
HOUSE BILL 2399

State of Washington

53rd Legislature

1994 Regular Session

By Representatives Stevens, Padden, Casada, Mielke, Sheahan, Tate, Ballard and Forner

Read first time 01/14/94. Referred to Committee on Education.

1 AN ACT Relating to parents' rights in education; and adding a new
2 chapter to Title 28A RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** (1) It is the responsibility of the parents
5 to provide for and ensure the health, education, and general well-being
6 of their children. This chapter is to reaffirm that responsibility and
7 to define the rights of parents to decide, through their duly elected
8 representatives, what the pupils learn and how they are taught in
9 common schools.

10 (2) This chapter defines the roles and responsibilities of parents,
11 guardians, school officials and administrators, teachers, school
12 personnel, and schools to provide for better cooperation between the
13 school system and the parents, to encourage mutual understanding and
14 confidence in an effort to secure a better education for all children
15 enrolled in the public schools of this state, to otherwise assist the
16 parents in the discharge of their parental responsibility to the
17 children, and to assist the school system in the discharge of its
18 responsibility to the parents.

1 (3) The term "parents" shall be deemed to be one or both parents,
2 and shall include a legal guardian.

3 NEW SECTION. **Sec. 2.** The parents shall have the right to know
4 what their children are being taught.

5 (1) The board of directors of a school district shall make
6 available for inspection to requesting parents any educational or other
7 program of the district and all instructional materials relating
8 thereto, including teacher manuals, textbooks, films, tapes,
9 supplementary material, or computer programs. Before any school
10 district shall make available a course or program relating to the use
11 of alcoholic stimulants, controlled substances, human sexuality,
12 suicide education, death education, or acquired immunodeficiency
13 syndrome education, the district shall notify parents of pupils that
14 all instructional materials relating thereto are available for public
15 inspection and upon objection by a parent to any such materials shall
16 excuse their child from attendance at any such course or program.

17 (2) No child shall be placed in an experimental, special, or pilot
18 program within a school district without prior consultation by school
19 personnel with and written consent of the parent. All instructional
20 material to be used in such programs, including teacher manuals, films,
21 tapes, supplementary material, or computer programs shall be available
22 for review by parents upon request prior to any child being enrolled in
23 such program. As used in this section, "experimental" or "pilot
24 program" is defined as any program designed to explore or develop new
25 or unproven teaching methods or techniques. As used in this section,
26 "special" class or program is defined as a class or program of limited
27 application to a selected group of students.

28 (3) Classes shall be held on school property, except for such field
29 trips as are deemed to have a beneficial and broadening effect and are
30 related to the educational program of the student, which are afforded
31 to all members of the class equally, and then only with the knowledge
32 and written consent of the parents.

33 (4) Employees of a school or persons brought into a school shall
34 not subvert morality and patriotism as set forth in RCW 28A.405.030.

35 (5) Employees of a school shall not instruct or encourage students
36 to withhold instructional materials or information concerning classroom
37 activities, tests, discussions, or programs from their parents.

1 (6) Employees of a school shall not use the classroom or school
2 property to promote contemporary candidates for public elective office.
3 Employees of a school shall not circulate petitions for candidates or
4 solicit signatures for petitions on external political issues on school
5 property.

6 NEW SECTION. **Sec. 3.** The parents and the child shall have the
7 right to privacy.

8 (1) Pupils may only be tested for intelligence quotient, or
9 proficiency in basic skills and academic subject matter. Any testing
10 or investigation pertaining to pupil attitudes, parental attitudes, or
11 personal information pertaining to the pupil and the pupil's family, or
12 as concerns their habits or values, including personality inventories,
13 value appraisals, psychological inventories, or diagnostic tests shall
14 be given only after consultation by school personnel with written
15 permission from the parents for such tests. Any such tests shall be
16 made available to the parents upon request, and the results thereof
17 must be made available to the parents if permission for testing is
18 given.

19 (2) All records kept on a pupil must be shown to the parent upon
20 request, and copies thereof provided at cost and paid by the parent, if
21 specifically requested. No records shall be maintained on the pupil
22 which are not germane to academic achievement, save for disciplinary
23 action which record shall be separately maintained.

