



ADF INTERNATIONAL

Charter on Parental Rights

INTRODUCTION

Recalling that international human rights law recognises that the family is the fundamental unit of society and that parents have primary authority for the care of the child, and that, in particular:

The Universal Declaration of Human Rights states that parents “have a prior right to choose the kind of education that shall be given to their children.”

The Declaration of the Rights of the Child provides that the “best interests of the child shall be the guiding principle of those responsible for his education and guidance; that responsibility lies in the first place with his parents.”

The International Covenant on Civil and Political Rights refers to “the liberty of parents ... to ensure the religious and moral education of their children in conformity with their own convictions.”

Convinced that the exercise by the child of his or her rights and developing autonomy must in the first instance be guided, directed, and nurtured by the parent, and that the parent is presumed to act in the best interest of the child (unless exceptional instances such as abuse or neglect indicate otherwise);

Grounded in the natural right of parents to raise their children to flourish in accordance with their beliefs, and recognizing the duty and responsibility of parents in the upbringing of their children:

This Charter sets forth principles that seek to uphold the right of parents to receive timely and accurate information held by any public authority or private organisation regarding their child’s education, health, and well-being or any other record or data pertaining to their children. Furthermore, in the particular context of education, it delineates parental rights to information regarding the education of their child and the right to ‘opt-out’ of elements of the school curriculum.

A. GENERAL PRINCIPLE

1. Best interests of the child

Absent a clear showing of risk or abuse, it is presumed that parents act in the best interest of their children.

B. RIGHT TO DIRECT EDUCATION

2. Parental choice in education

Parents have the prior right to choose the kind of education for their children, including state, private, religious schools, and home education.

C. RIGHT TO INFORMATION

3. Information relating to health and wellbeing

Parents have the right to access all information gathered and held by any public authority, private organisation or third party relating to their child’s mental, emotional, or physical health or well-being. Parents have the right to access such information promptly without unjustified restrictions or interference by the state or third parties.

4. Information relating to health and well-being in school

Schools shall provide, in a timely manner and in writing, all information gathered regarding the child’s emotional, mental or physical health or well-being. Additionally, unless in a medical emergency (and as soon as practically possible thereafter), schools shall obtain the explicit consent of the child’s parents prior to any school medical examinations, involving any physical or mental health examination of the child.

5. Information relating to materials used in the school curriculum

Parents have the right to seek and receive information regarding the content of all books, films, printed materials, displayed materials, teacher’s manuals, lesson plans, and all other instructional materials used by staff in the delivery of the curriculum. Schools shall compile, maintain, and distribute to parents a list of such materials and make the foregoing materials accessible to parents for inspection upon request.

6. Information relating to material used outside the school curriculum

Parents have the right to be informed regarding the content of all non-curriculum books, films, printed materials, displayed materials, and electronically stored materials retained or accessible to students in Schools. Schools shall compile and maintain a list of such materials retained in school libraries and classrooms and make this list available to parents to inspect on request.

7. Right to meet

Parents have the right to participate fully in the education of their child and to make their voices heard, acknowledged, and considered in decision-making processes affecting their children. Thus, schools shall arrange at least one parent-teacher meeting during the school year. Additionally, Schools shall, upon request and with reasonable notice, accommodate parents wishing to meet with teachers, this shall be in addition to scheduled parent-teacher meetings.

8. Right to correspond

Parents have the right to conduct correspondence with any public authority, school or third party pertaining to their children. Public authorities, schools, and third parties shall, in writing, respond in a timely manner to parent's requests and queries.

9. Policy on identity

Parents have the right to be informed regarding a school's policy concerning students or staff who identify in a manner differing from their biological sex. Therefore, schools shall make available to parents a written policy including relevant information specifying the school's procedures regarding sporting activities, use of toilets, and locker rooms. In particular, in a manner respecting the privacy of the parties involved, schools shall inform parents if another student in their child's class or staff member (who teaches or interacts with their child), identifies in a manner differing from their biological sex.

Recognizing the concerning nature of 'social transition', schools, or any person employed therein, shall not refer to, describe, or address a child in a manner differing from their information (including but not limited to name and biological sex) as recorded in the school enrollment register which should reflect the biological sex of the child.

10. Out of school activity

Parents have the right to be informed of any off-campus activities, including school trips or tours. Schools shall require parents' prior and explicit consent before taking a child on any off-campus activity, and describe fully the programme, content, and itinerary thereof, including the identity and affiliation of participating individuals who are not members of school staff.

11. Non-staff speakers and groups

Parents have the right to be informed if any individuals or groups not employed by the school are invited to speak to, or interact with, children at school. Schools shall, with appropriate prior notice, seek the explicit consent of parents permitting their children to participate in any activities or interaction with non-staff individuals or groups. Schools shall provide a comprehensive description of the purpose of any visit by non-staff individuals or groups, the affiliation of such persons, including information regarding their employer or organisations, and information on the content of their planned activities with children in the school.

12. Information Technology in the School

Parents have the right to be informed if children have access to information technology or the internet in the school. Schools shall obtain parental consent for the use of information technology in the classroom for purposes of educating the student. Schools shall monitor the use of such technology by students and have in place safeguards to prevent students from accessing inappropriate or illegal content via the internet or otherwise.

D. RIGHT TO OPT OUT

13. Right to 'opt out'

Consistent with their rights under international law, in particular the right to direct the education of their children in conformity with their beliefs, parents shall at all times retain the authority to grant or withhold their consent for their child to participate in any educational instruction or activity which includes content conflicting with their beliefs.

14. Communication of an 'opt out'

Schools shall request parental consent for their child to participate in specific classes or activities at the outset of the academic year. Parental consent will be assumed to be given where no objection is made in writing to the school. Parents retain the right to withdraw consent during the course of the school year such as in circumstances where they become aware of content they find objectionable in a particular class or activity.

15. Support for right to 'opt out'

Schools shall provide alternative activities and/or supervision for children whose parents have exercised their right to remove their child out from specific educational instruction or activities. Such activities and/or supervision may, for example, include independent study time within the premises of the school.

16. Guarantee of non-discrimination

Schools shall ensure that those students and parents who choose not to participate in certain classes or activities shall not, as a consequence of exercising their rights, be exposed to any act of intimidation, threats, coercion or arbitrary discrimination by the school, any member of staff, or any other person within the school community. If necessary, the school shall ensure that any school policy regarding discrimination or bullying adequately addresses the circumstances of parents and students who exercise a right not to participate in certain classes or activities.