

§ 115C-76.60. Remedies for parental concerns.

(a) The governing body of a public school unit shall adopt procedures for a parent to notify the principal at his or her child's school regarding concerns about a public school unit's procedure or practice under this Part and a process for resolving those concerns within seven days of the date of notification by the parent. If the parental concern has not been resolved within 30 days following the date of notification by the parent, the public school unit shall provide a statement of the reasons for not resolving the concern.

(b) If a concern is not resolved by the public school unit within 30 days, a parent may do either of the following:

- (1) Notify the State Board of Education of the concern and request a parental concern hearing. The State Board shall establish rules for parental concern hearings. At a minimum, the rules shall require the following:
 - a. The State Board of Education shall appoint a qualified hearing officer. To qualify as a hearing officer, an individual must be a member in good standing of the North Carolina State Bar with demonstrated experience in education or administrative law within the last five years.
 - b. The hearing shall be conducted in accordance with rules established by the State Board.
 - c. The hearing officer shall determine facts related to the dispute over the public school unit's procedure or practice, consider information provided by the public school unit, and render a recommended decision for resolution to the State Board of Education within 30 days after assignment to the parental concern hearing.
 - d. The State Board shall approve or reject the recommended decision at its next regularly scheduled board meeting held more than seven days after receipt of the recommended decision.
 - e. The public school unit shall pay for the costs of the hearing officer.
- (2) Bring an action against the public school unit as provided in Article 26 of Chapter 1 of the General Statutes for a declaratory judgment that the unit's procedure or practice violates this Part. The court may award injunctive relief to a parent and shall award reasonable attorneys' fees and costs to a parent awarded injunctive relief.

(c) The provisions of this section are in addition to any other remedies or procedures authorized or permitted by law. (2023-106, s. 2(a).)