

LEGISLATIVE UPDATES FOR PARENTS AND THE COMMUNITY



MEETING NORMS

- Conversation/Questions and Answers
 - Please direct your comments and questions towards me and the school
 - Please refrain from engaging in communication/debate with other members present.
- Maintain decorum
- Fail-Safe

EXECUTIVE ACTIONS, NEW LAWS, AND COURT DECISIONS

- Is Current Law or in Effect
 - Ohio HB 68 – Save Women’s Sports Act
 - Ohio SB 104 – Bathroom Bill (Soon)
 - Administrative Changes to “sensitive areas” for Immigration and Customs Enforcement
 - January 9th Circuit Court Decision re: 2024 Title IX Regulations
- Will go into Effect
 - Ohio HB 8 – Parent’s Bill of Rights (July 1st)

OHIO HB 68 – SAVE WOMEN’S SPORTS ACT

- No school, interscholastic conference, or organization that regulates interscholastic athletics shall knowingly permit individuals of the male sex to participate on athletic teams or in athletic competitions designated only for participants of the female sex.
- Nothing in this section shall be construed to restrict the eligibility of any student to participate on any athletic teams or in athletic competitions that are designated as male or co-ed.

OH HB 68 IMPACT ON ACSD

- Restricts transgender female students from participating in what is considered a female designated (not coed) sport.

OHIO SB 104 – BATHROOM BILL

- Requires multiple-use restrooms and locker rooms to be designated as male and female.
- Prohibits non-gendered multi-use facilities (restrooms, locker rooms, changing rooms, etc...)
- Requires a person to use the facilities according to their sex identified at birth.
- Does not restrict family-use or single-use facilities.
- Applies to overnight accommodations (field trips)

OHIO SB 104 IMPACT ON ACSD

- Reverses our practices that we have implemented since 2016
 - Restricts students from using the restroom according to their gender identity
- Overnight accommodations
- Increased access to our single-use/family restrooms
- Enforcement or lack thereof
 - Repercussions
 - Columbus City Schools

OHIO HOUSE BILL 8

- The general assembly maintains that a parent has a fundamental right to make decisions concerning the upbringing, education, and care of the parent's child.
- Ensure that any content that is sexual in nature is age and developmentally appropriate.
 - Allows for parental access to the content/curriculum.
 - Allows for parental choice in an alternative assignment.
- Promptly notify a student's parent of any substantial change in the student's services, including counseling services, or monitoring related to the student's mental, emotional, or physical health or well-being or the school's ability to provide a safe and supportive learning environment for the student.

OHIO HOUSE BILL 8 IMPACT ON ACSD

- We have always provided access to our content and curriculum.
- Law has a lack of clarity on what is considered content that is sexual in nature.
 - What about books in a classroom library?
 - Does not cover books in the school library.
- Allows for a parent to file a concern/complaint

OHIO HOUSE BILL 8 IMPACT ON ACSD

- Does not restrict instruction on STIs or sexual abuse/violence prevention.
- Does not restrict incidental conversations to sexual concepts or gender ideology occurring outside of formal instruction or presentations on such topics, including references made during class participation and in schoolwork.

OHIO HOUSE BILL 8 IMPACT ON ACSD

- Promptly notify a student's parent of any substantial change in the student's services, including counseling services, or monitoring related to the student's mental, emotional, or physical health or well-being or the school's ability to provide a safe and supportive learning environment for the student.
 - Any request by a student to identify as a gender that does not align with the student's sex at birth
 - Change in physical well-being, bullying, and potential for self-harm

OHIO HOUSE BILL 8 IMPACT ON ACSD

- “Outing” a student to parents
 - Does not provide restrictions for fear of harm
 - What will our procedures be?
 - Potential impact of noncompliance/lack of enforcement

ADMINISTRATIVE CHANGES TO SENSITIVE AREAS FOR IMMIGRATION AND CUSTOMS ENFORCEMENT

- Removed restrictions for Immigration and Customs Enforcement from historical areas
 - Churches
 - Schools

IMMIGRATION AND CUSTOMS ENFORCEMENT IMPACT ON ACSD

- We do not ask for immigration status nor investigate any status of citizenship of our students and their families.
- Point of Contact for any Immigration and Customs Enforcement (ICE) or Law Enforcement Inquiries – Dr. Gibbs and Mr. Springer
 - If an agency comes to school and requests to speak with a student, please contact us immediately!
- What to Do if Contacted by Immigration and Customs Enforcement (ICE) Representatives?
 - If you are contacted by a member of ICE, please do not engage with the ICE officials other than as necessary to refer them to Dr. Gibbs or Mr. Springer. Please ask for them to wait until one of us arrives.

IMMIGRATION AND CUSTOMS ENFORCEMENT IMPACT ON ACSD

- Immigration Status and Student Records (po8330)
 - A student's immigration status is protected under the Federal Education and Rights to Privacy Act. Reporting this immigration status to a federal agency is not an exception to FERPA.
- We do not release student records to any agency without a written parent permission, a judicial subpoena, or judicial search warrant.
 - F-I and M-I visa records are not protected under FERPA, but should require a judicial subpoena or judicial search warrant if an agency asks for these records.
- An administrative warrant is not the same as a judicial warrant. A school is not obligated to permit ICE to enter any non-public area of campus nor release student records when presented with an administrative warrant.

IMMIGRATION AND CUSTOMS ENFORCEMENT IMPACT ON ACSD

- Investigations of Violations of Law by Law Enforcement Officials (po5540)
 - Unless a violation of law is being investigated by the school, we encourage all law enforcement officials to communicate with students and families outside of the school day.
 - If a law enforcement official needs to speak with a student at school, the building administrator will contact the parents first unless law enforcement has an official court order stating that a parent should not be contacted due to the impact that it could have on a criminal investigation. If a parent is not able to be present, a school administrator or other school official will sit in the interview to provide support to the student. Students subjected to questioning are entitled to their rights.

JANUARY 9TH CIRCUIT COURT DECISION RE: 2024 TITLE IX REGULATIONS

- Vacated the 2024 Title IX Regulations under the Biden Administration
- Reverts to the 2020 Title IX Regulations under the first Trump Administration
 - Does not recognize gender identity under the “basis of sex”.
 - Rejected that discrimination on the basis of sex also includes discrimination on the basis of sex stereotypes, sex characteristics, and sexual orientation.

9TH CIRCUIT COURT DECISION IMPACT ON ACSD

- Does not allow, nor open the door to hate.
- Allows administration to use due process, not title IX process, for investigation and potential disciplinary procedures.
- Allows administration to respond to incidents quickly.

FINAL THOUGHTS

- Progress
 - We have always been progressive and will continue to be, just at a different pace
- Welcoming and Safe
 - ALWAYS
- Communication with Parents and Students
 - What we are able, and not able, to do

QUESTIONS?