
HOUSE BILL 1296

State of Washington

69th Legislature

2025 Regular Session

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 01/14/25. Referred to Committee on Education.

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, and
5 28A.605.005; adding new sections to chapter 28A.230 RCW; adding a new
6 section to chapter 28A.400 RCW; creating new sections; and declaring
7 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 of all
14 or part of state apportionment or categorical moneys to the offending
15 school district, termination of specified programs in which
16 violations may be flagrant within the offending school district,
17 institution of corrective action, and the placement of the offending
18 school district on probation with appropriate sanctions until
19 compliance is achieved. Prior to taking enforcement action under this
20 subsection (3), the office of the superintendent of public
21 instruction shall: Identify corrective actions that a school district
22 may take to comply with subsection (1) of this section; and, if
23 requested by the school district, provide assistance and
24 recommendations for the purpose of supporting a school district's
25 compliance with subsection (1) of this section.

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

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

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

35 (1)(a) By January 31, ~~((2020))~~ 2026, each school district must
36 adopt or amend if necessary policies and procedures that, at a
37 minimum(~~(, incorporate all the elements of the model transgender~~
38 ~~student policy and procedure described in subsection (3) of this~~
39 ~~section))~~: Incorporate the office of the superintendent of public

1 instruction's rules and guidelines developed under RCW 28A.642.020 to
2 eliminate discrimination in public schools on the basis of gender
3 expression and gender identity; address the unique challenges and
4 needs faced by transgender students and gender-expansive students in
5 public schools; and describe the application of the model policy and
6 procedure prohibiting harassment, intimidation, and bullying required
7 under RCW 28A.600.477 to transgender students and gender-expansive
8 students.

9 (b) School districts must share the policies and procedures that
10 meet the requirements of (a) of this subsection with parents or
11 guardians, students, volunteers, and school employees in accordance
12 with rules adopted by the office of the superintendent of public
13 instruction. This requirement as it relates to students, parents, and
14 guardians may be satisfied by using the model student handbook
15 language in RCW 28A.300.286.

16 (c) (i) Each school district must designate one person in the
17 school district as the primary contact regarding the policies and
18 procedures relating to (~~transgender students~~) gender inclusive
19 schools that meet the requirements of (a) of this subsection. In
20 addition to any other duties required by law and the school district,
21 the primary contact must:

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

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

27 (C) Communicate with the school district employees responsible
28 for monitoring school district compliance with this chapter, and the
29 primary contact regarding the school district's policy and procedure
30 prohibiting harassment, intimidation, and bullying under RCW
31 28A.600.477; and

32 (D) Serve as the primary contact between the school district, the
33 office of the education ombuds, and the office of the superintendent
34 of public instruction on policies and procedures relating to
35 (~~transgender students~~) gender inclusive schools that meet the
36 requirements of (a) of this subsection.

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

1 (iii) The primary contact may also serve as the primary contact
2 regarding the school district's policy and procedure prohibiting
3 harassment, intimidation, and bullying under RCW 28A.600.477 and the
4 primary contact regarding school district compliance with
5 nondiscrimination laws under RCW 28A.300.286.

6 (2) As required by the office of the superintendent of public
7 instruction, each school district must provide to the office of the
8 superintendent of public instruction its policies and procedures
9 relating to (~~transgender students~~) gender inclusive schools that
10 meet the requirements of subsection (1)(a) of this section.

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

17 (b) (~~The elements of the model transgender student policy and~~
18 ~~procedure must, at a minimum: Incorporate the office of the~~
19 ~~superintendent of public instruction's rules and guidelines developed~~
20 ~~under RCW 28A.642.020 to eliminate discrimination in Washington~~
21 ~~public schools on the basis of gender identity and expression;~~
22 ~~address the unique challenges and needs faced by transgender students~~
23 ~~in public schools; and describe the application of the model policy~~
24 ~~and procedure prohibiting harassment, intimidation, and bullying,~~
25 ~~required under RCW 28A.600.477, to transgender students.~~

26 (~~e~~)) The office of the superintendent of public instruction and
27 the Washington state school directors' association must maintain the
28 model policy and procedure relating to gender inclusive schools on
29 each agency's website at no cost to school districts.

