
ENGROSSED SUBSTITUTE HOUSE BILL 1296

State of Washington

69th Legislature

2025 Regular Session

By House Education (originally sponsored by Representatives Stonier, Macri, Lekanoff, Doglio, Berry, Salahuddin, Davis, Ramel, Obras, Reed, Ormsby, Scott, Nance, Bergquist, Fitzgibbon, Parshley, Alvarado, Kloba, Pollet, Peterson, Fey, Simmons, Hill, and Fosse)

READ FIRST TIME 02/03/25.

1 AN ACT Relating to promoting a safe and supportive public
2 education system through student rights, parental and guardian
3 rights, employee protections, and requirements for state and local
4 education entities; amending RCW 28A.642.080, 28A.642.020,
5 28A.320.160, 28A.400.317, 28A.605.005, and 28A.320.160; adding new
6 sections to chapter 28A.230 RCW; adding a new section to chapter
7 28A.400 RCW; creating new sections; and declaring an emergency.

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

9 **PART ONE**

10 **PROTECTION OF STUDENTS' SAFETY, EDUCATION ACCESS, AND PRIVACY**

11 NEW SECTION. **Sec. 101.** A new section is added to chapter
12 28A.230 RCW to read as follows:

13 (1) It is the policy of the state of Washington that policies and
14 procedures adopted by school districts under this title must
15 prioritize the protection of every student's safety, access to a free
16 public education, and privacy, to the fullest extent possible, except
17 as required by state or federal law. This policy serves as a
18 supplement to school district policies and procedures established
19 under this title, both before and after the effective date of this

1 section, and must be considered an integral part of those policies
2 and procedures.

3 (2) The office of the superintendent of public instruction shall
4 develop technical assistance and related materials to assist school
5 districts with the implementation of subsection (1) of this section.
6 The assistance and related materials must include a summary of: The
7 privacy rights of minors; and the licensure or other professional
8 requirements for school district employment classifications, if any,
9 related to protecting student privacy.

10 (3) The office of the superintendent of public instruction shall
11 enforce and obtain compliance with subsection (1) of this section by
12 appropriate order made under chapter 34.05 RCW. Example sanctions
13 that may be included on the order are as follows: Termination or
14 withholding of all or part of state apportionment or categorical
15 moneys to the offending school district, termination of specified
16 programs in which violations may be flagrant within the offending
17 school district, institution of corrective action, and the placement
18 of the offending school district on probation with appropriate
19 sanctions until compliance is achieved.

20 (4) (a) Prior to taking enforcement action under subsection (3) of
21 this section, the office of the superintendent of public instruction
22 shall provide the school district with a first notice stating its
23 determination of noncompliance and identifying corrective actions and
24 a timeline that the school district may take to comply with
25 subsection (1) of this section. If the school district fails to
26 comply with the first notice within the prescribed time period, the
27 superintendent of public instruction shall provide the school
28 district with a second notice stating that failure to comply with
29 corrective actions to obtain compliance with subsection (1) of this
30 section may result in sanctions. If, after the second notice, the
31 school district fails to comply, the superintendent of public
32 instruction may enforce sanctions against the school district until
33 compliance with subsection (1) of this section is achieved;

34 (b) At any point while obtaining compliance, and if requested by
35 the school district, the office of the superintendent of public
36 instruction must provide assistance and recommendations for the
37 purpose of supporting a school district's compliance with subsection
38 (1) of this section.

39 (5) This section governs school operation and management under
40 RCW 28A.710.040 and 28A.715.020, and applies to charter schools

1 established under chapter 28A.710 RCW and state-tribal education
2 compact schools subject to chapter 28A.715 RCW to the same extent as
3 it applies to school districts.

4 (6) The office of the superintendent of public instruction shall
5 adopt rules as necessary to implement this section.

