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Instructions for Parents Regarding Non-Consent to Human Sexuality Instruction

Dear Parents and Guardians:

Thank you for your interest in protecting your children from explicit human sexuality materials and instruction in public schools. Attached to this Memo is a Parental Non-Consent Form that you can fill out for each of your children and present to the principal or other administrator at your school. You should fill out two copies for each child, one for the school to keep in your child's file, and one for you to keep for your records. There is a place at the bottom for the signature of the person who receives the form, and the date it was received. If the recipient questions signing the form, thinking that they are somehow approving it or agreeing with it, indicate that it is only stating that it was received on a certain date. As an alternative, they can use a "received" stamp with the date to record that it was provided to the school.

The purpose of this form is to put the school on notice regarding what is/is not acceptable for your child with regard to the issues described in the form. Regardless of whether the school has another form for consent or no form at all, the Parental Non-Consent Form places the school on notice of precisely what you are/are not consenting to. If there is a "school approved" form, you can attach this form to it, and write on the school form that there is an attached form that specifies your instructions regarding your child.

You might get some pushback about whether this is legally binding on the school. You do not need to engage in a discussion with the administrator on that, but simply state that regardless of what the school believes is its legal effect, you are requesting that the Parental Non-Consent Form be placed in your child's file along with the other forms, *e.g.* medical releases, student handbook receipts, permission slips, that are kept there.

The question of what legal effect the form will have if the school ignores what you have requested depends upon the laws of each state. Therefore, we cannot say that we can file a lawsuit against the school or take similar legal action in general, but Liberty Counsel will examine each case in light of the state laws. However, it does put the school on notice of what you consent to and eliminates the excuse that they did not know that certain material was objectionable. Also, if the school ignores your requests and shows objectionable material you can certainly make that public at a school board meeting and/or in local media.

Liberty Counsel is prepared to assist and provide guidance in this area. Should you have questions about any of the points contained in this memo, please call 407-875-1776 or email Liberty@lc.org.