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

38 (b) The online training materials must describe the role of
39 school district primary contacts for monitoring school district
40 compliance with this chapter prohibiting discrimination in public

1 schools, RCW 28A.600.477 related to the policies and procedures
2 prohibiting harassment, intimidation, and bullying, and this section
3 related to policies and procedures relating to (~~transgender~~
4 ~~students~~) gender inclusive schools.

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

9 (d) The office of the superintendent of public instruction must
10 annually notify school districts of the availability of the online
11 training materials.

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

14 (1) The superintendent of public instruction shall develop and
15 periodically revise rules and guidelines to (~~eliminate~~): Eliminate
16 discrimination prohibited in RCW 28A.642.010 and 28A.320.233 as it
17 applies to public school employment, counseling and guidance services
18 to students, recreational and athletic activities for students,
19 access to course offerings, and in textbooks, instructional
20 materials, and supplemental instructional materials, and student
21 access to those materials; and ensure compliance with the
22 requirements of RCW 28A.642.080. The adoption of rules to ensure
23 compliance with the requirements of RCW 28A.642.080 must be completed
24 by December 31, 2025.

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

27 **PART TWO**

28 **THE STATEMENT OF STUDENT RIGHTS**

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

32 (2) Article IX of the Washington Constitution requires the state
33 to make ample provision for the education of all children residing
34 within its borders. This requirement recognizes that public schools
35 are foundational to our democracy, working in partnership with
36 families and communities to shape the next generation of leaders into

1 respectful and engaged critical thinkers, resulting in economic
2 prosperity and innovation for the state and its residents.

3 (3) In recognition of the role that public education can play in
4 providing students with information about their rights and about how
5 to employ their rights for the betterment of education and society,
6 the legislature intends to require each school district, charter
7 school, and state-tribal education compact school to develop student-
8 focused educational and promotional materials, for communication and
9 classroom use, that incorporate the statement of student rights
10 established in section 202 of this act.

11 NEW SECTION. **Sec. 202.** A new section is added to chapter
12 28A.230 RCW to read as follows:

13 (1)(a) Each school district, charter school, and state-tribal
14 education compact school shall develop student-focused educational
15 and promotional materials that incorporate the statement of student
16 rights provided by this section. A link to the materials must be made
17 available on school district, charter school, and state-tribal
18 compact school websites, social media platforms, and other
19 communication channels used by students. The materials must also be
20 incorporated into civics education curricula provided to students in
21 accordance with RCW 28A.230.094.

22 (b) The office of the superintendent of public instruction shall
23 make the statement of student rights available on its website and is
24 encouraged to include the statement in materials provided under RCW
25 28A.230.150.

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

27 (a)(i) Public school students are subject to the Declaration of
28 Independence and the United States Constitution, and its privileges
29 and protections, including:

30 (A) The free exercise of religion;

31 (B) The freedom of speech;

32 (C) The right to peaceably assemble;

33 (D) The right to petition the government for a redress of
34 grievances;

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

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

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

38 (H) The right to life, liberty, and the pursuit of happiness.

1 (ii) Public school students are subject to numerous privileges
2 and protections derived from federal statutes, examples of which
3 include:

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

7 (B) The right of students with qualifying disabilities to receive
8 special education and related services that address their individual
9 needs; and

10 (C) The right of students with disabilities to be free from
11 discrimination with regard to accessing education programs and
12 facilities.

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

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

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

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

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

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

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

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

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

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

35 (ii) Public school students are subject to numerous privileges
36 and protections derived from state statutes, examples of which
37 include:

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

1 (B) The right to a basic education that provides students with
2 opportunities to develop the knowledge and skills necessary to meet
3 state-established graduation requirements, which are intended to
4 provide students with the opportunity to graduate with a meaningful
5 diploma that prepares them for postsecondary education, gainful
6 employment, and citizenship;

7 (C) Due process rights related to disciplinary measures and
8 education access; and

9 (D) The right to access a learning environment with historically
10 and scientifically accurate information that includes the histories,
11 contributions, and perspectives of historically marginalized and
12 underrepresented groups as provided in RCW 28A.345.130, and provides
13 students with an appreciation for the contributions and perspectives
14 of diverse, global cultures.

