

**SENATE BILL NO. 89**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - SECOND SESSION

BY SENATORS DUNLEAVY, Giessel, Huggins, Stoltze, Kelly, MacKinnon, Coghill, Meyer

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

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

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

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

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

12 (b) In this section,

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

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

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

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

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

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

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

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

29 (1) how the questionnaire or survey will be administered to the  
30 student;

31 (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.