

Large Maryland District Adopts Pupil Privacy Rights

One of the largest school districts in the nation has adopted a "Rights of Privacy Policy" which may become a model for all 15,500 school districts across the country. It was unanimously passed by the Montgomery County Board of Education, which has jurisdiction over 100,000 Maryland pupils in suburban Washington, D.C.

The crux of the new policy is: "Student privacy interests shall be respected. Therefore, to preserve legitimate expectations of privacy in the student's personal and home life, no student shall be required to reveal, as part of the instructional program, matters relating to his/her personal life, those of his/her family, or his/her status within the family."

The Maryland Coalition of Concerned Parents has filed repeated complaints about the privacy-invasive and negative questionnaires for many years. In July, the Montgomery County School Board adopted the new policy over the objections of Superintendent Harry Pitt as final action in a complaint lodged in October 1987 over questionnaires that were, according to one report, "negative in tone and a clear violation of pupil and family privacy."

One representative question objected to which Montgomery County questioned included such questions as, "How do other people see you? What sort of person are you? Are you shy? Why are you always timid? Why don't you like to go to church? Why are you an outcast? A loner? What do your parents think of you?"

The questionnaire required pupils to complete such sentences as: "Most parents are _____ . I get embarrassed when _____ . If I were an animal I would want to be _____ ."

The children were also told to "write a letter

describing the most embarrassing situation happening to them at school."

The new Montgomery County policy includes specific guidelines to assist the school in observing the new policy, such as, "Classroom discussion should ordinarily be 'external' in focus." Parents have noted that such a policy is needed today because classroom curricula, over the last 15 years, has shifted from the external to the internal, or, from the objective to the subjective, away from teaching subject content and skills and toward probing students' feelings, values and attitudes.

The guidelines state that classroom instruction must "never require students to reveal family occurrences or personal habits, relationships, preferences, traits, decisions, or problems. Nor will students be called upon to make comparisons with themselves or their families."

The new Montgomery County policy tells teachers to review "all instructional materials and activities for obvious invasions of privacy and for more subtle, potential sources of embarrassment or psychological harm." The

teacher is instructed to manifest "psychological sensitivity" and warned that "the greater the degree of personal and/or affective involvement called for by the instructional objectives, the greater the need for respecting the individual's privacy."

If teachers adhere to these guidelines, there should ordinarily be no need for students to be offered alternative activities. Nevertheless, "if, for any reason, a student's parent requests that his/her child not participate in a particular activity, the teacher should provide an alternative and equally attractive activity in a manner which does not call attention to the student's religion, values, or physical condition."

Since the teacher is an authority figure and the child is a minor and a captive audience, the guidelines caution that extra care must be exercised. "The relationship between teachers and students is such that even asking a student to fill out a questionnaire voluntarily may be seen as coercive."

Therefore, the teachers are instructed that "prying into past experiences, feelings, view-

points, or home life which might create anxiety must be avoided. It is not a question of merely respecting the student and his/her family; teachers are prohibited from invading the privacy of students and their families."

The guidelines conclude with this specific instruction: "The use of survival games or other decision-making exercises in which participants are presented with hypothetical crises and asked to decide which members of a group should survive and which should perish are prohibited."

The new Montgomery County policy parallels the purpose of the federal Protection of Pupil Rights Amendment (PPRA), a statute passed by Congress in 1978 for which strong regulations were issued in 1984. The PPRA was designed to protect public school pupils against psychological, psychiatric, and privacy-invasive treatment, but it applies only to materials financed with federal funds. Any school board policy, of course, would apply to all materials used within the district, regardless of the source of funding.

Dept. of Ed Slow to Enforce Pupil Rights

The Department of Education apparently is dragging its feet in handling the complaints filed last February and March by Minnesota parents against a privacy-invasive questionnaire given to a majority of the state's schoolchildren in the 6th, 9th and 12th grades. Complaints were filed by at least ten Minnesota parents from all over the state, but they have received no satisfactory response from the Family Policy and Regulations Office.

In the spring of 1989, the Minnesota student

survey was administered to 91,175 students in grades 6, 9, and 12 from 390 of Minnesota's 433 public school districts. This included 36 of the state's 87 counties and 84 percent of the 6th, 9th and 12th graders enrolled at the beginning of the 1988-89 school year.

The survey is planned to be given in 15 more school districts in the fall of 1989, and the parents who filed complaints under the Protection of Pupil Rights Amendment (PPRA) in the spring do not understand why the U.S. Department of Education did not act over the summer months in time to prevent further violations this fall.

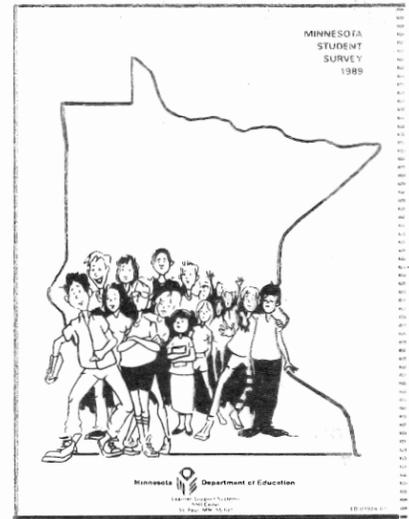
The Minnesota Department of Education has just released its 36-page report giving tabulations of the 91,175 completed surveys already received. This type of statistical analysis is expensive and no doubt accounts for the use of considerable funding, but parents who have read it say they find it hard to see any useful information that resulted or any conclusions that one could not have obtained from numerous other no-cost sources or even by watching the daily news about the high level of drug use.

