Policy: S-HLTH -- Student Health

Recommendation: Create

I. Notifications of student health

1. Pursuant to N.C.G.S. § 115C-76.45(a), at the beginning of every school year, Principals shall notify parents of the following:
   (a) Notice of each health care service offered at their child’s school and how the parent can provide consent for any specific service.
   (b) Acknowledgement that a parent’s consent to a health care service does not waive the parent’s right to access his or her child’s educational records or health records, or to be notified of changes in the child’s services or monitoring.
   (c) Procedures to exercise the parental remedies provided by N.C.G.S. § 115C-76.60, set forth in Section IV of this policy.

2. Pursuant to N.C.G.S. § 115C-76.45(a), Principals shall notify parents of the following:
   (a) Prior to or contemporaneous with changes, notice of changes in services or monitoring related to his or her child’s mental, emotional, or physical health or well-being and the school’s ability to provide a safe and supportive learning environment for that child.
   (b) Notice of the change prior to any changes in the name or pronoun used for a student in school records or by school personnel.

3. Pursuant to N.C.G.S. § 115C-76.45(b) and (e), school personnel:
   a. Are required to encourage a child to discuss issues related to the child’s well-being with his or her parent and/or facilitate discussion of the issue with the child’s parents.
   b. Shall not discourage or prohibit parental notification of, and involvement in critical decisions affecting a student’s mental, emotional, or physical health or well-being.

4. Nothing in this policy shall do any of the following:
   (a) Prohibit parents from accessing any of their child’s education and health records created, maintained, or used by the public-school unit, except as follows:
      1. As limited by N.C.G.S. § 114A-10(6)a.
2. When a reasonably prudent person would believe that disclosure would result in the child becoming an abused or neglected juvenile, as those terms are defined in N.C.G.S.§ 7B-101.

(b) Prohibit school employees from notifying a parent about his or her child's mental, emotional, or physical health or well-being, or a change in related services or monitoring.

(c) Encourage or have the effect of encouraging a child to withhold from a parent information about his or her mental, emotional, or physical health or well-being, or a change in related services or monitoring.

II. Student support services training

Student support services training developed or provided to school personnel shall adhere to student services guidelines, standards, and frameworks established by the Department of Public Instruction.

III. Age-appropriate instruction for kindergarten through fourth grade

Pursuant to N.C.G.S. § 115C-76.55, instruction on gender identity, sexual activity, or sexuality shall not be included in the curriculum provided in kindergarten through fourth grade, regardless of whether the information is provided by school personnel or third parties. For the purposes of this section, curriculum includes the standard course of study and support materials, locally developed curriculum, supplemental instruction, and textbooks and other supplementary materials, but does not include responses to student-initiated questions.

IV. Remedies for Parental Concerns

Pursuant to N.C.G.S. § 115C-76.60, a parent may notify the principal at his or her child's school regarding concerns about a public school unit's procedure or practice under this policy. This notification shall be sent to the principal, in writing.

1. Within seven days of the parental concern being made, the principal shall either:
   (a) Resolve the parental concern and notify the parent; or
   (b) Notify the learning community superintendent of the parental concern and why it cannot, or has not, been resolved to the parent’s satisfaction.

2. Within seven days of being notified, the learning community superintendent shall either:
   (a) Resolve the parental concern and notify the parent; or
   (b) Notify the superintendent of the parental concern and why it cannot, or has not, been resolved to the parent’s satisfaction.

3. Within ten days of being notified, the superintendent shall either:
   (a) Resolve the parental concern and notify the parent; or
(b) Provide the parent a statement of the reason(s) for not resolving the concern.

1. This statement shall be sent to the parent within 30 days of the initial concern raised by the parent.

2. A copy of this statement shall be sent to the superintendent and to the Office of General Counsel.

4. If the concern is not resolved within 30 days of the initial concern raised by the parent, a parent may do either of the following:

(a) Notify the State Board of Education of the concern and request a parental concern hearing.

(b) Bring an action against the Charlotte-Mecklenburg Board as provided in Article 26 of Chapter 1 of the North Carolina General Statutes for a declaratory judgment that the unit's procedure or practice violates N.C.G.S. § 115C-76.45, § 115C-76.50, or § 115C-76.55.

1. The court may award injunctive relief to a parent and shall award reasonable attorneys' fees and costs to a parent awarded injunctive relief.