

Part 4. Notifications of Student Physical and Mental Health.

§ 115C-76.45. Notifications of student physical and mental health.

(a) The governing body of a public school unit shall adopt procedures to notify a parent of the following:

- (1) At the beginning of each school year, notice of each health care service offered at his or her child's school and the means for the parent to provide consent for any specific service. 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 his or her child's services or monitoring.
- (2) At the beginning of each school year, procedures to exercise the parental remedies provided by G.S. 115C-76.60.
- (3) Prior to administration to students in kindergarten through third grade, a copy of any student well-being questionnaire or health screening form and the means for the parent to consent to the use of the questionnaire or form for his or her child.
- (4) 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.
- (5) Prior to any changes in the name or pronoun used for a student in school records or by school personnel, notice to the parent of the change.

(b) In accordance with the right of parents provided in Chapter 114A of the General Statutes, the procedures shall include a requirement that school personnel do one or both of the following:

- (1) Encourage a child to discuss issues related to the child's well-being with his or her parent.
- (2) Facilitate discussion of the issue with the child's parents.

(c) The procedures shall not 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 G.S. 114A-10(6)a.
- (2) When a reasonably prudent person would believe that disclosure would result in the child becoming an abused juvenile or neglected juvenile, as those terms are defined in G.S. 7B-101.

(d) The governing body and public school unit shall not adopt procedures or forms that do any of the following:

- (1) 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.
- (2) Encourage or have the effect of encouraging a child to withhold from that child's parent information about his or her mental, emotional, or physical health or well-being or a change in related services or monitoring.

(e) School personnel 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. (2023-106, s. 2(a).)