

Parents' Bill of Rights and Responsibilities

Each child's maximum potential can best be achieved through a partnership between parents¹ and the education community. To foster active engagement between parents and schools, parents have certain rights and responsibilities

ALL PARENTS HAVE THE FOLLOWING RIGHTS:

1) THE RIGHT TO A FREE PUBLIC SCHOOL EDUCATION

Parents have the right to a free public school education for their child in a safe and supportive learning environment.

Parents have the right to:

- a) a free public school education for their child, from kindergarten until age 21, or receipt of a high school diploma, whichever comes first, as provided by law;
- b) an evaluation for their child with a disability and, if found to be in need of special education, receive a free, appropriate education from age 3 through age 21, in accordance with applicable laws and regulations;
- c) bilingual education or English as a Second Language services, for their child with limited English proficiency, as required by law and regulations;
- d) have their child receive his or her full instructional schedule in accordance with the Department of Education school year calendar;
- e) have their child learn in a safe and supportive learning environment, free from discrimination, harassment, bullying, and bigotry;
- f) have their child receive courtesy and respect from others and equal educational opportunities regardless of actual or perceived race, color, religion, age, creed, ethnicity, national origin, alienage, citizenship status, disability, sexual orientation, gender (sex) or weight;
- g) have a child accorded all the rights set forth in the Bill of Student Rights and Responsibilities found within the New York City Department of Education's Citywide Standards of Intervention and Discipline Measures.

THE RIGHT TO ACCESS INFORMATION ABOUT THEIR CHILD

- 2) The Department of Education and its schools are responsible for providing parents with access to their child's education records and any available information on educational programs and opportunities.

Parents have the right to:

- a) translation and interpretation services if they require or request language assistance in order to communicate effectively with the Department, in accordance with Chancellor's Regulation A-663;
- b) information regarding all policies, plans and regulations which require parent consultation at the school, district and/or borough level;
- c) access to current information regarding services which are provided by the school system, eligibility requirements for these services, and how to apply for them (e.g., transportation, food services, health services, English Language Learner (ELL) instruction, remediation, special education services);
- d) be informed about required health, cognitive and language screening examinations
- e) information concerning expectations for their child with respect to their child's educational program, attendance and behavior;

¹ A parent for purposes of this document means the student's parent(s) or guardian(s), or any person(s) in a parental or custodial relationship to the student, or the student.

- f) written information regarding the grading criteria that will be used to evaluate their child's academic performance;
- g) access to information concerning their child's instructional program, including but not limited to, course of study or curriculum;
- h) be assured the confidentiality of their child's records, in accordance with Chancellor's Regulation A-820;
- i) access and review their child's education records no more than 45 days from receipt of the request;
- j) make an appointment to have their child's education records explained by designated school staff and to have such a meeting within a reasonable time after making such a request;
- k) request that their child's education records be released to an outside agency, in accordance with Chancellor's Regulation A-820, and to withhold their contact information from institutions of higher learning and/or military recruiters;
- l) have their child's education records sent in a timely manner to another school to which their child has transferred;
- m) consent to disclosures of personally identifiable information contained in their child's education records, except to the extent that Family Educational Rights and Privacy Act (FERPA) and Chancellor's Regulation A-820 authorize disclosure without consent. One exception permitting disclosure without consent is disclosure to school officials who need to review education records to fulfill their professional responsibility. Examples of school officials include NYC DOE employees (such as administrators, supervisors, teachers, other instructors, or support staff members, and people whom the NYC DOE has engaged to perform services or functions for which it would otherwise use its own employees (such as agents, contractors and consultants). Another exception permitting disclosure without consent is disclosure, upon request, to officials of another school district in which your child seeks or plans to enroll, or is already enrolled if made for purposes of your child's enrollment or transfer;.
- n) file a complaint with the U.S. Department of Education if you believe the NYC DOE failed to comply with the requirements of FERPA. The name and address of the office that administers FERPA are:

Family Policy Compliance Office
 U.S. Department of Education
 400 Maryland Avenue, SW
 Washington, DC 20202-8520

- o) opt out of having your child's name, date of birth and address disclosed to the U.S. Department of Education for the purpose of assisting students and families with applying for financial aid, and opt out of having your child's name, date of birth and grade level (for example, ninth grade) disclosed to the National Student Clearinghouse (an organization that provides college enrollment and graduate information to the NYC DOE).

