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**SENATE BILL 5008**

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**State of Washington 68th Legislature 2023 Regular Session**

**By** Senators McCune, Short, and J. Wilson

AN ACT Relating to providing parents and legal guardians access to instructional materials; adding a new section to chapter 28A.320 RCW; and prescribing penalties.

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

NEW SECTION. **Sec.**  A new section is added to chapter 28A.320 RCW to read as follows:

(1)(a) Each school district must post all core instructional materials used within its curricula on its website within 14 days of adoption by the school district board of directors.

(b) For the purposes of this section, "core instructional materials" means the primary instructional resources for a given course and have been adopted by the school district board of directors with the recommendation of an instructional materials committee in accordance with RCW 28A.320.230.

(2)(a) Each school building within a school district must post all supplemental instructional materials used within its curricula on its website at least 14 days before they are used in a classroom. If the school building does not have a website, the supplemental instructional materials must be posted on the school district's website.

(b) For the purposes of this section, "supplemental instructional materials" means the materials that are used in conjunction with the core instructional materials of a given course. Supplemental instructional materials include, but are not limited to, books, periodicals, visual aids, video, sound recordings, computer software, and other digital content.

(3) All the instructional materials that are required to be posted by this section must be posted in a convenient place on each respective website and easy for parents and legal guardians to access and review.

(4) Nothing in this section requires school districts or school buildings to post any instructional materials that would violate any copyright laws or license agreements. If a school district or school building is unable to post any instructional materials required by this section because of copyright laws or license agreements, the school district or school building must provide parents and legal guardians an alternative method for accessing any instructional materials.

(5)(a) A school district shall be subject to a civil penalty in the amount of $500 for each violation of this section by the school district or a school building.

(b) The civil penalty must be assessed by a judge of the superior court and an action to enforce this penalty may be brought by any person. A violation of this section does not constitute a crime and assessment of the civil penalty by a judge shall not give rise to any disability or legal disadvantage based on conviction of a criminal offense.

(c) Any person who prevails against a school district in any action in the courts for a violation of this section must be awarded all costs, including reasonable attorney fees, incurred in connection with such legal action. Pursuant to RCW 4.84.185, any school district which prevails in any action in the courts for a violation of this chapter may be awarded reasonable expenses and attorney fees upon final judgment and written findings by the trial judge that the action was frivolous and advanced without reasonable cause.

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