue for parents - Must demonstrate sustainable support by parents and others
	OR. REV. STAT. § 339.010 (1999)	Attendance laws
	OR. REV. STAT. § 339.147(3) (1999)	Parent may request waiver of fees in hardship cases
	OR. REV. STAT. § 339.250 (1999)	Procedures for discipline, suspension, expulsion, and counseling
	OR. REV. STAT. § 339.254(b) (1999)	Superintendent must meet with parent before suspension of student driving privileges
	OR. REV. STAT. §§ 339.260(3), .270(1) (1999)	Student or parent responsible for property damage and grades, diploma, or records may be withheld until paid
	OR. REV. STAT. § 339.280 (1999)	Teacher must give parent notice that attendance can be considered in grading
	OR. REV. STAT. §§ 339.325(a), .327(1)(a) (1999)	School district must notify parent when child's name appears on a targeted list that threatens violence or harm
	OR. REV. STAT. § 339.420 (1999)	Parent may apply to have child attend religious instruction
	OR. REV. STAT. § 339.460(b)(B) (1999)	Conditions to be met by parents for home school child to participate in interscholastic activities
	OR. REV. STAT. § 339.660(2)(a) (1999)	Need parental written consent to be on traffic patrols
	OR. REV. STAT. § 339.870(2)(b) (1999)	Educator not liable for administering nonprescription medication if pursuant to written permission and instructions of parent
	OR. REV. STAT. § 339.925(a) (1999)	Procedures for enforcement against parent of attendance laws

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 777

State	Citation	Subject
	OR. REV. STAT. §§ 342.700, .704(1)(e) (1999)	- Parents have access to sexual harassment policy - Complaint procedures and parental notification
	OR. REV. STAT. § 343.035(13) (1999)	Parental rights and procedures under special education
Pennsylvania	PA. STAT. ANN. tit. 24, § 5-510 (West 1992)	Need parental consent for students to participate in safety patrol
	PA. STAT. ANN. tit. 24, § 11-1123 (West Supp. 2000)	Parents are not included in rating teacher performance in dismissal case.
	PA. STAT. ANN. tit. 24, § 12-1205.1(b) (West Supp. 2000)	Parents are members of committee for professional education plan
	PA. STAT. ANN. tit. 24, § 13-1303a(d) (West 1992)	Parent may object to immunization on religious grounds
	PA. STAT. ANN. tit. 24, § 13-1315 (West 1992)	Upon parental request, student may be assigned to a more convenient school in another state
	PA. STAT. ANN. tit. 24, § 13-1327 (West 1992)	Attendance laws
	PA. STAT. ANN. tit. 24, § 13-1303-A(b)(7) (West Supp. 2000)	Form for reporting school violence must include information on parental involvement
	PA. STAT. ANN. tit. 24, § 13-1304-A(a) (West Supp. 2000)	Parent must make sworn statement as to whether student has been suspended or expelled prior to registration
	PA. STAT. ANN. tit. 24, § 13-1306-A (West Supp. 2000)	- Parents have access to disciplinary records - Parental consent is not required to transfer record to another school
	PA. STAT. ANN. tit. 24, § 14-1402(d) (West 1992)	Parents must be notified of apparent need for special medical or dental exam
	PA. STAT. ANN. tit. 24, § 14-1405 (West 1992)	For dental examine, parent must be given notice and parent is urged to attend
	PA. STAT. ANN. tit. 24, § 14-1406 (West 1992)	Medical and dental recommendations shall be sent to the parent
	PA. STAT. ANN. tit. 24, § 14-1409 (West 1992)	Medical and dental records are confidential unless the parent requests their release
	PA. STAT. ANN. tit. 24, § 14-1419 (West 1992)	Parent may object to medical or dental exams on religious grounds
	PA. STAT. ANN. tit. 24, § 15-1501.8(b) (West Supp. 2000)	Student may be excused for religious activity or function upon written request of parent
	PA. STAT. ANN. tit. 24, § 15-1516 (West 1992)	At least ten verses of the Bible will be read without comment and parent may request student be excused

State	Citation	Subject
	PA. STAT. ANN. tit. 24, § 15-1523(b) (West Supp. 2000)	Parent has right to refuse student to participate in project involving harmful or destructive use of animals
	PA. STAT. ANN. tit. 24, §§ 17-1702-A to -1732-A (West Supp. 2000)	- Charter school chapter - Charter schools formed to provide parents with expanded choices
	PA. STAT. ANN. tit. 24, § 18-1809(b) (West 1992)	Upon parental request, student may attend school in another district or state
Rhode Island	R.I. GEN. LAWS § 16-1-8 (1996)	Commissioner to visit as often as practicable to inspect and communicate with educators and parents
	R.I. GEN. LAWS § 16-2-28.2 (1996)	Parents given notice prior kindergarten concerning sessions
	R.I. GEN. LAWS § 16-3-3.1(c)(12) (1996)	Regional district planning board to assure parents have "some influence" on the education of their children
	R.I. GEN. LAWS § 16-3-9 (Supp. 1999)	Committee for services to handicapped students must have three parent members
	R.I. GEN. LAWS § 16-5-32(a)(2) (1996)	Competitive grant money for districts with exemplary parent involvement programs
	R.I. GEN. LAWS § 16-7.1-10 (Supp. 1999)	Parents on professional development investment Fund committee
	R.I. GEN. LAWS § 16-12-10 (1996)	Parents cannot sue school officials for reporting suspicion of substance abuse
	R.I. GEN. LAWS § 16-19-9 (1996)	Notify parent of student absence
	R.I. GEN. LAWS § 16-21-7 (1996)	Parent may opt out child from health program based on religious beliefs
	R.I. GEN. LAWS § 16-21-9(a) (Supp. 1999)	Notify parents of need for medical or dental treatment
	R.I. GEN. LAWS § 16-21-10 (1996)	Notice to parents concerning scoliosis screening and findings
	R.I. GEN. LAWS § 16-21-14(a) (1996)	Notice to parent concerning hearing, speech, and vision examination
	R.I. GEN. LAWS § 16-21-16 (1996)	Notice to parent of child's suspected narcotic addiction
	R.I. GEN. LAWS § 16-21-18 (1996)	Parent involvement on school committee to develop guidelines on suspension for bringing or possessing firearms to school
	R.I. GEN. LAWS § 16-21-20 (1996)	Policies for violence prevention must include broad parental involvement
	R.I. GEN. LAWS § 16-21-21 (1996)	Parent must sign statement verifying receipt of student discipline code
	R.I. GEN. LAWS § 16-21-22 (Supp. 1999)	Parent may authorize school to administer epinephrine in case of emergency

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 779

State	Citation	Subject
	R.I. GEN. LAWS § 16-21.2-2(2) (1996)	Legislature recognized need to develop partnership with individuals including parents for the prevention of substance abuse
	R.I. GEN. LAWS § 16-21.2-4(2)(ii) (1996)	Parents are members of substance abuse prevention council
	R.I. GEN. LAWS § 16-22-17(b) (1996)	Parent may exempt child from AIDS education program
	R.I. GEN. LAWS § 16-22-18(c) (1996)	Parent may exempt child from health and family life courses
	R.I. GEN. LAWS § 16-22-20(a) (Supp. 1999)	Parent may refuse to allow child to participate in animal dissection activities
	R.I. GEN. LAWS § 16-24-2(6) (Supp. 1999)	Parent may appeal decisions made pursuant to state board regulations
	R.I. GEN. LAWS § 16-24-18(a)(3) (Supp. 1999)	Parent members of the "transition council" for students with disabilities
	R.I. GEN. LAWS § 16-38-2(a) (Supp. 1999)	Parent may object to immunization based on religious beliefs
	R.I. GEN. LAWS § 16-45-1.1(d)(3)(iii) (1996)	Vocation programs developed with the participation of parents
	R.I. GEN. LAWS § 16-54-3(6) (1996)	Board of regents for elementary and secondary education must have regulations on criteria for parent involvement
	R.I. GEN. LAWS § 16-60-4(22) (Supp. 1999)	Board of regents for elementary and secondary education must have statement reporting system for information on various issues including results of parent polls and amount of parental involvement
	R.I. GEN. LAWS § 16-67-7 (1996)	Parent members of state advisory council concerning educationally disadvantaged
	R.I. GEN. LAWS § 16-70-2(5) (1996)	Legislative findings that a comprehensive, long range strategy and plan for at risk students must include both the involvement and support of parents
	R.I. GEN. LAWS § 16-71-2 (1996)	Under the Educational Records Bill of Rights Act, parents must be notified each year concerning their rights
	R.I. GEN. LAWS § 16-71-3 (1996)	- Parent has rights to inspect, review, and copy records request to amend or expunge records - May file an appeal
	R.I. GEN. LAWS §§ 16-77-2 to -11 (1996)	- Charter school chapter - Legislature intended to provide opportunities and encourage parental involvement
	R.I. GEN. LAWS § 16-80-3(b) (1996)	Local partnerships include parents on school-to-work program
South Carolina	S.C. CODE ANN. § 20-7-100 (West Supp. 2000)	Outlining parental rights and duties including equal access to educational records and right to participate in school activities

