

**HOUSE CS FOR CS FOR SENATE BILL NO. 89(EDC)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - SECOND SESSION

BY THE HOUSE EDUCATION COMMITTEE

Offered: 3/24/16

Referred: Health and Social Services

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

REPRESENTATIVES Lynn, Keller, Reinbold, Tilton, Gattis, Wilson, LeDoux

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to a parent's right to direct the education of a child; prohibiting a  
2 school district from contracting with an abortion services provider; prohibiting a school  
3 district from allowing an abortion services provider to furnish course materials or  
4 provide instruction concerning sexuality or sexually transmitted diseases; relating to  
5 physical examinations for teachers; and providing for an effective date."

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;

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

8 (4) recognizing the authority of a parent and allowing a parent to  
9 withdraw the child from an activity, class, program, or standards-based assessment or  
10 test required by the state 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, or program;

13 (6) ensuring that, when a child is absent from an activity, class,  
14 program, or standards-based assessment or test required by the state under this section,  
15 the absence is not considered an unlawful absence under AS 14.30.020 if the child's  
16 parent withdrew the child from the activity, class, program, or standards-based  
17 assessment or test or gave permission for the child's absence.

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 programs, or standards-based assessments or tests required by the state. The policies  
21 must require a parent to object each time the parent wishes to withdraw the child from  
22 an activity, class, program, or standards-based assessment or test required by the state.  
23 The policies adopted under (a)(3) of this section must require written permission from  
24 the child's parent before each separate activity, class, or program is provided to a child  
25 that includes content involving human reproduction or sexual matters.

26 (c) Nothing in this section prohibits a school employee or volunteer from  
27 answering a question from a child about any topic.

28 (d) In this section,

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

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

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

1 legal guardian;

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

3 \* **Sec. 2.** AS 14.03.016(c), enacted by sec. 1 of this Act, is amended by adding a new  
4 paragraph to read:

5 (5) "human reproduction or sexual matters" does not include curricula  
6 or materials for

7 (A) sexual abuse and sexual assault awareness and prevention  
8 training required under AS 14.30.355; or

9 (B) dating violence and abuse awareness and prevention  
10 training required under AS 14.30.356.

11 \* **Sec. 3.** AS 14.03.083 is amended by adding a new subsection to read:

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

14 \* **Sec. 4.** AS 14.30 is amended by adding a new section to read:

15 **Sec. 14.30.075. Physical examinations for teachers.** (a) A school district may  
16 require physical examinations of teachers as a condition of employment. A school  
17 district may not pay the cost of physical examinations for teachers. This section does  
18 not affect the coverage of any health insurance benefits that a school district provides  
19 to teachers.

20 (b) In this section, "school district" has the meaning given in AS 14.30.350.

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

22 (c) A school district may not permit an abortion services provider or an  
23 employee or volunteer of an abortion services provider who is acting on behalf of the  
24 abortion services provider to offer, sponsor, furnish course materials, or provide  
25 instruction relating to human sexuality or sexually transmitted diseases.

26 \* **Sec. 6.** Section 2 of this Act takes effect June 30, 2017.