6 **Sec. 102.** RCW 28A.642.080 and 2023 c 242 s 5 are each amended to
7 read as follows:

8 (1)(a) By January 31, ~~((2020))~~ 2026, each school district must
9 adopt or amend if necessary policies and procedures that, at a
10 minimum(~~(, incorporate all the elements of the model transgender~~
11 ~~student policy and procedure described in subsection (3) of this~~
12 ~~section))~~: Incorporate the office of the superintendent of public
13 instruction's rules and guidelines developed under RCW 28A.642.020 to
14 eliminate discrimination in public schools on the basis of gender
15 expression and gender identity; address the unique challenges and
16 needs faced by transgender students and gender-expansive students in
17 public schools; and describe the application of the model policy and
18 procedure prohibiting harassment, intimidation, and bullying required
19 under RCW 28A.600.477 to transgender students and gender-expansive
20 students.

21 (b) School districts must share the policies and procedures that
22 meet the requirements of (a) of this subsection with parents or
23 guardians, students, volunteers, and school employees in accordance
24 with rules adopted by the office of the superintendent of public
25 instruction. This requirement as it relates to students, parents, and
26 guardians may be satisfied by using the model student handbook
27 language in RCW 28A.300.286.

28 (c)(i) Each school district must designate one person in the
29 school district as the primary contact regarding the policies and
30 procedures relating to ~~((transgender students))~~ gender inclusive
31 schools that meet the requirements of (a) of this subsection. In
32 addition to any other duties required by law and the school district,
33 the primary contact must:

34 (A) Ensure the implementation of the policies and procedures
35 relating to ~~((transgender students))~~ gender inclusive schools that
36 meet the requirements of (a) of this subsection;

37 (B) Receive copies of all formal and informal complaints relating
38 to transgender students and gender-expansive students;

1 (C) Communicate with the school district employees responsible
2 for monitoring school district compliance with this chapter, and the
3 primary contact regarding the school district's policy and procedure
4 prohibiting harassment, intimidation, and bullying under RCW
5 28A.600.477; and

6 (D) Serve as the primary contact between the school district, the
7 office of the education ombuds, and the office of the superintendent
8 of public instruction on policies and procedures relating to
9 (~~transgender students~~) gender inclusive schools that meet the
10 requirements of (a) of this subsection.

11 (ii) The primary contact from each school district must attend at
12 least one training class as provided in RCW 28A.600.477, once this
13 training is available.

14 (iii) The primary contact may also serve as the primary contact
15 regarding the school district's policy and procedure prohibiting
16 harassment, intimidation, and bullying under RCW 28A.600.477 and the
17 primary contact regarding school district compliance with
18 nondiscrimination laws under RCW 28A.300.286.

19 (2) As required by the office of the superintendent of public
20 instruction, each school district must provide to the office of the
21 superintendent of public instruction its policies and procedures
22 relating to (~~transgender students~~) gender inclusive schools that
23 meet the requirements of subsection (1)(a) of this section.

24 (3) (a) (~~By September 1, 2019, and periodically thereafter, the~~)
25 The Washington state school directors' association must collaborate
26 with the office of the superintendent of public instruction to
27 develop and periodically update a model (~~transgender student~~)
28 policy and procedure relating to gender inclusive schools that meets
29 the requirements in subsection (1)(a) of this section.

30 (b) (~~The elements of the model transgender student policy and~~
31 ~~procedure must, at a minimum: Incorporate the office of the~~
32 ~~superintendent of public instruction's rules and guidelines developed~~
33 ~~under RCW 28A.642.020 to eliminate discrimination in Washington~~
34 ~~public schools on the basis of gender identity and expression;~~
35 ~~address the unique challenges and needs faced by transgender students~~
36 ~~in public schools; and describe the application of the model policy~~
37 ~~and procedure prohibiting harassment, intimidation, and bullying,~~
38 ~~required under RCW 28A.600.477, to transgender students.~~

39 (e)) The office of the superintendent of public instruction and
40 the Washington state school directors' association must maintain the

1 model policy and procedure relating to gender inclusive schools on
2 each agency's website at no cost to school districts.

3 (4) (a) By December 31, 2020, the office of the superintendent of
4 public instruction must develop online training materials ~~((available~~
5 ~~to all school staff))~~ based on the model ~~((transgender student))~~
6 policy and procedure relating to gender inclusive schools described
7 in subsection (3) of this section and the office of the
8 superintendent of public instruction's rules and guidance as provided
9 under this chapter. The online training materials must be available
10 to all school staff.