The validity of the complaint under the PPRA appears clear: the questionnaire, developed with the use of federal funds, given without prior written parental consent, required students to reveal information about "mental and psychological problems potentially embarrassing to the student or his family; sex behavior and attitudes; illegal, anti-social, self-incriminating and demeaning behavior; [and] critical appraisals of other individuals with whom respondents have close family relationships."

Among the 149 questions in the survey, the following were typical interrogations prohibited by the PPRA unless the school obtains prior written parental consent: "Has drug use by any family member repeatedly caused family, health, job or legal problems?" "How often do you get drunk?" "If you use marijuana, how old were you when you started?" "If you have sexual intercourse, how often do you and your partner use any birth control method?" "Have you been pregnant?" "Have you ever tried to kill yourself?" "How often do you attend church?"

Federal Funding Used for Survey

The use of federal funding for this survey is beyond dispute. The survey booklet states on the last page: "This survey was created under



the auspices of the Minnesota Department of Education with funds from the Drug Free Schools and Communities Act of 1986." That is a federal statute, and the funds are administered by the U.S. Department of Education.

It is unclear to parents why the Minnesota Department of Education needed funds because the 1989 survey appears to be essentially a watered-down version of a similar but longer 1986 survey developed at a cost to the taxpayers of \$408,000. That survey was withdrawn after alerted parents created an uproar about it and distributed thousands of copies at churches.

The Minnesota Department of Education consistently implied that the survey was required in order to obtain federal funds under the federal Drug Free Schools and Communities Act of 1986. However, there is nothing in that statute that requires a privacy-invasive questionnaire to be administered. Parents feel the Federal Government does not have to know what kind of birth control teenagers use or whether they go to church in order to conclude that a community has a drug problem.

Secretary of Education Lauro F. Cavazos (See Minnesota, page 2)

'First Aid Kit' Upsets Parents

Okaloosa County, Florida parents are in an uproar over a "New Age" middle school program. The lengthy curriculum, *Bridges*, is given for the first 20 minutes every morning and uses New Age and privacy-invasive techniques, according to parents. Parents are particularly concerned with the "First Aid Kit" section of the curriculum which is taught for two of the five days each week.

School personnel state that purposes of this curriculum are to help children to reduce stress, to build self-esteem, and to orient and adapt to the idea of a middle school, which is new in Okaloosa County. Parents maintain that the First Aid Kit actually does just the opposite and, furthermore, it offends the students' religious rights, privacy rights, and "right not to be experimented on by unlicensed psychologists in the public school classroom."

The school was straightforward in announcing that the new course is an "affective" program, i.e., a program dealing with emotions and feelings rather than objective knowledge and skills. The schools' announcement to parents read as follows:

"This year all students in the Okaloosa County Middle Schools will be involved in an affective educational program which will focus on their social, emotional, and intellectual development."

The First Aid Kit spends much time teaching the child to reduce "test anxiety" through "DEEEEP BREATHING" exercises like yoga or self-hypnosis, predicting that this will give students "higher scores on tests." Parents are

not surprised that children are stressed since they are told to pretend a test is a "monster" and the accompanying picture shows a gargoye.

The children are taken through "relaxation and imagery" exercises to teach them "centering" and how to talk to individual parts of the body as though they could act independently ("Eyes, WAKE UP"). Centering is a favorite New Age technique designed to make you think you have a "space" in the center of your body which will be filled by new energy or wisdom (or, parents fear, by occult influences).

On one day, the teacher leads a group discussion on whether each pupil would rather be "an only child, the youngest child, [or] the oldest child." After each child writes a paragraph explaining his choice, the teacher takes a survey to see which sibling is the most popular. Parents are concerned about the effect of this exercise on the psyche of children who don't fall into the "most popular" category.

Pupils are told to write their own epitaph for (See Florida, page 2)



EDUCATION
BRIEFS

The U.S. educational system continues to spend huge amounts of money while churning out students "ill-prepared for a changing world," according to Education Secretary Lauro Cavazos. He said public and private school spending in this school year will total \$353 billion, exceeding President Bush's proposed defense budget of \$303 billion. Education spending amounts to 6.8% of our Gross National Product. Spending for public and private grade and high schools is \$212 billion, or \$5,246 per student. The average salary of teachers in public schools is up to \$31,200. All figures show an increase over last year, but American students continue to score near the bottom in both math and science in competitions with other industrial nations.

A Johns Hopkins University survey shows that parents who think classroom computers enhance their children's intelligence and creativity will be disappointed. The survey shows that up to half of student's computer time is spent on mundane skills such as word processing, and the rest is spent on rote drills such as memorizing, multiplication tables and spelling, for which computers are of limited value. Knowledge about computers is a valuable skill, according to experts, but the way they are used in the classroom is not particularly useful.

The 8th U.S. Circuit Court of Appeals on September 1 in St. Louis unanimously upheld the Purdy School Board ban on school dances. The three-member federal appeals court overturned a federal district judge's ruling that the ban on school dances in Purdy, Missouri, violated the "First Amendment rights of the students" and the constitutional separation of church and state. The appeals court ruled: "The mere fact that a governmental body takes action that coincides with the principles or desires of a particular religious group . . . does not transform the action into an impermissible establishment of religion." The court decision was a defeat for the ACLU which provided lawyers for about 20 students who tried to overturn the no-dancing rule.