State	Citation	Subject
	S.C. CODE ANN. § 59-1-450 (West Supp. 2000)	Establish parent education "programs to support parents in their role as principal teachers of their preschool children"
	S.C. CODE ANN. § 59-1-454(A) (West Supp. 2000)	State Department of Education must develop a parental involvement program for grades four through eight to improve parental participation and provide greater accountability
	S.C. CODE ANN. § 59-5-65(11) (Law. Co-op. 1990)	State Board of Education must "adopt policies and procedures for local school districts to follow" concerning regular parent-teacher conferences and "active parent and teacher participation on the School Improvement Council and in parent-teacher groups"
	S.C. CODE ANN. § 59-18-100 (West Supp. 2000)	"Accountability" defined as parents, educators, and the community taking responsibility for improving student performance, class-room practice, and school performance
	S.C. CODE ANN. § 59-18-110(2) (West Supp. 2000)	School to give annual report card to parent that provides clear and specific information about academic performance of school and district
	S.C. CODE ANN. § 59-18-350 (West Supp. 2000)	PSAT or PLAN tests scores given to parents of tenth graders for guidance and direction as student plan for post-secondary education
	S.C. CODE ANN. § 59-18-370 (West Supp. 2000)	School and districts are responsible for disseminating assessment results to parents
	S.C. CODE ANN. § 59-18-500(B) (West Supp. 2000)	Parents sent by certified mail an academic plan if student is not performing at current grade level
	S.C. CODE ANN. §§ 59-18-900(D), -920 (West Supp. 2000)	Both public and charter schools must send annual report card to inform parents about the school's performance
	S.C. CODE ANN. § 59-18-930 (West Supp. 2000)	All report cards are mailed to parents
	S.C. CODE ANN. § 59-18-1300 (West Supp. 2000)	District must have accountability system and parents "must be involved in the development, annual review, and revisions" of the system
	S.C. CODE ANN. § 59-18-1500(A)(4), (5) (West Supp. 2000)	- Parents must be informed of school's rating by February - If below average or unsatisfactory, then must provide outline to revise plan to improve performance
	S.C. CODE ANN. § 59-18-1510(B)(2) (West Supp. 2000)	Provisions for external review committee for schools with unsatisfactory or below average ratings including consultation with parents

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 781

State	Citation	Subject
	S.C. CODE ANN. § 59-18-1570(A)(1), (2) (West Supp. 2000)	The external review committee must identify factors affecting the district's performance and it must consult with parents for additional information on the strengths and weaknesses of the district
	S.C. CODE ANN. § 59-20-60(b) (West Supp. 2000)	Parents serve on school board's improvement council
	S.C. CODE ANN. § 59-28-100 (West Supp. 2000)	- "Parental Involvement in Their Children's Education Act" which became effective in September 2000
	S.C. CODE ANN. § 59-28-110 (West Supp. 2000)	- Purpose of the Act is to "heighten awareness of the importance of parent[al] involvement" - Encourage "parent-friendly school settings" - "[E]mphasize that when parents and schools work as partners, a child's academic success can best be assured"
	S.C. CODE ANN. § 59-28-120 (West Supp. 2000)	State agencies must heighten awareness of need for parental involvement and encourage and assist parents to become more involved
	S.C. CODE ANN. § 59-28-130 (West Supp. 2000)	- Improvement plans must have a section on "parental involvement goals, objectives, and evaluation" process - Recognition of "districts and schools where parental involvement significantly increases" - Staff training initiatives and activities to increase parental involvement
	S.C. CODE ANN. § 59-28-140 (West Supp. 2000)	State superintendent must "design parental involvement and best practices training programs"
	S.C. CODE ANN. § 59-28-150 (West Supp. 2000)	State superintendent must promote parental involvement and do various things such as provide staff and technical assistance to schools and districts
	S.C. CODE ANN. § 59-28-160 (West Supp. 2000)	Statute lists various functions available to local school boards so that they may improve parental involvement
	S.C. CODE ANN. § 59-28-170 (West Supp. 2000)	District superintendents have various duties to improve parental involvement
	S.C. CODE ANN. § 59-28-180 (West Supp. 2000)	Listing the expectations of parents
	S.C. CODE ANN. § 59-28-190 (West Supp. 2000)	Education Oversight Committee must survey parents to determine the effectiveness of the efforts to increase parental involvement
	S.C. CODE ANN. § 59-28-200 (West Supp. 2000)	Education Oversight Committee must distribute information from the survey

State	Citation	Subject
	S.C. CODE ANN. § 59-28-220 (West Supp. 2000)	- Education Oversight Committee must "develop recommendations for employer tax credits" to provide "parent-employee release time for parent-teacher conferences" or for "academic-related events without loss of pay" - "Develop workplace policies . . . to improve their literacy, assist their children with academics, and become more involved"
	S.C. CODE ANN. § 59-29-80(B)(2) (West Supp. 2000)	Parent may exempt student from physical education class based on religious belief and not personal objection
	S.C. CODE ANN. § 59-29-120(C) (West Supp. 2000)	Parents may excuse student from attending activities to commemorate and honor veterans
	S.C. CODE ANN. § 59-30-15(E) (Law. Co-op. 1990)	Notice and appeal process for parents with child with documented learning disabilities
	S.C. CODE ANN. § 59-30-30(f)(1) (Law. Co-op. 1990)	Public school boards must provide in writing test result information to parent
	S.C. CODE ANN. § 59-30-80 (Law. Co-op. 1990)	Schools must notify parents of child's failures or deficiencies
	S.C. CODE ANN. § 59-31-290 (Law. Co-op. 1990)	Parent responsible for loss or damage to any books
	S.C. CODE ANN. § 59-32-30(B), (D) (Law. Co-op. 1990)	- Parents serve on advisory committee concerning comprehensive health education program - School may refer child to physician for medical reasons after making reasonable efforts to notify parents
	S.C. CODE ANN. § 59-32-50 (Law. Co-op. 1990)	Parents may exempt child from health education class if program conflicts with family's beliefs
	S.C. CODE ANN. §§ 59-33-80,-90, -110 (Law. Co-op. 1990)	Chapter concerning special education
	S.C. CODE ANN. § 59-35-10 (West Supp. 2000)	Parents select half day or full day of kindergarten
	S.C. CODE ANN. § 59-36-50 (West Supp. 2000)	- Chapter regarding preschool programs for children with disabilities - Parents must notify school at least four team days before transitional meeting
	S.C. CODE ANN. § 59-40-10 (West Supp. 2000)	- Chapter concerning charter schools - Legitimate way for parents to take responsible risks and create new, innovative, flexible ways of educating children

State	Citation	Subject
	S.C. CODE ANN. §§ 59-52-40(A), -140 (West Supp. 2000)	- Parents and students make decisions in school-to-work program - Need parental consent
	S.C. CODE ANN. § 59-63-40 (Law. Co-op. 1990)	- Discrimination prohibited - Parent may request assignment to school
	S.C. CODE ANN. § 59-63-50 (Law. Co-op. 1990)	- Parents may request child be fingerprinted to protect child - Fingerprints must be given to parent
	S.C. CODE ANN. § 59-63-217(B) (West Supp. 2000)	Parental rights and procedures when child expelled from school
	S.C. CODE ANN. § 59-63-230 (Law. Co-op. 1990)	Notice and conference with parents when student suspended
	S.C. CODE ANN. § 59-63-240 (Law. Co-op. 1990)	Parents are notified of hearing when student expelled for the remainder of the year
	S.C. CODE ANN. § 59-63-250 (Law. Co-op. 1990)	After conference or hearing with parents, student may be transferred instead of suspended or expelled
	S.C. CODE ANN. § 59-63-420 (Law. Co-op. 1990)	- Parent may request transfer - Effect of transfer
	S.C. CODE ANN. § 59-63-520 (Law. Co-op. 1990)	Need prior parental consent to transfer a student
	S.C. CODE ANN. § 59-63-1350 (West Supp. 2000)	In describing educational and behavioral needs of in alternative school program, need strong parental input and support
	S.C. CODE ANN. § 59-65-20 (Law. Co-op. 1990)	Parent fined if failure to enroll child
	S.C. CODE ANN. § 59-67-545 (West Supp. 2000)	Parents may ride school buses for special programs on "a space available basis"
	S.C. CODE ANN. § 59-139-60(1) (West Supp. 2000)	Report of assessment of student's strengths and weaknesses must be given to parent and fourth grade teacher
	S.C. CODE ANN. § 59-139-90 (West Supp. 2000)	School and district strategic plans must include goals and objective for parental involvement
	S.C. CODE ANN. § 59-152-30 (West Supp. 2000)	- Goals for "First Steps to School Readiness" include providing parents with support to strengthen families and "optimal development of their preschool children" - Various assistance, consultation, and involvement