11 (b) The online training materials must describe the role of
12 school district primary contacts for monitoring school district
13 compliance with this chapter prohibiting discrimination in public
14 schools, RCW 28A.600.477 related to the policies and procedures
15 prohibiting harassment, intimidation, and bullying, and this section
16 related to policies and procedures relating to ~~((transgender~~
17 students)) gender inclusive schools.

18 (c) The online training materials must ~~((include))~~ also: Include
19 best practices for policy and procedure implementation and cultural
20 change that are guided by school district experiences; and be
21 periodically revised as necessary.

22 (d) The office of the superintendent of public instruction must
23 annually notify school districts of the availability of the online
24 training materials .

25 **Sec. 103.** RCW 28A.642.020 and 2024 c 316 s 5 are each amended to
26 read as follows:

27 (1) The superintendent of public instruction shall develop and
28 periodically revise rules and guidelines to ~~((eliminate))~~: Eliminate
29 discrimination prohibited in RCW 28A.642.010 and 28A.320.233 as it
30 applies to public school employment, counseling and guidance services
31 to students, recreational and athletic activities for students,
32 access to course offerings, and in textbooks, instructional
33 materials, and supplemental instructional materials, and student
34 access to those materials; and ensure compliance with the
35 requirements of RCW 28A.642.080. The adoption of rules to ensure
36 compliance with the requirements of RCW 28A.642.080 must be completed
37 by December 31, 2025.

38 (2) For the purposes of this section, "supplemental instructional
39 materials" has the same meaning as in RCW 28A.320.235.

1 **Sec. 104.** RCW 28A.320.160 and 2005 c 274 s 244 are each amended
2 to read as follows:

3 ~~((School districts must, at the first opportunity but in all
4 cases within forty-eight hours of receiving a report alleging sexual
5 misconduct by a school employee, notify the parents of a student
6 alleged to be the victim, target, or recipient of the misconduct.))~~

7 (1) If an employee or contractor of a school district has knowledge
8 or reasonable cause to believe that a student has been a victim,
9 target, or recipient of physical abuse, sexual abuse, sexual
10 misconduct, or assault occurring on school property during the school
11 day, the school district must immediately notify the parents or legal
12 guardians of the student. This requirement applies regardless of
13 whether the alleged perpetrator is a student, school district
14 employee or contractor, volunteer, or any other individual.

15 (2) School districts shall provide parents and legal guardians
16 with information regarding their rights under the public records act,
17 chapter 42.56 RCW, to request the public records regarding school
18 employee discipline. This information ~~((shall))~~ must be provided to
19 all parents and legal guardians on an annual basis.

20 (3) For purposes of this section, "reasonable cause" has the same
21 meaning as in RCW 26.44.030.

22 (4) This section governs school operation and management under
23 RCW 28A.710.040 and 28A.715.020, and applies to charter schools
24 established under chapter 28A.710 RCW and state-tribal education
25 compact schools subject to chapter 28A.715 RCW to the same extent it
26 applies to school districts.

27 **Sec. 105.** RCW 28A.400.317 and 2013 c 10 s 4 are each amended to
28 read as follows:

29 (1) A certificated or classified school employee or contractor
30 who has knowledge or reasonable cause to believe that a student has
31 been a victim of physical or sexual abuse ~~((or)),~~ sexual misconduct,
32 or assault by another school employee or contractor, shall report
33 such abuse ~~((or)),~~ misconduct, or assault to the appropriate school
34 administrator. The school administrator shall cause a report to be
35 made to the proper law enforcement agency if he or she has reasonable
36 cause to believe that the sexual misconduct ~~((or)),~~ physical or
37 sexual abuse, or assault has occurred as required under RCW
38 26.44.030. During the process of making a reasonable cause

1 determination, the school administrator shall contact all parties
2 involved in the complaint.

3 (2) Certificated and classified school employees shall receive
4 training regarding their reporting obligations under state law in
5 their orientation training when hired and then every three years
6 thereafter. The training required under this subsection may be
7 incorporated within existing training programs and related resources.

8 (3) Nothing in this section changes any of the duties established
9 under RCW 26.44.030.

10 **PART TWO**

11 **THE STATEMENT OF STUDENT RIGHTS**

12 NEW SECTION. **Sec. 201.** (1) The legislature finds that public
13 education is a cornerstone of a healthy, diverse, and productive
14 society.