Secretary of Education Lauro Cavazos has announced the dates and location of five regional strategy meetings on choice in education. To be held this fall, they are: October 16-17, East Harlem, New York; October 23-24, Minneapolis/St. Paul, Minnesota; November 13-14, Charlotte, North Carolina; November 16-17, Denver, Colorado; November 28-29, Richmond, California. Sec. Cavazos will invite representatives from business, the community, education, and government to attend.

Reading lists are still being accepted for consideration in Eagle Forum's "recommended reading" project. The project is well underway, but titles may still be submitted. Especially desired are lists for elementary grades. Note: Previously submitted lists are in use and need not be resubmitted.

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Maryland Principal Involved in Sex Scandal

A male prostitute ran his prostitution operation from the Chevy Chase Elementary School in 1987 after the school's principal began buying sex from him, an investigation by the *Washington Times* revealed on August 25.

Principal Gabriel Massaro told reporters that he had a four-year relationship with the prostitute, Steve Gobie who was convicted of

drug trafficking and sex offenses against a minor, and provided him with a guidance counselor's office and telephone at the magnet school while the children were in classes elsewhere in the building. On days when the guidance counselor's office was not available, Gobie said he used the principal's office, and Massaro would move to another location.

The 48-year-old principal also confirmed that he had told the school's custodian to give the 32-year-old prostitute unlimited access to the building. The upscale Montgomery County, Maryland, school has about 360 children enrolled in grades 3 through 6.

Gobie told reporters that he was allowed to use the school telephones and that Massaro explained to him how to turn off the school's audio security system so his calls would not be overheard. Gobie said that, on at least one occasion, he performed sex services with a client in the guidance counselor's office.

Massaro admitted that he knew that the prostitute was on probation for felony drug and sex offenses when he allowed him to use the school's facilities. Gobie said he had no dealings with any of the children who attended the school.

Massaro acknowledged frequent payments in cash and by check to Gobie ranging from \$20 to \$100. He also gave the prostitute gifts of clothing and restaurant outings plus the loan of a car. Massaro told *Times* reporters that he attended a meeting with the prostitute and his probation officer at the Capitol Hill home of Rep. Barney Frank (MA-D), another one of Gobie's clients.

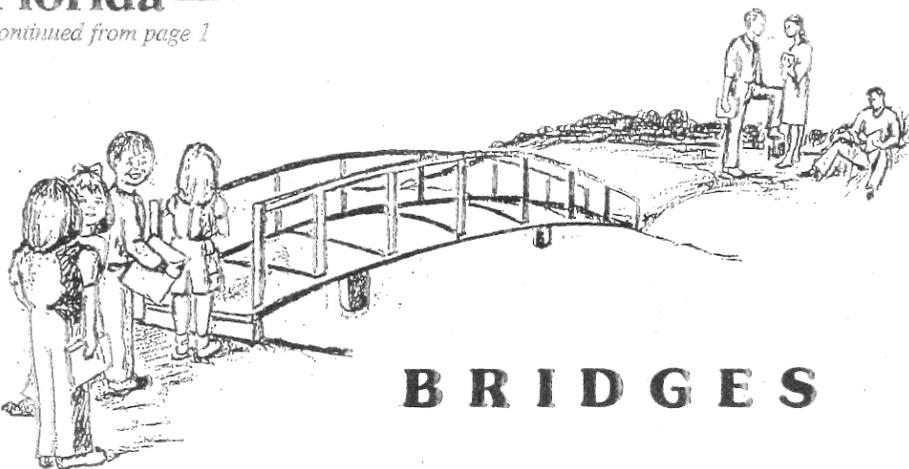
Gobie said that he and another man who worked in his prostitution business named Bobby would sometimes use cocaine in the school and then raid the school cafeteria for dinner or play a little basketball in the school gym, and then go out to meet their appointments.

The principal said, "I just used very poor judgment, what can I tell you? It was just stupid. I just never thought it through."

Massaro holds a doctorate in education and is a former president of the Montgomery County Association of Elementary School Principals. From 1981 to 1986, he was principal of the Burning Tree Elementary School in Bethesda. He has been suspended with pay by Montgomery County school officials.

Florida

Continued from page 1



BRIDGES

a bulletin board display. They are given a picture of a tombstone with an angel on it to get in the spirit of death.

Each child is instructed to make a list of 10 to 20 "things in my house," then identify which family member was "responsible for bringing it into the house," and then further identify each thing by writing "LUX" if the child thinks it is a luxury or "NEC" if the child thinks it is a necessity. The child then evaluates his parents' decisions.

Parents consider the "Paper Bag Self" game another privacy-invasive exercise. On the outside of a bag, students attach pictures of things which represent personal traits that are shared with others, and on the inside of the bag pictures of personal traits that other people do not know about. Then the students are to share these inside traits with the class.

In a lesson called "How Do You Spell Family?", the pupils are told to write statements that express their feelings about their own family. Students are told to "discuss the similarities and differences between their favorite T.V. families and their own families."

Parents feel some questions will divide pupils from parents. Students are asked "What would you most like to do?" and "What do you think your parents would like you to do?". The students are told that different answers are expected.

