

CS FOR SENATE BILL NO. 89(EDC)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY THE SENATE EDUCATION COMMITTEE

Offered:
Referred:

Sponsor(s): SENATOR DUNLEAVY

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to a parent's right to direct the education of a child; and relating to
2 questionnaires administered in a public school."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 14.03 is amended by adding a new section to read:

5 **Sec. 14.03.016. A parent's right to direct the education of the parent's**
6 **child.** (a) A local school board shall, in consultation with parents, teachers, and school
7 administrators, adopt policies to promote the involvement of parents in the school
8 district's education program. The policies must include procedures

9 (1) allowing a parent to object to and withdraw the child from a
10 standards-based assessment or test required by the department;

11 (2) allowing a parent to object to and withdraw the child from an
12 activity, class, performance standard, or program because of concern regarding

13 (A) content involving human reproduction or sexual matters;

14 (B) inquiries into personal or private family affairs of the

1 student or family that are not a matter of public record or subject to public
2 observation;

3 (3) providing for parent notification not less than two weeks, but not
4 more than one month, before any activity, class, performance standard, or program
5 that includes content involving human reproduction or sexual matters is provided to a
6 child and requiring written permission from the child's parent before the child may
7 participate in the activity, class, performance standard, or program;

8 (4) allowing a parent to withdraw the child from an activity, class,
9 performance standard, program, or standards-based assessment or test required by the
10 department for a religious holiday, as defined by the parent;

11 (5) providing a parent with an opportunity to review the content of an
12 activity, class, performance standard, program, or standards-based assessment or test
13 required by the department;

14 (6) ensuring that when a child is absent from an activity, class,
15 performance standard, program, or standards-based assessment or test required by the
16 department under this section, the absence is not considered an unlawful absence
17 under AS 14.30.020.

18 (b) The policies adopted under (a)(1), (2), and (4) - (6) of this section may not
19 allow a parent categorically to object or withdraw a child from all activities, classes,
20 performance standards, programs, or standards-based assessments or tests required by
21 the department. The policies must require a parent to object each time the parent
22 wishes to withdraw the child from an activity, class, performance standard, program,
23 or standards-based assessment or test required by the department. The policies adopted
24 under (a)(3) of this section must require written permission from the child's parent
25 before each activity, class, performance standard, or program is provided to a child
26 that includes content involving human reproduction or sexual matters.

27 (c) In this section,

28 (1) "child" means an unemancipated minor under 18 years of age;

29 (2) "local school board" has the meaning given in AS 14.03.290;

30 (3) "parent" means the natural or adoptive parent of a child or a child's
31 legal guardian;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

(4) "school district" has the meaning given in AS 14.30.350.

* **Sec. 2.** AS 14.03.110(a) is amended to read:

(a) A school district, principal or other person in charge of a public school, or teacher in a public school may not administer or permit to be administered in a school a questionnaire or survey, whether anonymous or not [, THAT INQUIRES INTO PERSONAL OR PRIVATE FAMILY AFFAIRS OF THE STUDENT NOT A MATTER OF PUBLIC RECORD OR SUBJECT TO PUBLIC OBSERVATION] unless written permission is obtained from the student's parent or legal guardian.

* **Sec. 3.** AS 14.03.110(d) is amended to read:

(d) The school shall give a student's parent or guardian an opportunity to review the questionnaire or survey described under (b) or (c) of this section and shall give the parent or guardian written notice regarding

- (1) how the questionnaire or survey will be administered to the student;
- (2) how the results of the survey or questionnaire will be used; and
- (3) who will have access to the questionnaire, [OR] survey, **or results.**