

203.4 Parental Review of Instructional Materials

Definitions

“Instructional material” means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audio-visual materials, and materials in electronic format or digital formats (such as materials accessible through the internet). The term does not include academic tests or academic assessments.

“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:

1. instruction or presentations in sexually transmitted infection education, child sexual abuse prevention, and sexual violence prevention education as required by law;
2. instruction or presentations in sexually transmitted infection education emphasizing abstinence; or
3. 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.

“‘Age-appropriate’ and ‘developmentally appropriate’” content means 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.

Parental Review

The School shall make available for review by parents, upon a reasonable request, any instructional material used as part of the educational curriculum for students, including instructional material that contains “sexuality content.”

The School shall 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.

Prior to providing instruction that includes sexuality content, or permitting a third party to provide such instruction on behalf of the School, the School shall 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 be permitted to participate in an alternative assignment.

Complaint and Appeal Process

A parent may file with the School Principal or Assistant Principal a written statement of concern regarding the School’s use of sexuality content, or regarding violations of Policy 235. Within thirty (30) days of receipt, the Principal or Assistant Principal shall review and investigate any such concerns and shall provide a resolution, if necessary, to such concern. The Principal or Assistant

Principal shall notify the parent of such resolution within 30 days of receipt of the complaint. Such notice shall advise the parent of the right to appeal the decision to the Superintendent.

The Superintendent or his/her designee shall conduct a hearing of the appeal of the Principal's or Assistant Principal's resolution of a parent concern regarding the School's use of sexuality content or violations of Policy 235, provided the Principal and Superintendent are not the same person. If the Principal and Superintendent are the same person, the Board, a committee of the Board, or _____ N/A _____, an administrator who is not involved in the decision, will hear the appeal resolution. Based on the findings of the appeal hearing, the Superintendent shall decide whether to affirm the Principal's or Assistant Principal's decision. If the Superintendent does not affirm the decision, the Superintendent shall determine a resolution to the parent's concern.

A parent may appeal the Superintendent's decision to the Board. The Board shall review the Superintendent's decision and, if the Board determines it necessary, hold a hearing on the decision and, based on that hearing, either affirm the Superintendent's decision or determine a new resolution to the parent's concern.

20 U.S.C. 1232h; R.C. 3313.473.