3) *THE RIGHT TO BE ACTIVELY INVOLVED AND ENGAGED IN THE EDUCATION OF THEIR CHILDREN*

Parents have the right to be given every available opportunity for meaningful participation in their child's education.

Parents have the right to:

- a) feel welcomed, respected, and supported in their school communities.;
- b) be treated with courtesy and respect by all school personnel, and to be accorded all rights without regard to race, color, creed, religion, national origin, sex, gender, age, ethnicity, alienage/citizenship status, marital status, partnership status, sexual orientation, gender identity, or disability ;
- c) participate in regular written or verbal communication with teachers and other school staff and share concerns regarding their child's academic, social and behavioral progress;

- d) meet with their child's teachers and principal in accordance with established procedures;
- e) participate in meaningful and productive parent-teacher conferences to discuss their child's progress in school and have access to other school staff, as appropriate, throughout the school year to discuss concerns;
- f) be informed on a regular basis, both informally and through formal progress reports, of their child's academic and behavioral progress in school;
- g) due process as set forth in Chancellor's Regulation A-443 and the Discipline Code when their child is subject to discipline;
- h) participate in elections for the School Leadership Team at their child's school;.
- i) be accompanied by a friend, advisor, or interpreter at hearings, conferences, interviews and other meetings concerning their child, in accordance with established procedures without pre-approval from staff or school administration;
- j) an interpreter, if they are hearing impaired, at any meeting or activity which they attend which is specific to the academic and or disciplinary aspects of their child's educational program, provided a written request is made prior to the meeting or activity; if an interpreter is unavailable, other reasonable accommodations shall be made;
- k) have school staff make every reasonable attempt to ensure that parents receive important notices from the school, including notices about parent-teacher conferences, Parent Association or Parent-Teacher Association meetings, School Leadership Team meetings, Community Education Council meetings, etc.;
- l) be a member of the Parent Association or Parent-Teacher Association of his or her child's school without the payment of dues;
- m) receive a copy of the "Parents' Bill of Rights and Responsibilities," the "Citywide Standards of Intervention and Discipline Measures", which includes the "Bill of Student Rights and Responsibilities" and copies of school- specific policies;
- n) participate on school committees (e.g., Safety, Nutrition, C-30 Level I), in accordance with the guidelines for participation which apply to those committees;
- o) be a candidate for or, if applicable, vote for members of the Community or Citywide Education Councils, in accordance with the law and Chancellor's Regulations D-140, D-150, D-160, and D-170;
- p) attend and participate at meetings of the Community and Citywide Education Councils and of the Panel for Educational Policy which are open to the public, in accordance with the provisions of the Open Meetings Law ("the Sunshine Law") and established procedures.

4) *THE RIGHT TO FILE COMPLAINTS AND/OR APPEALS REGARDING MATTERS AFFECTING THEIR CHILD'S EDUCATION*

The Chancellor has promulgated Regulations and policies which establish complaint or appeal procedures to address a variety of issues affecting a child's education. These procedures are set forth in the following Chancellor's Regulations which may be viewed at

<http://schools.nyc.gov/RulesPolicies/ChancellorsRegulations/default.htm> and the DOE's parent complaint procedures available at <http://schools.nyc.gov/Offices/FACE/KeyDocuments/Parent+Complaint+Procedures.htm>

Parents have the right to:

- a) appeal a transfer to another school based on residency in accordance with Chancellor's Regulation A-101;
- b) file a complaint regarding corporal punishment in accordance with Chancellor's Regulation A-420;
- c) file a complaint regarding verbal abuse in accordance with Chancellor's Regulation A-421;
- d) appeal a principal's or superintendent's suspension in accordance with Chancellor's Regulation A-443;
- e) appeal an involuntary transfer in accordance with Chancellor's Regulation A-450;
- f) appeal promotional decisions in accordance with Chancellor's Regulation A-501;

