

## Promoting Parental Involvement

The Board promotes parental involvement in the public school system. The Board directs the Superintendent/designee to develop procedures necessary to comply with the provisions of this policy. This policy is made publicly available and posted prominently on the District's website.

This policy does not prescribe all rights of parents or preempt or foreclose claims or remedies in support of parental rights that are available under the constitution, statutes or common law of Ohio.

Nothing in this policy requires disclosure or activity that is in conflict with or in violation of any of the following:

1. the Health Insurance Portability and Accountability Act (HIPAA) privacy rule;
2. Revised Code (RC) Chapter 3798;
3. RC 2317.02, 4732.19 or 5122.04;
4. the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g;
5. the Ohio Constitution, Article I, Section 10a and any laws enacted to implement that section, including RC 2930.07 and 2930.10;

Nothing in this policy requires disclosure or activity in violation of any court order, including any of the following:

1. a condition of bond;
2. a protection order or consent agreement issued pursuant to RC 2151.34, 2903.213, 2903.214, 2919.26 or 3113.31 or
3. a condition of a community control sanction, post-release control sanction or parole.

Nothing in this policy requires disclosure or activity in violation of a specific request for nondisclosure made pursuant to a criminal investigation or grand jury subpoena in which the student is the victim and a parent is the alleged perpetrator.

Nothing in this policy prohibits or prevents mandatory reporting under RC 2151.421.

Nothing in this policy prohibits or limits the career and academic mentoring and counseling between teachers and students in the regular course of the school day.

## **Definitions**

The following definitions apply for the implementation of this policy:

"Biological sex:" the biological indication of male and female, including sex chromosomes, naturally occurring sex hormones, gonads and unambiguous internal and external genitalia present at birth, without regard to an individual's psychological, chosen or subjective experience of gender.

"HIPAA privacy rule:" has the same meaning as in RC 3798.01.

"IEP:" has the same meaning as in RC 3323.01.

"Parent:" has the same meaning as in RC 3313.98.

"Sexuality content:" any oral or written instruction, presentation, image or description of sexual concepts or gender ideology provided in a classroom setting. This does not include instruction or presentations required by State law in sexually transmitted infection education, sexually transmitted infection education emphasizing abstinence, child sexual abuse prevention, sexual violence prevention education or incidental references 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.

"Student's mental, emotional or physical health or well-being:" includes, at a minimum, a student's academic performance; any significant sickness or physical injury, or any psychological trauma suffered by a student; any harassment, intimidation or bullying, as defined by State law, by or against a student in violation of school district policy; any request by a student to identify as a gender that does not align with the student's biological sex; and exhibition of suicidal ideation or persistent symptoms of depression, or severe anxiety, or other mental health issues.

"Age-appropriate content" and "developmentally appropriate content:" activities or items that are generally accepted as suitable for children of the same chronological age or level of maturity or that are determined to be developmentally appropriate for a child, based on the development of cognitive, emotional, physical and behavioral capacities that are typical for an age or age group.

## **Sexuality Content**

The District ensures any sexuality content is age-appropriate and developmentally appropriate for the age of the student receiving the instruction, regardless of age or grade level. The District

provides parents the opportunity to review instructional materials that include sexuality content prior to providing instruction or permitting third parties to do so on behalf of the District. Upon request of the parent a student is excused from instruction including sexuality content and is permitted to participate in an alternative assignment.

Instruction including sexuality content is not provided to students in kindergarten through third grade by the District or any third party acting on behalf of the district.

### **Student Health and Well-Being**

The District promptly notifies a student's parent of any substantial change in the student's services, including counseling services, or monitoring related to their mental, emotional or physical health or well-being or the school's ability to provide them a safe and supportive learning environment. The parental notice reinforces the fundamental right of parents to make decisions regarding the upbringing and control of their children and that the District does not inhibit parental access to the student's education and health records maintained by the school.

Notice is provided through the methods the District generally communicates with parents including, but not limited to, email, phone call, letter or other direct forms of communication.

District personnel are prohibited from directly or indirectly encouraging a student to withhold information from a parent concerning the student's mental, emotional or physical health or well-being, or a change in related services or monitoring. District personnel are prohibited from discouraging or prohibiting parental notification of and involvement in decisions affecting a student's mental, emotional or physical health or well-being.

### **Parental Authorization for Student Health Care Services**

The District obtains parental authorization before providing any type of health care services to students, including physical, mental and behavioral health care services and parents can choose whether to authorize the District to provide health care services. The Board directs the Superintendent to adopt procedures to obtain necessary authorization from parents, which may include but is not limited to whatever means the District generally obtains parental authorization.

At the beginning of each school year, the District notifies parents of each health care service offered at, or facilitated in cooperation with, their student's school and their option to withhold consent or decline any specified service. Parental consent to health care services does not waive the parent's right to access the student's educational or health records or to be notified about a change in the student's services or monitoring.

Prior to providing a health care service to a student, the District notifies parents whether the service is required to be provided by the District under State law and if other options for a

student to access the service exist. This requirement can be satisfied by an annual notice to parents at the beginning of the school year.

Provisions related to parental authorization for student health care services do not apply to emergency situations, first aid, other unanticipated minor health care services or health care services provided pursuant to a student's IEP or section 504 plan.

### **Concerns and Appeals Procedure**

A parent may file a written concern with a school principal or assistant principal regarding a topic addressed in this policy, which must be resolved within 30 days after receipt. Written concerns received by a school principal or assistant principal about this policy are investigated fully and fairly. Anonymous written concerns may not be investigated.

A parent may appeal a principal's or assistant principal's decision to the Superintendent. If a parent appeals a principal's or assistant principal's decision, the Superintendent/designee must conduct a hearing on the decision. Based on the findings of that hearing, the Superintendent decides whether to affirm the principal's or assistant principal's decision. If the Superintendent does not affirm the decision, they determine the resolution to the parent's concern.

A parent may appeal the Superintendent's decision to the Board. If a parent appeals the Superintendent's decision, the Board must review the Superintendent's decision and, if the Board determines it necessary, hold a hearing on the Superintendent's decision. Based on the findings of that hearing, the Board decides whether to affirm the Superintendent's decision. If the Board does not affirm the decision, it determines a new resolution to the parent's concern.

Nothing in this procedure prevents a parent from contacting a member of the Board regarding the parent's concerns with the operation of a school under its supervision.

The Board directs the Superintendent/designee to develop procedures to ensure prompt and fair attention to written concerns about this policy. The District notifies parents of their right to file a written concern by whatever means the District generally communicates with parents including, but not limited to, email, phone call or other direct forms of communication.

### **Legal References**

Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g  
Health Insurance Portability and Accountability Act (HIPAA)  
Ohio Constitution, Article I, Section 10a  
ORC 2151.421, ORC 2317.02, ORC Chapter 2903, ORC 2919.26, ORC Chapter 2930  
ORC 3113.31, ORC 3313.473, ORC 3313.60, ORC 3313.6011, ORC 3313.666  
ORC 3313.98, ORC 3314.0310, ORC 3323.01, ORC 3326.091, ORC Chapter 3798  
ORC 4732.19, ORC 5122.04

Cross References

- IGAE, Health Education
- IGAH/IGAI, Family Life Education/Sex Education
- IGBL, Parent and Family Involvement in Education
- JHC, Student Health Services and Requirements
- JHCA, Physical Examinations of Students
- JHF, Student Safety

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