Parents also questioned the effect of the negative stories and reading materials such as "The Scapegoat" in which bullies take out their anger and aggression on Eddie and make him squirm, and "The Malignant Wolf," which purports to show that the wolf in the story of Little Red Riding Hood was mistreated.

In an exercise called "Boiling Point," students are instructed to make "an anger thermometer" telling what kinds of incidents make them "extremely angry." "The Ialac Story," recounts a child's day in which his brother calls him "you lazy jerk," his mother says "you just don't care how you look," his sister says "drop dead," his teacher and classmates all make accusatory remarks, and the poor kid goes to bed thinking, "nobody likes me. I might as well give up."

Pupils are required to spend many sessions in negative role-play such as: "your best friend is telling others he or she doesn't like you any more" and "you're a bully who takes money from smaller kids." Students are told to recall

and discuss times when they were really afraid and to ponder such questions as "Do you think people really enjoy experiencing fear?" One exercise is called "The Mystic Line," in which students "discuss pleasant and unpleasant motions, brainstorming some of each."

In this course for 6th, 7th and 8th grades, pupils discuss ways to "alter the world." One exercise requires that they sit on the floor in silence and play "a card game for practicing nonverbal communication."

One morning, the students pretend that they are different types of eggs, including "I feel like I have egg on my face," "I'm an egghead," "I'm hard-boiled," "Some folks think I'm cracked," "My thoughts get scrambled," "I'm an eggspert," and "I get eggsuberant."

Minnesota

Continued from page 1

answered some of the persons filing complaints by a letter dated March 30, saying, "Please be assured that the investigation into this matter will be thorough and that you will be informed of the outcome." That was five months ago, and no further reply has been forthcoming. Parents do not understand this unexplained delay.

The Parents' Complaints

Mrs. Susan B. Roehi of Winona, MN, who filed her complaint on March 21, 1989, stated her concern that "students are given questions which inform on parents, peers, and selves," and that the survey "assumes negative behavior, unacceptable choices on the part of the students." She added, "I feel that these questions invade the privacy of the student and his family, that they are none of the school district's or state's business, that they are playing manipulative games to make parents look bad and to set the school district and the students up as authorities."

Mrs. Julie A. Blonigen of St. Cloud, MN, wrote Secretary Cavazos on February 26. She criticized the survey because it "encourages children to 'squeal' on their parents, makes children think that abnormal behavior is normal, and appears to be part of someone's hidden agenda to gather data to promote school-based sex clinics."

Mrs. Mary Ann Hermanutz of Rockville, MN, wrote Secretary Cavazos on February 28 stating that the survey of 12 pages "reads more like a how-to than anything else! At least one-

third is devoted to explicit sexual activity questions."

Mrs. Eleanor S. Staler of Shoreview, MN, wrote Secretary Cavazos on March 1, saying that the questions in the survey "are an invasion of the privacy of our families; they are full of the power of suggestion; they are loaded with false assumptions. . . . I can only conclude that the purpose of this disgusting survey is to have it become a self-fulfilling prophecy in order to get more drug education money and to start school-based sex clinics."

Use of this Minnesota survey started after the Minnesota Department of Education sent a letter to all superintendents in the state on December 8, 1988 urging all schools to participate. The letter stated that the survey was needed, among other reasons, "to meet new federal requirements for a) determining the extent of current drug and alcohol problems in your schools, and b) monitoring the effectiveness of your prevention programs (Districts receiving federal drug abuse prevention funds need to meet federal requirements)."

This paragraph implied to local superintendents that the survey was necessary "to meet federal requirements," but nothing in federal law or regulations requires use of a privacy-invasive questionnaire or a violation of the PPRA.

PPRA complaints are handled by the Family Policy and Regulations Office, U.S. Department of Education, Room 1087, FB-6, 400 Maryland Avenue, S.W., Washington, D.C. 20202-4605. ■

FOCUS: All-Male Classes Help Inner-City Boys

by Spencer H. Holland

An epidemic of academic failure is overwhelming black, inner-city male students. A staggering percentage of them drop out of school. Many who do graduate are barely literate and destined for economic failure. For the sake of these young men, and for society as a whole, we need immediate and radical actions. We should begin by creating experimental classes of all boys, taught by male teachers, from kindergarten through 3rd grade.

The most common reasons cited for the academic and social failings of young black males are that such boys come from poor, single-parent, female-headed households; that they have no positive male role models; and that they view the educational setting as feminine and not relevant to their daily lives.

To override these aspects of cultural environment outside the classroom, we must develop new creative models inside the school. At present, the early elementary school environment may appear no different to the young black male than his preschool and outside-school surroundings. The principals, assistant principals, teachers, and counselors in elementary schools are frequently all female. Most boys do not have male teachers until the later elementary grades or junior high school, and for inner-city boys this is much, much too late. It is well documented in education that many students — especially boys — who fail to complete high school drop out psychologically and emotionally by the 3rd or 4th grade. And inner-city, black male children drop out or leave at truly alarming rates.

No matter how nurturing, loving, and kind women are, they just do not constitute appropriate role models for these boys because the behavior associated with them is always viewed as feminine. Unfortunately, the only consistently available male role models are men and boys who, in most instances, have already rejected educational achievement as inappropriate. Thus the cycle continues.

