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**SENATE BILL 5123**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senators Nobles and C. Wilson

Prefiled 12/30/24.

1 AN ACT Relating to expanding protections for certain students to  
2 promote inclusivity in public schools; amending RCW 28A.642.010;  
3 adding a new section to chapter 28A.642 RCW; and creating a new  
4 section.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that:

7 (1) Clear and comprehensive definitions that reflect an evolving  
8 understanding of identity can ensure that Washington schools are at  
9 the forefront of inclusivity;

10 (2) While federal protections provide a foundation, the  
11 legislature recognizes the urgency of addressing the needs of diverse  
12 communities. Through state protections, the legislature ensures  
13 equity and justice for every student regardless of federal action or  
14 inaction;

15 (3) Discrimination can create an environment of harassment and  
16 exclusion, creating barriers to learning and development and leading  
17 to severe impacts on student mental health and academic success. This  
18 often results in higher rates of anxiety and depression for  
19 marginalized students;

20 (4) Inclusive schools have been shown to improve mental health  
21 outcomes through a sense of belonging. For example, LGBTQ-affirming

1 schools play a role in reducing suicidal ideation for LGBTQ students  
2 according to the Trevor project; and

3 (5) By providing statewide protections for marginalized students,  
4 Washington can pave the way for more inclusivity.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.642  
6 RCW to read as follows:

7 The definitions in this section apply throughout this chapter  
8 unless the context clearly requires otherwise.

9 (1) "Ethnicity" means a connection to a population group that  
10 shares a common cultural heritage or ancestry.

11 (2) "Gender expression" means the external appearance of one's  
12 gender identity, usually expressed through behavior, clothing, body  
13 characteristics, or voice, and which may or may not conform to  
14 socially defined behaviors and characteristics typically associated  
15 with being either masculine or feminine.

16 (3) "Gender identity" means a person's internal sense of being  
17 male, female, both, neither, or in-between, independent of how it is  
18 expressed or perceived by others.

19 (4) "Homelessness" means without a fixed, regular, and adequate  
20 nighttime residence, including circumstances such as sharing the  
21 housing of other persons due to loss of housing, economic hardship,  
22 fleeing domestic violence, or a similar reason as set forth in the  
23 federal McKinney-Vento homeless assistance act, 42 U.S.C. Sec. 11301  
24 et seq.

25 (5) (a) "Immigration status" means the actual or perceived legal  
26 condition or classification of a person and their parents or  
27 guardians if the person is a minor as it relates to their presence  
28 and rights to reside in a country that is not their country of  
29 citizenship or origin.

30 (b) "Immigration status" includes, but is not limited to, the  
31 statuses of naturalized citizen, permanent resident, visa holder,  
32 undocumented, and refugee.

33 (6) "Neurodivergence" means neurological differences including,  
34 but not limited to, autism spectrum disorder, dyslexia, and attention  
35 deficit hyperactivity disorder. Neurodivergent individuals may or may  
36 not identify as disabled.

37 (7) "Sexual orientation" means an individual's enduring pattern  
38 of romantic, emotional, or sexual attraction to people of the same  
39 gender, a different gender, or multiple genders.

1       **Sec. 3.** RCW 28A.642.010 and 2010 c 240 s 2 are each amended to  
2 read as follows:

3       Discrimination in Washington public schools on the basis of race,  
4 ethnicity, creed, religion, color, national origin, honorably  
5 discharged veteran or military status, sexual orientation  
6 (~~including~~), gender expression (~~(or)~~), gender identity,  
7 homelessness, immigration status, the presence of any sensory,  
8 mental, or physical disability, neurodivergence, or the use of a  
9 trained dog guide or service animal by a person with a disability is  
10 prohibited. The definitions given these terms in chapter 49.60 RCW  
11 apply throughout this chapter except as provided in section 2 of this  
12 act and unless the context clearly requires otherwise.

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