

**RCW 28A.225.330 Enrolling students from other districts—
Requests for information and permanent records—Immunity from
liability—Rules.**

(1) When enrolling a student who has attended school in another school district, the school enrolling the student may request the parent and the student to briefly indicate in writing whether or not the student has:

- (a) Any history of placement in special educational programs;
- (b) Any past, current, or pending disciplinary action;
- (c) Any history of violent behavior, or behavior listed in RCW 13.04.155;
- (d) Any unpaid fines or fees imposed by other schools; and
- (e) Any health conditions affecting the student's educational needs.

(2) The school enrolling the student shall request the student's permanent record including records of disciplinary action, history of violent behavior or behavior listed in RCW 13.04.155, attendance, immunization records, and academic performance from the school the student previously attended.

(3) Upon request, school districts shall furnish a set of unofficial educational records to a parent or guardian of a student who is transferring out of state and who meets the definition of a child of a military family in transition under Article II of RCW 28A.705.010. School districts may charge the parent or guardian the actual cost of providing the copies of the records.

(4) If information is requested under subsection (2) of this section, the information shall be transmitted within two school days after receiving the request and the records shall be sent as soon as possible. The records of a student who meets the definition of a child of a military family in transition under Article II of RCW 28A.705.010 shall be sent within 10 days after receiving the request. Any school district or district employee who releases the information in compliance with this section is immune from civil liability for damages unless it is shown that the school district employee acted with gross negligence or in bad faith. The professional educator standards board shall provide by rule for the discipline under chapter 28A.410 RCW of a school principal or other chief administrator of a public school building who fails to make a good faith effort to assure compliance with this subsection.

(5) Any school district or district employee who releases the information in compliance with federal and state law is immune from civil liability for damages unless it is shown that the school district or district employee acted with gross negligence or in bad faith.

(6) (a) A school may not prevent students who are the subject of a dependency proceeding pursuant to chapter 13.34 RCW from enrolling if there is incomplete information as enumerated in subsection (1) of this section during the 10 business days that the department of children, youth, and families has to obtain that information under RCW 74.13.631.

(b) If the student who is the subject of a dependency proceeding is subject to an order in a federally recognized tribal court that is the equivalent of a shelter care or dependency order pursuant to chapter 13.34 RCW, or the student is eligible for benefits under the federal foster care system as defined in RCW 28B.117.020, the school may not prevent the student from enrolling if there is incomplete information as enumerated in subsection (1) of this section during the

10 business days from the date the equivalent order is entered or from a date determined by the state agency responsible for implementing the unaccompanied refugee minors program.

(c) Upon enrollment of a student who is the subject of a dependency proceeding, the school district must make reasonable efforts to obtain and assess that child's educational history in order to meet the child's unique needs within two business days.

(7) For the purposes of this section, "students who are the subject of a dependency proceeding" has the same meaning as in RCW 28A.150.510. [2022 c 78 s 3; 2021 c 120 s 2; 2020 c 167 s 8; 2013 c 182 s 10; 2009 c 380 s 2; 2006 c 263 s 805; 1999 c 198 s 3; 1997 c 266 s 4. Prior: 1995 c 324 s 2; 1995 c 311 s 25; 1994 c 304 s 2.]

Findings—2013 c 182: See note following RCW 13.34.030.

Findings—Purpose—Part headings not law—2006 c 263: See notes following RCW 28A.150.230.

Findings—Intent—Severability—1997 c 266: See notes following RCW 28A.600.455.

Effective date—1994 c 304: See note following RCW 28A.635.060.