The situation, however, is quite different for young inner-city black girls. Generally, they enter school more prepared than boys for the

activities that characterize early schooling. In addition, inner-city black girls are exposed very early in their academic careers to consistent and literate black females who offer positive role models. Equally important, many of the instructional strategies used in early childhood and primary education require children to copy the behavior of the teacher.

For minority males, early intervention and prevention are the keys to doable action plans that can turn the tide of academic failure. Creating all-male kindergarten-through-3rd grade classes taught by male teachers would provide young black boys with consistent, positive, and literate black role models in the classroom. It also would help overcome many of the negative attitudes toward education that currently hamper black boys' academic achievement.

Since I first proposed this idea in print two years ago ("A Radical Approach to Educating Young Black Males," *Education Week*, March 25, 1987), only one school system that I know of has tried what I recommended. In 1987, the Dade County (Fla.) Public Schools instituted a program, called "At Risk All Male Classes," in one inner-city elementary school. The program created an all-male kindergarten class, a black male teacher, and an all-male 1st grade class taught by a white male teacher. Parents volunteered their children for participation.

The results were truly gratifying. On all academic and behavioral measures assessed, the boys in these two classes outperformed their male peers in a control group that had remained in traditional coeducational classes taught by females. Unfortunately, this innovative approach to the primary education of inner-city

boys was stopped when an anonymous complaint was registered with the Equal Employment Opportunity Commission. The complaint argued that the program discriminated against girls.

Pressure from a number of parents, however, led to the program being reinstated in the fall of 1988 with just one class of kindergarten boys taught by a black male teacher. But the EEOC intervention promptly ended this class as well. The complaint and the EEOC action were misguided. For little girls, academic success does not appear to be predicated on the gender of the teacher the way it is for little boys, particularly boys being raised by a single mother.

Although the Dade County experiment was unique, at least one other effort is under way to give inner-city boys positive male role models in the classroom. In the fall of 1988, a new program was implemented at an elementary school in Washington, D.C. Because the 1st grade class that entered school last fall will graduate from high school in the year 2000, we called the program PROJECT 2000.

Of the 36 members on the staff of the PROJECT 2000 school, only the principal and four of the teachers are male. All but a few of the 47 boys in the 93-student 1st grade class come from single-parent, female-headed households. Therefore, our primary objective was to expose these boys to alternative male role models in both the academic and social activities in their classroom. In addition, we hoped to provide opportunities for positive one-on-one interaction with males in an educational environment.

Under the auspices of the local chapter of Concerned Black Men, Inc., a community-service organization, male volunteers from the corporate world and Howard University's Undergraduate Student Assembly were recruited and trained to serve as teaching assistants to the school's four 1st grade teachers. In addition to providing classroom assistance, volunteers financed and accompanied the children on two major field trips: a tour of Washington, D.C., and a tour of the Howard University campus, where they ate lunch and attended a per-

formance at the university's children's theater. The response of the students, faculty, staff, and volunteers to this pilot-year effort has been excellent. At the beginning of this project, the teachers and principal targeted, for special attention, several boys who were having academic and/or behavioral difficulty. All of these boys have made an incredible turnaround. Because of the improvement in their attitude toward school and in their general behavior at school, these targeted youngsters were treated to a trip to see a professional basketball game at the Washington Capital Centre. In addition, two of these boys represented their class and were recognized as its most improved students at CBM's annual Youth Recognition and Awards Banquet in June 1989. We will continue to work with these children next year when they move on to 2nd grade, and we will expand our efforts by assigning volunteers to the kindergarten and 1st grade classes. We are doing this at the request of some of the teachers in these grades. Concerned Black Men, Inc., is committed to following the class of 2000 until it graduates from high school. We will provide these students with a wide variety of opportunities for successful involvement with the community-at-large and seek funding to ensure that they can obtain the postsecondary training of their choice.

If the black male is to be removed from the "endangered species" list, educational reform in urban school systems must be radical and focused on the educational needs of black male children during the primary years. School districts should seek out community organizations such as Concerned Black Men, Inc., that can provide positive male role models for inner-city boys. And programs such as Dade County's must be given time to prove themselves. Misguided bureaucratic barriers erected by the EEOC or other agencies in the name of equality must be fought with the fervor that accompanied the civil-rights movement of the 1960s.

Dr. Holland is an educational psychologist in the District of Columbia Public Schools. This article first appeared in the September/October 1989 issue of Teacher Magazine.



Montgomery County, MD, School District Policy

Office of the Superintendent of Schools
Montgomery County Public Schools
Rockville, Maryland
New Section III-Rights of Privacy Policy

Student privacy interests shall be respected. Therefore, to preserve legitimate expectations of privacy in the student's personal and home life, no student shall be required to reveal, as part of the instructional program, matters relating to his/her personal life, those of his/her family, or his/her status within the family.

Classroom Guidelines:

• Classroom discussion should ordinarily be "external" in focus. That is, it should focus on student learning of subject content and skills as prescribed by the instructional objectives. When classroom management is involved, however, discussion will necessarily include student behavior although such discussion should be limited to the specific occasion. More difficult instructional decisions are required when the internal, that is, on feelings, values, or attitudes. The goals of such a focus will always be carefully specified and will never require students to reveal family occurrences or

personal habits, relationships, preferences, traits, decisions, or problems. Nor will students be called upon to make comparisons with themselves or their families. Discussion of feelings, values, or attitudes is NEVER engaged in for its own sake; it must always be strictly limited to the explicit instructional objectives.

