

By Representative Brumsickle

1 **SHB 2216 - H COMM AMD 178 WITHDRAWN 2-13-96**

2 By Committee on Education

3 On page 1, strike everything after the enacting clause and
4 insert the following:

5 "NEW SECTION. **Sec. 1.** The legislature recognizes families
6 as the fundamental unit of society and affirms parents' rights to
7 direct the upbringing of their children. The legislature further
8 supports parents as the primary educators of their children and
9 recognizes parents' right to further direct the educational
10 decisions which concern their children.

11 The legislature believes that public schools derive their
12 authority from parents of the attending students and must therefor
13 take every reasonable step to provide parents with access and
14 discretion regarding their child's education. Parents' rights
15 regarding what their children are provided by public schools is
16 paramount in protecting the proper and fundamental role of the
17 family.

18 NEW SECTION. **Sec. 2.** Unless specifically provided by law,
19 for purposes of this chapter, "parent" means a parent or legal
20 guardian having legal custody of a child enrolled in public school.
21 For purposes of this act, "parent" does not mean parents of
22 children in private schools or of children receiving home-based
23 instruction.

24 NEW SECTION. **Sec. 3.** PARENTS RIGHTS AND RESPONSIBILITIES
25 EXISTING IN CURRENT LAW.

26 (1) Parents shall immunize their children, unless exempted, in
27 accordance with RCW 28A.210.030;

1 (2) Parents shall provide information about the child's prior
2 educational programs when the child transfers to another school, in
3 accordance with RCW 28A.225.330;

4 (3) Parents shall be responsible for property damaged by their
5 children, in accordance with RCW 28A.635.060;

6 (4) Parents shall ensure that their children attend school
7 every day, unless excused, in accordance with RCW 28A.225.010;

8 (5) Parents shall decide whether their children participate in
9 AIDS instruction, in accordance with RCW 28A.230.070 and this act;

10 (6) Parents may make a complaint to the school board and have
11 the complaint heard at a public hearing on instructional and
12 library materials that a parent thinks is objectionable, in
13 accordance with RCW 28A.150.230.

14 (7) Parents shall be involved in instructional materials
15 committees in accordance with RCW 28A.320.230 and this act.

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

18 (9) Parents may exclude their children from scoliosis
19 screening, in accordance with RCW 28A.210.090, 28A.210.210, and
20 28A.210.240;

21 (10) Parents shall receive periodic reports on the progress of
22 their children, in accordance with RCW 28A.150.240;

23 (11) Parents shall be notified if their child has a hearing or
24 visual loss, in accordance with RCW 28A.210.030;

25 (12) Parents shall be notified when their child has an
26 unexcused absence, in accordance with RCW 28A.225.020;

27 (13) Parents shall be notified of their child's "choice
28 options" in accordance with RCW 28A.225.300;

29 (14) Parents shall be notified of their parent involvement
30 opportunities, in accordance with RCW 28A.225.300;

31 (15) Parents shall receive the results of their child's
32 performance on state-wide assessments, in accordance with RCW

1 28A.230.190, 28A.230.195, 28A.230.230, 28A.230.240, and
2 28A.230.250;

3 (16) Parents shall receive an annual report from their school
4 district, in accordance with RCW 28A.320.205;

5 (17) Parents shall be notified of pupil conduct, discipline,
6 and rights, in accordance with RCW 28A.600.010;

7 (18) Parents shall be notified about the running start
8 program, in accordance with RCW 28A.600.320; and

9 (19) Parents shall be notified if a court order or subpoena
10 has been issued for access to the records of their children, in
11 accordance with RCW 28A.600.475.

12 NEW SECTION. **Sec. 4.** ACCESS TO ACADEMIC PROGRAMS AND
13 TEACHING MATERIALS.

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

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

25 NEW SECTION. **Sec. 5.** INFORMATION CONCERNING STUDENTS.

26 (1) Each school district shall make available a list of all
27 records which the district routinely keeps on all students and
28 shall establish procedures whereby parents shall have access to
29 each of the individual student records. The list shall include,
30 but not be limited to, academic, vocational, counseling,
31 disciplinary and attendance records.

1 (2) Except as specifically exempted by other state or federal
2 law, all records maintained on a student by a school, school
3 district, educational service district, the superintendent of
4 public instruction, the state board of education, or anyone under
5 contract with the above, shall be provided to a parent upon request
6 for the parent's observation. Upon the written request of a
7 parent, copies of records shall be provided within fourteen working
8 days. Upon request, parents shall be provided with the appropriate
9 legal reference for all individual records which the school, school
10 district, educational service district, the superintendent of
11 public instruction, the state board of education, or any
12 contractor, claim are exempt from parent disclosure by state or
13 federal law.

