

SENATE BILL REPORT

EHB 1478

As Reported by Senate Committee On:
Early Learning & K-12 Education, March 23, 2023

Title: An act relating to a statement of student rights that reaffirms and promotes the constitutional and statutory rights of public school students.

Brief Description: Establishing a statement of student rights.

Sponsors: Representatives Timmons, Sandlin, Santos, Ryu, Ramel and Pollet.

Brief History: Passed House: 3/2/23, 61-35.

Committee Activity: Early Learning & K-12 Education: 3/20/23, 3/23/23 [DPF, w/oRec].

Brief Summary of Bill

- Establishes a statement of student rights including privileges and protections provided by the Declaration of Independence, the United States Constitution, the Washington State Constitution, and federal and state statutes.
- Requires school districts, charter schools, and state-tribal education compact schools to develop and distribute student-focused educational and promotional materials that incorporate the statement of student of rights and requires these materials to be incorporated into civics education.
- Directs the Office of the Superintendent of Public Instruction (OSPI) to make the statement of student rights available on its website and encourages OSPI to include in youth voter registration materials.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass fail.

Signed by Senators Wellman, Chair; Nobles, Vice Chair; Hunt and Mullet.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Minority Report: That it be referred without recommendation.

Signed by Senators Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier, McCune and Pedersen.

Staff: Ailey Kato (786-7434)

Background: Stand-Alone Civics Course. Each school district that operates a high school must provide a mandatory one-half credit stand-alone course in civics for each high school student. Credit awarded to students who complete the civics course must be applied to course credit requirements in social studies that are required for high school graduation.

The civics course must include certain topics including the rights and responsibilities of citizens addressed in the Washington State and United State constitutions.

Compulsory Study of Constitutions. The study of the United States Constitution and the Washington Constitution are a prerequisite to graduation from public and private high schools in the state.

Temperance and Good Citizenship Day. On or about each January 16th, public schools are required to observe Temperance and Good Citizenship Day. The Office of the Superintendent of Public Instruction (OSPI) is required to prepare and distribute pertinent materials.

Social studies teachers are required to coordinate a voter registration event in history and social studies classes attended by high school seniors. The teachers must make voter sign-up and registration materials available to all students.

OSPI must update and distribute youth voter registration materials annually for eligible students to register to vote at school.

Summary of Bill: Statement of Student Rights. The statement of student rights is as follows:

- Public school students are subject to the Declaration of Independence and the United States Constitution and its privileges and protections, including:
 1. the free exercise of religion;
 2. the freedom of speech;
 3. the right to peaceably assemble;
 4. the right to petition the government for a redress of grievances;
 5. the freedom from unreasonable searches and seizures;
 6. the right to a due process of law;
 7. the right to equal protection of the laws; and
 8. the right to life, liberty, and the pursuit of happiness.
- Public school students are subject to numerous privileges and protections derived from federal statutes, examples of which include:

1. the right to be free from discrimination with regard to accessing education programs and activities offered by a recipient of federal financial assistance;
 2. the right of students with disabilities to receive special education and related services that address their individual needs; and
 3. the right of students with disabilities to be free from discrimination with regard to accessing education programs and facilities.
- Public school students are subject to the Washington Constitution and its privileges and protections, including:
 1. the right of petition and peaceable assemblage;
 2. the freedom to speak, write, and publish on all subjects;
 3. the right to not be disturbed in private affairs without authority of law;
 4. the right to absolute freedom of conscience in all matters of religious sentiment, belief, and worship;
 5. the right to attend public schools that are funded in a manner that is consistent with the state's paramount duty of making ample provision for the education of all children residing within its borders;
 6. the right to have schools that are maintained wholly or partially by public funds free from sectarian control or influence;
 7. the right for minors to receive an education while residing in a criminal justice facility;
 8. the right of qualified persons to utilize education facilities and services established and funded for the benefit of persons who are deaf, blind, or both; and
 9. the right of qualified persons to vote at all elections, including elections for school directors, members of the Legislature, and the superintendent of public instruction.
 - Public school students are subject to numerous privileges and protections derived from Washington statutes, examples of which include:
 1. the right to access, without tuition, a school district's kindergarten through twelfth grade basic education program for students of qualifying age;
 2. the right to a basic education that provides students with opportunities to develop the knowledge and skills necessary to meet state-established graduation requirements, which are intended to provide students with the opportunity to graduate with a meaningful diploma that prepares them for postsecondary education, gainful employment, and citizenship; and
 3. due process rights related to disciplinary measures and education access.

The statement of student rights is not intended to be a comprehensive delineation of student rights or the manner in which they are derived, nor is this statement intended to have any application to rights established in other state and federal law.

Distribution of the Statement of Student Rights. Each school district, charter school, and state-tribal education compact school must develop student-focused educational and promotional materials that incorporate the statement of student rights. A link to the

materials must be made available on school district, charter school, and state-tribal compact school websites, social media platforms, and other communication channels used by students. The materials must also be incorporated into civics education curricula.

OSPI must make the statement of student rights available on its website and is encouraged to include the statement in youth voter registration materials.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Civics education is an important part of schools. A consolidated and easily digestible statement of students rights incorporated into civics education will hopefully help create life-long learners and engaged citizens in our democracy. This may spark an interest in our country's foundational documents.

Persons Testifying: PRO: Representative Joe Timmons, Prime Sponsor.

Persons Signed In To Testify But Not Testifying: OTHER: Julie Barrett, Conservative Ladies of Washington.