15 (2) Article IX of the Washington Constitution requires the state
16 to make ample provision for the education of all children residing
17 within its borders. This requirement recognizes that public schools
18 are foundational to our democracy, working in partnership with
19 families and communities to shape the next generation of leaders into
20 respectful and engaged critical thinkers, resulting in economic
21 prosperity and innovation for the state and its residents.

22 (3) In recognition of the role that public education can play in
23 providing students with information about their rights and about how
24 to employ their rights for the betterment of education and society,
25 the legislature intends to require each school district, charter
26 school, and state-tribal education compact school to develop student-
27 focused educational and promotional materials, for communication and
28 classroom use, that incorporate the statement of student rights
29 established in section 202 of this act.

30 NEW SECTION. **Sec. 202.** A new section is added to chapter
31 28A.230 RCW to read as follows:

32 (1)(a) Each school district, charter school, and state-tribal
33 education compact school shall develop student-focused educational
34 and promotional materials that incorporate the statement of student
35 rights provided by this section. A link to the materials must be made
36 available on school district, charter school, and state-tribal
37 compact school websites, social media platforms, and other

1 communication channels used by students. The materials must also be
2 incorporated into civics education curricula provided to students in
3 accordance with RCW 28A.230.094.

4 (b) The office of the superintendent of public instruction shall
5 make the statement of student rights available on its website and is
6 encouraged to include the statement in materials provided under RCW
7 28A.230.150.

8 (2) The statement of student rights is as follows:

9 (a) (i) Public school students are beneficiaries of the
10 Declaration of Independence and the United States Constitution and
11 the associated privileges and protections, including:

12 (A) The free exercise of religion;

13 (B) The freedom of speech;

14 (C) The right to peaceably assemble;

15 (D) The right to petition the government for a redress of
16 grievances;

17 (E) The freedom from unreasonable searches and seizures;

18 (F) The right to a due process of law;

19 (G) The right to equal protection of the laws; and

20 (H) The self-evident truths articulated in the Declaration of
21 Independence that all men are created equal, that they are endowed by
22 their Creator with certain unalienable rights, and that among these
23 are life, liberty, and the pursuit of happiness.

24 (ii) Public school students are subject to numerous privileges
25 and protections derived from federal statutes, examples of which
26 include:

27 (A) The right to be free from discrimination with regard to
28 accessing education programs and activities offered by a recipient of
29 federal financial assistance;

30 (B) The right of students with qualifying disabilities to receive
31 special education and related services that address their individual
32 needs; and

33 (C) The right of students with disabilities to be free from
34 discrimination with regard to accessing education programs and
35 facilities.

36 (b) (i) Public school students are subject to the state
37 Constitution and its privileges and protections, including:

38 (A) The right of petition and peaceable assemblage;

39 (B) The freedom to speak, write, and publish on all subjects;

1 (C) The right to not be disturbed in private affairs without
2 authority of law;

3 (D) The right to absolute freedom of conscience in all matters of
4 religious sentiment, belief, and worship;

5 (E) The right to attend public schools that are funded in a
6 manner that is consistent with the state's paramount duty of making
7 ample provision for the education of all children residing within its
8 borders;

9 (F) The right to have schools that are maintained wholly or
10 partially by public funds free from sectarian control or influence;

11 (G) The right for minors to receive an education while residing
12 in a criminal justice facility;

13 (H) The right of qualified persons to utilize education
14 facilities and services established and funded for the benefit of
15 persons who are deaf, blind, or both; and

16 (I) The right of qualified persons to vote at all elections,
17 including elections for school directors, members of the legislature,
18 and the superintendent of public instruction.

19 (ii) Public school students are subject to numerous privileges
20 and protections derived from state statutes, examples of which
21 include:

22 (A) The right to access, without tuition, a school district's
23 kindergarten through 12th grade basic education program for students
24 of qualifying age;

25 (B) The right to a basic education that provides students with
26 opportunities to develop the knowledge and skills necessary to meet
27 state-established graduation requirements, which are intended to
28 provide students with the opportunity to graduate with a meaningful
29 diploma that prepares them for postsecondary education, gainful
30 employment, and citizenship;

31 (C) Due process rights related to disciplinary measures and
32 education access; and

33 (D) The right to access a learning environment with historically
34 and scientifically accurate information that includes the histories,
35 contributions, and perspectives of historically marginalized and
36 underrepresented groups as provided in RCW 28A.345.130, and provides
37 students with an appreciation for the contributions and perspectives
38 of diverse, global cultures.