24 NEW SECTION. **Sec. 4.** The parents shall have the right to expect
25 that education be academically oriented.

26 (1) Parents shall have the right to expect their children to
27 receive a basic education including, but not limited to, reading,
28 writing, United States and world history, geography, mathematics, and
29 economics, and such basic education shall have priority over other and
30 additional courses. Reading and writing shall include a phonetic
31 approach to reading, stress on correct spelling, punctuation, sentence
32 structure, and good handwriting. The teaching of history shall include
33 as a minimum the study of the declaration of independence, the United
34 States Constitution, the federalist papers, and the Washington state
35 Constitution. Mathematics shall include and stress addition,
36 subtraction, multiplication, and division and shall employ the
37 memorization process. The teaching of economics shall include as a

1 priority item, a thorough and sympathetic explanation of the free
2 enterprise system.

3 The basic education courses as prescribed in this subsection shall
4 be deemed the courses of primary importance in the education of the
5 children of this state, and such courses shall be in addition to such
6 other required courses as provided for.

7 (2) Material which is outside the curriculum subject matter may not
8 be offered under any guise.

9 (3) Teachers, school employees, or persons brought into the school
10 shall not use psycho-therapeutic techniques such as group therapy or
11 sensitivity training. As used in this section, "group therapy" and
12 "sensitivity training" are defined as group processes where the
13 student's intimate and personal feelings, emotions, values, or beliefs
14 are openly exposed to the group or where emotions, feelings, or
15 attitudes are directed by one or more members of the group toward
16 another member of the group, or where roles are assigned to pupils for
17 the purpose of classifying, controlling, or predicting behavior.

18 (4) No school shall have the authority to use guidance counseling
19 in the areas of social, emotional, mental, or personal problems without
20 prior consultation with the parents and written permission. Parental
21 consent is not to be construed as continuing beyond the specific
22 subject of discussion during consultation, unless permission to expand
23 the scope of counseling is in writing.

24 NEW SECTION. **Sec. 5.** The parents have the right to be informed of
25 student progress. Parents shall be apprised no less than three times
26 during each school year, in writing, by the teacher or principal, of a
27 pupil's progress in the basic skills. Parents shall be apprised at
28 least annually of the pupil's progress in such basic skills as measured
29 against standard grade level norms. Such information as standing in
30 the class and standing in relation to national norms shall also be
31 provided to the parents upon request.

32 NEW SECTION. **Sec. 6.** The parents shall have the right to redress.

33 (1) Parental charges of violation of any provision of this chapter
34 shall first be presented in writing to the school principal or designee
35 and to the school district superintendent for corrective action.

36 (2) Any parental charges not resolved to the satisfaction of the
37 parent by the school principal, the school district superintendent, or

1 their designees, within ten days, shall be presented by the
2 superintendent to the board of directors of the school district for
3 consideration and action at the next regularly scheduled board meeting
4 or at a special meeting of the director's called to consider the
5 charges. These meetings shall take place not more than thirty days
6 after the charge is presented to the school principal and
7 superintendent.

8 (3) Continued willful neglect or failure on the part of any public
9 school officer or employee to observe and comply with the provisions of
10 this chapter shall be sufficient cause for dismissal or removal of the
11 person from his or her position, and for civil action. After
12 exhausting the remedies provided in subsections (1) and (2) of this
13 section, jurisdiction shall lie in the superior court of the county
14 wherein the school district, or any part thereof, lies against the
15 parties involved, including school administrators and members of the
16 district board of directors, and the recovery allowed shall include all
17 costs and expenses, including attorneys' fees, incurred by the parent.
18 Available relief shall include, but not be limited to, both equitable
19 and legal remedies, including extraordinary writs, or decertification
20 of the violator.

21 (4) Any right set forth by the provisions of this chapter that
22 attaches to a student may be asserted by the parent for and on behalf
23 of the student.

24 NEW SECTION. **Sec. 7.** (1) This chapter shall be liberally
25 construed to protect and enforce the rights this chapter creates and
26 reaffirms.

27 (2) This chapter shall have precedence over any now existing law to
28 the contrary. State board of education rules as well as the rules of
29 the superintendent of public instruction shall be deemed amended by
30 chapter ..., Laws of 1994 (this act).

31 NEW SECTION. **Sec. 8.** Sections 1 through 7 of this act shall
32 constitute a new chapter in Title 28A RCW.

33 NEW SECTION. **Sec. 9.** If any provision of this act or its
34 application to any person or circumstance is held invalid, the

1 remainder of the act or the application of the provision to other
2 persons or circumstances is not affected.

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