State	Citation	Subject
South Dakota	S.D. CODIFIED LAWS § 13-3-56 (Michie Supp. 2000)	Parental consent to release test scores that are part of student's permanent record (FERPA provision)
	S.D. CODIFIED LAWS § 13-5-34 (Michie Supp. 2000)	District's application for waiver of administrative rules requires involvement of students, parents and educators
	S.D. CODIFIED LAWS § 13-14-8, -12 (Michie 1991)	Grants from the youth-at-risk fund include parental involvement projects
	S.D. CODIFIED LAWS § 13-27-1 (Michie Supp. 2000)	Parental responsibility for attendance laws
	S.D. CODIFIED LAWS § 13-28-7.1(3) (Michie Supp. 2000)	Parent may object to immunization based on religious doctrine
	S.D. CODIFIED LAWS § 13-28-15 (Michie Supp. 2000)	School board makes assignment to school but parent may request a hearing
	S.D. CODIFIED LAWS § 13-28-19.1 (Michie 1991)	If board reorganizes district, parent can request assignment to the other school
	S.D. CODIFIED LAWS § 13-28-41.1 (Michie Supp. 2000)	If parent requests transfer to another school within district, the district is not required to provide transportation services
	S.D. CODIFIED LAWS § 13-28-42.1 (Michie Supp. 2000)	Requests by parents to transfer special education student
	S.D. CODIFIED LAWS § 13-28-45 (Michie Supp. 2000)	Parent responsible for transportation if student transferred pursuant to parent's request
	S.D. CODIFIED LAWS § 13-29-19 (Michie Supp. 2000)	If parent requests bus transportation but lives within five miles, district may charge nominal fee
	S.D. CODIFIED LAWS § 13-30-3 (Michie Supp. 2000)	If parents request school farther from dwelling than nearest school, there may be a limitation on reimbursement for mileage
	S.D. CODIFIED LAWS § 13-32-3 (Michie 1991)	Need parental consent before school can refer student for psychiatric treatment
	S.D. CODIFIED LAWS § 13-32-4 and 13-32-4.2 (Michie Supp. 2000)	Parents entitled to procedural due process and hearings when student suspended or expelled
	S.D. CODIFIED LAWS § 13-33-10 (Michie 1991)	Parent may apply to have child released for religious instruction conducted by church or association of churches
	S.D. CODIFIED LAWS § 13-37-8.6 (Michie Supp. 2000)	- Parent does not have to bear cost of ancillary services for special education - Parent consent to file insurance claim for special education

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 785

State	Citation	Subject
	S.D. CODIFIED LAWS § 13-37-8.9 (Michie 1991)	Parents of special education child entitled to transportation compensation
	S.D. CODIFIED LAWS § 13-43-17 (Michie Supp. 2000)	Parent member of professional practices and standards commission
	S.D. CODIFIED LAWS § 13-43-38 (Michie 1991)	Parent member of professional administrators practices and standards commission
Tennessee	TENN. CODE ANN. § 49-1-214(c) (Supp. 2000)	Department of Education "shall encourage local education agencies to provide written materials to assist teachers and parents . . . to develop a safe and secure learning environment"
	TENN. CODE ANN. § 49-1-302(4)(B)(i) (Supp. 2000)	Parent shall be a member of the child care advisory council
	TENN. CODE ANN. § 49-1-1002(b)(2) (Supp. 2000)	Parent has right to exempt child from certain programs
	TENN. CODE ANN. § 49-1-1106(b)(3) (Supp. 2000)	Parents have right to visit, inspect, and observe child care facilities and records
	TENN. CODE ANN. § 49-2-115(a) (Supp. 2000)	Parents must comprise a majority on advisory councils to family resource centers
	TENN. CODE ANN. § 49-2-203(b)(6) (Supp. 2000)	Parental permission for safety patrols
	TENN. CODE ANN. § 49-2-211 (Supp. 2000)	Every local education agency must develop a policy concerning rights of parents to conduct surveys, analyses, or evaluations of students
	TENN. CODE ANN. § 49-3-310(4)(B) (Supp. 2000)	- Parent responsible for damages, loss, or defacing of textbook "through willful intent or neglect" of student - Parent may voluntarily purchase textbook
	TENN. CODE ANN. § 49-5-415(a)(5) (1996)	Parental consent "for school personnel to assist with self-administration of medications"
	TENN. CODE ANN. § 49-5-5209(b)(1)(E), (e) (1996)	- Plan for additional duties of career level teachers must include parent involvement projects to improve student performance - Parental notice and requirement to cooperate concerning discipline program
	TENN. CODE ANN. § 49-6-901 (1996)	Parents shall be furnished student report cards
	TENN. CODE ANN. § 49-6-902(a) (1996)	Noncustodial or nonresident parents are entitled to a copy of report card upon request

State	Citation	Subject
	TENN. CODE ANN. § 49-6-1301(d) (1996)	Procedures for "review and evaluation of family life instruction" including "periodic public hearings and parental conferences to ensure . . . parental input and support"
	TENN. CODE ANN. § 49-6-1302 (1996)	- Prior to implementing family life instruction plan, agency shall conduct hearing - After implementation, 50 or more parents can petition for audit to evaluate quality and effectiveness of plan - Purpose is to foster parental support
	TENN. CODE ANN. § 49-6-1303 (Supp. 2000)	Parent may excuse child from family life instruction after he has examined the materials, conferred with instructor, and writes statement that he finds materials objectionable
	TENN. CODE ANN. § 49-6-2008(a) (Supp. 2000)	Parents are authorized to enter school grounds, buildings or buses
	TENN. CODE ANN. § 49-6-2104(b) (1996)	Parents may be entitled to payment if school cannot provide transportation
	TENN. CODE ANN. § 49-6-2902 (Supp. 2000)	- Legislative findings concerning religious liberty - Creating statute to provide assistance to parents and students in enforcing religious liberty
	TENN. CODE ANN. § 49-6-2904 (Supp. 2000)	- Outlines student rights - Provides administrative complaint procedure for parents and students before filing a lawsuit
	TENN. CODE ANN. § 49-6-3001(c) (Supp. 2000)	Attendance laws
	TENN. CODE ANN. § 49-6-3103(21) (1996)	In making assignment to a school, one factor the board can consider is "[t]he request or consent of [the] parents"
	TENN. CODE ANN. § 49-6-3104(d), (e) (1996)	- Parent may transfer student to school outside "residence at the discretion of the receiving board" - Board may permit parent to choose but parent may need to provide transportation
	TENN. CODE ANN. § 49-6-3107 (1996)	Provides for methods of parental notice of assignment
	TENN. CODE ANN. § 49-6-3109 (1996)	- Discrimination prohibited - Parent may request or authorize assignment
	TENN. CODE ANN. § 49-6-3113 (1996)	If a parent teaches at a school outside of the residency area, child will be allowed to attend that school
	TENN. CODE ANN. § 49-6-3201 (1996)	Procedures for transfer if parent is dissatisfied with current assignment
	TENN. CODE ANN. § 49-6-3205 (1996)	Procedures for parents filing suit concerning assignment

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 787

State	Citation	Subject
	TENN. CODE ANN. § 49-6-3401 (Supp. 2000)	Procedures for suspension or expulsion including parental notice, hearing, and appeal
	TENN. CODE ANN. § 49-6-4012 (1996)	In formulating and administering discipline codes, the local education agency must seek recommendations from parents
	TENN. CODE ANN. § 49-6-4017 (1996)	"[P]arents shall be provided copies of the [discipline] code"
	TENN. CODE ANN. § 49-6-4212 (1996)	Parents must be given reasonable notice of policies and procedures
	TENN. CODE ANN. § 49-6-4213 (1996)	Parent must be notified before any drug test is administered
	TENN. CODE ANN. § 49-6-4216 (1996)	- Zero tolerance policy encouraged - Provide parents and students with written notice of policies and procedures
	TENN. CODE ANN. § 49-6-5001 (1996)	- Immunization policies - Parent may exempt child from it where it conflicts with religious tenets and practices and affirmed under penalty of perjury
	TENN. CODE ANN. § 49-6-5002(b) (1996)	Notice of noncompliance with immunization requirements must be sent to parent
	TENN. CODE ANN. § 49-6-5102 (1996)	Parent must provide student's social security number at the time of admission
	TENN. CODE ANN. § 49-6-5103 (1996)	Information needed for documents regarding composition of student body must be obtained from parents
	TENN. CODE ANN. § 49-6-7001 (1996)	- Parent Educational Participation Act - Outlines ways that parents can participate
	TENN. CODE ANN. § 49-6-7002 (1996)	Parent-Teacher Partnership Act of 1989 discusses how parents and teachers can meet at least twice a year regarding the development and education of the child
	TENN. CODE ANN. § 49-6-7003 (Supp. 2000)	Board must adopt and file its policy on inspection of instruction materials by parents
	TENN. CODE ANN. § 49-10-105(b) (Supp. 2000)	Establishment of advisory council for parents with children in special education
	TENN. CODE ANN. § 49-11-706(a)(4) (1996)	Parent members of advisory board for vocational education
Texas	TEX. EDUC. CODE ANN. § 4.001(b) (Vernon 1996)	Objective #1 is that "[p]arents will be full partners with educators in the education of their children"
	TEX. EDUC. CODE ANN. § 7.024(c), (e) (Vernon 1996 & Supp. 2001)	- School is eligible for a grant if partnership with various individuals including parents - Accountability for funds includes ongoing development and training of parents

State	Citation	Subject
	TEX. EDUC. CODE ANN. § 11.158(f), (h) (Vernon 1996 & Supp. 2001)	- Board has power to waive fees if parent is unable to pay - Assess fee if parent signs form that it is not a hardship or would discourage student from participating in outside activities
	TEX. EDUC. CODE ANN. § 11.162(c) (Vernon 1996)	Parent may exempt child from school uniform policy or transfer to another school if religious or philosophical reason
	TEX. EDUC. CODE ANN. § 11.251(b) (Vernon 1996)	School board must adopt policy to establish planning and decision-making process and committees that involve professional staff, parents, and community
	TEX. EDUC. CODE ANN. § 11.252(a)(4), (e) (Vernon Supp. 2001)	- District must provide parents with information about various things such as curriculum choices - District's improvement plan must have broad-based input including from parents
	TEX. EDUC. CODE ANN. § 11.253(d)(8) (Vernon Supp. 2001)	Each campus improvement plan must include a program to encourage parental involvement on campus
	TEX. EDUC. CODE ANN. § 11.254 (Vernon 1996)	State responsibilities for site based decision making includes parents and educators
	TEX. EDUC. CODE ANN. § 12.015(b) (Vernon 1996)	A majority of charter commission members must be parents
	TEX. EDUC. CODE ANN. § 21.057(a) (Vernon Supp. 2001)	Parental notification if district assigns an inappropriately certified or uncertified teacher to classroom for more than 30 days
	TEX. EDUC. CODE ANN. § 22.052 (Vernon 1996)	- Parent must give written permission for school to administer medication - No immunity from liability for gross negligence
	TEX. EDUC. CODE ANN. §§ 25.001-.002 (Vernon 1996 & Supp. 2001)	Parental responsibilities for admission and enrollment to school
	TEX. EDUC. CODE ANN. §§ 25.033-.034 (Vernon 1996)	- Parent may transfer or object to transfer of child - Hearing and appeal process
	TEX. EDUC. CODE ANN. § 25.036 (Vernon 1996)	Parent may apply to transfer student to another district
	TEX. EDUC. CODE ANN. § 25.041 (Vernon 1996)	Transfer of mentally retarded student if parent to live on grounds of state school
	TEX. EDUC. CODE ANN. §§ 25.085-.096 (Vernon 1996 & Supp. 2001)	Parental responsibilities for attendance laws

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 789

State	Citation	Subject
	TEX. EDUC. CODE ANN. § 25.091 (Vernon 1996)	Attendance officer may not forcibly take custody of child without parental permission
	TEX. EDUC. CODE ANN. § 26.001 (Vernon 1996)	- Parents are partners with educators - Rights are not exclusive - Complaint procedures - Must be at least one parent-teacher organization at each school to promote parental involvement
	TEX. EDUC. CODE ANN. § 26.002 (Vernon 1996)	"Parent" defined
	TEX. EDUC. CODE ANN. § 26.003 (Vernon 1996)	Various rights concerning academic programs including to petition board, reasonable access to officials, to make a request with expectation that it will not be unreasonably denied
	TEX. EDUC. CODE ANN. § 26.004 (Vernon 1996)	Access to all written student records
	TEX. EDUC. CODE ANN. § 26.005 (Vernon Supp. 2001)	Access to state assessment tests
	TEX. EDUC. CODE ANN. § 26.006 (Vernon 1996)	Access to teaching materials
	TEX. EDUC. CODE ANN. § 26.007 (Vernon Supp. 2001)	Access to school board meetings
	TEX. EDUC. CODE ANN. § 26.008 (Vernon 1996)	- Parent is entitled to full information concerning school activities - Penalty if district employee encourages or coerces child to withhold information from parent
	TEX. EDUC. CODE ANN. § 26.0081 (Vernon Supp. 2001)	Right to information concerning special education
	TEX. EDUC. CODE ANN. § 26.0085 (Vernon Supp. 2001)	Right to public information
	TEX. EDUC. CODE ANN. § 26.009 (Vernon Supp. 2001)	Written parental consent required for psychological exams, tests, or treatment and for videotape or voice recordings except in certain situations
	TEX. EDUC. CODE ANN. § 26.010 (Vernon 1996)	Parent can opt out child from a class or activity that conflicts with the parent's religious or moral beliefs
	TEX. EDUC. CODE ANN. § 26.011 (Vernon 1996)	School board must adopt grievance procedures to hear parental complaints

State	Citation	Subject
	TEX. EDUC. CODE ANN. § 26.012 (Vernon 1996)	District may charge reasonable fees for making copies of materials for parents
	TEX. EDUC. CODE ANN. § 28.002(c), (d) (Vernon Supp. 2001)	State Board of Education with the direct participation of parents and others shall identify the essential knowledge and skills of each subject that will be used in evaluating textbooks
	TEX. EDUC. CODE ANN. § 28.003(a) (Vernon 1996)	If parents of at least 22 students at a school request a transfer to another school to enroll in an educational program, then that program needs to be offered at the requesting school
	TEX. EDUC. CODE ANN. § 28.004(g), (h) (Vernon 1996)	- Parents on health education advisory council - Parents may opt-out child from sex education class
	TEX. EDUC. CODE ANN. § 28.006(d) (Vernon Supp. 2001)	Parent must be notified if child at risk in reading because of dyslexia or other reading difficulties
	TEX. EDUC. CODE ANN. § 28.021(d), (e) (Vernon Supp. 2001)	- Parental notification each time student fails to perform satisfactorily on an assessment instrument - Parent may appeal the retention
	TEX. EDUC. CODE ANN. § 28.022 (Vernon Supp. 2001)	Parental notice and other procedures when student is performing unsatisfactorily
	TEX. EDUC. CODE ANN. § 28.023(b)(3) (Vernon 1996)	Parental permission for credit and advance placement by examination
	TEX. EDUC. CODE ANN. § 29.015(a) (Vernon Supp. 2001)	Chapter on special education indicating that when assigning a surrogate parent for a child with disability, foster parent will be given preferential consideration
	TEX. EDUC. CODE ANN. § 29.051 (Vernon 1996)	Section on bilingual education and parent may disagree with placement in program
	TEX. EDUC. CODE ANN. § 29.082(e) (Vernon Supp. 2001)	Upon written request of the parent, student may be extended another year and not promoted
	TEX. EDUC. CODE ANN. § 29.085 (Vernon 1996)	Life skills program for students who are parents
	TEX. EDUC. CODE ANN. § 29.086(a) (Vernon Supp. 2001)	Parental consent to assign student to an at risk program
	TEX. EDUC. CODE ANN. § 29.201 (Vernon 1996)	- Parental choice provision for low performing schools - Public Education Grant Program (PEG) - Basis of preference - Notice to parents

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 791

State	Citation	Subject
	TEX. EDUC. CODE ANN. §§ 29.251, .252 (Vernon 1996 and Supp. 2001)	Community education programs may include parental involvement segment
	TEX. EDUC. CODE ANN. § 30.0015 (Vernon Supp. 2001)	- Parental consent to transfer a student with disability - Section on students with hearing and visual disabilities
	TEX. EDUC. CODE ANN. § 31.104 (Vernon 1996)	Parent responsible for textbook not returned by student
	TEX. EDUC. CODE ANN. § 33.003 (Vernon 1996)	Parent consent for school counseling programs
	TEX. EDUC. CODE ANN. § 33.004 (Vernon 1996)	Parental consent for comprehensive and developmental guidance and counseling programs
	TEX. EDUC. CODE ANN. § 33.006(b) (Vernon 1996)	Counselor must work with parents and others to plan, implement and evaluate developmental guidance and counseling program
	TEX. EDUC. CODE ANN. §§ 33.053, .054 (Vernon 1996)	With parental consent, child may be fingerprinted and photographed as part of the missing child prevention and identification program
	TEX. EDUC. CODE ANN. § 33.084(c) (Vernon 1996)	"In appointing public members to the advisory council . . . special consideration to students, parents of students, and teachers"
	TEX. EDUC. CODE ANN. § 37.001(b) (Vernon Supp. 2001)	- Chapter 37 is the safe schools provision and provides for discipline, law, and order - This section requires that parents be given a copy of the report concerning a violation of the student code of conduct
	TEX. EDUC. CODE ANN. § 37.006 (Vernon Supp. 2001)	Parental rights concerning students placed in AEP
	TEX. EDUC. CODE ANN. § 37.008 (Vernon Supp. 2001)	When an offense involves drugs or alcohol, a program of education and support services may be provided to students and their parents
	TEX. EDUC. CODE ANN. § 37.009 (Vernon Supp. 2001)	Parents notified and certain procedures apply for a conference, hearing, and review
	TEX. EDUC. CODE ANN. § 37.011 (Vernon Supp. 2001)	When student placed in juvenile justice AEP (JJAEP), board and parents regularly review student's progress
	TEX. EDUC. CODE ANN. § 37.014 (Vernon 1996)	Liaison officer appointed for court-related child to provide counseling and services for child and parents

