
SUBSTITUTE HOUSE BILL 1172

State of Washington

54th Legislature

1995 Regular Session

By House Committee on Education (originally sponsored by 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)

Read first time 03/01/95.

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.** It is the right and responsibility of
5 parents to provide for and ensure the health, education, and general
6 well-being of their children.

7 This chapter is intended to protect and promote parents'
8 involvement in the education of their children, to affirm parents'
9 interests in overseeing what their children learn and how they are
10 taught in the common schools, and to ensure better understanding,
11 confidence, and cooperation between the parents and the school
12 district.

13 NEW SECTION. **Sec. 2.** Unless the context clearly requires
14 otherwise, the definitions in this section apply throughout this
15 chapter.

16 (1) "Exceptional school component" includes all educational or
17 instructional related classes, courses, programs, or materials,
18 including textbooks, teacher manuals, films, video tapes, audio tapes,

1 computer programs, supplementary materials, or any other materials
2 associated with:

3 (a) Human sexuality education;

4 (b) Education regarding sexually transmitted diseases, including
5 HIV or AIDS education;

6 (c) Anger, stress, or conflict management or resolution education;

7 (d) Suicide education;

8 (e) Death education;

9 (f) Education regarding alcoholic stimulants or controlled
10 substances;

11 (g) An experimental, special, or pilot class, course, or program
12 designed to explore or develop new or unproven teaching methods or
13 techniques or of limited application to a selected group of students;

14 (h) Psychotherapeutic techniques, group therapy, or sensitivity
15 training processes where the student's intimate and personal feelings,
16 emotions, values, habits, or beliefs are openly exposed to the group or
17 where emotions, feelings, or attitudes are directed by one or more
18 members of the group toward another member of the group, or where roles
19 are assigned to students for the purpose of classifying, controlling,
20 or predicting behavior; or

21 (i) Testing or inquiry pertaining to a student's attitudes, habits,
22 or values, the student's parent's attitudes, habits, or values, or
23 other personal information pertaining to the student and the student's
24 family, including personality or psychological inventories, diagnostic
25 tests, or value appraisals.

26 (2) "Parent" means a biological, adoptive, or foster parent, or
27 legal guardian.

28 (3) "Consent" shall mean direct communication in a manner specified
29 which unambiguously indicates approval. However, two or more attempts
30 during a two-week period to contact a parent by certified mail or
31 direct face-to-face contact shall constitute consent unless superseded
32 by an unambiguous revocation of this implied consent.

33 NEW SECTION. **Sec. 3.** All exceptional school components shall be
34 available for review by the parent of a student.

35 A student may not be placed in or provided any exceptional school
36 component without the prior written consent of a parent.

37 Before a school district enrolls a student in or makes available to
38 a student any exceptional school component, the district shall notify

1 the parent of the student what constitutes an exceptional school
2 component and that all exceptional school components of the district
3 are available for public inspection by the parent. A school district
4 shall provide the parent of any student or students enrolled in the
5 district with a copy of this chapter at the time the student or
6 students are enrolled. Providing a copy of this chapter to a parent by
7 the school district constitutes adequate notice to the parent under
8 this section.

9 Upon request by the parent, the board of directors of a school
10 district shall make available for inspection by the parent any
11 exceptional school component of the district.

12 Upon prior written consent by the parent the district may enroll
13 the student in or make available to the student the specific
14 exceptional school component approved by the parent.

15 Parental consent is not to be construed as continuing beyond the
16 scope of the specific exceptional school component approved by the
17 parent, unless the parent gives written permission to expand the scope
18 of the specific exceptional school component.

19 Employees of a school district shall not direct, instruct, or
20 encourage a student to withhold from their parent information
21 concerning school or classroom materials, activities, tests,
22 discussions, or programs, including any exceptional school component.

23 The results of any test or inquiry related to any exceptional
24 school component and any notes, records, or written or taped memoranda
25 regarding the test or inquiry shall be made available to the parents
26 upon request.

27 Any record kept on a student shall be provided to the parent of the
28 student upon request for the parent's observation, and copies thereof
29 provided at cost to the parent.

30 Guidance counseling regarding a student's social, emotional,
31 mental, or personal problems may be provided to a student without the
32 prior written consent of a parent but a guidance counselor may not
33 provide the student any exceptional school component without the prior
34 written consent of the parent.

35 NEW SECTION. **Sec. 4.** Allegations by a parent of a violation of
36 this chapter shall be presented in writing along with any supporting
37 documentation to the involved staff member. If the matter is not
38 resolved, the allegation and supporting documentation shall be

1 presented to the school principal and to the school district
2 superintendent for corrective action.

3 NEW SECTION. **Sec. 5.** The provisions of this chapter are to be
4 liberally construed to effectuate the policies and purposes of this
5 chapter. In the event of conflict between this chapter and any other
6 provision of law, the provisions of this chapter shall govern.

7 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act shall
8 constitute a new chapter in Title 28A RCW.

9 NEW SECTION. **Sec. 7.** If any provision of this act or its
10 application to any person or circumstance is held invalid, the
11 remainder of the act or the application of the provision to other
12 persons or circumstances is not affected.

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