15 (3) The rights identified in this section are not intended to be
16 a comprehensive delineation of student rights or the manner in which
17 they are derived, nor is this section intended to have any
18 application to rights established in other titles or in other
19 provisions of state and federal law.

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

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

24 **PART THREE**

25 **RIGHTS OF PARENTS AND LEGAL GUARDIANS**

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

28 (1) The legislature finds that: (a) Parents are the primary
29 stakeholders in their children's upbringing; (b) parental involvement
30 is a significant factor in increasing student achievement; and (c)
31 access to student information encourages greater parental
32 involvement.

33 (2) ~~((Parents))~~ The rights of parents and legal guardians ~~((of~~
34 ~~public school children younger than 18 years old have all of the~~
35 ~~following rights))~~ include the right to enroll their child of
36 qualifying age in a public school, regardless of sincerely held
37 beliefs, housing status, immigration status, English language

1 proficiency, or disability, and to provide for the instruction of
2 their child through an approved private school or home-based
3 instruction. Parents and legal guardians who enroll their child in a
4 public school have additional rights related to their child's
5 enrollment, including to:

6 (a) ~~((To examine the textbooks, curriculum, and supplemental~~
7 ~~material used in))~~ Access their child's classroom and school
8 sponsored activities in order to observe class procedure, teaching
9 material, and class conduct as provided in RCW 28A.605.020;

10 (b) ~~((i) To inspect their child's public school records in~~
11 ~~accordance with RCW 28A.605.030, and to receive a copy of their~~
12 ~~child's records within 10 business days of submitting a written~~
13 ~~request, either electronically or on paper.~~

14 ~~(ii))~~ Inspect and review the education records of their child
15 within a reasonable period of time, but not more than 45 days, of
16 submitting a request in accordance with the federal family
17 educational rights and privacy act and RCW 28A.605.030;

18 (i) Parents ~~((or))~~ and legal guardians ~~((must))~~ choosing to
19 inspect and review their child's education records may not be
20 required by a public school to ~~((appear))~~: Appear in person for the
21 purposes of requesting ~~((or validating a request for their child's~~
22 ~~public school records.~~

23 ~~(iii) No charge may be imposed on a parent or legal guardian to~~
24 ~~receive such))~~ the education records, provided the public school can
25 ascertain the identity of the requestor; or pay a fee or other charge
26 to receive the education records electronically. Any fees or charges
27 required of parents or legal guardians by a public school for a paper
28 copy of ~~((such))~~ their child's education records must be reasonable
29 and set forth in the official policies and procedures of the public
30 school ~~((district.~~

31 ~~(iv) Public school records include all of))~~;

32 (ii) "Education records" include the following:

33 (A) Academic records of their child including, but not limited
34 to, grades, transcripts, and test and assessment scores in accordance
35 with RCW 28A.230.195;

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

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

38 ~~(D))~~ Records of any ~~((vocational))~~ graduation, college, and
39 career counseling, including career and technical education
40 counseling;

1 ~~((E))~~ (C) Records of discipline, including expulsions and
2 suspensions under RCW 28A.600.015 and 28A.600.020;

3 ~~((F))~~ (D) Records of attendance, including unexcused absences
4 in accordance with RCW 28A.225.020; and

5 ~~((G))~~ (E) Records associated with ~~((a))~~ their child's screening
6 for ~~((learning challenges, exceptionalities, plans for an~~
7 ~~individualized education program))~~ indications of or areas associated
8 with dyslexia under RCW 28A.320.260, highly capable programs under
9 RCW 28A.185.030, plans for an individualized education program in
10 accordance with the federal individuals with disabilities education
11 act, or ((plan)) plans adopted under section 504 of the
12 rehabilitation act of 1973; ((and

13 ~~(H) Any other student-specific files, documents, or other~~
14 ~~materials that are maintained by the public school;~~

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

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

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

29 ~~(f) To receive immediate notification if a criminal action is~~
30 ~~deemed to have been committed against their child or by their child;~~

31 ~~(g) To receive immediate notification if law enforcement~~
32 ~~personnel question their child, except in cases where the parent or~~
33 ~~legal guardian has been accused of abusing or neglecting the child;~~

34 ~~(h) To receive))~~ (c) Receive immediate notification if their
35 child is taken or removed from the public school campus ~~((without~~
36 ~~parental permission, including to stay at a youth shelter or "host~~
37 ~~home" as defined in RCW 74.15.020;~~