39 (3) The rights identified in this section are not intended to be
40 a comprehensive delineation of student rights, the manner in which

1 they are derived, or the associated legal limits, nor is this section
2 intended to have any application to rights established in other
3 titles or in other provisions of state and federal law.

4 (4) For purposes of this section, "public schools" has the same
5 meaning as in RCW 28A.150.010.

6 NEW SECTION. **Sec. 203.** Sections 201 and 202 of this act may be
7 known and cited as the statement of student rights act.

8 **PART THREE**
9 **RIGHTS OF PARENTS AND LEGAL GUARDIANS**

10 **Sec. 301.** RCW 28A.605.005 and 2024 c 4 s 1 are each amended to
11 read as follows:

12 (1) The legislature finds that: (a) Parents are the primary
13 stakeholders in their children's upbringing; (b) parental involvement
14 is a significant factor in increasing student achievement; and (c)
15 access to student information encourages greater parental
16 involvement.

17 (2) Parents and legal guardians of (~~public school children~~
18 ~~younger than 18 years old have all of~~) children enrolled in public
19 schools as defined in RCW 28A.150.010 have the following rights:

20 (a) To access their child's classroom and school-sponsored
21 activities to observe in accordance with RCW 28A.605.020 and to
22 examine the curriculum, textbooks, (~~curriculum~~) instructional
23 materials, and supplemental (~~material~~) instructional materials used
24 in their child's classroom in accordance with policies and
25 procedures;

26 (b) (i) To inspect and review their child's (~~public school~~)
27 education records (~~in accordance with RCW 28A.605.030,~~) and to
28 request and receive a copy of their child's education records within
29 (~~10 business days of submitting a written request, either~~
30 electronically or on paper)) a reasonable period of time, but not
31 more than 45 days, of submitting a request in accordance with the
32 federal family educational rights and privacy act of 1974, Title 20
33 U.S.C. Sec. 1232g, as in effect on January 1, 2025, and RCW
34 28A.605.030.

35 (ii) Parents (~~or~~) and legal guardians (~~must~~) choosing to
36 inspect and review their child's education records may not be
37 required by a public school to appear in person for the purposes of

1 requesting or validating a request for their child's (~~public~~
2 ~~school~~) education records, provided the public school can ascertain
3 the identity of the requestor.

4 (iii) No charge may be imposed on a parent or legal guardian to
5 (~~receive such records electronically~~) inspect or review their
6 child's education records or for the costs of searching for or
7 retrieving the education records. Any charges for a (~~paper~~) copy of
8 such records must be reasonable (~~and~~), not prevent a parent, legal
9 guardian, or eligible child from exercising the right to inspect and
10 review the child's education records, and be set forth in the
11 official policies and procedures of the school district and public
12 school.

13 (iv) (~~Public school records include all of the following:~~

14 ~~(A) Academic records including, but not limited to, test and~~
15 ~~assessment scores in accordance with RCW 28A.230.195;~~

16 ~~(B) Medical or health records;~~

17 ~~(C) Records of any mental health counseling;~~

18 ~~(D) Records of any vocational counseling;~~

19 ~~(E) Records of discipline, including expulsions and suspensions~~
20 ~~under RCW 28A.600.015;~~

21 ~~(F) Records of attendance, including unexcused absences in~~
22 ~~accordance with RCW 28A.225.020;~~

23 ~~(G) Records associated with a child's screening for learning~~
24 ~~challenges, exceptionalities, plans for an individualized education~~
25 ~~program, or plan adopted under section 504 of the rehabilitation act~~
26 ~~of 1973; and~~

27 ~~(H) Any other student-specific files, documents, or other~~
28 ~~materials that are maintained by the public school)) Education~~

