
PARENTAL NOTIFICATION – WITHHOLDING CONSENT

Policy Code: **1311/4003**

A. NOTIFICATION OF OPPORTUNITIES TO OPT OUT

Parents will be effectively notified on an annual basis that they may opt out of any of the following:

1. release of student directory information about their child for school purposes or to outside organizations (see policy 4700, Student Records);
2. release of their child's name, address, and telephone listing to military recruiters or institutions of higher education (see policy 4700, Student Records);
3. their child's participation in curricula related to (a) prevention of sexually transmitted diseases, including HIV/AIDS; (b) avoidance of out-of-wedlock pregnancy; or (c) reproductive health and safety education, as provided in policy 3540, Comprehensive Health Education Program. A copy of the materials that will be used in these curricula will be available in the school media center during the school year and at other times that the media center is available to the public. To meet any review periods required by law, materials also may be made available for review in the central office;
4. their child's participation in academic or career guidance or personal or social counseling services of a generic nature offered to groups of students (e.g., peer relations strategies offered to all sixth graders). However, parental notification and permission are not required for: (a) short-duration academic, career, personal, or social guidance and counseling and crisis intervention that is needed to maintain order, discipline, or a productive learning environment; (b) short-duration, student-initiated individual or group counseling targeted at a student's specific concerns or needs; and (c) counseling if child abuse or neglect is suspected;
5. their child's participation in any protected information survey given as part of the Centers for Disease Control and Prevention's Youth Risk Behavior Surveillance System or National Youth Tobacco Survey [or the North Carolina Youth Tobacco Survey](#);
6. the collection, disclosure, or use of their child's personal information for marketing purposes; and
7. release of their child's free and reduced-price meal information to State Medicaid or State children's health insurance program (SCHIP).

Any parent who wishes to opt out/withhold consent must do so in writing after receiving notice. Otherwise, consent to the programs or activities is presumed. After the annual notification, the school is not required to provide further notice to the parent as to the manner in which student directory information is used, the curriculum is provided, or

guidance programs are made available.

B. PARENTAL PERMISSION (OPT IN) REQUIRED

Written parental permission is required prior to the following activities:

1. the administration of medications to students by employees of the school system (see policy 6125, Administration of Medications to Students);
2. the release of student records that are not considered directory information, unless the release is allowed or required by law (see policy 4700, Student Records);
3. off-campus trips;
4. students' participation in high-impact or high-risk sports or extracurricular activities, such as football, wrestling or mountain climbing (see policy 4220, Student Insurance Program);
5. all decisions or actions as required by the Individuals with Disabilities Education Act (IDEA) with regard to providing special education or related services to students with disabilities;
6. certain health services, as required by law;
7. participation in a mental health assessment or mental health services as required by law, including but not limited to recurring individualized counseling sessions with a school counselor or other licensed school mental health provider;
8. students' participation in programs or services that provide information about where to obtain contraceptives or abortion referral services;
9. students' participation in surveys that are conducted concerning protected topics other than those given as part of the Centers for Disease Control and Prevention's Youth Risk Behavior Surveillance System or National Youth Tobacco Survey or the North Carolina Youth Tobacco Survey; and
10. disclosure of students' free and reduced-price lunch eligibility information or eligibility status.

Legal References: Elementary and Secondary Education Act, as amended, 20 U.S.C. 6301 *et seq.*; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, 34 C.F.R. pt. 99; Individuals with Disabilities Education Act, 20 U.S.C. 1400, *et seq.*; National School Lunch Program, 42 U.S.C. 1751 *et seq.*, 7 C.F.R. 210.12, 7 C.F.R. pt. 245; Protection of Pupil Rights Amendment, 20 U.S.C. 1232h, 34 C.F.R. pt. 98; G.S. 90-21.1, -21.10B; 114A-10; 115C-76.65(c), -81.30(d)

Cross References: Comprehensive Health Education Program (policy 3540), Student Insurance (policy 4220), Student Records (policy 4700), Administration of Medications to Students (policy 6125)

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