

PARENTS' BILL OF RIGHTS

The Ohio Virtual Academy Board and administration recognize that parents have a fundamental right to make decisions concerning the upbringing, education, and care of their children. OHVA also promotes parental involvement within their student's education at OHVA. In addition, parents have certain rights in the school system to know about their student's educational experience. As required in Ohio House Bill 8 this policy specifically addresses the following areas.

Sexuality Content/Mental, Emotional, or Physical Health or Well Being/Health Care Services

The following definitions shall be used regarding this policy:

"Age-appropriate" and "developmentally appropriate" content refers to 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.

"Student's mental, emotional, or physical health or well-being" includes, at a minimum, any of the following:

- A. A student's academic performance;
- B. Any significant sickness or physical injury, or any psychological trauma suffered by a student;
- C. Any harassment, intimidation, or bullying, as defined in section 3313.666 of the Revised Code, by or against a student in violation of School District policy;
- D. Any request by a student to identify as a gender that does not align with the student's biological sex;
- E. Exhibition of suicidal ideation or persistent symptoms of depression or severe anxiety, or other mental health issues.

"Sexuality content" means any oral or written instruction, presentation, image, or description of sexual concepts or gender ideology provided in a classroom setting. "Sexuality content" does not mean any of the following:

- A. Instruction or presentations in sexually transmitted infection education, child sexual abuse prevention, and sexual violence prevention education provided under division (A)(5) of section 3313.60 or section 3314.0310 or 3326.091 of the Revised Code;
- B. Instruction or presentations in sexually transmitted infection education emphasizing abstinence provided under section 3313.6011 of the Revised Code;
- C. 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.

Sexuality Content and Parental Notification

OHVA will ensure that any sexuality content is age-appropriate and developmentally appropriate for the age of the student receiving the instruction, regardless of the age or grade level of the student. The Board will not permit instruction that includes sexuality content in kindergarten through 3rd grade.

Prior to providing instruction that includes sexuality content or permitting a third party to provide such instruction on behalf of the District, OHVA will provide parents the opportunity to review any instructional material that includes sexuality content. Upon request of the student's parent, a student shall be excused from instruction that includes sexuality content and shall be permitted to participate in an alternative assignment.

Student Services/Mental, Emotional, Physical Health or Well-Being/Safe and Supportive Learning Environment and Parental Notification

OHVA administration will 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. Notification will be provided by administration through email and/or telephone. OHVA will not inhibit parental access to the student's education and health records maintained by the school.

OHVA personnel will not directly or indirectly encourage a student to withhold from a parent information concerning the student's mental, emotional, or physical health or well-being, or a change in related services or monitoring.

OHVA personnel will not discourage or prohibit parental notification of and involvement in decisions affecting a student's mental, emotional, or physical health or well-being.

Parental Consent & Authorization for Health Care Services

Parental permission must be obtained by OHVA prior to providing any type of health care service to students, including physical, mental, and behavioral health care services. Parents may decide if OHVA can provide a health care service to the child.

At the beginning of each school year, OHVA will notify parents of each health care service offered and of the parent's option to withhold consent or decline any specified service. If granted, parental consent to health care services does not waive the parent's right to access their child/children's educational or health records or to be notified about a change in the student's services or monitoring as set forth herein.

Prior to providing a health care service to a student, OHVA will notify a parent 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.

These notification requirements 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 the District's obligation under section 504 of the "Rehabilitation Act of 1973," 29 U.S.C. 794.

Process for Resolving Parental Concerns

Parents may file written concerns with the principal or other school administration regarding any topics addressed in the above Parental Rights and Parental Involvement section of this policy. Parents will be notified at the beginning of each school year of their right to file a written concern. The principal or other administrator will take steps with parent(s) to resolve the concern within thirty (30) days of receipt of the written concern. If not satisfied with the outcome of the resolution by the principal or building administrator, the parent(s) may appeal a decision at that level to the Head of School.

If a parent appeals the principal's or administrator's decision, the OHVA Head of School or designee will conduct a hearing on the decision. Based on the findings of that hearing, the Head of School shall decide whether to affirm the principal's or building administrator's decision. If the Head of School determines not to affirm the decision, the Head of School shall determine a resolution to the parent's concern and communicate the decision to the parent. A parent may appeal the Head of School's decision to the OHVA Board of Trustees.

If the Head of School's decision is appealed, the Board shall review the Head of School's decision and, if the Board determines it necessary, hold a hearing on the decision and, based on that hearing, either affirm the Head of School's decision or determine a new resolution to the parent's concern.

Nothing in this policy should prevent a parent from contacting a member of the Board regarding a concern with the operation of a school under the supervision of the OHVA Board of Education.

Legal References

R.C. 3109.01, 3313.473, 3319.325, 3319.326