29 records means those official records, files, and data directly
30 related to a student and maintained by the public school including,
31 but not limited to, records encompassing all the material kept in the
32 child's cumulative folder, such as general identifying data, records
33 of attendance and of academic work completed, records of achievement
34 and results of evaluative tests, disciplinary status, test protocols,
35 and individualized education programs;

36 (v) Education records do not include records that are kept in the
37 sole possession of the maker, are used only as a personal memory aid,
38 and are not accessible or revealed to any other person except a
39 temporary substitute for the maker of the record;

1 (vi) Nothing in this section changes the access and disclosure
2 provisions established in chapter 70.02 RCW related to health care
3 information;

4 ~~(c) ((To receive prior notification when medical services are~~
5 ~~being offered to their child, except where emergency medical~~
6 ~~treatment is required. In cases where emergency medical treatment is~~
7 ~~required, the parent and legal guardian must be notified as soon as~~
8 ~~practicable after the treatment is rendered;~~

9 ~~(d) To receive notification when any medical service or~~
10 ~~medications have been provided to their child that could result in~~
11 ~~any financial impact to the parent's or legal guardian's health~~
12 ~~insurance payments or copays;~~

13 ~~(e) To receive notification when the school has arranged directly~~
14 ~~or indirectly for medical treatment that results in follow-up care~~
15 ~~beyond normal school hours. Follow-up care includes monitoring the~~
16 ~~child for aches and pains, medications, medical devices such as~~
17 ~~crutches, and emotional care needed for the healing process;~~

18 ~~(f)) To receive immediate notification ((if a criminal action is~~
19 ~~deemed to have)): That their child is the alleged victim, target, or~~
20 ~~recipient of physical abuse, sexual abuse, sexual misconduct, or~~
21 ~~assault occurring on school property during the school day by another~~
22 ~~student, a school employee or contractor, or any other individual, in~~
23 ~~accordance with RCW 28A.320.160; that a criminal action has been~~
24 ~~committed against their child ((or by their child)) on school~~
25 ~~property during the school day, including immediate notification if~~
26 ~~there has been a shooting, or threat of a shooting, on school~~
27 ~~property; or that their child has been detained based on probable~~
28 ~~cause of involvement in criminal activity on school property during~~
29 ~~the school day;~~

30 ~~((g)) (d) To receive immediate notification if a criminal~~
31 ~~action is alleged to have been committed against their child,~~
32 ~~including immediate notification if their child is alleged to be the~~
33 ~~victim, target, or recipient of an allegation of sexual misconduct by~~
34 ~~a school employee as required by RCW 28A.320.160;~~

35 (e) To receive immediate notification if law enforcement
36 personnel question their child during a custodial interrogation at
37 the school during the school day, except in cases where the parent or
38 legal guardian has been accused of abusing or neglecting the child;

39 ~~((h)) (f) To ((receive immediate notification if their child is~~
40 ~~taken or removed from the public school campus without parental~~

1 ~~permission, including to stay at a youth shelter or "host home" as~~
2 ~~defined in RCW 74.15.020;~~

3 ~~(i) To receive assurance their child's public school will not~~
4 ~~discriminate against their child based upon the sincerely held~~
5 ~~religious beliefs of the child's family in accordance with chapter))~~
6 not have their child removed from school grounds or buildings during
7 school hours without authorization of a parent or legal guardian
8 according to the provisions in RCW 28A.605.010. Nothing in this
9 section affects the provisions in RCW 74.15.020, 13.32A.082,
10 26.44.050, or 26.44.115;

11 (g) To have their child receive a public education in a setting
12 in which discrimination on the basis of sex, race, creed, religion,
13 color, national origin, honorably discharged veteran or military
14 status, sexual orientation, gender expression, gender identity, the
15 presence of any sensory, mental, or physical disability, or the use
16 of a trained dog guide or service animal by a person with a
17 disability is prohibited under chapters 28A.640 and 28A.642 RCW;

18 ~~((j) To))~~ (h) In accordance with the protection of pupil rights,
19 Title 20 U.S.C. Sec. 1232h, the right to receive written notice and
20 the option to opt their child out of any ((surveys, assignments,
21 questionnaires, role-playing activities, recordings of their child,
22 or other student engagements that include questions about any of the
23 following:

