

## 5153 Parental Rights

The District recognizes the right of parents to make decisions regarding the care and control of their student(s). Legal guardians will be notified annually of their right to file a complaint if they believe their rights as described in this policy have been violated. The procedures for filing a complaint related to the rights in this policy are found under regulation 8380 Rules of Practice Governing Hearings and Contested Cases Before the Board of Trustees. Legal guardians have the responsibility to update their contact information annually and as changes occur.

ADOPTION DATE: May 28, 2024

LEGAL REFERENCE(S): W.S. 21-3-135

CROSS REFERENCE(S):

ADMINISTRATIVE REGULATION:

## 5153-R Parental Rights

### I. Definitions

- A. Actual Knowledge: An employee will be deemed to have actual knowledge if:
- a. A person reports a purported change in a student's health or well-being to an employee, and the purported change is verified by an employee with *authority to investigate*\* or determine whether the change has occurred; or
  - b. an employee directly observes the purported change, and a reasonably observant person would notice the purported change.

*\*authority to investigate will be the principal or designee*

- B. As Soon as Practicable: As soon as reasonably capable of being accomplished given the normal constraints involved with such an action and without undue delay except in cases of

suspected child abuse or neglect. Unless otherwise specified by this policy, “as soon as practicable” will mean not more than forty-eight hours or not more than two business days after the purported change is verified or observed by an employee, whichever is greater.

C. Change: In a student’s educational, physical, mental, or emotional health or well-being is any change that meets one or more of the following criteria:

1. It poses a risk or threat to the student’s safety, health, or well-being, or to the safety, health, or well-being of others.
2. It is a mental health or medical condition that necessitates intervention or treatment at school or follow-up with a community mental health worker, therapist or medical provider.
3. It requires a modification of the student’s educational program, services, or supports, or the provision of additional or specialized services or supports, such as special education, counseling, health care, or social work.
4. It affects the student’s access, eligibility, participation, or performance in the District’s education program, or academic, extracurricular, or co-curricular activities, or in assessments or evaluations.
5. It involves a disciplinary action, sanction, or consequence for the student, such as detention, suspension (in-school and out-of-school), expulsion, or referral to law enforcement.
6. It results from a complaint, allegation, or investigation involving the student, such as bullying, harassment, discrimination, or violation of rights.

D. Day: One business day.

E. Gender Identity: An individual’s personal sense of their own gender.

F. Health Screening Tool: Any diagnostic assessment that detects pre-clinical mental or physiological illness or disease.

G. Instruction: The action, practice or profession of teaching and includes planned teaching addressing gender identity or sexual orientation. The following will not be included in “instruction”:

1. Responding to a question from a student during class regarding sexual orientation or gender identity as it relates to any topic of instruction; or
2. Referring to the sexual orientation or gender identity of any public figure, historic person or group, or fictional character where the referral provides necessary context in relation to a topic of instruction.
3. Student-generated schoolwork.
4. Student-to-student speech.
5. Classroom references to a person’s family.
6. Library books.
7. Extra-curricular, co-curricular or student clubs.
8. Dual enrollment courses taken at or from a college.

H. Legal Guardian: includes parents, and legal custodians of students who are under eighteen (18) years old and who have not been emancipated.

I. Sexual Orientation: Refers to an individual’s enduring pattern of emotional, romantic, and/or sexual attraction to others.

J. Well-being Questionnaire: An instrument used to assess an individual’s overall well-being across various domains of life. It typically consists of a series of questions designed to measure different aspects of well-being, such as physical health, mental health, social relationships, emotional well-being, and life satisfaction. These questionnaires may use a variety of questions to gather information about an individual’s experiences, feelings, and perceptions related to their well-being. Well-being questionnaires do not include informal building-created processes or “quick checks” used to assess classroom or school climate.

