
HOUSE BILL 2216

State of Washington

54th Legislature

1996 Regular Session

By Representatives Brumsickle, Mastin, Mulliken, Radcliff, Johnson, Carlson, Thompson, Hankins and Backlund

Read first time 01/08/96. Referred to Committee on Education.

1 AN ACT Relating to parents' rights and responsibilities in
2 education; amending RCW 28A.320.230; adding a new chapter to Title 28A
3 RCW; creating new sections; and repealing RCW 28A.605.010 and
4 28A.605.020.

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

6 NEW SECTION. **Sec. 1.** Parent involvement in education is essential
7 for the positive emotional and social development, cultural growth, and
8 academic achievement of every child. Parents have the right to
9 recognition of their primacy as educators of their children. Parents
10 should be encouraged to be actively involved with educators in creating
11 and implementing educational programs for their children. To this end,
12 the rights and responsibilities of parents are hereby established.

13 NEW SECTION. **Sec. 2.** PARENTAL RESPONSIBILITIES. Parents shall:
14 (1) Be involved in helping their children achieve the essential
15 academic learning requirements, which include but are not limited to:
16 Learning to read and write, knowing and applying the concepts of math
17 and science, thinking analytically, and understanding the importance of
18 work, in accordance with RCW 28A.150.210;

1 (2) To the extent possible, ensure that their children are rested,
2 clothed, and fed when attending school and are provided with
3 educational opportunities and support at home;

4 (3) Immunize their children, in accordance with RCW 28A.210.120;

5 (4) Provide information about the child's prior educational
6 programs when the child transfers to another school, in accordance with
7 RCW 28A.225.230;

8 (5) Be responsible for property damaged by their children, in
9 accordance with RCW 28A.635.060;

10 (6) Ensure that their children attend school every day, unless
11 excused, in accordance with RCW 28A.225.010; and

12 (7) Be involved in resolving discipline problems involving their
13 children, in accordance with RCW 28A.600.020.

14 NEW SECTION. **Sec. 3.** ACADEMIC PROGRAMS. A parent may:

15 (1) Have access to his or her child's classroom. Every school
16 district board of directors shall, after following established
17 procedure, adopt a policy assuring parents access to their children's
18 classrooms and school-sponsored activities for purposes of observing
19 class procedure, teaching material, and class conduct. The policy
20 shall provide that observation shall not disrupt the classroom
21 procedure or learning activity;

22 (2) Exclude his or her children from AIDS instruction, in
23 accordance with RCW 28A.230.070; and

24 (3) Exclude his or her children from sex education classes and be
25 involved in evaluation and revision of sex education programs, in
26 accordance with rules adopted by the state board of education.

27 NEW SECTION. **Sec. 4.** ACCESS TO STUDENT RECORDS. (1) A parent is
28 entitled to access the educational records of his or her children.
29 Each school district shall establish appropriate procedures for the
30 granting of a request by parents for access to the educational records
31 of their children within a reasonable period of time.

32 (2) For the purposes of this section, "educational records" means,
33 except as may be provided otherwise in subsection (3) of this section,
34 those records, files, documents, and other materials that:

35 (a) Contain information directly related to a student; and

36 (b) Are maintained by a school or school district, or by a person
37 acting for a school or school district.

1 (3) For purposes of this section, "educational records" does not
2 include:

3 (a) Records on a student who is eighteen years of age or older,
4 that are made or maintained by a physician, psychiatrist, psychologist,
5 or other recognized professional or paraprofessional acting in his or
6 her professional or paraprofessional capacity, or assisting in that
7 capacity, and that are made, maintained, or used only in connection
8 with the provision of treatment to the student, and are not available
9 to anyone other than persons providing such treatment, except that such
10 records can be personally reviewed by a physician or other appropriate
11 professional of the student's choice; and

12 (b) Those records that under other state or federal law are not
13 available to parents.

14 (4) The agency or school district may charge a reasonable fee for
15 copies of materials provided to a parent under this chapter.

16 NEW SECTION. **Sec. 5.** ACCESS TO TEACHING MATERIALS. A parent may:

17 (1) Review all teaching materials, textbooks, and other teaching
18 aids used in the classroom of the parent's child; and

19 (2) Make a complaint to the school board and receive a public
20 hearing on instructional and library materials that a parent thinks is
21 objectionable, in accordance with RCW 28A.150.230.

22 NEW SECTION. **Sec. 6.** PARTICIPATION IN ADVISORY GROUPS. (1)
23 School districts shall provide opportunities for parents to provide
24 input in major policy decisions affecting the education of children in
25 the school district.

26 (2) Parents shall be involved in instructional materials
27 committees in accordance with RCW 28A.320.230.

28 (3) Parents shall be consulted in the development of the district's
29 AIDS curriculum, in accordance with RCW 28A.230.070.

30 NEW SECTION. **Sec. 7.** ACCESS TO BOARD MEETINGS. A parent may
31 attend any meeting of the school district board of trustees, other than
32 a closed meeting provided for in RCW 42.30.070 and 42.30.140.

33 NEW SECTION. **Sec. 8.** INFORMATION CONCERNING STUDENT. (1) A
34 parent is entitled to full information regarding the child's school
35 activity, except as provided under section 4 of this act.

1 (2) School district employees shall not withhold information
2 pertaining to the school activities of a child from a child's parents.