- g) file a complaint and appeal regarding an election to a School Leadership Team in accordance with Chancellor's Regulation A-655;
- h) file a complaint and/or appeal regarding Parent Association or Parent-Teacher Association and Presidents' Council elections, disputes, actions and inactions in accordance with Chancellor's Regulation A-660;
- i) appeal a denial of exemption from immunization in accordance with Chancellor's Regulation A-701;
- j) file a complaint regarding the referral, evaluation, development and/or implementation of a Section 504 Plan in accordance with Chancellor's Regulation A-710;
- k) appeal the placement of a homeless child or child in temporary housing in accordance with Chancellor's Regulation A-780;
- l) appeal decisions regarding eligibility for transportation in accordance with Chancellor's Regulation A-801;
- m) appeal decisions regarding eligibility for free and reduced price meals in accordance with Chancellor's Regulation A-810;
- n) request amendment of an entry in a child's records on the grounds that it is inaccurate, misleading or in violation of their child's privacy rights in accordance with Chancellor's Regulation A-820;
- o) file a complaint alleging discrimination by DOE employees in accordance with Chancellor's Regulation A-830;
- p) file a complaint alleging student-to-student sexual harassment in accordance with Chancellor's Regulation A-831;
- q) file a complaint alleging student-to-student discrimination, harassment, intimidation and/or bullying in accordance with Chancellor's Regulation A-832;
- r) file a complaint regarding the selection process for a principal or assistant principal in accordance with Chancellor's Regulation C-30;
- s) appeal the denial of access to a public record maintained by the DOE in accordance with the Freedom of Information Law pursuant to Chancellor's Regulation D-110;
- t) file a complaint regarding the nomination and selection of members of the Community Education Councils in accordance with Chancellor's Regulation D-140;
- u) file a complaint regarding the nomination and selection of members of the Citywide Council on Special Education or the Citywide District 75 Council in accordance with D-150;
- v) file a complaint regarding the nomination and selection of members of Citywide Council on High Schools in accordance with Chancellor's Regulation D-160;
- w) file a complaint regarding the nomination and selection of members of the Citywide Council on English Language Learners in accordance with Chancellor's Regulation D-170;
- x) file a complaint or appeal in accordance with the DOE's Complaint Procedures, if their child's school has excluded their child from attending school/classes without following appropriate procedures;
- y) file a complaint in accordance with the DOE's Complaint Procedures about the following programs administered under the No Child Left Behind Act: Titles I and II, Parts A and D, and Title III and Title IV, Part A or about a matter affecting their child's education which cannot be addressed through the procedures outlined in any of the above-noted Chancellor's Regulations.

ALL PARENTS ARE RESPONSIBLE FOR:

- (1) sending their child to school ready to learn.
- (2) ensuring that their child attends school regularly and arrives on time
- (3) being aware of their child's work, progress, and problems by reading school notices, talking to their child about school, reviewing their child's work and progress reports, and meeting with school staff.
- (4) maintaining verbal and/or written contact with their child's teachers and principal about the progress of their child's education.

- (5) adhering to all school policies and applicable Chancellor's Regulations that pertain to their children's education.
- (6) responding in a timely manner to communications from their child's school.
- (7) attending all meetings and conferences requested by the school that pertain to their child.
- (8) entering the school building in a respectful manner, refraining from disruptive behavior and treating all members of the school community with courtesy and respect.
- (9) ensuring that the school is updated with accurate contact information (e.g., home address, telephone number).

PARENTS SHOULD ALSO:

- (1) provide a supportive home setting where education is a priority.
- (2) reinforce the importance of acquiring the knowledge, skills and values needed to function effectively in society.
- (3) volunteer time, skills, or resources in the school.
- (4) take part in school and community programs that empower parents to participate in educational decision-making.
- (5) become active members of the school's Parent Association or Parent-Teacher association.
- (6) become active members of the Title I parent committee, where applicable.
- (7) question their child about school work, attendance, and behavior and discuss what is expected by the school.
- (8) teach their child to respect the property, safety, and rights of others and the importance of refraining from intimidating, harassing or discriminatory behavior.

It is the policy of the New York City Department of Education to provide equal educational opportunities without regard to actual or perceived race, color, religion, age, creed, ethnicity, national origin, alienage, citizenship status, disability, sexual orientation, gender (sex) or weight. It is also the policy of the DOE to maintain an environment free of harassment on the basis of any of these grounds, including sexual harassment.

Inquiries regarding compliance with appropriate laws may be directed to:

Office of Equal Opportunity, 65 Court Street, Brooklyn, New York 11201, (718) 935-3320