

ASSEMBLY BILL

No. 661

Introduced by Assembly Member Hancock

February 19, 2003

An act to amend Section 51513 of the Education Code, relating to instruction.

LEGISLATIVE COUNSEL'S DIGEST

AB 661, as introduced, Hancock. Prohibited instruction: questionnaires.

Existing law prohibits the administration, as specified, of a test, questionnaire, survey, or examination that contains any questions about a pupil's personal beliefs or practices in sex, family life, morality, and religion, or any questions about the pupil's parents' or guardians' beliefs and practices in those areas unless the pupil's parent or guardian gives written permission.

This bill would delete restrictions regarding tests, questionnaires, surveys, or examinations that contain questions about a pupil's or pupil's parents' or guardians' personal beliefs or practices regarding family life. The bill would, in addition, permit the administration of anonymous tests, questionnaires, surveys, examinations, or other writings that contain questions about a pupil's personal beliefs or practices in sex, morality, or religion if the pupil's parent or guardian has had an opportunity to decline the pupil's participation after receiving written notice of the subject matter, and an opportunity to visit the school to review a complete copy of the test, questionnaire, survey, examination, or other writing.

This bill would, in addition, permit the administration of an anonymous test, questionnaire, survey, examination, or other writing

regarding discrimination without the notification or consent of the pupil’s parent or guardian. The bill would also provide that a pupil may not be required to respond to any of those anonymous tests, questionnaires, surveys, examinations, or other writings.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 51513 of the Education Code is
2 amended to read:

3 51513. ~~No~~ (a) (1) A test, questionnaire, survey, ~~or~~
4 examination, *or other writing* containing any questions about the
5 pupil’s personal beliefs or practices in sex, ~~family life~~, morality,
6 and religion, or any questions about the pupil’s parents’ or
7 guardians’ beliefs and practices in sex, ~~family life~~, morality, and
8 religion, ~~shall~~ *may* be administered to ~~any~~ a pupil ~~in kindergarten~~
9 ~~or grades 1 to 12, inclusive, unless if~~ the parent or guardian of the
10 pupil is notified in writing that this test, questionnaire, survey, ~~or~~
11 examination, *or other writing*, is to be administered and the parent
12 or guardian of the pupil ~~gives~~ *provides* written permission for the
13 pupil to ~~take this test, questionnaire, survey, or examination~~
14 *respond*.

15 (2) *An anonymous test, questionnaire, survey, examination, or*
16 *other writing containing any questions about the pupil’s personal*
17 *beliefs or practices in sex, morality, or religion may be*
18 *administered to a pupil if the parent or guardian of the pupil has*
19 *had an opportunity to decline the pupil’s participation after the*
20 *parent has been notified of the subject matter and has had an*
21 *opportunity to visit the school to review a complete copy of the test,*
22 *questionnaire, survey, examination, or other writing.*

23 (b) *An anonymous test, questionnaire, survey, examination, or*
24 *other writing regarding prohibited discrimination as described by*
25 *Section 220 may be administered to any pupil without the*
26 *notification or consent of the pupil’s parent or guardian.*

27 (c) *A pupil may not be required to respond to an anonymous*
28 *test, questionnaire, survey, examination, or other writing*
29 *described by this section.*

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