3 NEW SECTION. **Sec. 9.** EXEMPTION FROM OTHER ACTIVITIES. (1) A
4 parent may:

5 (a) Exclude his or her children from the immunization requirement
6 and scoliosis screening, in accordance with RCW 28A.210.090,
7 28A.210.210, and 28A.210.240;

8 (b) Exclude his or her children from AIDS instruction, in
9 accordance with RCW 28A.230.070;

10 (c) Exclude his or her children from sex education classes, in
11 accordance with rules adopted by the state board of education; and

12 (d) In addition to other provisions in law, a parent may remove his
13 or her child temporarily from a class or other school activity that
14 conflicts with the parent's religious or moral beliefs if the parent
15 presents or delivers to the teacher of the parent's child a written
16 statement authorizing the removal of the child from the class or other
17 school activity. A parent may not remove the parent's child from a
18 class or other school activity to avoid a test. The parent shall be
19 responsible for identifying educational opportunities to be provided
20 for those excused.

21 (2) The board of directors of each school district shall adopt
22 rules establishing procedures to ensure that each school within its
23 district is carrying out district policy prohibiting a child in grades
24 kindergarten through eight from being removed from any school grounds
25 or building during school hours except by a person authorized by a
26 parent or legal guardian having legal custody of the child.

27 (3) This section does not exempt a child from satisfying grade
28 level or graduation requirements in a manner acceptable to the school
29 district.

30 NEW SECTION. **Sec. 10.** PARENTAL NOTIFICATION. A parent may:

31 (1) Receive periodic reports on the progress of his or her
32 children, in accordance with RCW 28A.150.240;

33 (2) Be notified if his or her child has a hearing or visual loss,
34 in accordance with RCW 28A.210.030;

35 (3) Be notified when his or her child has an unexcused absence, in
36 accordance with RCW 28A.225.020;

1 (4) Be notified of his or her "choice options" in accordance with
2 RCW 28A.225.300;

3 (5) Be notified of his or her parent involvement opportunities, in
4 accordance with RCW 28A.225.300;

5 (6) Know how well his or her students did on the state-wide tests,
6 in accordance with RCW 28A.230.190, 28A.230.195, 28A.230.230,
7 28A.230.240, and 28A.230.250;

8 (7) Receive an annual report from his or her school district, in
9 accordance with RCW 28A.320.205;

10 (8) Be notified of pupil conduct, discipline, and rights, in
11 accordance with RCW 28A.600.010;

12 (9) Be notified about the running start program, in accordance with
13 RCW 28A.600.320; and

14 (10) Be notified if a court order or subpoena has been issued for
15 access to the records of his or her children, in accordance with RCW
16 28A.600.475.

17 NEW SECTION. **Sec. 11.** COMPLAINTS. The board of trustees of each
18 school district shall have a grievance procedure under which the board
19 shall address each complaint that the board receives concerning
20 violation of a right guaranteed by this chapter.

21 **Sec. 12.** RCW 28A.320.230 and 1989 c 371 s 1 are each amended to
22 read as follows:

23 Every board of directors, unless otherwise specifically provided by
24 law, shall:

25 (1) Prepare, negotiate, set forth in writing and adopt, policy
26 relative to the selection or deletion of instructional materials. Such
27 policy shall:

28 (a) State the school district's goals and principles relative to
29 instructional materials;

30 (b) Delegate responsibility for the preparation and recommendation
31 of teachers' reading lists and specify the procedures to be followed in
32 the selection of all instructional materials including text books;

33 (c) Establish an instructional materials committee to be appointed,
34 with the approval of the school board, by the school district's chief
35 administrative officer. This committee shall consist of representative
36 members of the district's professional staff, including representation
37 from the district's curriculum development committees, and, in the case

1 of districts which operate elementary school(s) only, the educational
2 service district superintendent, one of whose responsibilities shall be
3 to assure the correlation of those elementary district adoptions with
4 those of the high school district(s) which serve their children. The
5 committee ((may)) shall include parents ((at the school board's
6 discretion: ~~PROVIDED, That parent members shall make up less than one-~~
7 ~~half of the total membership of the committee~~));

8 (d) Provide for reasonable notice to parents of the opportunity to
9 serve on the committee and for terms of office for members of the
10 instructional materials committee;

11 (e) Provide a system for receiving, considering and acting upon
12 written complaints regarding instructional materials used by the school
13 district;

14 (f) Provide free text books, supplies and other instructional
15 materials to be loaned to the pupils of the school, when, in its
16 judgment, the best interests of the district will be subserved thereby
17 and prescribe rules and regulations to preserve such books, supplies
18 and other instructional materials from unnecessary damage.

19 Recommendation of instructional materials shall be by the
20 district's instructional materials committee in accordance with
21 district policy. Approval or disapproval shall be by the local school
22 district's board of directors.

23 Districts may pay the necessary travel and subsistence expenses for
24 expert counsel from outside the district. In addition, the committee's
25 expenses incidental to visits to observe other districts' selection
26 procedures may be reimbursed by the school district.

27 Districts may, within limitations stated in board policy, use and
28 experiment with instructional materials for a period of time before
29 general adoption is formalized.

30 Within the limitations of board policy, a school district's chief
31 administrator may purchase instructional materials to meet deviant
32 needs or rapidly changing circumstances.

33 (2) Establish a depreciation scale for determining the value of
34 texts which students wish to purchase.

35 NEW SECTION. **Sec. 13.** The following acts or parts of acts are
36 each repealed:

37 (1) RCW 28A.605.010 and 1975 1st ex.s. c 248 s 1; and

38 (2) RCW 28A.605.020 and 1979 ex.s. c 250 s 8.

1 NEW SECTION. **Sec. 14.** Captions used in this act do not constitute
2 any part of the law.

3 NEW SECTION. **Sec. 15.** Sections 2 through 11 of this act shall
4 constitute a new chapter in Title 28A RCW.

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