S-3603.2

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SENATE BILL 6026**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 68th Legislature 2024 Regular Session**

**By** Senators Padden, McCune, and Fortunato

AN ACT Relating to protecting the rights of parents and guardians by using students' given names in public schools; adding a new section to chapter 28A.320 RCW; and creating a new section.

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) In order to protect the rights of children, families, and teachers, and maintain order in K-12 public schools, the legislature enacts the following provisions notwithstanding the model policies and procedures required under RCW 28A.642.080:

(a) An employee or contractor may not use a name to address a student other than the name listed on a student's birth certificate, or derivatives thereof, without the written permission of a student's parents or guardians.

(b) An employee or contractor may not use a pronoun in addressing a student that is different from that student's biological sex without the written permission of a student's parents or guardians.

(c) An employee or contractor operating in this state, when acting in the course of his or her official duties, shall not carry out any act or communication that would violate (a) or (b) of this subsection.

(d) A public school or school district may not require an employee or contractor to use a pronoun that does not match a person's biological sex if contrary to the employee's or contractor's religious or moral convictions.

(2) Nothing in this section prohibits an employee or contractor from discussing any matters of public concern outside the context of their official duties.

(3) Any aggrieved individual under this section may seek relief through the office for civil rights at the United States department of education, or bring a private right of action against any public school or school district engaged in such prohibited discrimination, or both.

(4) For the purposes of this section:

(a) "Contractor" means any individual working in any capacity for any public school or school district through a contract between any such public school or school district and that individual or that individual's employer.

(b) "Employee" means any individual working in any capacity, whether performance of such work is voluntary or paid, at any public school or school district including but not limited to teachers, administrators, janitors, cafeteria workers, or other individuals.

(c) "Parent" or "guardian" means a resident of this state who is the parent, stepparent, adoptive parent, foster parent, or otherwise the legal guardian of a qualified student.

(d) "Public school" has the same meaning as in RCW 28A.150.010.

(e) "Sex" means biological sex, as listed on an individual's original birth certificate.

(f) "Student" means an individual under the age of 18 and has not been emancipated under chapter 13.64 RCW.

NEW SECTION. **Sec.**  This act may be known and cited as the given name act.

NEW SECTION. **Sec.**  If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**--- END ---**