State	Citation	Subject
	TEX. EDUC. CODE ANN. § 37.051 (Vernon 1996)	School-community guidance center works with students, parents, and others in identifying and correcting facts that adversely affect child's education
	TEX. EDUC. CODE ANN. § 37.054 (Vernon 1996)	Parents entitled to notice, consent, and access to information under the school-community guidance program
	TEX. EDUC. CODE ANN. § 37.055 (Vernon 1996)	Need for parental involvement and agreement in the school-community guidance program
	TEX. EDUC. CODE ANN. § 37.056 (Vernon 1996)	If parents, students, school cannot reach an agreement, the court establishes the responsibilities of each
	TEX. EDUC. CODE ANN. § 37.082 (Vernon 1996)	- District must have policy for possession of a pager - May dispose of it after notice to parent and company
	TEX. EDUC. CODE ANN. § 38.001 (Vernon 1996)	Parent can opt out of immunization based on "conflicts with the tenets and practice of a recognized church or religious denomination of which the applicant is an adherent or member"
	TEX. EDUC. CODE ANN. § 38.002(b) (Vernon 1996)	Parental consent is not required to transfer immunization records to another school
	TEX. EDUC. CODE ANN. § 38.004(a) (Vernon 1996)	May cooperate with law enforcement and investigation of child abuse without the consent of parent if necessary
	TEX. EDUC. CODE ANN. § 38.0095 (Vernon Supp. 2001)	Parental access to and copy of medical records maintained by school district
	TEX. EDUC. CODE ANN. § 38.010 (Vernon 1996)	Need prior written parental consent to refer student for care or treatment of chemical dependency or an emotional or psychological condition
	TEX. EDUC. CODE ANN. § 38.011 (Vernon Supp. 2001)	Need parental consent to provide services at school-based health center
	TEX. EDUC. CODE ANN. § 38.012 (Vernon Supp. 2001)	Before health care services expanded or changed, board must have hearing and disclose whether medical records will be accessible to parent and whether any information will be kept confidential from parent
	TEX. EDUC. CODE ANN. § 39.024 (Vernon Supp. 2001)	Parents given study guides for over the summer for students who do not perform satisfactorily
	TEX. EDUC. CODE ANN. § 39.032 (Vernon 1996)	Parent or others may bring suit if company distributes or sells assessment instrument in violation of the statute

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 793

State	Citation	Subject
	TEX. EDUC. CODE ANN. § 39.052 (Vernon Supp. 2001)	Parents given class size and student performance portions of campus report cards each year
	TEX. EDUC. CODE ANN. § 39.053 (Vernon Supp. 2001)	District must give notice and hearing to parents concerning the educational performance of the district
	TEX. EDUC. CODE ANN. § 39.073 (Vernon Supp. 2001)	Parents notified if school has lowered accreditation rating and its implication
	TEX. EDUC. CODE ANN. § 39.074 (Vernon Supp. 2001)	In making an on-site accreditation investigation, investigators must obtain information from both parents and educator
	TEX. EDUC. CODE ANN. § 39.131 (Vernon Supp. 2001)	If campus is low performing, commissioner may order a report regarding the parental involvement program and a plan describing strategies for improving parental involvement
Utah	UTAH CODE ANN. § 53A-1-301(2)(e)(ii) (2000)	State superintendent is to collect and organize education data into an automated system so that parents and others can retrieve and interpret data
	UTAH CODE ANN. § 53A-1-603(d)(i) (2000)	Parents entitled to annual review of test "criterion-referenced and direct writing test scores"
	UTAH CODE ANN. § 53A-1-606 (2000)	Parents to receive materials and guidance to assist in the remediation process and support their child's progress towards literacy
	UTAH CODE ANN. § 53A-1-801 (2000)	Public service campaign to educate parents on the importance of providing opportunities for developing literacy skills
	UTAH CODE ANN. § 53A-1a-104 (2000)	- "Characteristics" of the public education system includes parental involvement in educational plans - Reliable, useful information to parents - Emphasis on involvement of educators, parents, and community in educational process by establishing and implementing goals and participating in the decision making
	UTAH CODE ANN. § 53A-1a-105(2)(a) (2000)	- Legislature recognizes the importance of parental involvement for students to achieve and maintain high levels of performance - Outlines its policy - Mandates that each local board is to have a parental involvement policy
	UTAH CODE ANN. § 53A-1a-105.5 (2000)	Parental permission required for certain in-home programs
	UTAH CODE ANN. § 53A-1a-106(2)(a) (2000)	- As part of comprehensive accountability system, each school and district must provide for parental involvement in policy-making at the school - On-going partnership between educators, students, and parents - Having parents in the reporting process

State	Citation	Subject
	UTAH CODE ANN. § 53A-1a-107(1)(j) (2000)	- State Board of Education to assist districts in various ways including improving interaction with parents and promoting greater parental involvement
	UTAH CODE ANN. § 53A-1a-108(2)(a) (2000)	Parent members of school community councils
	UTAH CODE ANN. § 53A-1a-402 (2000)	- Schools for the 21st Century Program - Director shall develop a plan for "the development and . . . implementation of meaningful student learning goals by teachers, parents, and students"
	UTAH CODE ANN. § 53A-1a-503(6) (2000)	- Charter schools to provide opportunities for greater parental involvement in management decisions
	UTAH CODE ANN. § 53A-2-207(4)(a) (2000)	Process for parent to enroll student in another district
	UTAH CODE ANN. § 53A-2-210(3)(a) (2000)	Parent of nonresident shall arrange for transportation
	UTAH CODE ANN. § 53A-3-402 (2000)	- Various board powers and duties pertaining to parents including counseling services - Parental consent for participation on safety patrol, receive suggestions from parents
	UTAH CODE ANN. § 53A-3-402.1(1) (2000)	Access to educational records for both custodial and non-custodial parents
	UTAH CODE ANN. § 53A-3-409.9(2)(a) (2000)	Parent participates in assessment of reading and numeric skills and provided with resource materials to help at home
	UTAH CODE ANN. § 53A-3-415(2), (3) (2000)	Parental input and notice on discipline plan concerning detaining students after school
	UTAH CODE ANN. § 53A-3-420(2) (2000)	Parents must be given activity disclosure statements
	UTAH CODE ANN. § 53A-3-601 (2000)	Legislature recognizes need for performance reports
	UTAH CODE ANN. § 53A-3-602.5(2)(K) (2000)	- Report to include percent of parents who participate in SEP, SEOP and parent-teacher conferences - Parent surveys to get statistical data
	UTAH CODE ANN. § 53A-6-102(1)(b) (2000)	Parents have primary responsibility for the education of their children and the state is to support and assist parents in fulfilling that responsibility
	UTAH CODE ANN. § 53A-9-102(1) (2000)	Career ladder is defined as compensation system developed by district with advice from parents and educators

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 795

State	Citation	Subject
	UTAH CODE ANN. § 53A-9-103(4)(f), (6) (2000)	Teachers must establish positive relationships with parents and others
	UTAH CODE ANN. § 53A-11-101(2), (3) (2000)	Parent must enroll school age child in school
	UTAH CODE ANN. § 53A-11-103(1)(C), (4) (2000)	- School board efforts to resolve a student's absence problem should include a meeting with parents - Parents must assist board in resolving problem
	UTAH CODE ANN. § 53A-11-201(1)(c), (2) (2000)	- Parent may exempt child from health exams and visual screening that violate their personal beliefs - Must notify parent when there is a deficiency
	UTAH CODE ANN. § 53A-11-204(1)(a) (2000)	Districts, health department, private medical providers and parents are encouraged to work together in determining the needs and risks to student health
	UTAH CODE ANN. § 53A-11-302(3)(c) (2000)	Parents may exempt student if parent provides statement that he "is a bona fide member of a specified, recognized religious organization whose teachings are contrary to immunizations"
	UTAH CODE ANN. § 53A-11-305(1) (2000)	Parent may request immunization
	UTAH CODE ANN. § 53A-11-306(4) (2000)	Parent referred to juvenile court if child prohibited from attending for failure to immunize
	UTAH CODE ANN. § 53A-11-403(2) (2000)	Educators must immediately report a prohibited act to parent
	UTAH CODE ANN. § 53A-11-601(1) (2000)	Parental request to administer medication
	UTAH CODE ANN. § 53A-11-802(1) (2000)	Corporal punishment with parental permission
	UTAH CODE ANN. § 53A-11-806(2) (2000)	Parent may be liable for lost, damaged, or defaced property
	UTAH CODE ANN. § 53A-11-901(2)(a) (2000)	Obtain parental input to foster a safe, conducive environment for learning
	UTAH CODE ANN. § 53A-11-904 (2000)	Procedures when student is suspended or expelled
	UTAH CODE ANN. § 53A-11-905(4) (2000)	Parental notice required when student suspended or expelled
	UTAH CODE ANN. § 53A-11-906(1)(b) (2000)	Alternatives to suspension or expulsion include parent attending class with student for a period of time
	UTAH CODE ANN. § 53A-11-907(1) (2000)	If student suspended or expelled for more than 10 days, parent is responsible for alternative education plan