24 ~~(i) The child's sexual experiences or attractions;~~

25 ~~(ii) The child's family beliefs, morality, religion, or political~~
26 ~~affiliations;~~

27 ~~(iii) Any mental health or psychological problems of the child or~~
28 ~~a family member; and~~

29 ~~(iv) All surveys, analyses, and evaluations subject to areas~~
30 ~~covered by the protection of pupil rights amendment of the family~~
31 ~~educational rights and privacy act)) survey, analysis, or evaluation~~
32 that reveals information concerning:

33 (i) Political affiliations or beliefs of the student or the
34 student's parent or legal guardian;

35 (ii) Mental or psychological problems of the student or the
36 student's family;

37 (iii) Sex behavior and attitudes;

38 (iv) Illegal, antisocial, self-incriminating or demeaning
39 behavior;

1 (v) Critical appraisals of other individuals with whom
2 respondents have close family relationships;

3 (vi) Legally recognized privileged or analogous relationships,
4 such as those of lawyers, physicians, and ministers;

5 (vii) Religious practices, affiliations, or beliefs of the
6 student or student's parent or legal guardian; or

7 (viii) Income, other than that required by law to determine
8 eligibility for participation in a program or for receiving financial
9 assistance under such program;

10 ~~((k))~~ (i) To receive written notice and have the option to opt
11 their child out of ~~((instruction on topics associated with sexual~~
12 ~~activity)) comprehensive sexual health education~~ in accordance with
13 RCW 28A.300.475;

14 ~~((l))~~ (j) To receive from the public school the annual school
15 calendar, no later than 30 days prior to the beginning of the school
16 year, and to be notified in writing as soon as feasible of any
17 revisions to such calendar. Such calendar must be posted to the
18 public school's website and must include, at a minimum, student
19 attendance days and any known event that requires parent, legal
20 guardian, or student attendance outside of normal school days or
21 hours;

22 ~~((m))~~ (k) To receive in writing each year or to view on the
23 public school's website a comprehensive listing of any required fee
24 and its purpose and use and a description of how economic hardships
25 may be ~~((addressed~~
26 ~~(n)) considered in the administration of fees;~~

27 (l) To receive in writing each year or to view on the public
28 school's website a description of the school's required dress code or
29 uniform established pursuant to the policies established and allowed
30 by RCW 28A.320.140, if applicable, for students; ~~((and~~

31 ~~((o))~~ (m) To be informed if their child's academic ~~((performance,~~
32 ~~including whether their child is provided a student learning plan~~
33 ~~under RCW 28A.655.270)) progress, including the right to receive~~
34 periodic reports on their child's educational growth and development
35 in accordance with RCW 28A.150.240 and to receive notice of their
36 child's performance on state learning standards tests and assessments
37 in accordance with RCW 28A.230.195, and whether the performance, is
38 such that it could threaten the child's ability to be promoted to the
39 next grade level ~~((and to be offered))~~. A parent or legal guardian
40 also has the right to request an in-person meeting with the child's

1 classroom teacher and principal to discuss any resources or
2 strategies available to support and encourage the child's academic
3 improvement;

4 (n) To file a complaint on behalf of their child under RCW
5 28A.600.477 relating to harassment, intimidation, and bullying;

6 (o) To have their child qualify for enrollment in a school
7 district if they are transferred to, or pending transfer to, a
8 military installation within the state in accordance with RCW
9 28A.225.216;

10 (p) To request enrollment for their child in a charter school
11 established under chapter 28A.710 RCW;

12 (q) To have their child qualify without a legal residence for
13 enrollment in a school district in accordance with RCW 28A.225.215;

14 (r) To have their child whose primary language is not English
15 access supplemental instruction and services through the transitional
16 bilingual instruction program in accordance with RCW 28A.150.220;

17 (s) To receive annual notice of the public school's language
18 access policies and services, the parents' rights to free language
19 access services under Title VI of the civil rights act of 1964, 42
20 U.S.C. Sec. 2000d, et seq., and the contact information for any
21 language access services under RCW 28A.183.040;

22 (t) To request enrollment for their child in a nonresident school
23 district in accordance with RCW 28A.225.220, 28A.225.225, and
24 28A.225.230;

25 (u) To be notified of unexcused absences and to engage in efforts
26 to eliminate or reduce their child's absences in accordance with RCW
27 28A.225.015, 28A.225.018, and 28A.225.020;

28 (v) To request, under RCW 28A.155.090, information about special
29 education programs and assistance for their child if their child is
30 eligible for but not receiving special education services, including
31 due to illness;

32 (w) To request an appeal to the superintendent of public
33 instruction under RCW 28A.155.080 if their child with disabilities
34 has been denied the opportunity of a special education program by a
35 school district or public school; and

36 (x) To access special education due process hearings regarding
37 their child as required by RCW 28A.155.020.

