

Procedure 2320-P(1): Health, Sex Education, and Human Sexuality - Parent Complaints

[REQUIRED PROCEDURE: A law or administrative rule requires districts to have a policy or procedure on at least one of the topics addressed here.]

If a child receives instruction in human sexuality, as defined in Policy 2320 or in IC 33-1609, without the written parent permission described in that policy, the parent/guardian is encouraged to first discuss it with the [teacher OR building principal] with the objective of resolving the matter promptly and informally. If the parent and [teacher OR building principal] resolve the situation informally, [teacher OR building principal] shall seek to obtain a retroactive permission slip from the parent/guardian to be filed with the other permission slips.

If the complaint is not resolved informally, the parent/guardian can provide written notice to the Superintendent that they believe a violation of the parent notice portion of Policy 2320 has occurred. The District shall provide a form for the parent/guardian to use in making such complaints. The parent/guardian shall indicate on the form whether they:

1. Provide retroactive permission for the instruction; or
2. Request rectification.

The Superintendent or their designee shall meet with the parent/guardian and the student who attended the class. The Superintendent or designee shall then investigate the complaint. This investigation may include, but will not necessarily be limited to:

1. Student interviews and statements;
2. Interviewing the teacher and other adults who may have been present or otherwise have knowledge of the situation; and
3. A review of the educational standards, District process and District procedures relating to educational matters of sex education and human sexuality as defined in Policy 2320.

Within 30 days of receiving the written complaint, the Superintendent or designee shall provide a summary of their findings to the Board at a regular or special Board meeting. If the parent/guardian provided retroactive permission for the instruction, this permission shall be added to the District records. If the parent/guardian requested rectification, the Board shall determine whether rectification should be provided. The Superintendent shall determine what form this rectification shall take, which may include:

1. A recommendation from the Superintendent to the Board for amendments to the District's policies and procedures regarding human sexuality as defined in Policy 2320;
2. A recommendation from the Superintendent to the Board to revisit the District's curriculum relating to sex education, human sexuality as defined in Policy 2320 or related subject matters;
3. An apology from the District; and
4. Direction from the Superintendent to District staff on how similar situations should be addressed in the future.

The Superintendent shall also decide whether to take disciplinary action against any employee who violated the parent notice requirements described in Policy 2320. Any such action would be confidential,

as described in IC 33-518, IC 74-104, and IC 74-106 Therefore, the complaining parent/guardian will not be notified of any disciplinary action taken.

Legal References

IC § 18-8707

Description

Abortion-Related Activities Prohibited in School-Based Health Clinics and Sex Education Curricula

IC § 33-1605

Health and Physical Fitness – Effects of Alcohol, Tobacco, Stimulants and Narcotics

IC § 33-1608, et seq.

Family Life and Sex Education – Legislative Policy

IC § 33-1611A

Requiring Permission for Instruction Addressing Human Sexuality

IC § 33-1637

Human Growth and Development Instruction in Public Schools

IC § 33-342

Adoption Education

IC § 33-6001

Parental Rights

IC § 39-8201 et. seq.

Idaho Safe Haven Act

IDAPA 08.02.03.160

Safe Environment and Discipline

Cross References**Code**

2315

Description

Physical Activity Opportunities and Physical Education

2340

Controversial Issues

2340

Controversial Issues

3281

Gender Identity and Sexual Orientation