State	Citation	Subject
	UTAH CODE ANN. § 53A-11-909(4)(b) (2000)	Parent input and involvement when middle school student are at risk
	UTAH CODE ANN. § 53A-13-101(3)(a) (2000)	Parents must be notified in advance and have opportunity to review information for which parental consent is required
	UTAH CODE ANN. § 53A-13-101.2(1) (2000)	Parent may request waiver if curriculum or activity would require student to affirm or deny a religious belief or right of conscience, or engage or refrain from engaging in a practice forbidden or required by a religious right or right of conscience
	UTAH CODE ANN. § 53A-13-101.6(3)(d) (2000)	Parent may request student be excused from reciting the pledge of allegiance
	UTAH CODE ANN. § 53A-13-106(6)(b) (2000)	Parent may exempt student from participation in firearm safety instruction
	UTAH CODE ANN. § 53A-13-301(1) (2000)	State provision to protect privacy and encourage parental involvement through compliance with FERPA
	UTAH CODE ANN. § 53A-13-302(1) (2000)	List of activities that are prohibited without prior written parental consent including psychological or psychiatric examination, test, treatment, survey, analysis, or evaluation
	UTAH CODE ANN. § 53A-15-101(1)(e) (2000)	Student education-occupation plan prepared by student under guidance of parent and school counselor
	UTAH CODE ANN. § 53A-15-102(1) (2000)	Early graduation with parental authorization
	UTAH CODE ANN. § 53A-15-305(2) (2000)	Parents have procedural safeguards for resolving issues concerning students with disabilities
	UTAH CODE ANN. § 53A-15-601(2)(a) (2000)	Under gang prevention and intervention provision, parental involvement is encouraged
	UTAH CODE ANN. § 53A-15-602(3)(b)(ii) (2000)	Parents must vote on school uniform policy prior to adoption
	UTAH CODE ANN. § 53A-15-801(2)(c) (2000)	If 20% of parents sign a petition may require voter approval to join modified school week pilot program
	UTAH CODE ANN. § 53A-15-901(4)(a)(vi) (2000)	Arts in elementary schools pilot program is evaluated on such things are parental involvement
	UTAH CODE ANN. § 53A-16-101.5(4)(c) (2000)	Parent member on school community council

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 797

State	Citation	Subject
	UTAH CODE ANN. § 53A-17a-121(3)(b) (2000)	Need parental consent for student to participate in youth at risk programs and need parental involvement in a substantial and constant manner
	UTAH CODE ANN. § 53A-17a-131.6 (2000)	Character education is systematic and comprehensive and includes parental involvement
	UTAH CODE ANN. § 53A-17a-131.9 (2000)	Parental consent for participation in the at risk programs
	UTAH CODE ANN. § 53A-17a-132 (2000)	Allocation of funds for alternative, experimental pilot programs that have demonstrated support of parents among other things
Vermont	VT. STAT. ANN. tit. 16, § 134 (1989)	Parents may exempt child from portions of health program that conflicts with religious convictions
	VT. STAT. ANN. tit. 16, § 135(b) (1989)	Each year the school must update the comprehensive action plan to improve student performance and parents are included in the process
	VT. STAT. ANN. tit. 16, § 215(a), (b) (Supp. 2000)	- Challenge to excellence grants need to include plan that includes parental involvement - Legislative recognition that school's climate for learning improved when parents actively participated
	VT. STAT. ANN. tit. 16, § 556 (1989)	Parent liable for damage by loss, destruction, injury or detention of textbook or learning materials by a pupil
	VT. STAT. ANN. tit. 16, § 565(d) (Supp. 2000)	Parents given notice of harassment and hazing prevention policies and procedures
	VT. STAT. ANN. tit. 16, § 821(b)(2) (1989 & Supp. 2000)	Parent may request for tuition to an independent nonresidential elementary school for kindergarten education
	VT. STAT. ANN. tit. 16, § 822(a)(1) (1989 & Supp. 2000)	If a district closes a high school, parent may select an approved public or independent high school for which the district shall pay tuition
	VT. STAT. ANN. tit. 16, § 827(c) (1989)	If parent is dissatisfied with high school instruction or prefers a school nearer to home, parent may request school board pay tuition to another approved high school
	VT. STAT. ANN. tit. 16, § 1047a (Supp. 2000)	Commissioner of Education and Commissioner of Motor Vehicles shall implement a driver's education grant program that includes proposals and activities resulting in parental involvement
	VT. STAT. ANN. tit. 16, § 1055(a)(1) (1989)	Parental consent required for student involvement in a periodic released time religious education course

State	Citation	Subject
	Vt. STAT. ANN. tit. 16, § 1161a(a)(3) (Supp. 2000)	Plan that provides "procedures for informing parents of" discipline policies, "notifying parents of student misconduct," and "working with parents to improve student behavior"
	Vt. STAT. ANN. tit. 16, § 1222(a) (1989)	Parents may be entitled to compensation for transportation
	Vt. STAT. ANN. tit. 16, § 1422(e) (1989)	Parent of a child may object to hearing and vision tests
	Vt. STAT. ANN. tit. 16, § 1482(a) (1989 & Supp. 2000)	Parental permission to participate in safety patrol
	Vt. STAT. ANN. tit. 16, § 1541a (Supp. 2000)	School must provide students an opportunity concerning technical center programs
	Vt. STAT. ANN. tit. 16, § 1545(c) (Supp. 2000)	Upon parental request, grades and credits transferred
	Vt. STAT. ANN. tit. 16, § 2901(a) (Supp. 2000)	District in consultation with parents must develop comprehensive system of education
	Vt. STAT. ANN. tit. 16, § 2903(c) (Supp. 2000)	School must provide support and information to parents
	Vt. STAT. ANN. tit. 16, § 2941 (1989 & Supp. 2000)	Parents entitled to special education for their children
	Vt. STAT. ANN. tit. 16, § 4014(d)(4) (Supp. 2000)	Proposals for funding for early education must include active parental involvement in the program design and in making decisions
Virginia	VA. CODE ANN. § 22.1-1 (Michie 2000)	"Parent" defined
	VA. CODE ANN. § 22.1-3.2 (Michie 2000)	- Parent must make sworn statement as to whether student was expelled for violating policies on weapons, alcohol or drugs, or for willful infliction of injury to another - Making false statement is a Class 3 misdemeanor
	VA. CODE ANN. § 22.1-70.2 (Michie 2000)	- Superintendent must establish Internet use policy - It may require parental authorization
	VA. CODE ANN. § 22.1-79.2 (Michie 2000)	Parental involvement in developing uniform guidelines
	VA. CODE ANN. § 22.1-87 (Michie 2000)	- Parent may seek judicial review of school board action within 30 days - However, board action sustained unless it exceeded its authority, acted arbitrarily or capriciously, or abused its discretion
	VA. CODE ANN. § 22.1-92 (Michie 2000)	Parent must be notified of average per pupil cost for public education
	VA. CODE ANN. § 22.1-176 (Michie 2000)	School board may waive fees for transportation to extracurricular activities for parents who are unable to pay

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 799

State	Citation	Subject
	VA. CODE ANN. § 22.1-199 (Michie 2000)	Development of kindergarten program plan by committee which includes parents
	VA. CODE ANN. § 22.1-199.1 (Michie 2000)	Parental involvement and notification concerning programs to promote educational opportunities
	VA. CODE ANN. § 22.1-199.3 (Michie 2000)	Performance criteria for determining eligibility for incentive grants may include parental involvement
	VA. CODE ANN. § 22.1-207.1 (Michie 2000)	Family life education program must be designed to promote such things as parental involvement
	VA. CODE ANN. § 22.1-207.2 (Michie 2000)	Parent has right to review family life education materials and obtain a summary to encourage parental guidance and involvement in the instruction of student
	VA. CODE ANN. § 22.1-208.01 (Michie 2000)	Components of character education developed with parents and others
	VA. CODE ANN. § 22.1-209.1:1 (Michie 2000)	Dropout prevention program includes component on parental involvement
	VA. CODE ANN. § 22.1-209.1:2 (Michie 2000)	Parental notice and involvement in alternative education programs
	VA. CODE ANN. § 22.1-209.1:3 (Michie 2000)	Advanced Via Individual Determination (AVID) program for at risk students must include component on parental involvement in the educational process
	VA. CODE ANN. § 22.1-209.1:4 (Michie 2000)	Parental involvement in Innovative Remedial Education Pilot Program
	VA. CODE ANN. § 22.1-209.1:6 (Michie 2000)	Written agreement for parental involvement and participation in pilot program for elementary and middle school students who are disruptive but not eligible for alternative education program
	VA. CODE ANN. § 22.1-209.1:7 (Michie 2000)	Families in Education Incentive Grants Program is to support innovative family involvement and to facilitate parents' creation of a supportive learning environment at home and increased involvement in classroom learning and school activities
	VA. CODE ANN. § 22.1-209.1:9 (Michie 2000)	Program for suspended and expelled students includes working with parents and parental participation in the program
	VA. CODE ANN. § 22.1-212.2:3 (Michie 2000)	<ul style="list-style-type: none"> - The Family Involvement in Technology (FIT) program is to promote parental and family involvement in children's education - Form a partnership between families and schools - Improve communications between parents and educators
	VA. CODE ANN. § 22.1-212.5 (Michie 2000)	Charter school program to provide parents with more options