• The greater the degree of personal and/or affective involvement called for by the instructional objectives, the greater the need for respecting the individual's privacy. Psychological sensitivity of the teacher is essential. Teachers must consider all instructional materials and activities for obvious invasions of privacy and for more subtle, potential sources of embarrassment or psychological harm. The limits on personal involvement and the requirements of privacy are matters of social norms and taste. It is not, however, the TEACHER'S norms and/or taste which govern nor even those of the more vocal students in the class; the teacher must remember that it is the norms and taste of the school community which prevail.

• If teachers adhere to the above two guidelines, the question of voluntary participation should not be an issue. If all discussions and materials to be shared with the class contain no

references to the student and/or his/her family, then there should be no need for students to be offered alternative activities. Differentiation of materials and activities should reflect the student's instructional needs and there should be no social stigma attached. If, for any reason, a student's parent requests that his/her child not participate in a particular activity, the teacher should provide an alternative and equally attractive activity in a manner which does not call attention to the student's religion, values, or physical condition.

• The above guidelines refer to the selection of instructional materials and activities. Information requested by the teacher for his/her own use in designing appropriate instruction for each child or work not intended for public display is of a different nature. However, teachers must still not pry into personal matters. The relationship between teachers and students is such that even asking a student to fill out a questionnaire voluntarily may be seen as coercive. Prying into past experiences, feelings, anxiety must be avoided. It is not a question of merely respecting the student and his/her family; teachers are prohibited from invading

the privacy of students and their families. The use of survival games or other decision-making exercises in which participants are presented with hypothetical crises and asked to decide which members of a group should survive and which should perish are prohibited.

New Subsection

Section X-Student Records

• Access to information contained in student's records shall be limited to those who have the consent of parents or eligible students, to officials specifically permitted in the law (such as MCPS officials), to officials of other schools in which students seek to enroll, to local, state, and federal officials under certain conditions and for specific purposes, and by court order.

and

WHEREAS, On June 22, 1989, the amendments to the Student Rights and Responsibilities Policy were sent out for public comment; now therefore be it

Resolved, That the members of the Board of Education give final approval to the changes in the Student Rights and Responsibilities Policy tentatively adopted on June 13, 1989. ■

Report: State Legislation Affects Education

ALABAMA: Mandated health education curriculum includes sex and drug education. AIDS education is required by Board of Education policy with an opt-out provision; abstinence must be taught as the norm. It is illegal for persons under age 19 to buy cigarettes. All textbooks must be available in public libraries for inspection. A parental consent for minors to obtain abortions law was passed in 1986.

ALASKA: Mandated K-12 health program covers drug and alcohol abuse and sexual abuse of children. Schools interpret this as a mandate to teach sex education and AIDS. There are no restrictions for minors' abortions.

ARIZONA: Sex education is not mandated, but state guidelines say schools are to advocate abstinence when sex education is taught. Parents have opt-out provision. AIDS and drug education are not mandated. All textbooks are required to be available at the school district headquarters. Smoking is prohibited in all public buildings. A parental consent for minors' abortions bill was passed in 1989.

ARKANSAS: The state has not mandated sex, AIDS or drug education, nor prohibited smoking in schools. A law requiring parental consent for minors' abortions was passed in 1989.

CALIFORNIA: Sex education is mandated, with an opt-out provision. AIDS and drug education are mandated. Suicide education is not. Textbooks must be available for inspection at the local superintendent's office. A law requiring parental notification for minors' abortions is now in the courts.

COLORADO: A bill to mandate sex education statewide was defeated in the 1989 session. State mandated drug education program is required to advocate complete abstinence from drugs. There is no parental consent or notification for minors' abortions law.

CONNECTICUT: Drug and alcohol abuse programs are mandated, but sex education is left to local option. Under a 1980 directive, local school districts were told to develop a family life curriculum. Students may opt out. Abortion may not be taught as "an alternative to family planning." A suicide prevention program is being developed. Abortion for minors is not restricted.

DELAWARE: K-12 sex education, including AIDS education, is required by the Board of Education; a decision on whether parents may opt their children out is pending. Drug and death education are taught but not mandated. A bill requiring parental consent for minors' abortions failed by two votes in the 1989 session.

FLORIDA: State law requires that, whenever human growth and anatomy or family planning are taught, abstinence must be encouraged. AIDS education is required from grade 6 on and must promote abstinence. 6-12 drug education is mandated. Parents may opt out their children from all these programs. Textbooks are available for public inspection in warehouses. Homeschooling is actively discouraged and heavily regulated; in 1989 a new law was passed barring students taught at home from all scholarships and grants unless the student scores 50 points higher than others on SAT tests. A parental consent for minors' abortions law is in the courts.

GEORGIA: Sex education, including AIDS education, is mandated K-12. There is an opt-out provision. Law requires that information about alcohol and its effects on driving be taught in the schools. Other drug abuse and suicide education are not mandated, but it is state policy that they be taught in mandatory comprehensive health education classes, K-12. School textbooks must be available for inspection, but no locations are specified. A parental consent law for minors' abortions was struck down by a federal court.

HAWAII: One Board of Education manages all schools in the state as one district. There is no mandate for sex education, but an AIDS curriculum is mandated beginning in grade 3. Drug and suicide prevention programs are common, though not mandated. No law requires textbooks to be displayed. Abortion for minors is not restricted.

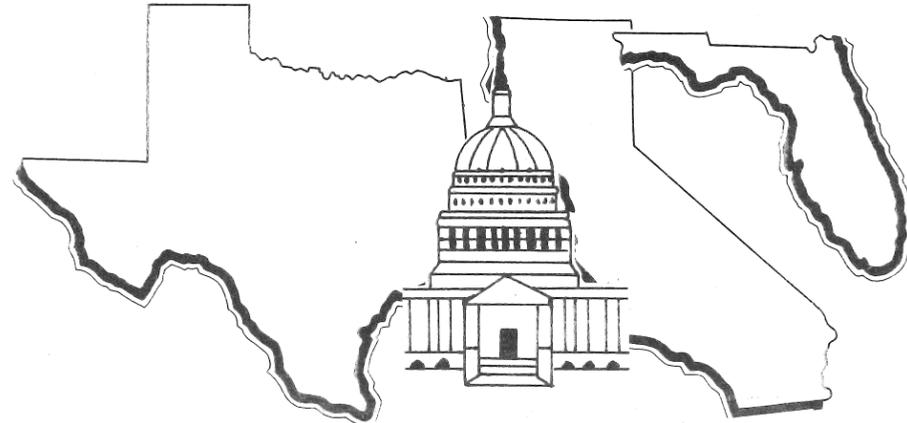
IDAHO: There is no state mandate for sex education, or for AIDS, drug or suicide education. The law allows parents to examine all school materials except tests; textbooks must be made available for inspection at school board offices or in some libraries. A parental notification for minors' abortions law is on the books.

ILLINOIS: Family life education is mandated K-12; a requirement to teach abstinence until marriage was vetoed by the Governor. AIDS prevention is mandated from grade 6, with an opt-out provision. Drug abuse education is mandated, grades 5-12. A new law mandates the state to develop a suicide education curriculum. A bill to prohibit smoking in schools passed. Homeschooling is legal in Illinois under court decisions. A law requiring parental notification for minors' abortions was upheld in court.

INDIANA: Sex education is left to local option. AIDS education is mandated, with local option as to grade levels; but state law requires the teaching of abstinence in any sex or AIDS education program. Drug education was mandated in 1989. Textbooks must be displayed at certain sites. Parental consent for minors' abortions is required.

IOWA: Sex and AIDS education are mandated, K-12, with an opt-out provision. Drug education is mandated. Homeschooling is not permitted except for the Amish; a one year moratorium on the jailing of homeschool parents ended July 1. There is no restriction on minors' abortions.

KANSAS: Sex education is mandated. Mandatory



AIDS education is now being debated. A parental notification for minors' abortions bill was passed in 1989.

KENTUCKY: 5-12 family life education, including AIDS and drug education, is mandated with an opt-in provision for K-6 and opt-out for 7-12. "Emphasis" on abstinence is required. Textbooks, and all materials on human sexuality, must be available for inspection in the schools 30 days in advance.

LOUISIANA: The teaching of sex, AIDS, drugs and suicide education are left to local option, and abstinence must be the primary focus. A pupil protection law regulates the use of psychological testing and personal surveys. Textbooks must be available to the public at libraries in each congressional district. A parental consent law is on the books for minors' abortions.

MAINE: Sex education is compulsory for grades 1-12 with an opt-out provision, but the curriculum is left up to local districts. Chastity must be taught. Neither AIDS nor drug education is required, but are strongly recommended by the State Board of Education. Homeschoolers must submit their curriculum for approval. There is a judicial consent provision for minors' abortions.

MARYLAND: Schools are mandated to teach family life education, including sex education, but there is no state curriculum. Grade levels are left to local option. Drug education is mandated. A parental consent for minors' abortions bill failed in session.

MASSACHUSETTS: Both sex and AIDS education are left to local option, and parents may write a letter to withdraw their child from the programs. The Department of Education encourages AIDS education, and a 6-12 curriculum is provided. Drug education is required in health classes.

MICHIGAN: State law does not mandate sex, AIDS, or drug education; all districts are left to local option. Parents may request to examine textbooks and curricula. There is no parental consent for minors' abortions law.

MINNESOTA: Sex education is not mandated. A 1988 law directs them to develop and implement an AIDS program with a model curriculum provided by the state. Chemical abuse prevention is mandated, but suicide education is left to local option. Minne-

sota's strong parental consent law of 1981, requiring permission of both parents in order for a minor to obtain an abortion, is before the U.S. Supreme Court and is expected to be ruled on this fall.

MISSISSIPPI: A School Nurse Intervention program is mandated, but schools are not required to teach sex education. However, the Department of Health must make such a program available. Drug education is mandated. No law requires the availability of textbooks, but they may be seen in the central repository. The parental notification of minors' abortion law was struck down in the courts.

MISSOURI: Sex, AIDS, drug abuse and suicide education are all left to local option. The state does have a Department of Health AIDS curriculum. Parental or judicial consent for minors' abortions is required.

MONTANA: The state does not mandate sex, AIDS, drug, or suicide education. Homeschooling is permitted, and there are some 10,000 homeschooled pupils in Montana.