38 ~~(i) To receive assurance their child's public school will not~~
39 ~~discriminate against their child based upon the sincerely held~~

1 ~~religious beliefs of the child's family in accordance with chapter~~)
2 in violation of requirements under RCW 28A.605.010;

3 (d) Have their child receive a public education in a setting in
4 which discrimination on the basis of sex, race, creed, religion,
5 color, national origin, honorably discharged veteran or military
6 status, sexual orientation, including gender expression or identity,
7 the presence of any sensory, mental, or physical disability, or the
8 use of a trained dog guide or service animal by a person with a
9 disability is prohibited under chapters 28A.640 and 28A.642 RCW;

10 ~~((j) To receive))~~ (e) Receive written notice ((and the option))
11 from the school district in accordance with the federal protection of
12 pupil rights amendment about the opportunity to opt their child out
13 of any surveys ((, assignments, questionnaires, role-playing
14 activities, recordings of their child, or other student engagements
15 that include questions about any of the following:

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

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

19 ~~(iii) Any mental))~~ analyses, or evaluations that may reveal
20 information concerning:

21 (i) Political affiliations or beliefs of the student or the
22 student's parent;

23 (ii) Mental health or psychological problems of the ((child or a
24 family member; and

25 ~~(iv) All surveys, analyses, and evaluations subject to areas~~
26 ~~covered by the protection of pupil rights amendment of the family~~
27 ~~educational rights and privacy act;~~

28 ~~(k) To receive))~~ student or the student's family;

29 (iii) Sex behaviors or attitudes;

30 (iv) Illegal, antisocial, self-incriminating, or demeaning
31 behavior;

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

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

36 (vii) Religious practices, affiliations, or beliefs of the
37 student or the student's parent; or

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

1 (f) Receive written notice from the public school and have the
2 option to opt their child out of (~~instruction on topics associated~~
3 ~~with~~) comprehensive sexual ((activity)) health education in
4 accordance with RCW 28A.300.475;

5 (~~(l) To receive~~) (g) Receive from the public school the annual
6 school calendar, no later than 30 days prior to the beginning of the
7 school year, and to be notified in writing as soon as feasible of any
8 revisions to such calendar. Such calendar must be posted to the
9 public school's website and must include, at a minimum, student
10 attendance days and any known event that requires parent, legal
11 guardian, or student attendance outside of normal school days or
12 hours;

13 (~~(m) To receive~~) (h) Receive in writing each year from the
14 public school or to view on the public school's website a
15 comprehensive listing of any required fee and its purpose and use and
16 a description of how economic hardships may be (~~addressed,~~
17 ~~(n) To receive~~) considered in the administration of fees;

18 (i) Receive in writing each year from the public school or to
19 view on the public school's website a description of the public
20 school's required dress code or uniform established (~~pursuant to~~)
21 in accordance with RCW 28A.320.140, if applicable, for students;
22 (~~and~~

23 ~~(o) To be~~) (j) Be informed ((if)) by the public school of their
24 child's academic performance(~~, including whether their child is~~
25 ~~provided a student learning plan under RCW 28A.655.270, is such that~~
26 ~~it could threaten the child's ability to be promoted to the next~~
27 ~~grade level and to be offered an in-person meeting with the child's~~
28 ~~classroom teacher and principal to discuss any resources or~~
29 ~~strategies available to support and encourage the child's academic~~
30 ~~improvement)) in accordance with RCW 28A.150.240, 28A.230.195,
31 28A.655.230, 28A.320.203, and 28A.230.730, including, as applicable,
32 notifications about grade level advancement and meetings with the
33 child's classroom teacher to discuss any resources or strategies
34 available to support and encourage the child's academic improvement;~~

35 (k) File a complaint on behalf of their child under RCW
36 28A.600.477 relating to harassment, intimidation, and bullying;

37 (l) Have their child qualify for enrollment in a school district
38 if they are transferred to, or pending transfer to, a military
39 installation within the state in accordance with RCW 28A.225.216;

1 (m) Have their child qualify without a legal residence for
2 enrollment in a school district in accordance with RCW 28A.225.215;

