

CS FOR SENATE BILL NO. 89(EDC)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - SECOND SESSION

BY THE SENATE EDUCATION COMMITTEE

Offered: 4/10/15

Referred: State Affairs

Sponsor(s): SENATORS DUNLEAVY, Giessel, Huggins, Stoltze, Kelly, MacKinnon, Coghil, Meyer

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to a parent's right to direct the education of a child; relating to**
2 **questionnaires administered in a public school; prohibiting a school district from**
3 **contracting with an abortion services provider; and prohibiting a school district from**
4 **allowing an abortion services provider to furnish course materials or provide instruction**
5 **concerning sexuality or sexually transmitted diseases."**

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

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

8 **Sec. 14.03.016. A parent's right to direct the education of the parent's**
9 **child.** (a) A local school board shall, in consultation with parents, teachers, and school
10 administrators, adopt policies to promote the involvement of parents in the school
11 district's education program. The policies must include procedures
12 (1) recognizing the authority of a parent and allowing a parent to
13 object to and withdraw the child from a standards-based assessment or test required by

1 the state;

2 (2) recognizing the authority of a parent and allowing a parent to
3 object to and withdraw the child from an activity, class, or program because of
4 concern regarding

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

6 (B) inquiries into personal or private family affairs of the
7 student or family that are not a matter of public record or subject to public
8 observation;

9 (3) providing for parent notification not less than two weeks, but not
10 more than six weeks, before any activity, class, or program that includes content
11 involving human reproduction or sexual matters is provided to a child and requiring
12 written permission from the child's parent before the child may participate in the
13 activity, class, or program;

14 (4) recognizing the authority of a parent and allowing a parent to
15 withdraw the child from an activity, class, program, or standards-based assessment or
16 test required by the state for a religious holiday, as defined by the parent;

17 (5) providing a parent with an opportunity to review the content of an
18 activity, class, performance standard, or program;

19 (6) ensuring that, when a child is absent from an activity, class,
20 program, or standards-based assessment or test required by the state under this section,
21 the absence is not considered an unlawful absence under AS 14.30.020.

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

30 (c) In this section,

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

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

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

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

5 * **Sec. 2.** AS 14.03.083 is amended by adding a new subsection to read:

6 (e) A school district and an educational services organization that has a
7 contract with a school district may not contract with an abortion services provider.

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

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

15 * **Sec. 4.** AS 14.03.110(d) is amended to read:

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

19 (1) how the questionnaire or survey will be administered to the
20 student;

21 (2) how the results of the survey or questionnaire will be used; and

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

23 * **Sec. 5.** AS 14.30.360 is amended by adding a new subsection to read:

24 (c) A school district may not permit an abortion services provider or an
25 employee or volunteer of an abortion services provider to offer, sponsor, furnish
26 course materials, or provide instruction relating to human sexuality or sexually
27 transmitted diseases.