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ENGROSSED SUBSTITUTE HOUSE BILL 1085

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State of Washington

55th Legislature

1997 Regular Session

By House Committee on Education (originally sponsored by Representatives Mulliken, Johnson, Koster, Backlund, Sump, Talcott, Crouse, Thompson, Mielke, Bush, Sherstad, Carrell, Smith and Van Luven)

Read first time 02/06/97.

1 AN ACT Relating to notification of student testing or survey; and  
2 adding a new section to chapter 28A.600 RCW.

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

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

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

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

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

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

3 (c) Sexual behavior and attitudes;

4 (d) Illegal, antisocial, self-incriminating, and demeaning  
5 behavior;

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

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

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

13 (3) Educational agencies shall give parents and students effective  
14 notice of their rights under this section prior to administering a  
15 test, questionnaire, survey, analysis, or evaluation that meets the  
16 criteria of subsection (2) of this section.

17 (4) Each member of the school board must be notified in writing  
18 prior to administration of a test, questionnaire, survey, analysis, or  
19 evaluation that meets the criteria of subsection (2) of this section.  
20 Notification must occur prior to a regularly scheduled meeting of the  
21 school board before administration of a test, questionnaire, survey,  
22 analysis, or evaluation that meets the criteria of subsection (2) of  
23 this section.

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