38 (3) Notwithstanding anything to the contrary, a public school
39 shall not be required to release any records or information regarding
40 a student's (~~medical or health records or mental health counseling~~)

1 health care, social work, counseling, or disciplinary records to a
2 parent or legal guardian who is the defendant in a criminal
3 proceeding where the student is the named victim or during the
4 pendency of an investigation of child abuse or neglect conducted by
5 any law enforcement agency or the department of children, youth, and
6 families where the parent or legal guardian is the target of the
7 investigation, unless the parent or legal guardian has obtained a
8 court order.

9 (4) (~~As used in this section "public school" has the same~~
10 ~~meaning as in RCW 28A.150.010~~) Nothing in this section creates a
11 private right of action.

12 **Sec. 302.** RCW 28A.320.160 and 2005 c 274 s 244 are each amended
13 to read as follows:

14 School districts must(~~(, at the first opportunity but in all~~
15 ~~eases within forty-eight hours of receiving a report alleging sexual~~
16 ~~misconduct by a school employee,)) immediately notify the parents or
17 legal guardians of a student alleged to be the victim, target, or
18 recipient of ((~~the~~)) an allegation of sexual misconduct by a school
19 employee. School districts shall provide parents and legal guardians
20 with information regarding their rights under the public records act,
21 chapter 42.56 RCW, to request the public records regarding school
22 employee discipline. This information shall be provided to all
23 parents and legal guardians on an annual basis.~~

24 **PART FOUR**

25 **RETALIATION PROTECTIONS**

26 NEW SECTION. **Sec. 401.** A new section is added to chapter
27 28A.400 RCW to read as follows:

28 (1) School district employees and directors may not take an
29 adverse employment action against any employee of the school district
30 for:

31 (a) Supporting students in the exercise of their legal rights,
32 including their right to a learning environment with historically and
33 scientifically accurate information that: Includes the histories,
34 contributions, and perspectives of historically marginalized and
35 underrepresented groups as provided in RCW 28A.345.130; and provides
36 students with an appreciation for the contributions and perspectives
37 of diverse, global cultures; or

1 (b) Performing work in a manner consistent with RCW 28A.642.080,
2 28A.642.020, and 28A.605.005, and sections 101, 201, and 202 of this
3 act.

4 (2) In addition to the prohibitions established in subsection (1)
5 of this section, school district employees and directors may not take
6 an adverse employment action against a teacher of the school district
7 for:

8 (a) Instructing students in a manner consistent with state
9 learning standards; or

10 (b) Using instructional materials approved in accordance with RCW
11 28A.320.230 that are culturally and experientially representative,
12 including materials on the study of the role and contributions of
13 individuals or groups that are part of a protected class under RCW
14 28A.642.010 and 28A.640.010.

15 (3) For the purposes of this section, an "adverse employment
16 action" includes termination, demotion, suspension, discipline,
17 denial of promotion, reassignment, negatively impacting the
18 evaluation of certificated staff under RCW 28A.405.100, removal from,
19 or denying access to, a supplemental contract, or otherwise taking
20 any negative employment action against the employee.

21 (4) This section governs school operation and management under
22 RCW 28A.710.040 and 28A.715.020, and applies to charter schools
23 established under chapter 28A.710 RCW and state-tribal education
24 compact schools subject to chapter 28A.715 RCW to the same extent as
25 it applies to school districts.

26 **PART FIVE**

27 **MISCELLANEOUS PROVISIONS**

28 NEW SECTION. **Sec. 501.** This act is necessary for the immediate
29 preservation of the public peace, health, or safety, or support of
30 the state government and its existing public institutions, and takes
31 effect immediately.

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