AN ACT Relating to access to higher education; and amending RCW 1

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

Sec. 1. RCW 28A.635.060 and 1997 c 266 s 13 are each amended to
read as follows:

(1) Any pupil who defaces or otherwise injures any school
property, or property belonging to a school contractor, employee, or
another student, (is) may be subject to suspension and punishment.
If any property of the school district, a contractor of the district,
an employee, or another student has been lost or willfully cut,
defaced, or injured, the school district may withhold the (grades)
diploma, (and) but not the grades or transcripts of the (pupil)
student responsible for the damage or loss until the (pupil)
student or the (pupil's) student's parent or guardian has paid for
the damages. (If the student is suspended, the student may not be
readmitted until the student or parents or legal guardian has made
payment in full or until directed by the superintendent of schools.
If the property damaged is a school bus owned and operated by or
contracted to any school district, a student suspended for the damage
may not be permitted to enter or ride any school bus until the
student or parent or legal guardian has made payment in full or until
directed by the superintendent.) When the ((pupil)) student and
parent or guardian are unable to pay for the damages, the school
district shall provide a program of ((voluntary work)) community
service for the ((pupil)) student in lieu of the payment of monetary
damages. Upon completion of ((voluntary work)) community service the
((grades, and transcripts)) of the ((pupil shall))
student must be released. The parent or guardian of ((such pupil))
the student shall be liable for damages as otherwise provided by law.

(2) Before ((any penalties are assessed)) the diploma is withheld
under this section, a school district board of directors shall adopt
procedures which insure that ((pupils')) students' rights to due
process are protected.

(3) If the department of social and health services or a child-
placing agency licensed by the department has been granted custody of
a child, that child's records, if requested by the department or
agency, are not to be withheld for nonpayment of school fees or any
other reason.

(4)(a) Each school district that withholds a diploma under this
section shall publish and maintain the following information on its
website:
   (i) The number of diplomas withheld under this section, by
   graduating class, during the previous three school years; and
   (ii) The number of students with withheld diplomas who were
   eligible for free or reduced-price meals during their last two years
   of enrollment in the school district.

(b) To the extent practicable, school districts must publish the
information required by this subsection (4) with the information
published under RCW 28A.325.050.

Sec. 2. RCW 28A.225.330 and 2020 c 167 s 8 are each amended to
read as follows:

(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. (If the student has not paid a fine or fee under RCW 28A.635.060, or tuition, fees, or fines at approved private schools, the school may withhold the student's official transcript, but shall transmit information about the student's academic performance, special placement, immunization records, records of disciplinary action, and history of violent behavior or behavior listed in RCW 13.04.155. If the official transcript is not sent due to unpaid tuition, fees, or fines, the enrolling school shall notify both the student and parent or guardian that the official transcript will not be sent until the obligation is met, and failure to have an official transcript may result in exclusion from extracurricular activities or failure to graduate.)

(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 ten 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 school may not prevent a student who is dependent pursuant
to chapter 13.34 RCW from enrolling if there is incomplete
information as enumerated in subsection (1) of this section during
the ten business days that the department of social and health
services has to obtain that information under RCW 74.13.631. In
addition, upon enrollment of a student who is dependent pursuant to
chapter 13.34 RCW, 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.

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