

2 ESHB 1085 - S COMM AMD  
3 By Committee on Education

4 ADOPTED 4/17/97

5 Strike everything after the enacting clause and insert the  
6 following:

7 "NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.600  
8 RCW to read as follows:

9 (1) All instructional materials, including teacher's manuals,  
10 films, tapes, or other supplementary material which will be used in  
11 connection with any test, questionnaire, survey, analysis, or  
12 evaluation in a school, shall be available for inspection by the  
13 parents or legal guardians of the students, and by any member of the  
14 school board.

15 (2) Absent prior consent of a student who is an adult or an  
16 emancipated minor, or absent prior written consent of a parent or legal  
17 guardian of a student who is an unemancipated minor, a student may not  
18 be required to submit to a test, questionnaire, survey, analysis, or  
19 evaluation that reveals information concerning the student's or the  
20 student's parents':

21 (a) Personal beliefs or practices regarding political affiliations;

22 (b) Mental or psychological problems potentially embarrassing to  
23 the student or to the student's family;

24 (c) Sexual behavior and attitudes;

25 (d) Illegal, antisocial, self-incriminating, and demeaning  
26 behavior;

27 (e) Critical appraisals of other individuals with whom the students  
28 have a close family relationship;

29 (f) Legally recognized privileged or analogous relationships, such  
30 as those of lawyers, physicians, and ministers;

31 (g) Income level, except as required by law to determine  
32 eligibility for participation in a program or to receive financial  
33 assistance under the program.

34 (3) Educational agencies shall give parents and students effective  
35 notice of their rights under this section prior to administering a

1 test, questionnaire, survey, analysis, or evaluation that meets the  
2 criteria of subsection (2) of this section.

3 (4) Prior to administration of a test, questionnaire, survey,  
4 analysis, or evaluation that meets the criteria of subsection (2) of  
5 this section, the school board must be given the opportunity to hear a  
6 presentation about the proposed test, questionnaire, survey, analysis,  
7 or evaluation. Each member of the school board must be notified in  
8 writing of plans to administer a test, questionnaire, survey, analysis,  
9 or evaluation that meets the criteria of subsection (2) of this  
10 section. Notification must occur prior to a regularly scheduled  
11 meeting of the school board before administration of a test,  
12 questionnaire, survey, analysis, or evaluation that meets the criteria  
13 of subsection (2) of this section."

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17 On page 1, line 1 of the title, after "survey;" strike the  
18 remainder of the title and insert "and adding a new section to chapter  
19 28A.600 RCW."

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