
ENGROSSED SUBSTITUTE SENATE BILL 5555

State of Washington

55th Legislature

1997 Regular Session

By Senate Committee on Education (originally sponsored by Senators Stevens, Hochstatter, Schow, Zarelli, Roach, Morton, Benton, McCaslin and Oke)

Read first time 03/05/97.

1 AN ACT Relating to parents' rights in education; and adding a new
2 chapter to Title 28A RCW.

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

4 NEW SECTION. **Sec. 1.** (1) The legislature recognizes the inherent
5 and unalienable right and responsibility of the parents to provide for
6 and ensure the health, education, and general well-being of their
7 children. This chapter is intended to recognize that responsibility
8 and to affirm the right of the parents to decide what their children
9 learn and how they are taught in the common schools.

10 (2) This chapter defines the roles and obligations of school
11 officials, administrators, staff, and teachers, in order to provide for
12 better cooperation between the school district and the parents, to
13 encourage mutual understanding and confidence, to secure a better
14 education for all children enrolled in the public schools of this
15 state, to otherwise assist the parents in the discharge of their
16 parental responsibility to their children, and to assist the school
17 system in the discharge of its responsibility to the parents.

1 (3) This act is not meant to be inclusive of all rights and
2 responsibilities of parents with regard to education, only to address
3 those issues where known conflict exists.

4 NEW SECTION. **Sec. 2.** Unless the context clearly requires
5 otherwise, the definitions in this section apply throughout this
6 chapter.

7 (1) "Emergency situation" means a situation where the student may
8 cause physical harm to himself, herself, or to others.

9 (2) "Experimental," "special," or "pilot" class or program means
10 any class or program designed to explore or develop new or unproven
11 teaching methods or techniques or a class or program of limited
12 application to a selected group of students.

13 (3) "Group therapy" and "sensitivity training" mean group processes
14 where the student's intimate and personal feelings, emotions, values,
15 habits, or beliefs are openly exposed to the group or where emotions,
16 feelings, or attitudes are directed by one or more members of the group
17 toward another member of the group, or where roles are assigned to
18 pupils for the purpose of classifying, controlling, or predicting
19 behavior.

20 (4) "Parent" means a biological, adoptive or foster parent, or
21 legal guardian.

22 NEW SECTION. **Sec. 3.** Parents have the right to know what their
23 children are being taught.

24 (1) Each school district board of directors shall adopt policies
25 and inform parents about their rights to inspect students' educational
26 records, test results, any educational or other program of the
27 district, and all instructional or other related materials, including
28 teacher manuals, textbooks, films, tapes, supplementary materials, or
29 computer programs.

30 Each school district board of directors shall adopt policies
31 requiring parents to be notified of their right to excuse their child
32 from any course or unit of study specifically about alcoholic
33 stimulants or controlled substances, human sexuality education,
34 education regarding sexually transmitted diseases including HIV or AIDS
35 education, suicide education, or death education. The notice shall be
36 distributed and returned by parents before these courses or units of

1 study are taught. A form signed by the parent must be in each
2 student's file.

3 (2) A student may not be placed in an experimental, special, or
4 pilot class or program without written consent of a parent.

5 (3) Classes shall be held on school property, except for field
6 trips that are necessarily and reasonably beneficial, that are related
7 to the educational program of the student, that are afforded to all
8 members of the class equally, and that are undertaken with the
9 knowledge and written consent of a parent.

10 (4) The superintendent of public instruction shall develop model
11 forms for school districts to permit parents to excuse their children
12 from programs under this section.

13 NEW SECTION. **Sec. 4.** The parents and the child shall have the
14 right to privacy.

15 (1) A student may only be tested for intelligence quotient or
16 proficiency in basic skills and academic subject matter. Any testing
17 or inquiry pertaining to a student's attitudes, habits, or values, the
18 student's parent's attitudes, habits, or values, or other personal
19 information pertaining to the student and the student's family,
20 including personality inventories, value appraisals, psychological
21 inventories, or diagnostic tests may be given only after consultation
22 by school personnel with the parent and with the parent's written
23 permission.

24 Any such tests shall be made available to a parent upon request,
25 and the results of any test or inquiry and any notes, records, or
26 written or taped memoranda regarding the test or inquiry shall be made
27 available to the parents upon request.

28 (2) All records kept on a student must be provided to the parent
29 upon request for the parent's observation, and copies thereof provided
30 to the parent upon request at cost at the expense of the parent.
31 Records may not be maintained on a student that are not relevant to
32 academic achievement, except that records regarding disciplinary action
33 shall be separately maintained.

34 (3) Employees and guests of a school district may not use
35 psychotherapeutic techniques such as group therapy or sensitivity
36 training without prior written permission of the parent.

37 (4) Except in an emergency situation, which may include death of a
38 relative, a school may not use guidance counseling regarding a

1 student's social, emotional, mental, or personal problems without
2 written notification to the parent within three working days of such
3 counseling. Parental notification is not to be construed as continuing
4 beyond the specific subject of discussion during consultation, unless
5 the parent gives written permission to expand the scope of counseling.
6 A school district may allow a student to participate in limited
7 guidance counseling without the prior written consent of the parent if
8 the student expresses fear or distress that leads the counselor to
9 believe there is a possibility that the child is experiencing child
10 abuse or neglect as defined in RCW 26.44.020.

11 NEW SECTION. **Sec. 5.** A parent has the right to be informed of
12 student progress. A parent shall be apprised no less than three times
13 during each school year, in writing, by the teacher or principal, of a
14 student's progress in the basic skills. Such information as standing
15 in the class and standing in relation to national norms shall also be
16 provided to a parent upon request if available.

17 NEW SECTION. **Sec. 6.** (1) This chapter shall be liberally
18 construed to protect and enforce the rights this chapter creates and
19 reaffirms.

20 (2) This chapter has precedence over any now existing law to the
21 contrary. State board of education rules as well as the rules of the
22 superintendent of public instruction shall be deemed amended by chapter
23 ..., Laws of 1997 (this act).

24 NEW SECTION. **Sec. 7.** Sections 1 through 6 of this act constitute
25 a new chapter in Title 28A RCW.

26 NEW SECTION. **Sec. 8.** If any provision of this act or its
27 application to any person or circumstance is held invalid, the
28 remainder of the act or the application of the provision to other
29 persons or circumstances is not affected.

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