

PARENT/STUDENT OPT-OUT DOCUMENT

This document shall be part of (each of) my child(ren)'s school record. It is not for public release.

➤ I/We, _____, (parent(s)/guardian(s) names) elect to opt-out my/our child(ren), _____ (Child(rens) Names and Grade Level) under the Family Educational Rights and Privacy Act (FERPA) and the Protection of Pupil Rights Amendment (PPRA) from any survey or questionnaire at any of the schools of _____ Kirkwood School District that requires my/our child(ren) to answer questions specifically regarding race, gender, gender identification, sexual orientation, national origin, disability, family structure, and/or socio-economic status. I/We also explicitly do NOT consent to my/our child(ren) participating in any federally-funded survey, analysis, or evaluation that will reveal:

- the student(s) own or parents' political affiliation or beliefs;
- mental or psychological problems of the student(s) or family members;
- sex behavior or attitudes;
- illegal, anti-social, self-incriminating or demeaning behavior;
- critical appraisals of their family members, close friends, and legally recognized privileged relationships such as lawyers, doctors and ministers,
- the student(s) or parent(s) and/or guardian(s) religious affiliations or beliefs, or
- income levels.

If a survey is essential to the district's information, please send to me/us for inspection, and I/we will review and complete.

➤ I/We, _____, (parent(s)/guardian(s) names) elect to opt-out my/our child(ren), _____ (Child(rens) Names and Grade Level) under FERPA and PPRA from taking any test, assessment, or examination that purports to determine whether my/our child(ren) have any alleged implicit or unconscious bias, including without limitation the Implicit Association Test.

The authors of the IAT state: "The tests at this site are scientific research, and it is not ethical to require that people participate in scientific research."

➤ I/We, _____, (parent(s)/guardian(s) names) elect to opt-out my/our child(ren), _____ (Child(rens) Names and Grade Level) from any dissemination of information, including but not limited to any lesson, assignment, program, curriculum, workshops, school assembly, and/or social-emotional or other guidance and counseling activity at any of the schools of _____ Kirkwood School District pertaining to sexuality, sexual identity, gender identity, and sexual lifestyles on the grounds that the law identifies us, the parents or guardians, as the primary source of our children's sexual education. Our children are not to be given reading materials, in-classroom displays, surveys, or verbal instruction of any kind pertaining to those areas. We will notify you of our consent to any instruction on sexuality in form once it has been presented to us for review for 6th grade on.

This opt-out is in accordance with school policy IGAEB; Missouri State Statutes §167.171,RSMo, §170.015,RSMo §170.045,RSMo, §566.032,RSMo, §566.034,RSMo, §566.062,RSMo, §566.064,RSMo; and Federal Statute 42U.S.C.§710

PARENT/STUDENT OPT-OUT DOCUMENT (CONT.)

➤ I/We, _____, (parent(s)/guardian(s) names) elect to opt-out my/our child(ren), _____ (Child(rens) Names and Grade Level) from any lesson, assignment, program, books and readings both fiction and non-fiction, curriculum, workshops, school assembly, displays, and/or social-emotional activity or other guidance and counseling activity at any of the schools of _____ Kirkwood _____ School District that deprives my/our child(ren) of equal dignity and protection of their natural, God-given, constitutional, and/or legal rights by promoting any of the following ideas or actions:

- Any race, gender, sexual orientation, national origin, and/or socio-economic status is inherently superior or inferior to any other race, gender, sexual orientation, national origin, and/or socio-economic status.
- Fundamentally negative perceptions of our country, our state, or our local governments and institutions and/or those who serve therein.
- The values, principles, and/or ideals of one's own, one's family, one's religion, or the country of the United States are incorrect, inferior, and/or limiting them from academic and/or social emotional growth and development.

Article I, § 5 of Missouri's Constitution states that ". . .no student shall be compelled to perform or participate in academic assignments or educational presentations that violate his or her religious belief. . .[.]"

