

When in Doubt, Opt Out

By Debbie Simmons

According to the **Texas Education Code 28.004**, parents have the **right** to know what is being taught in Human Sexuality instruction and to remove their child without consequences.

If the school sends an **Opt-Out form** home, what do parents do with it? What thought process goes into whether or not to include a child in the Human Sexuality instruction that has been chosen by the school district?

The current Evaluation criteria that parents use to decide whether or not to Opt-Out their student seems to include: trust in school district, peer pressure, and apathy.

Trust: Parents **trust** the School Districts to provide appropriate instruction. A School District may host **Parent Forums** for the curriculum where parent attendance levels fluctuate sometimes based on the trust level in the district. Occasionally, a Parent might go to the **School Library** to view the Curriculum in detail. But in general, Parents seem to trust that the district is providing adequate and age-appropriate instruction.

Peer Pressure: Parents feel especially compelled to not opt-out their children because of **Peer Pressure**. Our children do not want to be singled out and parents don't want to be the responsible party in causing any undue stress on our children. Somehow after all of these years of teaching our children to withstand peer pressure in other areas such as drugs and alcohol, we give in to the ultimate fear of being different when it comes to communal sex education.

Apathy: **Apathy** is the strongest **power** that School Districts have when it comes to our children. Parents are too busy and too distracted to take the time to really think through whether the instruction is appropriate for our unique children and their individual maturity level.

The **Opt-Out Process** is full of inefficiencies without any guarantee or comfort for a discerning parent. The student is supposed to bring home a form in a timely manner. If a parent decides to Opt-Out their child, the form has to **successfully** arrive back at the school and the instructor must **honor** the parent's request. The **default** is that the student receives the instruction.

The Parent's Opt-Out is too often **overruled**. Teachers do not always perform the due diligence to check the forms. Students are sometimes even given the option to stay in the room even though their parents signed the Opt-Out. There are no consequences for the teachers or students if the parent said 'no' in cases when the school actually delivered the lesson. The school could just say that they lost the form or that it wasn't delivered. There is **no accountability** in this process.

Students that currently Opt-Out are sometimes given more book work than the students that actually go through the class. In some cases, instruction is reduced from 10 days to 4 days, but the book work is for the full 10 days. Most of the work would be considered 'busy work' and sometimes includes quiz and test reviews with threats of a quiz or test at the end. Students not only feel singled out, but they feel like the Opt-Out is a **punishment**.

The 83rd Texas Legislature considered an **Opt-In process**. The default process would be that students would not receive any Human Sexuality instruction at school. The assumption is that at-risk students would not return the forms and would not receive any instruction at home. Sex Educators worry that at-risk students could miss out on a beneficial program due to the irresponsible behavior by the student or the non-participation by the parent. Declarations that this would shut down Sex Education completely are an exaggeration.

The **Opt-In process** actually makes a parent stop, read, and think about whether they agree with what is being taught and maybe even do some research. If a District wants to encourage **Parental involvement**, the Opt-In process is the strongest indicator of a desired partnership between the District and Parents. The truth is that Parents sign forms for their children all the time, particularly at elementary and middle school levels. When a student enrolls in Health class in High School, one parental consent form is reasonable and should be expected.

To make an informed decision, parents should be provided as much information as possible. Parents should evaluate the Curriculum Material, the Instructor that will be delivering the Material, and the Peer Group that will be present during the Presentation.

Material: The School District is required to make the material available for public inspection. Many School Districts keep the documentation in the School Library for Parents to review. Some curricula are available online to review and even more have reviews available. The Parents should discern the source of the reviews and financial backing of such Material. Many curricula available are backed by Planned Parenthood. Is it alarming to parents that an **abortion provider** would be supplying the Human Sexuality material to their children? What message would this group provide a student? Is it Sexual Risk Avoidance or Sexual Risk Reduction? **Sexual Risk Avoidance** programs follow a consistent and effective public health policy to guide students to avoid risky situations and behaviors. **Sexual Risk Reduction** programs, also known as Comprehensive Sex Education, assume that students are engaging in sexual activity and that condom use needs to be promoted and condom skills need to be mastered. Parents should seek to understand as much as possible about the source of the Material. Each District in the State of Texas should have a **School Health Advisory Council (SHAC)** that makes recommendations to the Board of Trustees. Parents can seek out other Parents that are on the Council to understand what Curriculum is taught and how the District determined its appropriateness.

Instructor: Parents need to know and understand who is teaching the material and what values will be represented. **Sex Education is Character Education.** If the curriculum is supposed to be Abstinence-Only, is the instructor able to deliver a compelling message for Abstinence? A P.E. Coach provided Abstinence-Only instruction while wearing 'Jersey Shore' sweatpants. Before she showed the slide of the male anatomy, she asked the room of 6th grade girls, "What is our favorite body part?!" The girls yelled back, "Penis!" We should never underestimate the effect of a contradictory message during such an important subject. Unfortunately, teachers are protected by the administration through "**teacher autonomy**" and can claim an affirmative defense for presenting "**harmful to minor's material**" through an **educational exemption** in the Texas Penal Code. Parents should never assume that Instructors will follow the scripts in the material.

Peer Group: Many programs have **interactive** discussions. Some programs are merely instruction using anonymous note cards for questions. The Instructor's guidance through this discussion is an important part of a Parents decision. Does the Instructor read or allow every **question** or is discretion built into the program and presentation? Parents should be aware of the Peer Group that is in the room for the instruction.

An **Opt-Out process** is made **efficient** when the Parent signs the form and the Instructor sends a notification to the Parent **acknowledging receipt** and intent to **honor the request**. I wrote '**Please confirm receipt**' at the bottom of my child's Opt-Out form and received such acknowledgement. This '**closed loop**' **Opt-Out** provided me with peace of mind until I learned that my child was the only student that had been singled out in the entire grade.

My hope is that discerning parents do not give in to blind trust, peer pressure, and apathy. We should all know without any doubt that the instruction that is being provided is exactly what our child needs at that time in his/her life. So...**When in Doubt, Opt Out.**