
SENATE BILL 5008

State of Washington

68th Legislature

2023 Regular Session

By Senators McCune, Short, and J. Wilson

Prefiled 12/05/22. Read first time 01/09/23. Referred to Committee on Early Learning & K-12 Education.

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

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.320
6 RCW to read as follows:

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

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

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

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

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

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

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

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

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

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