3 (n) Have their child whose primary language is not English access
4 supplemental instruction and services through the transitional
5 bilingual instruction program in accordance with RCW 28A.150.220;

6 (o) Receive annual notice of the public school's language access
7 policies and services, the parents' rights to free language access
8 services under Title IV of the civil rights act of 1964, 42 U.S.C.
9 Sec. 2000d, et seq., and the contact information for any language
10 access services under RCW 28A.183.040;

11 (p) Request enrollment for their child in a nonresident school
12 district in accordance with RCW 28A.225.220, 28A.225.225, and
13 28A.225.230;

14 (q) Be notified of unexcused absences and to engage in efforts to
15 eliminate or reduce their child's absences in accordance with RCW
16 28A.225.015, 28A.225.018, and 28A.225.020;

17 (r) Request, under RCW 28A.155.090, information about special
18 education programs and assistance for their child if their child is
19 eligible for but not receiving special education services, including
20 due to illness;

21 (s) Request an appeal to the superintendent of public instruction
22 under RCW 28A.155.080 if their child with disabilities has been
23 denied the opportunity of a special education program by a school
24 district; and

25 (t) Access special education due process hearings regarding their
26 child as required by RCW 28A.155.020.

27 (3) Notwithstanding anything to the contrary, a public school
28 shall not be required to release any records or information regarding
29 a student's (~~medical or health records or mental health counseling~~)
30 health care, social work, counseling, or disciplinary records to a
31 parent or legal guardian who is the defendant in a criminal
32 proceeding where the student is the named victim, or during the
33 pendency of an investigation of child abuse or neglect conducted by
34 any law enforcement agency or the department of children, youth, and
35 families where the parent or legal guardian is the target of the
36 investigation, unless the parent or legal guardian has obtained a
37 court order.

38 (4) (~~As used in this section "public"~~) The definitions in this
39 subsection apply throughout this section unless the context clearly
40 requires otherwise.

1 (a) "Education records" means records that contain information
2 directly related to a student and are maintained by the public
3 school, except as provided in the federal family educational rights
4 and privacy act. "Education records" do not include records that are
5 kept in the sole possession of the maker, are used only as a personal
6 memory aid, and are not accessible or revealed to any other person
7 except a temporary substitute for the maker of the record.

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

9 **PART FOUR**

10 **RETALIATION PROTECTIONS**

11 NEW SECTION. Sec. 401. A new section is added to chapter
12 28A.400 RCW to read as follows:

13 (1) School district employees and directors may not take an
14 adverse employment action against any employee of the school district
15 for:

16 (a) Supporting students in the exercise of their legal rights,
17 including their right to a learning environment with historically and
18 scientifically accurate information that: Includes the histories,
19 contributions, and perspectives of historically marginalized and
20 underrepresented groups as provided in RCW 28A.345.130; and provides
21 students with an appreciation for the contributions and perspectives
22 of diverse, global cultures; or

23 (b) Performing work in a manner consistent with RCW 28A.642.080,
24 28A.642.020, and 28A.605.005, and sections 101, 201, and 202 of this
25 act.

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

30 (a) Instructing students in a manner consistent with state
31 learning standards; or

32 (b) Using instructional materials approved in accordance with RCW
33 28A.320.230 that are culturally and experientially representative,
34 including materials on the study of the role and contributions of
35 individuals or groups that are part of a protected class under RCW
36 28A.642.010 and 28A.640.010.

37 (3) For the purposes of this section, an "adverse employment
38 action" includes termination, demotion, suspension, discipline,

1 denial of promotion, reassignment, negatively impacting the
2 evaluation of certificated staff under RCW 28A.405.100, removal from,
3 or denying access to, a supplemental contract, or otherwise taking
4 any negative employment action against the employee.

5 (4) This section governs school operation and management under
6 RCW 28A.710.040 and 28A.715.020, and applies to charter schools
7 established under chapter 28A.710 RCW and state-tribal education
8 compact schools subject to chapter 28A.715 RCW to the same extent as
9 it applies to school districts.

10 **PART FIVE**

11 **MISCELLANEOUS PROVISIONS**

12 NEW SECTION. **Sec. 501.** This act is necessary for the immediate
13 preservation of the public peace, health, or safety, or support of
14 the state government and its existing public institutions, and takes
15 effect immediately.

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