## **II. Legal Guardian Notification of Changes in Student's Health or Well-Being**

Any employee who has actual knowledge of a change in a student's educational, physical, mental or emotional health or well-being will report the change to the school principal or their designee. The principal or designee will determine who will notify the legal guardian of the student. The District will notify a student's legal guardian as soon as practicable if an employee has actual knowledge of a change in the student's educational, physical, mental or emotional health or well-being. The principal or designee will document the notification.

Nothing in this policy will be construed to delay, modify or alter the obligation to report suspected abuse or neglect of a child to the Department of Family Services (DFS) or law enforcement pursuant to state statute. If an employee reasonably believes the change is the result of suspected abuse or neglect of the student which will result in a report to law enforcement or DFS, the phrase "as soon as practicable" will mean after the District reports the suspected abuse to law enforcement or DFS as required by state statute, and after either law enforcement or DFS authorizes the District to notify the legal guardians.

The Superintendent or designee may adopt administrative regulations, procedures and criteria which further clarify or define whether a reported change constitutes a change in a student's health under this policy.

Notification may be made via phone, face-to-face conversation, District messaging system, or email or other methods approved by the Superintendent or principal.

The District will not adopt or implement any formal or informal rules, policies, practices or procedures that prohibit District personnel from notifying a student's legal guardian about the student's educational, physical, mental, emotional health or well-being or a change in the student's related services as authorized under Wyoming law.

When any legal guardian asks an employee about the health or well-being of the legal guardian's student, District employees will not misrepresent or provide false information about the student.

School personnel will encourage students to discuss issues that may arise related to their well-being with their legal guardian. As appropriate, school personnel may facilitate discussions of such issues with legal guardians. The District will not adopt nor implement any formal or informal rule, policies, practices or procedures which direct, encourage, or have the effect of encouraging, a student to withhold from a legal guardian information about the student's educational, physical, mental, or emotional health or well-being.

### **III. Legal Guardian Consent**

#### **A. Instruction**

The District strives to make legal guardians aware of the curriculum and content of their student's education. In order to ensure transparency and allow legal guardians to make informed decisions regarding their student's exposure to instruction related to sexual orientation and gender identity, District staff will obtain written or electronic parental consent at least one (1) day prior to any training, courses, or classes that address sexual orientation or gender identity.

Legal guardians will receive an overview of the content covered in the training or course, including objectives, materials, and planned discussions related to sexual orientation or gender identity. The overview will emphasize the educational purpose of the topic. Legal guardians who wish to withdraw their consent for their student to participate in an instructional class must notify staff in writing prior to the start of the anticipated instruction. Schools will provide alternative educational activities for students whose legal guardians do not consent to the instruction of the subjects described in this section.

## **B. Routine Health Care Services**

At the start of each school year, the District will provide legal guardians with notice of each routine health care service provided by the District. Legal guardians will be given the ability to withhold consent or decline any or all specific services. First aid and summoning of emergency responders in case of sudden need will still be given to those students whose legal guardians have exercised their right to withhold consent for routine healthcare services under this policy. Consenting to a service does not waive the legal guardian's right to access the education or health care records of the student, nor does it waive a legal guardian's right to be notified of a change in the student's educational, physical, mental, or emotional health or well-being.

## **C. Student Well-Being Questionnaires and Health Screening Tools**

Prior to administering any well-being questionnaire or health screening tool to students, the District will make available a copy of the questionnaire or information on the health screening tool and obtain written or electronic consent from the legal guardian. Health screening tools that do not require parental permission include those health assessments required by federal law including audiology, vision, scoliosis and body mass index tests. If a legal guardian does not want their student to participate in these required assessments, the legal guardian must specifically notify their student's school in writing prior to the health screening.

## **IV. Student Records**

The School District will not prohibit legal guardians from accessing any of their student's records created, maintained or used by the school district. Guardians will be provided access to their student's education, behavior, health and other records according to district policy. Records will be provided to legal guardians within a reasonable time.

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LEGAL REFERENCE(S): W.S. 21-3-135, W.S. 14-3-205

CROSS REFERENCE(S):

ADMINISTRATIVE REGULATION: