

SENATE BILL NO. 89

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY SENATORS DUNLEAVY, Giessel, Huggins, Stoltze

Introduced: 3/25/15

Referred: Education, State Affairs

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 schools."**

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 an
10 activity, class, performance standard, test, assessment, or program the parent believes
11 is harmful to the child; a parent may object to an activity, class, or program as harmful
12 if the parent believes the activity, class, or program questions beliefs or practices
13 involving human reproduction, health, or sex education;

14 (2) providing a parent with an opportunity to review the content of an

activity, class, performance standard, test, assessment, or program;

(3) allowing a parent to withdraw the child from an activity, class, performance standard, test, assessment, or program for a religious holiday, as defined by the parent;

(4) providing for parent notification not less than two weeks before any human reproduction, health, or sex education instruction or presentation is provided to a child and requiring written permission from the child's parent before the child may participate in the instruction or presentation;

(5) ensuring that when a child is absent from an activity, class, performance standard, test, assessment, or program under this section, the absence is not considered an unlawful absence under AS 14.30.020.

(b) In this section,

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

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

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

(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

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(3) who will have access to the questionnaire, [OR] survey, or results.