These types of ideas or actions

- fosters discrimination and harassment in a school or work setting which is prohibited under board policy AC; Missouri State Statutes §§213.010-.137,RSMo, §§290.400-.450,RSMo, §105.255,RSMo, §160.261,RSMo, and §162.068,RSMo; and multiple Federal Statutes including but not limited to 42U.S.C.§§2000d-2000d-7 Title VI of the Civil Rights Act of 1964, 42U.S.C.§§2000d-2000d-7 Title VII of the Civil Rights Act of 1964; 20U.S.C.§1687(2)(A); as well as multiple Supreme Court rulings,
- and, according to Supreme Court decisions, these actions are in violation of the Establishment Cause of the Constitution. EXAMPLE:

In the case of Pelozo v. Capistrano Unified School District, the Court stated this about teachers:

While at the high school, whether he is in the classroom or outside of it during contract time, Pelozo is not just an ordinary citizen. He is a teacher. He is one of those especially respected persons chosen to teach in the high school's classroom. He is clothed with the mantle of one who imparts knowledge and wisdom. His expressions of opinion are all the more believable because he is a teacher. The likelihood of high school students equating his views with those of the school is substantial. To permit him to discuss his beliefs with students during school time on school grounds would violate the Establishment Clause of the First Amendment.

Promoting would include any of the following:

1. Advocating in a way that would make it appear to a reasonable person that the _____ Kirkwood _____ School District sponsors, approves of, or endorses those views.
2. Contracting with, hiring, or otherwise engaging speakers, consultants, trainers, and other persons who advocate religious or sectarian theories or beliefs to students, parents, teachers, district employees, or the community.
3. Compelling students, parents, teachers, the community, and/or any district employees of _____ Kirkwood _____ School District to affirm or profess belief in any religious or sectarian theories or beliefs in violation of their individual beliefs.
4. Discriminatory identification, recognition, segregation, and/or treatment of students, teachers, or district employees in the _____ Kirkwood _____ School District based on race, gender, sexual orientation, national origin, and/or socio-economic status, including educational and training sessions.

PARENT/STUDENT OPT-OUT DOCUMENT (CONT.)

➤ To ensure privacy rights, I/we, _____, (parent(s)/guardian(s) names) expect proper compliance with the standards required under FERPA and PPRA and will hold the _____ Kirkwood Board of Education and the _____ Kirkwood School District accountable to:

1. ensure that the district develops and adopts policies, **in consultation with parents**, to address the protection of student privacy and parents' rights under the Protection of Pupil Rights Amendment (PPRA) and
2. ensure the board and district follow legal requirements under the PPRA to provide proper, direct notification to all parents of students in our district regarding scheduled or expected to be scheduled activities or surveys that involves:
 - the collection, disclosure, or use of personal information from students for marketing or sale;
 - administration or distribution to a student of any protected information survey not funded as part of a program administered by the Department of Education or funded as part of a program administered by the Department but to which students are not required to submit; and
 - certain non-emergency, invasive physical examinations or screenings.
3. utilize state law which grants governing authority to the local boards of education over the operations of their school districts. Section 171.011, RSMo, provides: "The school board of each school district in the state may make all needful rules and regulations for the organization, grading and government in the school district." This would generally include any local district requirements for students to "opt out" of instruction.

Nothing in this opt-out request shall be construed to restrict the protected speech of students, teachers, or other employees of _____ Kirkwood School District, or of any other individual.

Nothing in this opt-out request shall be construed to prevent students and other individuals from accessing materials that advocate religious and/or sectarian theories described in this opt-out for the purpose of research or independent study.

Nothing in this opt-out shall be construed to prevent the _____ Kirkwood School District from stating or assigning materials that advocate religious and/or sectarian theories in contexts that make clear to the students, parents, and the community that the _____ Kirkwood School District does not sponsor, approve, or endorse such theories or works.

(Signature of Parent(s)/Guardian(s))

Address:
