

Parental Rights

The Board of Trustees is mandated to adhere to laws, rules, and regulations including the Constitution of the State of Idaho; the rules of the Idaho State Board of Education (Idaho Administrative Procedures Act); the rules and regulations of the Idaho State Department of Education; the laws, rules, and regulations of the federal government and the U.S. Department of Education; as well as educational provisions outlined in the Idaho Code. These mandates include the requirement stated at Article IX, Section 1 of the Idaho Constitution that it is “. . . the duty of the Legislature of Idaho to maintain a general, uniform and thorough system of public, free common schools.”

Based upon the above provisions, as well as the State’s mandated requirements for advancement and graduation, the District has established its practices, policies, and procedures as well as the approved curriculum and assessment program. The failure to follow the District’s practices, policies, and procedures as well as the school’s curriculum and assessment program amounts to the District’s violation of State and/or federal laws, rules, and regulations, including but not limited to the failure to provide a general, thorough, free, and uniform system of public education as well as putting the District’s operations and funding in jeopardy.

The mandates upon the District include State enacted parental rights legislation. The provisions and allowances in the Parental Rights legislation must be read consistent with and in conjunction with other existing State and federal education mandates. Therefore, parents and students are expected to abide by the District’s practices, policies, and procedures governing the operation of the schools which are required by various State and/or federal laws, rules, and regulations.

If a parent has an objection to the District’s implementation of various mandates through the District’s practices, policies and procedures, the appropriate avenue for the parent is to first seek to address such concerns through communication with the school’s administration. Should that avenue not resolve the situation, a parent is free to address such concerns with the Board of Trustees in conformance with Board policy regarding public participation at Board meetings.

A parent who has objection to their child’s participation in the District’s adopted curriculum and/or the District’s implementation of practices, policies, and procedures in accordance with educational mandates, with the exception of sex education curriculum, as provided for in Idaho Code, and who chooses to not have their child participate in the provided educational activity, shall be responsible for identification and provision of non-disruptive alternative educational activities for their child during any time of objection, at no cost to the District. The final decision as to the placement of such alternative educational activity shall be at the discretion of the District, with input of the parent, consistent with the requirements for advancement and graduation.

Cross Reference: 2340F Parental Opt-Out Form for Sex Education
2420 Parental and Family Engagement
4105F Request to Address the Board

Legal Reference: Idaho Constitution Article IX Education and School Lands
I.C. § 32-1010 Intent of the Legislature – Parental Rights
I.C. § 32-1012 Parental Right to Direct the Education of Children
I.C. § 32-1213 Interference with Fundamental Parental Rights Restricted
I.C. § 33-6001 Parental Rights
I.C. § 33-6002 Annual Notice of Parental Rights
I.D.A.P.A. 08, Titles .01, .02, .03 and .04 State Board of Education and State
Department of Education Administrative Rules

Policy History:

Adopted on: April 18, 2016

Revised on: