

**HOUSE . . . . . No. 406**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**William G. Greene, Jr. (BY REQUEST)**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

**An Act Regarding Parental Notification and Consent.**

PETITION OF:

NAME:

Sandra MacMillan

DISTRICT/ADDRESS:

18 Mcrayne Hill Road  
Billerica, MA 01821

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT REGARDING PARENTAL NOTIFICATION AND CONSENT.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Chapter 71, Section 32A of the General Laws is hereby amended, and Section 32B  
2 added, to be the following:

3 **Section 32A. Parental Notification and Consent.**

4 A. Definitions. As used in this section –

5 1. The term “alternative sexual behavior” means homosexuality, bisexuality, lesbianism,  
6 transsexuality, transgenderism, cross-dressing, pansexuality, promiscuity, sodomy, pederasty,  
7 prostitution, oral sex, anal sex, masturbation, polygamy, polyandry, sex re-assignment  
8 treatments, “bondage and discipline”, sado-masochism, bestiality, and similar behaviors. It also  
9 includes issues and relationships deriving from those behaviors, including but not limited to  
10 “sexual orientation”, and alternative family, parenting, and marriage constructs.

11 2. The term “school program” means any school sanctioned activity, or portion thereof, whether  
12 on or off campus, whether during or outside school hours, whether organized, presented or  
13 directed by school employees, agents of the school, students, volunteers, or others. This shall  
14 include, but not be limited to classes, curriculum, assemblies, outside speakers, workshops,  
15 clubs, exhibits, private or non-private counseling sessions, ‘teachable moments’, reading  
16 assignments, videos, posters, displays, and handouts. It shall not include spontaneous student-  
17 initiated conversations among themselves.

18 B. Requirements for parental notification and consent.

19 Every city, town, regional school district or vocational school district presenting, implementing,  
20 or maintaining a school program which involves human sexual education, human sexuality  
21 issues or alternative sexual behavior shall adopt and implement a written policy ensuring  
22 parental/guardian notification of such school programs and a description of their content.

23 All such school programs shall be offered only in clearly identified non-mandatory elective  
24 courses or activities in which parents or guardians may choose to enroll their children through  
25 written notification to the school, in a manner reasonably similar to other elective courses or  
26 activities offered by the school district.

27 To the extent practicable, instruction materials and related items for said school programs,  
28 including access to related extra-curricular events, shall be made reasonably available to parents,  
29 guardians, educators, school administrators, and others for inspection and review.

30 No public school teacher or administrator shall be required to participate in any such school  
31 programs that violate his religious beliefs.

32 **Section 32B. Surveys regarding personal or private issues.**

33 No student in any public elementary or secondary school shall be requested or required to submit  
34 to a survey, analysis, or evaluation that reveals information concerning: (1) political affiliations;  
35 (2) mental and psychological problems potentially embarrassing to the student or his family; (3)  
36 sexual behavior and attitudes; (4) illegal, anti-social, self-incriminating and demeaning behavior;  
37 (5) feelings of victimization; (6) suicide or self-abuse; (7) birth control or abortion; (8) critical  
38 appraisals of other individuals with whom respondents have close family relationships; (9)  
39 legally recognized privileged or analogous relationships, such as those with lawyers, physicians  
40 and ministers; or (10) income without the prior written consent of the parent or guardian.

41 All such surveys, analyses, and evaluations shall be made reasonably accessible to parents,  
42 guardians, educators, school administrators, and others for inspection and review.

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