



SECTION III: STUDENT POLICIES 3360

Parental Bill of Rights

The Board of Education (“Board”) of Oklahoma Virtual Charter Academy (“School”) hereby adopts this Parental Bill of Rights Policy.

- (a) **Purpose.** The purpose of this policy is to provide guidance that instructs that parents have broad and inalienable rights concerning their minor children and that these rights are reserved to parents without obstruction or interference by the School. The School shall not infringe on the fundamental right of parents to direct the upbringing, education, health care and mental health of their children without demonstrating that the compelling governmental interest as applied to the child involved is of the highest order, is narrowly tailored and is not otherwise served by a less restrictive means. Parents’ rights include the right to direct the education of their minor children, to object to public schools imposing unwanted instruction on questions of sex, morality, or religion; and additional rights applicable to minor children within the limits of the School. This Policy seeks to implement and protect the rights of Oklahoma’s parents concerning the education of their children.
- (b) **Rights Reserved to Parents.** All parental rights are reserved to a parent of a minor child without obstruction or interference from the School including, but not limited to:
- (1) The right to direct the education of the minor child;
 - (2) All rights of parents identified in Title 70 of the Oklahoma Statutes, including the right to access and review all school records relating to the minor child;
 - (3) The right to direct the upbringing of the minor child;
 - (4) The right to direct the moral or religious training of the minor child;
 - (5) The right to make healthcare decisions for minor child, unless prohibited by law;
 - (6) The right to access and review all medical records of minor child unless prohibited by law or the parent is subject of an investigation of a crime committed against the minor child and a law enforcement official requests that the information not be released;
 - (7) The right to consent in writing before a biometric scan of minor child is made, shared, or stored;
 - (8) The right to consent in writing before any record of the minor child’s blood or deoxyribonucleic acid (DNA) is created, stored, or shared, except as required by Sections 1-516 and 1-524.1 of Title 63 of the Oklahoma Statutes, or unless authorized pursuant to a court order;
 - (9) The right to consent in writing before the School makes a video or voice recording of the minor child, unless the video or voice recording is made during or as a part of a court proceeding, by law enforcement officers during or as part of a law enforcement investigation, during or as part of a forensic interview in a criminal or Department of Human Services investigation or to be used solely for any of the following:
 - a. safety demonstrations, including the maintenance of order and discipline in the

Authority: Okla. Const. art. XIII, § 5; 70 O.S. § 3-104(A)(1).
25 O.S. §§ 2001-2005
70 O.S. § 11-105.1
OAC 210:10-2-3

OVCA Board Policy adoption 9/21/2023

- common areas of a school or on student transportation vehicles,
- b. a purpose related to a legitimate academic or extracurricular activity,
- c. a purpose related to regular classroom instruction,
- d. security or surveillance of buildings or grounds, and
- e. a photo identification card.

(10) The right to be notified promptly if an employee of the School suspects that a criminal offense has been committed against the minor child by someone other than a parent unless the incident has first been reported to law enforcement and notification of the parent would impede a law enforcement or Department of Human Services investigation. This paragraph does not create any new obligation for the School to report misconduct between students at school, such as fighting or aggressive play, that is routinely addressed as a student disciplinary matter by the School.

(c) Definitions. For the purposes of this policy, the following definitions shall apply:

- (1) "Sex or Sexuality education" means any class, program, curriculum, instruction, test, survey, questionnaire, Course, or other instructional material that relates to sexual behavior, sexual attitudes, or sexuality, including but not limited to gender identity or sexual orientation;
- (2) "Course" means any program or activity where instruction or activities tied to the instruction are provided by or within the School;
- (3) "Information" means any form of information including but not limited to, identity information;
- (4) "Identity information" means information including but not limited to, (1) any names or pronouns used by a student at school (2) any social transition or other transition to a gender that differs from the student's sex;
- (5) "Sex" means the physical condition of being male or female based on genetics and physiology, as identified on the individual's original birth certificate; and
- (6) "Parent" means the natural or adoptive parent or legal guardian of a minor child;

(d) Parental rights regarding Sex or Sexuality education and their children.

- (1) Advance written notice materially similar to the one described in 25 O.S. § 2003 shall be required for any Sex or Sexuality education material as defined in this Subchapter.
- (2) The right to inspect classroom materials shall extend to any Sex or Sexuality education material as defined in this policy.
- (3) A written objection from a Parent pursuant to 25 O.S. § 2003, or this section may object in whole or in part to Sex or Sexuality education or any other instruction questioning beliefs or practices in Sex, morality, or religion.
- (4) The School shall ensure that, to the extent reasonably feasible, it honors any partial objections without excluding students from materials not subject to the partial objection.

(e) Parental rights regarding information concerning their children.

Authority: Okla. Const. art. XIII, § 5; 70 O.S. § 3-104(A)(1).
25 O.S. §§ 2001-2005
70 O.S. § 11-105.1
OAC 210:10-2-3

(1) Neither School nor an employee of School shall encourage, coerce, or attempt to encourage or coerce a minor child to withhold information from child's Parent(s) or guardian(s).

(2) The School shall disclose to a child's Parent(s) or guardian(s) any information known to School or its employees regarding material changes reasonably expected to be important to parents regarding their child's health, social, or psychological development, including Identity information. Such disclosures shall occur within 30 days of learning the information and may include referrals for appropriate counseling services that the Parent(s) or guardian(s) may use at their discretion.

(f) Noncompliance.

(1) Because penalties may be imposed by the State Board of Education for failure to abide by the provisions of 70 O.S. § 11-105.1, 25 O.S. § 2002(C), 25 O.S. § 2003, or OAC 210:10-2-3 as well as this policy, the Board reserves the right to take any lawful action against any employee for noncompliance with this policy, to include termination of employment.

(2) If School is informed or otherwise becomes aware of a violation of 25 O.S. § 2002(C) or of this policy, the School shall initiate disciplinary action within 30 days of learning of the violation and shall administer appropriate disciplinary action for noncompliance with the applicable law and this policy.

Authority: Okla. Const. art. XIII, § 5; 70 O.S. § 3-104(A)(1).
25 O.S. §§ 2001-2005
70 O.S. § 11-105.1
OAC 210:10-2-3

OVCA Board Policy adoption 9/21/2023