

HOUSE BILL REPORT

HB 1172

As Reported By House Committee On:
Education

Title: An act relating to parents' rights in education.

Brief Description: Establishing parents' rights in common school education.

Sponsors: Representatives Stevens, Casada, Hymes, McMorris, Koster, Smith, Chandler, Sheldon, D. Schmidt, Padden, Elliot, Backlund, Crouse, McMahan, Van Luven, Schoesler, Hargrove, Foreman, Mulliken, Mielke, Thompson, Goldsmith, Sherstad, Fuhrman, L. Thomas, B. Thomas, Dyer, Boldt, Benton, Huff, Clements, Pelesky, Cooke, Johnson and Sheahan.

Brief History:

Committee Activity:

Education: 2/20/95, 2/28/95 [DPS].

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 12 members: Representatives Brumsickle, Chairman; Elliot, Vice Chairman; Johnson, Vice Chairman; Clements; Fuhrman; McMahan; Pelesky; Radcliff; Smith; Talcott; B. Thomas and Thompson.

Minority Report: Do not pass. Signed by 7 members: Representatives Cole, Ranking Minority Member; Poulsen, Assistant Ranking Minority Member; Dickerson; G. Fisher; Hatfield; Quall and Veloria.

Staff: Robert Butts (786-7111).

Background: Parents have expressed concern over specific classes and activities that their children have attended in public schools. The areas of particular concern are sex education classes, instruction in AIDS prevention, value clarification exercises, suicide prevention programs, and similar topics. Concerns have been expressed that the instructional material for these classes is not readily available, and that parental permission should be required to attend these classes. In addition, some parents have expressed concern over the questioning of the attitudes and beliefs of their children, and believe that they have a right to be more involved in the education of their children.

Summary of Substitute Bill: The Legislature declares it is the right and responsibility of parents to provide for and ensure the health, education, and general well-being of their children.

The legislation is intended to:

- protect and promote parents' involvement in the education of their children,
- affirm parents' interests in overseeing what their children learn and how they are taught in the common schools, and
- ensure better understanding, confidence, and cooperation between the parents and the school district.

A student may not be placed in or provided any "exceptional school component" without the prior written consent of a parent. An exceptional school component includes all instruction associated with:

- (a) human sexuality education;
- (b) education regarding sexually transmitted diseases;
- (c) anger, stress, or conflict management or resolution education;
- (d) suicide education;
- (e) death education;
- (f) education regarding alcoholic stimulants or controlled substances;
- (g) an experimental, special, or pilot class, course, or program designed to explore or develop new or unproven teaching methods or techniques or of limited application to a selected group of students;
- (h) psychotherapeutic techniques, group therapy, or sensitivity training processes;
- or
- (i) testing or inquiry pertaining to a student's or parent's attitudes, habits, or values.

Before a student is enrolled in an exceptional school component, the district is to notify the parent of the student of what constitutes an exceptional school component and that all exceptional school components are available for inspection. Providing a copy of this act to a parent constitutes adequate notice to the parent.

Upon request by the parent, the school district shall make available for inspection any exceptional school component.

Upon prior written consent by the parent, the district may make available to the student the specific exceptional school component approved by the parent.

Employees of a school district shall not direct, instruct, or encourage a student to withhold from their parent information concerning school materials, activities, tests, discussions, or programs.

Any record, test results, or inquiry related to any exceptional school component shall be made available to the parents upon request.

Guidance counseling may be provided to a student without the prior written consent of a parent, but a counselor may not provide the student any exceptional school component without prior written parental consent.

Allegations by a parent of a violation of the act shall be presented in writing along with any supporting documentation to the staff member. If the issue is not resolved, the issue shall be taken to the school principal and to the district superintendent for corrective action.

In the event of a conflict between this act and any other provision of law, the provisions of the act shall govern.

Substitute Bill Compared to Original Bill: Provisions in the original bill pertaining to the following areas were removed or modified: a definition of a basic education, requirements pertaining to student progress reports, restrictions on classes held off school property, provisions that allowed school employees to not provide instruction in selected areas, restrictions on counseling, and an appeal process for violations of the act that included specific deadlines and remedies.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: Parents have been left out of the decisions regarding what their children are learning in our public schools. Opportunity for input is not enough. And when input is provided, the system does not care what parents think. Our schools are failing. The mission of our schools has changed from academics to social engineering. Too little time is being spent on academics, and too much time is being spent on sex education, values clarification, multi-cultural education, experimental teaching methods, and other inappropriate areas. Our children are being asked inappropriate questions regarding their personal beliefs and practices. Experimental classes and practices should be opted into, not out of. It's very difficult to get copies of our children's records, and to get information about what is being taught in our schools.

Testimony Against: Many of the concerns raised by this bill are valid, but this legislation is not the answer. It will dictate a very rigid delivery of curriculum and will limit an educator's ability to meet the needs of students. The restrictions on

counseling are of special concern. Schools will no longer have the freedom to choose curriculum or instructional methods. Schools work hard to get parent involvement and input. This bill would create an atmosphere of distrust, lead to countless lawsuits, and increase paperwork. The answer needs to be found by parents and schools working together. The current system is not perfect, but it is working.

Testified: (Pro) Representative Val Stevens, prime sponsor; Sandra Swanson, Central Washington Family Alliance; Theresa Thuline; Sandy Vanderburg; Julanne Burts; Erika Cranmer; David Geddis; Cris Shardelman; Dr. Deborah Icenogle; Jeanette Faulkner and Jennifer and Janice Faulkner; Gloria Clark; Chad Aldrich; Linda Webb; Jigger Davis; Jim Galbraith, Facts for Freedom; Miriam Weldin; Bob Nix; Pari Johnson; Joanne McCann; Sandy Elliot; Lyn and Robert Whitham; Barb Grans; Ted Fredericks, Youth Enhancement Partnership; Marian Hinds; Sue North; Bob Larimer, Washington for Traditional Values; Lloyd Gardner; Edsel Hammond; Toni Moore; Cheryl Cole; Jackie Reese; Dave Thomson, Blackstone Foundation; Julie Bauer; Debra Kolrud; Joyce Fiess; Leslie McMillan, Vision Ministries; James Suits; and Glenn Reid.

(Con) Sheila Stickel, Privacy Fund; Dennis Townsend, Bethel School Board; Barbara Roder, Washington State School Directors' Association; Barbara Eliason, Patricia Krueger and Teri Murphy, Olympia School District; Evan Humphreys, Timberline High School; Steve Griffith, student; Catherine Hardy, teacher; Kris Lenke, Timberline High School; Tammy Hupp-Putvin, Association of Sexuality Education & Training; Joan Halverstadt, counselor; Karen Madsen; Jerre McQuinn, Marcia Holland, Carol Mohler, and Debbie Severe, Washington State PTA; Jo Herber, American Association of University Women; Brad Smith, Association of Washington School Principals; Richard Romane; JerriLee Petersen, School Board member; Lisa Tracy and Marilyn Enright, Redmond High PTA; Bob Maier, Washington Education Association; Lynn McKinnon, Public School Employees; Seamus Campbell, student; Ronda Olson; Sandra Livingston; and Sherri LaBuda.