

## **PARENT RIGHTS AND THEIR CHILDREN'S EDUCATION**

The rights compiled here are those that generally apply in most democratic countries. They have been gathered from sources in Canada, United States, England, and Australia. Some of these rights are self-evident, some are inscribed in law. Others are simply standards which parents have grown to expect when good educational practice is followed.

### **1. THE RIGHT TO CHOICE**

*"Parents have a prior right to choose the kind of education that shall be given to their children."*  
(Universal Declaration of Human Rights, 1948)

This means, that while parents have a duty to see that their children are educated to a reasonable level of self-sufficiency and citizenship, they can choose how this is to be accomplished: public, private or church schools, tutoring, correspondence courses, home study, or other styles. If a style other than a public school is chosen and the parents are challenged, the onus is generally on the state to demonstrate that the child is not being educated at a level equal to his peers in a public school. The mandate of the public schools is to make available to all children in the community an education which is free, appropriate and equal. Parents have a right to choose and expect at least that minimum for their child.

### **2. THE RIGHT TO INFORMATION**

In order for parents to make a proper choice, they need adequate information. They need to know enough details about schools so that when they do register their child into a particular school, they are in effect, giving "informed consent" for the child to be there. Equally important, they need ongoing information as the child progresses through the school programs so that they can maintain confidence and support for the school, or withdraw the child if things prove unsatisfactory. If theirs is a public school, parents need information for one other reason—to help them provide informed opinions to the school and to participate in school decision-making.

Specifically, parents have the right:

- a) to obtain sufficient details about schools to enable them to make informed choices about schools
- b) to receive specific, understandable information about their child's progress; strengths and weaknesses
- c) to see all student records and files on their child, to expect that the information therein is confidential and respects the privacy of parents and student, and to request that inaccuracies and damaging information be removed
- d) to obtain information about any program in which their child is engaged, the rationale for the program, the evaluation methods used, and the credentials and job description of those implementing the program
- e) to visit and observe any programs involving their child
- f) to easy access to those working with their child (teachers, principal, specialists)
- g) to receive information about school services—including alternatives in the system, procedures, rules, and to be informed about changes
- h) to see that the public school board is operated as an open public business, that is, that the public has a right to see all policies, budgets, minutes, and official reports, and to see that decisions are made at public meetings.

### **3. THE RIGHT TO BE HEARD & CONSULTED**

As advocates for their children, parents have a responsibility to inform public schools about their expectations concerning their children's education. And this means that if the public system is to be responsive, parents must be accorded the right and the opportunity to be heard. They have a right to be heard by the teacher, by the total school staff (for example, on such items as philosophy, goals and programs), by the local school board and the higher educational authorities. Parents, as individuals and in parent groups, have a right to be heard when policies are being formulated, when planning is undertaken, when budgets are being prepared, and when evaluation is being conducted. They have a right to present briefs, make statements, and try to influence decision-making about schools their children attend.

#### **4. THE RIGHT TO SPECIAL ASSISTANCE**

Parents have the right to expect special services for children with handicaps, limitations, disabilities or exceptional talents. Parents also have the right in these instances to expect special assistance for themselves so that they can understand the situation and be enabled to continue helping their child. Parents whose children have been taken into care by the state (e.g., foster care, correctional institution) also have a right to expect special services to help their children continue their education, and for themselves so that they can maintain a helping contact as much as possible or desirable.

#### **5. THE RIGHT TO INVOLVEMENT**

Parents, as co-educators and guides of their child's total education, have a right to be involved in that part of the child's day spent in school. Particularly, it is important to know that parents have the right:

- a) to understand the principles, aims and programs of formal education so that they can support, enrich and provide home follow-through to school programs. At times, parents have also found it necessary to have this basic understanding in order to provide external remediation or tutoring.
- b) to have their child excused from programs or prescribed reading which offends the values of the home, when specifically requested
- c) to consultation before fundamental changes are made which affect the parents, the child, or the total school climate
- d) to participate in evaluation procedures affecting their child's programs, and in formulation of policy, goals and shape of education
- e) to be involved in the event their child is to be suspended from school. The student has the right to "due process" and parents and student are part of the affected parties to be heard before judgment or action is taken and before the student is suspended for just cause.

#### **6. THE RIGHT TO SAFEGUARDS**

Parents have the right to expect that a school system has certain standards that govern good practice. Specifically, parents have the right:

- a) to expect safeguards which protect their children from physical, intellectual and emotional negligence or abuse;
- b) to receive assurance that their school does not allow unauthorized invasions of their child's privacy or property (e.g., questionnaires which pry into family life, searches of lockers)
- c) to expect that parental permission is required before psychological, psychiatric, or medical assessment and/or treatment of the child are undertaken;
- d) to expect strict supervision over new programs, innovations and experiments, and that parents have special rights in these instances:
  - i) to receive a written description of the program, rationale, goals and supporting references;
  - ii) to grant or refuse permission for their child's attendance
  - iii) to receive satisfaction that the program is run by qualified, well-prepared personnel
  - iv) to be involved in the ongoing evaluation.

#### **7. THE RIGHT TO APPEAL**

Parents have the right to appeal decisions which they consider unsatisfactory and to report behavior which they consider might be incompatible with good educational practice. Parents should be informed of their lines of appeal, which generally start with the teacher, then proceed up through to the principal, the school board, to the government ministry in charge. Parents have a right to receive, on request, a written explanation which responds to their appeal, and which they might require in pursuing their grievance further up the ladder. Matters of law can be referred to a court for judgment, and the normal civil remedies exist when it is considered damages should be claimed.

## Parent Role, Rights, Responsibilities in Education of Their Children

With respect to educational rights, parents have a two-fold duty: to know and exercise their own rights, and to know and enforce their children's rights. As users of the educational system, and as advocates for their children, parents are duty-bound to act well and wisely to see that the system works to the advantage of their children and the community's children. If the rights here described are challenged by school officials, they have a right to ask why rights parents enjoy in other jurisdictions are denied them And they have a right to receive an explanation.

Interwoven with rights are responsibilities and some of these have been mentioned earlier. Besides all that parents have to do to provide the kind of home life and support for good education to happen, they also have to do their part in building a co-operative relationship with educational authorities. Parents need that relationship to ensure that policies and programs are developed as close "to home" as possible - close to the important parent-child-teacher relationship. The rights enumerated here should provide the confidence and background to help build that co-operative framework.

**REMEMBER: It has always been, except in totalitarian states, the duty of parents to educate their children.**

England: It shall be the duty of the parent of every child of compulsory school age to cause him to receive efficient full-time education suitable to his age, ability, and aptitude, either by regular attendance at school or otherwise. (Education Act, 1944)

United States: The first School Laws in America (1642) underlie the system to this day: "Universal education of youth is essential to the well-being of the State. The obligation to furnish this education rests primarily upon the parents."

Canada: "The responsibility is placed by law upon the parents or guardian to educate their children." (You and the Law, 1973)

The UN Universal Declaration of Human Rights (1948) and Declaration of the Rights of the Child (1959) support this parental duty.

The public schools do have a **statutory duty** to provide a free education to all students whose parents choose to register them. However, it is made clear in all school law that parents are to be kept **informed** of the progress of the child. This information must be **accurate and understandable** to the parents so that they in turn can exercise their duty by **supporting, augmenting, intervening or withdrawing from that school.**

Public schools serve a two-fold purpose: to assist parents in meeting their parental obligation in the education of their children and to serve the broader public interest in seeing that citizens are educated to a certain standard.

*(Compiled in 1977 by Education Advisory, an independent research and advisory service about effective parent participation in the education of their children.)*