State	Citation	Subject
	VA. CODE ANN. § 22.1-213 (Michie 2000)	Parents entitled to special education services for their children at no cost
	VA. CODE ANN. § 22.1-214 (Michie 2000)	Parental right to participate and due process hearings
	VA. CODE ANN. § 22.1-217.01 (Michie 2000)	School board must distribute to parents each year information concerning services for hearing impaired and visually impaired students
	VA. CODE ANN. § 22.1-253.13:7 (Michie 2000)	Local school boards to develop policy manual giving consideration to views of parents and others
	VA. CODE ANN. § 22.1-254 (Michie 2000)	Attendance laws mandating parental compliance
	VA. CODE ANN. § 22.1-270 (Michie 2000)	Parent may object on religious grounds to preschool physical examination
	VA. CODE ANN. § 22.1-271.2 (Michie 2000)	Parent may submit affidavit that immunization conflicts with student's religious tenets or practices
	VA. CODE ANN. § 22.1-271.4 (Michie 2000)	Parents who home school must comply with immunization unless it conflicts with religious tenets or practices
	VA. CODE ANN. § 22.1-272.4 (Michie 2000)	Parent must be contacted if imminent risk of suicide by their child
	VA. CODE ANN. § 22.1-273 (Michie 2000)	- Parents may object to sight and hearing test based on religious grounds - Parents notified if problems with sight or hearing
	VA. CODE ANN. § 22.1-274 (Michie 2000)	Parental consent required for certain individuals to administer insulin or glucagons
	VA. CODE ANN. § 22.1-274.02 (Michie 2000)	Parental consent form at end of IEP meeting
	VA. CODE ANN. § 22.1-274.2 (Michie 2000)	Parental consultation and consent for self administration of asthma medication
	VA. CODE ANN. § 22.1-275.1 (Michie 2000)	Parent members of school health advisory board
	VA. CODE ANN. § 22.1-276.2 (Michie 2000)	Each school board must have procedures for notifying parents of removal from class of disruptive student.
	VA. CODE ANN. § 22.1-277 (Michie 2000)	Procedures when student suspended or expelled including notice to parents, hearing, and appeal
	VA. CODE ANN. § 22.1-277.03 (Michie 2000)	Parental notice of community-based educational programs for suspended students and costs
	VA. CODE ANN. § 22.1-277.1 (Michie 2000)	Parental notice for AEP and consent for drug or alcohol treatment
	VA. CODE ANN. § 22.1-277.2 (Michie 2000)	Provisions for notice and appeal when student suspended or expelled for more than 30 days

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 801

State	Citation	Subject
	VA. CODE ANN. § 22.1-278 (Michie 2000)	Parents must receive policies concerning student conduct
	VA. CODE ANN. § 22.1-278.1 (Michie 2000)	Parent members of school safety audit committee
	VA. CODE ANN. § 22.1-279.3 (Michie 2000)	- Parental responsibility and involvement requirements - Parent has duty to assist school in enforcing the standards of student conduct and attendance - School board must give notice to parents, they sign a statement of receipt, principal can request a meeting with the parents - Enforcement through court order and civil penalties
	VA. CODE ANN. § 22.1-279.4 (Michie 2000)	Parents given written notification of laws governing prosecution of juveniles as adults for certain crimes
	VA. CODE ANN. § 22.1-279.5 (Michie 2000)	Noncustodial parent is encourage to participate in school activities unless a court order has been issued to the contrary
	VA. CODE ANN. § 22.1-280.1 (Michie 2000)	- Parents involved in developing programs to prevent violence - Parents notified of certain types of conduct
	VA. CODE ANN. § 22.1-280.2 (Michie 2000)	Parents should be notified of policies and procedures of a "school crime line program"
	VA. CODE ANN. § 22.1-287 (Michie 2000)	- Parents have access to records - Limitation of access to others
	VA. CODE ANN. § 22.1-288.2 (Michie 2000)	Parent shall be notified in writing of any disciplinary action taken which adjudication or conviction was based and the reasons for it
	VA. CODE ANN. § 22.1-289 (Michie 2000)	- Parent can inspect scholastic record - Parental permission is not required to transfer scholastic record
	VA. CODE ANN. § 22.1-305.2 (Michie 2000)	Parent member of advisory board on teacher education and licensure
	VA. CODE ANN. § 22.334 (Michie 2000)	There can suspension or revocation of license for any agent who gives a parent false, misleading, or fraudulent information
Washington	WASH. REV. CODE ANN. § 28A.150.210 (West 1997)	Parental involvement is necessary to meet educational goals
	WASH. REV. CODE ANN. § 28A.150.230(f) (West 1997)	Parents may object to teaching materials, including textbooks, teaching aids, handouts, or other printed material, and district school directors must evaluate those materials in public hearing
	WASH. REV. CODE ANN. § 28A.150.240(2)(d) (West 1997)	Parents required to provide excuses for absence, late arrival, or early dismissal

State	Citation	Subject
	WASH. REV. CODE ANN. § 28A.150.305(3) (West Supp. 2001)	Placement in alternative education is a joint decision between parents, district, and alternative educational service provider
	WASH. REV. CODE ANN. § 28A.155.020 (West 1997)	Parental training and involvement encouraged in special education
	WASH. REV. CODE ANN. § 28A.210.030 (West 1997)	Parent entitled to records and recommendations of visual and auditory screening
	WASH. REV. CODE ANN. § 28A.210.090(2) (West 1997)	Exemption from immunization if parent signs written certification that it is contrary to religious beliefs
	WASH. REV. CODE ANN. § 28A.210.100 (West 1997)	Person giving immunization must provide parent with written record of immunization
	WASH. REV. CODE ANN. § 28A.210.120 (West 1997)	Notice must be given to parent who is not in compliance with immunization provision
	WASH. REV. CODE ANN. § 28A.210.210 (West 1997)	Parental notification of screening for scoliosis
	WASH. REV. CODE ANN. § 28A.210.240(1) (West 1997)	Parent may exempt child from scoliosis screening if it conflicts with philosophical or religious beliefs
	WASH. REV. CODE ANN. § 28A.210.260(1) (West 1997 & Supp. 2001)	Upon parental request, school may administer oral medications to students
	WASH. REV. CODE ANN. § 28A.210.270(2) (West 1997 & Supp. 2001)	Oral medication may be discontinued provided the chief administrator gives parental notice
	WASH. REV. CODE ANN. § 28A.225.005 (West 1997)	Parental notification of school district attendance laws
	WASH. REV. CODE ANN. § 28A.230.070(4) (West 1997)	- Parents must be notified of AIDS education and allowed to inspect the curricula and materials - Parent may object to having child participate in class
	WASH. REV. CODE ANN. § 28A.300.130 (West 1997 & Supp. 2001)	Center for improvement of student learning serves "as a clearinghouse for information" concerning parental involvement programs, develops and distributes parental involvement materials, identifies obstacles to greater parental involvement, and takes action to increase public awareness of the importance of parental involvement
	WASH. REV. CODE ANN. § 28A.300.270 (West 1997)	Violence prevention training for students and parents

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 803

State	Citation	Subject
	WASH. REV. CODE ANN. § 28A.305.285(1) (West 1997 & Supp. 2001)	In selecting members of the State Board of Education's task force, the boards shall consult with parents and others
	WASH. REV. CODE ANN. § 28A.605.010 (West 1997 & Supp. 2001)	- Need parental authorization to remove child from school grounds - District must adopt policy concerning this rule
	WASH. REV. CODE ANN. § 28A.605.020 (West 1997)	District must have policy assuring parents of access to their child's classroom, school activities, observing class procedure, teaching material, and class conduct
	WASH. REV. CODE ANN. § 28A.605.030 (West Supp. 2001)	- Parent has right to review all education records - Need parental consent to release record
	WASH. REV. CODE ANN. § 28A.630.835(1) (West 1997)	School district must confer on a regular basis with parents of students with disabilities
	WASH. REV. CODE ANN. § 28A.635.060(1) (West 1997 & Supp. 2001)	Parent responsible for damage or loss of school property
	WASH. REV. CODE ANN. § 28A.640.020(2)(b) (West 1997)	- Every district must have a sexual harassment policy and implement it - Applies to parents and others
West Virginia	W. VA. CODE § 18-2-5 (1999)	State board develops a three-year plan for transition into kindergarten by disseminating information to parents to prepare them
	W. VA. CODE § 18-2-9 (1999)	- Parents have right to examine course curriculum and materials used in health education - Parent may exempt child by giving notice
	W. VA. CODE § 18-2E-3b (1999)	Parent must approve four year placement in honors courses
	W. VA. CODE § 18-2E-4 (1999)	- To provide information to parents, record cards will be sent - They must be brief, concise, and non-technical language - Mailed directly to parent
	W. VA. CODE § 18-2-4a (1999)	Exception to mailing of report cards if child delivers it to parents but school required to have written verification that it was delivered to parent
	W. VA. CODE § 18-2-5 (Supp. 2000)	Standards for performance levels and processes include such things as parental involvement and parent, teacher, and student satisfaction