14 (3) Upon request, parents shall annually be entitled to one
15 set of student records at no charge but districts may establish a
16 fee pursuant to RCW 42.17.300 for each subsequent request made
17 during the year.

18 NEW SECTION. **Sec. 6.** SURVEYS AND TESTS REQUESTING
19 DISCLOSURE.

20 Every school district board of directors shall, after
21 following established procedures and with the participation of
22 parents, adopt a policy regarding student participation in tests or
23 surveys that request disclosure by the student of information about
24 either the student or the student's parents or legal guardians
25 concerning: political or religious affiliations, mental or
26 psychological problems, sexual behavior or attitudes, illegal,
27 self-incriminating or demeaning behavior, critical appraisals of
28 any other individual with whom the student has a family
29 relationship, legally privileged information arising out of
30 confidential relationships with persons such as lawyers, physicians
31 or ministers, or religious issues.

1 NEW SECTION. **Sec. 7.** PROHIBITION ON REMOVAL OF CHILD.

2 The board of directors of each school district by rule or
3 regulation shall adopt procedures to ensure that each school within
4 its district is carrying out district policy providing that no
5 child in grades kindergarten through eight will be removed from any
6 school grounds or building during school hours except by a person
7 authorized by a parent or legal guardian having legal custody of
8 the child, pursuant to RCW 28A.605.010.

9 **Sec. 8.** RCW 28A.315.510 is amended to read as follows:

10 Regular meetings of the board of directors of any school
11 district shall be held monthly or more often at such a time as the
12 board of directors by resolution shall determine or the bylaws of
13 the board may prescribe. Special or deferred meetings may be held
14 from time to time as circumstances may demand, at the call of the
15 president, if a first class district, or the chair of the board, if
16 a second class district, or on petition of a majority of the
17 members of the board. All meetings shall be open to the public
18 unless the board shall otherwise order an executive session as
19 provided in RCW 42.30.110. The board of directors shall provide
20 a reasonable opportunity for public oral and written comments on
21 proposals before the board.

22 NEW SECTION. **Sec. 9.** GUIDANCE AND COUNSELING SERVICES.

23 Every school district board of directors shall, after
24 following established procedures and with the participation of
25 parents, adopt a policy regarding counseling services available to
26 students.

27 NEW SECTION. **Sec. 10.** PARTICIPATION IN ADVISORY GROUPS.

28 School districts shall seek parental involvement in advisory
29 groups that are considering major policy decisions affecting the
30 education of children in the school district.

1 NEW SECTION. **Sec. 11.** NON-ACADEMIC CURRICULUM.

2 Every school district board of directors shall, after
3 following established procedures and with the participation of
4 parents, adopt a policy regarding student participation in school-
5 sponsored curriculum components, programs or activities (whether
6 curricular or extracurricular) that contain information regarding:
7 sex education, sexually transmitted diseases, contraception, sexual
8 orientation, suicide, and euthanasia.

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

11 Every board of directors, unless otherwise specifically
12 provided by law, shall:

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

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

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

22 (c) Establish an instructional materials committee to be
23 appointed, with the approval of the school board, by the school
24 district's chief administrative officer. This committee shall
25 consist of representative members of the district's professional
26 staff, including representation from the district's curriculum
27 development committees, and, in the case of districts which operate
28 elementary school(s) only, the educational service district
29 superintendent, one of whose responsibilities shall be to assure
30 the correlation of those elementary district adoptions with those
31 of the high school district(s) which serve their children. The
32 committee (~~may~~) shall include parents who are not school district

1 employees and whose children are enrolled in the district. ~~((at~~
2 ~~the school board's discretion))~~: PROVIDED, That parent members
3 shall make up ~~((less than one-half))~~ at least one-third of the
4 total membership of the committee. Parent members shall not be
5 school district employees;

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

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

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

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

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

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

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

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

1 NEW SECTION. Sec. 13. COMPLAINTS. The board of directors of
2 each school district shall have a grievance procedure under which
3 the school district shall address and attempt to resolve each
4 written complaint that the district receives concerning violation
5 of a right guaranteed by this chapter.

6 NEW SECTION. Sec. 14. Captions used in this act do not
7 constitute any part of the law.

8 NEW SECTION. Sec. 15. Sections 2 through 7, 9 through 11 and
9 13 of this act shall constitute a new chapter in Title 28A RCW."

10 Correct the title accordingly.