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Referred: Health, Education
& Social Services and
Judiciary

1 IN THE SENATE

BY BRADLEY, HUBER AND ORSINI

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CS SENATE BILL NO. 495

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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TENTH LEGISLATURE - SECOND SESSION

5

A BILL

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For an Act entitled: "An Act relating to parental rights."

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

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* Section 1. AS 14.30 is amended by adding new sections to read:

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ARTICLE 5. PARENTAL RIGHTS.

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Sec. 14.30.450. PURPOSE. The legislature adopts secs. 450 - 540

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of this chapter to protect the rights of parents and guardians in regard

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to their minor children enrolled in the schools of the state. It finds

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that the educational well-being of the child is best served when there

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is mutual cooperation and confidence between parents and school person-

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nel.

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Sec. 14.30.460. ACCESS TO INSTRUCTIONAL MATERIAL AND PROGRAMS.

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The board of a school district or regional educational attendance area

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shall keep on file and make available for inspection to parents, guar-

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dians, or residents of the state all instructional materials used in the

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district. These materials may be inspected at any time during regular

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office hours.

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Sec. 14.30.470. PARENTAL APPROVAL OF CERTAIN PROGRAMS. Before

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placing a student in a program which is funded as an experimental,

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innovative, pilot, or research program, the board shall inform the

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parent or guardian that his child is being placed in such a program. If

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the parent or guardian objects, the board shall offer an alternative

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program or course of activities for the student.

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Sec. 14.30.480. TESTING PROCEDURES. No personality or adjustment

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test may be administered except under the following circumstances:

1 (1) The tests shall be made available for inspection at the
2 school where the test is to be administered.

3 (2) Parents or guardians shall be informed of the nature of
4 the test and written consent shall be obtained from the parent or guar-
5 dian before the administration of such a test to any student.

6 (3) The tests are voluntary and not a school requirement.

7 Sec. 14.30.490. CONTENT OF STUDENT'S RECORDS. Student records
8 shall include an annual evaluation of the student's progress in the
9 basic skills of reading, language, and computation, measured in terms of
10 national standard grade level norms.

11 Sec. 14.30.500. ACCESS TO STUDENT RECORDS BY PARENTS. A school
12 shall, upon request, make available to the parent or guardian of a stu-
13 dent the content of the student's records. The parent or guardian may
14 be accompanied by another person or persons of his choosing during a
15 review of the contents of the student's records.

16 Sec. 14.30.510. CORRECTION OF STUDENT RECORDS. (a) If a parent
17 or guardian disputes the accuracy of an item in the student's records,
18 he may give notice in writing to the principal specifying in what
19 manner he believes the records are inaccurate. Within 15 days after
20 receiving a notice of the alleged inaccuracy, the principal shall, in
21 writing, either deny the alleged inaccuracy, admit the inaccuracy, or
22 state that there has not been sufficient time to complete an investiga-
23 tion.

24 (b) If the principal admits the item is inaccurate, he shall
25 immediately correct the item in the records and inform anyone who has
26 previously received a report containing the inaccurate information. If
27 the principal states that he has not had sufficient time to complete his
28 investigation, then he shall immediately investigate the matter to
29 determine its accuracy. When the school completes its investigation and

1 determines whether the item is accurate or inaccurate, it shall inform
2 the parent or guardian. If the school determines that the item was
3 inaccurate, it shall immediately correct the item in the records and
4 inform anyone who has previously received a report containing that in-
5 accurate information.

6 (c) The parent or guardian has a right to attach a written re-
7 sponse to a disputed item that cannot be resolved.

8 Sec. 14.30.520. PERMISSABLE USE OF STUDENT RECORDS. (a) Student
9 records are confidential and may be made available

10 (1) to the parent or guardian of the student;

11 (2) to the professional staff of the school in which the in-
12 formation was obtained;

13 (3) to a court ordering their production;

14 (4) under written instructions of a parent or guardian for
15 their transfer to another school or institution; and

16 (5) under any other written instructions from a parent or
17 guardian.

18 (b) No school employee may use student records for any personal,
19 nonprofessional reason.

20 Sec. 14.30.530. PENALTY. A person who wilfully violates a provi-
21 sion of secs. 450 - 540 of this chapter shall be punishable upon convic-
22 tion by a fine of not less than \$50 nor more than \$100, or by imprison-
23 ment for not more than 90 days, or by both.

24 Sec. 14.30.540. DEFINITIONS. In secs. 450 - 540 of this chapter,

25 (1) "academic test" means an instrument used to assess a
26 student's academic achievement, including standard intelligence tests;

27 (2) "instructional material" means a textbook, teacher
28 manual, film, filmstrip, tape, and other supplementary material used in
29 a school;

1 (3) "personality or adjustment test" means a test, scale, in-
2 ventory, or other device other than an academic test, written or oral,
3 for the collection of information relative to a student's personality,
4 environment, home life, parental or family relationships, economic
5 status, religious beliefs, patriotism, sexual behavior or attitudes, or
6 psychological or sociological problems;

7 (4) "school" means a public elementary or secondary school of
8 the state maintained by an organized school district or by a regional
9 educational attendance area;

10 (5) "student" means a person enrolled in a school maintained
11 by an organized school district or by a regional educational attendance
12 area;

13 (6) "student records" means all information on the student
14 recorded and retained by the school.
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