NEBRASKA: Sex, drug, and suicide education are left to local option. AIDS education is taught as part of the health curriculum. A bill legislating the use of the Nebraska Educational Assessment Program

(NEAP), which tests "values and subjective opinions instead of academic accomplishments," was passed by the legislature but vetoed by the governor.

NEVADA: Schools must teach sex education and AIDS education, but the grade level is not specified. Parents must opt their children into the program. Drug education is not required. A parental consent law was struck down in the courts, and a parental notification law is under injunction.

NEW HAMPSHIRE: The state has mandatory comprehensive health education. The state provides a non-mandatory model K-12 guide, but the local school boards are responsible to select curricula. State Board of Education policy states that AIDS education should emphasize abstinence.

NEW JERSEY: The Department of Education, not state law, requires K-12 sex education and AIDS education from grade 5, with opt-out provision. Drug education is required. New Jersey makes no restrictions on minors' abortions.

NEW MEXICO: Sex education is left to local option. K-12 AIDS education is mandated and is required to advocate abstinence. Drug education is taught in health. Texts for all courses must be available for inspection in depositories and in schools. The state has no restriction on minors' access to abortion.

NEW YORK: Sex education is mandated K-12, with limited opt-out provisions; AIDS education is included. Suicide prevention is taught but not mandated. Abortions are not restricted for minors.

NORTH CAROLINA: K-12 sex education is mandated; parents may opt out by written request. A mandatory drug education program K-12 was legislated in 1989. AIDS education is mandated for 7th graders. There is no parental consent requirement for abortions.

NORTH DAKOTA: The state mandates a Comprehensive Health Education plan, encompassing sex, drug, suicide and AIDS education. There are opt-out provisions, but the material is intermingled throughout all courses making the provisions ineffective. North Dakota prohibits smoking by students, but not by teachers. The state allows minors to obtain abortions with judicial consent.

OHIO: A proposed state mandate for sex education in grades 4-12 passed the house in 1989 but is

blocked in a senate committee. An AIDS education mandate passed in 1988. There is no mandate for drug education. Ohio's law on parental notification for abortions was enjoined by the federal courts.

OKLAHOMA: The state requires AIDS education, but not sex education in general. The displaying of textbooks for inspection is required at specified times and places.

OREGON: AIDS education is mandated K-12, but sex education is not. Textbooks must be available in public libraries for inspection. Homeschooling legislation and policies are favorable to homeschoolers. There is no restriction on minors' abortions.

PENNSYLVANIA: There is no state requirement to teach sex education, but AIDS education is mandated. The state has a parental notification law for minors' abortions but is awaiting issuance of regulations from the state supreme court.

RHODE ISLAND: Sex education is mandated K-12, with no opt-out provision. AIDS education is required K-12, but opting out is allowed. Abstinence must be taught in both. Drug and suicide education are mandated by the state. Minors must get parental or judicial consent to obtain an abortion.

SOUTH CAROLINA: A state mandate requires sex education in grades K-12. There is an opt-out provision in the early grades, but the Attorney General ruled that the instruction must be given before high school. Abstinence must be advocated. AIDS education is required at least by grade 6, and may be taught in kindergarten. The schools are not required to make textbooks available for inspection.

SOUTH DAKOTA: Sex and AIDS education are left to local option. Local school boards must publish names of textbooks in the newspapers and make them available. The state does not restrict the availability of abortion to minors.

TENNESSEE: A 1989 bill requires that Family Life Education be taught K-12 in counties with a pregnancy rate of over 19.5 per 1000 for ages 15-17. Students may opt out at any time. AIDS education is mandated and must emphasize pre-marital abstinence. Drug education is mandated.

TEXAS: Sex education is not mandated, but AIDS education is. A non-binding resolution states that abstinence must be "emphasized." The essentials of drug education must be covered in the health curriculum in order for a school to retain accreditation. Textbooks must be available at regional education centers prior to adoption and may be checked out. Prohibitions on smoking were strengthened in 1989, and school "smoking areas" were abolished.

UTAH: Sex education is taught, but parents may opt out. Abstinence must be taught in schools which choose to teach AIDS education. Contraception may not be taught. Drug education is taught. No smoking is allowed in schools below college level.

VERMONT: Family life education is mandatory in grades K-12, including instruction on sex and AIDS; abstinence must be included. Attempts to pass a parental notification bill have failed.

VIRGINIA: K-12 family life education, including sex education, drug education and AIDS education, is mandated. The Attorney General ruled that the language ensures that one may opt out of any part of the program. Minors' access to abortion is not limited.

WASHINGTON: The state does not mandate sex, drug or suicide education, but does require AIDS education in grades 5-12. Parents are given no authority to inspect textbooks. There are no restrictions for minors' abortions.

WEST VIRGINIA: The state does not mandate sex, AIDS, drug, or suicide education. If a county system teaches sex education, parents may write and request that their child be removed. Textbooks must be available at the school board offices. Smoking and chewing tobacco are prohibited in schools. A parental consent for minors' abortions law is on the books.

WISCONSIN: K-12 sex education is mandated with an opt-out provision, but AIDS education is not required. Suicide education is mandated. Students, but not teachers, are forbidden to smoke. A bill for parental consent for minors' abortions is pending.

WYOMING: No state mandate for sex education exists. There was a major battle on homeschooling in 1989 over requiring accreditation of home schools as if they were private schools; the outcome was less stringent regulation of homeschoolers. A parental consent for minors' abortions bill passed in 1989. ■