State	Citation	Subject
	W. VA. CODE § 18-2E-8 (1999)	<ul style="list-style-type: none"> - Legislative finding of full and active partnership with parents - Intent to encourage and utilize actively involved partnerships in forming rules and practices - Partners actively involved at state, regional, and local levels - Consultation with parents to establish high school individualized student transition plan and broad career cluster - Parents on steering committee
	W. VA. CODE § 18-2E-8d (1999)	<ul style="list-style-type: none"> - Legislative intent includes information to parents about courses student should take - Encouragement for parental involvement - Consultation and written consent of parents for advanced courses and substituting courses - Development of uniform parental consent form
	W. VA. CODE § 18-2F-5 (1999)	Parent must sign registration form
	W. VA. CODE § 18-2H-3 (1999)	<ul style="list-style-type: none"> - Notice to parents concerning educational reforms - Procedures for hearings and participation
	W. VA. CODE § 18-5-13 (1999)	Notice to parents of vocational or higher education opportunities
	W. VA. CODE § 18-5-15c (1999)	Provide training for parents and the funds to implement the program for child abuse prevention
	W. VA. CODE § 18-5-15d (1999)	Parental notice and encouragement to attend training programs to prevent transmission and spread of AIDS
	W. VA. CODE § 18-5-15f (1999)	Parent must make sworn statement concerning whether child has been suspended or expelled
	W. VA. CODE § 18-5-16 (1999)	Procedures for intra-district transfers
	W. VA. CODE § 18-5-17 (1999)	Parental notification of vision and speech screening results
	W. VA. CODE § 18-5-18 (1999)	Parental involvement in kindergarten programs
	W. VA. CODE § 18-5-18b (1999)	School counselors may provide consultant services for parents and others
	W. VA. CODE § 18-5-18c (1999)	Consultation with parents concerning early childhood programs
	W. VA. CODE § 18-5-21a, b, d (1999)	Furnishing textbooks to students in public or private schools whose parents are unable to provide them
	W. VA. CODE § 18-5-22 (1999)	Consultation with parents concerning health care services
	W. VA. CODE § 18-5-23 (1999)	Upon request by parent, certain dental treatment may be provided

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 805

State	Citation	Subject
	W. VA. CODE § 18-5-37 (1999)	Superintendent must give parents notice and opportunity to be heard concerning the school breakfast program
	W. VA. CODE § 18-5-39 (Supp. 2000)	Parents may obtain reduced tuition for deserving student's summer school
	W. VA. CODE § 18-5A-2 (1999)	<ul style="list-style-type: none"> - Parent members of local school improvement council - Council is to implement policies and programs to encourage parental involvement, have employers of parents give them time to meet with teachers
	W. VA. CODE § 18-5A-4 (1999)	One of the criteria for schools of excellence is improvement in parental involvement
	W. VA. CODE § 18-5A-5 (1999)	<ul style="list-style-type: none"> - A faculty senate may nominate parents for recognition - It may encourage participation of parents in development of the strategic plan for each school
	W. VA. CODE § 18-8-1 (1999)	Attendance laws
	W. VA. CODE § 18-10H-6 (1999)	In vocational-technical education, one component is parental involvement
	W. VA. CODE § 18-20-1 (1999)	Parent and others may refer child to exception children program
	W. VA. CODE § 48-11-601 (1999)	<ul style="list-style-type: none"> - Both parents and full and equal access to school, medical, and juvenile court records unless contrary court order - May participate as member of parent advisory committee - May question accuracy of records - May arrange parent-teacher conference - Parental notification of illness and procedures for emergencies
Wisconsin	Wis. STAT. ANN. § 115.361(3) (West 1999)	<ul style="list-style-type: none"> - School board may apply for grant to fund a families and schools together program to help high risk students - Program to provide prevention and early intervention activities between school, family, and community
	Wis. STAT. ANN. § 115.72(3) (West 1999)	Parent of American Indian student may transfer student to a school with American Indian language and culture education program
	Wis. STAT. ANN. § 115.73(2) (West 1999)	Provide meetings with parents to encourage participation of American Indian student in the program
	Wis. STAT. ANN. § 115.735(1) (West 1999)	American Indian parent advisory committee to advise school board
	Wis. STAT. ANN. § 115.76 (West 1999)	<ul style="list-style-type: none"> - "Parent" defined - Chapter on children with disabilities

State	Citation	Subject
	Wis. STAT. ANN. § 115.96(2), (3) (West Supp. 2000)	- Need notice to parents of eligible children offering bilingual education - Parental consent to place child in program.
	Wis. STAT. ANN. § 115.98 (West Supp. 2000)	Parent members of bilingual-bicultural advisory committee to advise, consult, and be involved with school board on the bilingual-bicultural education program
	Wis. STAT. ANN. § 118.01 (West 1999)	Parents share with the state and school board the responsibility for students meeting the educational goals and expectations
	Wis. STAT. ANN. § 118.019(3), (4), (5) (West 1999)	- "School board must provide parents with outline of human growth and development curriculum . . . [and] parent may inspect the complete curriculum and instructional material" - Parent may exempt child - Parent members of advisory committee
	Wis. STAT. ANN. § 118.06(2) (West 1999)	Parent may object to student reciting pledge of allegiance
	Wis. STAT. ANN. § 118.10 (West 1999)	Parental permission for student to participate in safety patrols
	Wis. STAT. ANN. § 118.125 (West Supp. 2000)	- Parent may request to see progress reports and behavioral records - Inform parents of directory information and need parental consent to release the information
	Wis. STAT. ANN. § 118.127(1) (West 1999)	Administrator must give parent law enforcement information about the student
	Wis. STAT. ANN. § 118.15 (West 1999)	- Parents may request attendance modifications including the attendance of a technical college or a high school equivalency program - Prior to admission to a high school equivalency program parents must be a party to a written agreement with school officials specifying time limits and services provided
	Wis. STAT. ANN. § 118.155(1) (West 1999)	Parental permission for release time for religious instruction
	Wis. STAT. ANN. § 118.29(2) (West Supp. 2000)	Parental consent for administering over-the-counter or prescription drugs
	Wis. STAT. ANN. § 118.291(1), (b) (West 1999)	Parent consent to possess and use inhalers for asthma
	Wis. STAT. ANN. § 118.40(6) (West Supp. 2000)	- Charter school is voluntary - Parents may approve attendance to charter school
	Wis. STAT. ANN. § 119.18(5) (West 1999)	School board may purchase textbooks for parents who are indigent

2001] *PARENTS AS FULL PARTNERS IN EDUCATION* 807

State	Citation	Subject
	Wis. STAT. ANN. § 119.19(1) (West 1999)	Parental permission for release time for religious instruction under first class city school system
	Wis. STAT. ANN. § 119.23 (West Supp. 2000)	Milwaukee parental choice program enables students to attend private school at no charge
	Wis. STAT. ANN. § 119.25 (West 1999 & Supp. 2000)	Parental rights during hearing to expel students
	Wis. STAT. ANN. § 119.71(3)(b) (West 1999 & Supp. 2000)	Board to use funds for various kindergarten programs including parental involvement programs
	Wis. STAT. ANN. § 119.72(1)(e) (West 1999 & Supp. 2000)	<ul style="list-style-type: none"> - Board cannot contract with day care center unless it offers opportunities for parental participation in the program including involvement in decision making, classroom and program activities, training sessions - Activities to enhance and support parents' role in their child's education and development - Records and reports of parental involvement
	Wis. STAT. ANN. § 119.75(2)(b) (West 1999 & Supp. 2000)	Board must use funds for various first grade programs including parental involvement programs
	Wis. STAT. ANN. § 119.78 (West 1999 & Supp. 2000)	"Family resource center to distribute parent education materials, conduct workshops . . . facilitate communication between [educators] and parents . . . and provide volunteer opportunities for parents within the schools"
	Wis. STAT. ANN. § 119.82(1)(a) (West 1999 & Supp. 2000)	Alternative educational programs upon parental request
	Wis. STAT. ANN. § 120.12(16)(b) (West 1999 & Supp. 2000)	Parent may make written waiver of immunization of child
	Wis. STAT. ANN. § 120.13 (West 1999 & Supp. 2000)	<ul style="list-style-type: none"> - Powers of school board include giving notice and providing procedures to parent when student is suspended or expelled - Providing books, materials, and equipment when parents cannot afford it
	Wis. STAT. ANN. § 121.78(1)(c) (West 1999)	Parental request to attend another school
	Wis. STAT. ANN. § 120.81(1) (West 1999 & Supp. 2000)	Parental responsibilities for tuition and transportation
Wyoming	WYO. STAT. ANN. § 21-3-127 (Michie 1999)	Parent may pay accident insurance for student
	WYO. STAT. ANN. § 21-3-201(a)(v) (Michie 1999)	Purpose of charter schools is to provide parents with expanded choices

State	Citation	Subject
	WYO. STAT. ANN. §§ 21-4-101, -102 (Michie 1999)	Attendance laws
	WYO. STAT. ANN. § 21-4-305(c) (Michie 1999)	Notice and procedures when child are suspended or expelled
	WYO. STAT. ANN. § 21-4-309(a) (Michie 1999)	Parents may waive immunization for religious reasons
	WYO. STAT. ANN. § 21-4-401(d) (Michie 1999)	Parents may be entitled to reasonable transportation or maintenance payments
	WYO. STAT. ANN. § 21-4-502(a) (Michie 1999)	Transfers to another district when it is convenient or desirable
	WYO. STAT. ANN. § 21-6-221(a) (Michie 1999)	Fifty percent of the parents of a school may call a meeting for electing an advisory board
	WYO. STAT. ANN. § 21-9-201(b) (Michie 1999)	Board may sell surplus books or supplies to parents
	WYO. STAT. ANN. § 21-15-107(a)(vi) (Michie 1999)	Standards for school buildings and facilities will be done in consultation with parents and others
	WYO. STAT. ANN. § 21-22-103(a)(iv) (Michie 1999)	Parent member of state advisory council for innovative education
	WYO. STAT. ANN. § 21-22-106(a)(viii) (Michie 1999)	Money available for various programs including regional developmental programs to improve parents' skills in developing their children's learning skills