

# **HOUSE BILL ANALYSIS**

## **HB 2422**

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

**Brief Description:** *Clarifying parents' rights in public education.*

**Sponsors:** *Representatives Mulliken, Smith, Johnson, Talcott, Sump, Sterk, Thompson, Koster, McCune, Boldt and Backlund.*

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### **HOUSE COMMITTEE ON EDUCATION**

**Meeting Date:** *January 30, 1998.*

**Bill Analysis Prepared by:** *Jim Morishima (786-7191).*

**Background:** HB 2422 makes changes in three areas of Washington's common school provisions: parental rights and responsibilities, the instructional materials committee, and AIDS prevention education classes.

#### I. Parental Rights and Responsibilities

Under Washington law, parents have many rights and responsibilities regarding the education of their children in public schools; e.g., the right to access teaching materials, the right to exclude a child from sex education classes.

#### II. The Instructional Materials Committee

The board of directors of a school district must establish an instructional materials committee whose main responsibility is to recommend instructional materials to the board of directors. The board of directors may allow parents to serve on the committee as long as the parents do not make up a majority of the committee. Subject to board policy, a school district's chief administrator has the discretion to purchase instructional materials to meet deviant needs or rapidly changing circumstances.

#### IV. AIDS Prevention Education Classes

Students must receive AIDS prevention education classes once a year beginning no later than the fifth grade. The board of directors of each district must adopt an AIDS prevention education program. In developing such a program, the board must consult teachers, administrators, parents, and other community members (including persons from medical, public health, and mental health organizations and agencies).

The curricula adopted by the board must be either the model curricula available from the superintendent of public instruction or any other curricula approved for medical accuracy by the office on AIDS in the department of social and health services. If the board adopts its own curricula, it must send its curricula to the office of AIDS along with an affidavit stating that the curricula have been compared to the model curricula and are medically accurate. The curricula adopted by the board must stress several things including the dangers of sexual intercourse with or without condoms.

The district must make a presentation to interested parents at least one month before teaching an AIDS prevention class. A parent who has attended one of these presentations can object in writing and excuse their child from participation in AIDS prevention education classes.

### **Summary of Bill:**

#### I. Parental Rights and Responsibilities

Many parental rights and responsibilities are specified. Two rights are added that have not previously appeared in the common school provisions: the right to obtain information pertaining to the child's school activities and the right to exclude a child from class or other activities. These rights are not intended to reflect the exclusive rights and obligations of parents of students in public schools. The board of directors of each school district must establish a grievance procedure for violations of these specified rights. The grievance procedure must provide for the identification of corrective measures.

Parents are also entitled to an itemization of the health-related services made available at each school within the district. Violations of this right are not subject to the grievance procedure described above.

#### II. The Instructional Materials Committee

At least one-third of the instructional materials committee must be parents of students going to school in the district. Parents may constitute more than one-third of the committee at the discretion of the school board. In order to respond to deviant needs or rapidly changing circumstances, the chief administrator cannot purchase instructional materials unless the board has first defined the need for such materials.

#### III. AIDS Prevention Education Programs

The board of directors of a school district has the option to adopt an AIDS prevention education program as an independent unit within a curriculum offering. The program cannot be offered to students before the fifth grade. If a board decides to adopt an AIDS education program, it must be developed in consultation with teachers, administrators, parents, and other community members and approved for medical accuracy by a local health advisory committee appointed by the school district. The

board must then submit its curricula to the office of AIDS along with an affidavit stating that the local health advisory committee has looked at and approved the curricula for medical accuracy. The curricula must stress, among other things, the dangers of sexual intercourse outside of monogamous marriage (instead of sexual intercourse with or without condoms).

The district must make a presentation to interested parents at least one month before teaching an AIDS prevention class. However, no student may be required to participate in an AIDS prevention class absent permission from their parent. A parent need not attend a district presentation before denying such permission.

**Appropriation:** *None.*

**Fiscal Note:** *Not requested.*

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