

HOUSE BILL ANALYSIS

HB 1845

Title: *An act relating to parents' rights.*

Brief Description: *Strengthening parents' rights in education.*

Sponsors: *Representatives Smith, Sump, Talcott, Hickel, Koster, Mulliken, Mielke, Sheahan, Johnson, L. Thomas and Backlund.*

HOUSE COMMITTEE ON EDUCATION

Meeting Date: *February 21, 1997.*

Bill Analysis Prepared by: *Pat Shelledy (786-7149).*

Background: Parents of children in public schools have a number of rights and responsibilities. These provisions are scattered throughout the code so it may be difficult for parents to ascertain what rights and responsibilities apply to them.

A parent may have access to his or her child's classroom and school-sponsored activities to observe classroom procedure, teaching material, and class conduct. The parent may not disrupt the class. RCW 28A.605.020.

Local school district board of directors have the discretion whether to adopt a program about sex education or human sexuality. School districts must involve parents and school district community groups in developing the program. Any parent who does not want his or her child to attend a course in human sexuality may file a written request with the board. WAC 180-50-140.

Public schools must teach a course on the life threatening dangers of acquired immunodeficiency syndrome (AIDS) and its prevention. The school district must conduct at least one presentation for the students' parents about the course at least one month before teaching the course in any classroom. The school must notify the parents that the materials are available for inspection. The school may not require a child to attend if the child's parent objects in writing after the parent attends the presentation. RCW 28A.230.070. An office on AIDS within the Department of Health is a repository and clearinghouse for education and training material related to the treatment, prevention, transmission, and prevention of AIDS. The office must coordinate all publicly funded education and service activities related to AIDS. RCW 70.24.250. The school district's program on AIDS must be reviewed for medical accuracy by the office on AIDS.

Every school district must have an instructional materials committee. The committee has a variety of functions regarding the selection and review of instructional materials including acting upon complaints about the materials used by the school district. The committee may include parents at the school board's discretion. Parents must consist of less than one half of the total membership of the committee. RCW 28A.320.230.

Summary of Bill: *A new chapter concerning parents' rights and responsibilities is added to the education code. A list of existing laws governing parents' rights and responsibilities are gathered into a couple of new sections in this new chapter.*

A provision that duplicates RCW 28A.605.020 which governs parental access to classrooms is codified in the new chapter. In addition, a new provision is added to provide that school district employees may not withhold from the parent information about the child's school activities.

A parent is entitled to receive copies of all records maintained on the parent's child by the school district, educational service district, the Superintendent of Public Instruction, the State Board of Education, and anyone under contract with those entities. The provision does not apply if release is specifically prohibited by other state or federal law. The records must be given to the parent within 14 working days. If the entity holding the records claims that the records are exempt from disclosure, the entity must cite the legal authority for the exemption. Parents are entitled to one set of records annually at no charge. Thereafter, districts may charge a reasonable copying fee.

At the beginning of the school year, all schools must notify parents in writing of any school sponsored class concerning sex education, sexually transmitted diseases, contraception, sexual orientation, suicide, or euthanasia. Schools must provide the parents with the opportunity to exempt the child from the class. If the school fails to provide the notice at the beginning of the school year, the school must give parents 20 days advance written notice before presenting such a class and must provide parents an opportunity to excuse the child from the class.

A parent may remove a child temporarily from a class or school activity if the class or activity conflicts with the parent's religious or moral beliefs if the parent delivers to the teacher a statement authorizing the removal of the child. The parent may not remove the child to avoid a test on academic subject matter. The parent is responsible for identifying educational opportunities if the child is excused. The child must continue to meet grade level and graduation curriculum.

School districts must seek parental involvement in advisory groups that are considering major policy decisions affecting the education of children in the school district. Instructional materials committees must include parents who are not school districts employees and whose children are enrolled the district. One-third of the members on the committee must be parents.

School districts have the option of offering AIDS prevention education programs. The AIDS course must be an independent course offering. Programs developed by school districts do not have to be approved for medical accuracy by the office on AIDS. Parents do not have to attend a district presentation on the course. A student may not attend the course unless a parent gives the district prior written permission. The AIDS curriculum must include information about the dangers of sexual intercourse outside of marriage.

School district board of directors must have a grievance procedure to resolve written complaints violating a parent's rights.

Fiscal Note: *Requested on February 12, 1997.*

Effective Date: *Ninety days after adjournment of session in which bill is passed.*