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**SENATE BILL 5137**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senator McCune

Prefiled 01/03/25.

1 AN ACT Relating to requiring parental or legal guardian approval  
2 before a child participates in comprehensive sexual health education;  
3 amending RCW 28A.300.475; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature acknowledges that it  
6 has required every public school to provide comprehensive sexual  
7 health education to each student by the 2022-23 school year. The  
8 legislature further recognizes that it allows parents to excuse their  
9 children from this instruction by filing a written request with the  
10 school district.

11 (2) Instead of being subject to the broad discretion of school  
12 districts and the state, the legislature intends to give parents more  
13 control and choice over the sexual health education their child  
14 receives by having parents provide written approval before any  
15 planned instruction occurs.

16 **Sec. 2.** RCW 28A.300.475 and 2020 c 188 s 1 are each amended to  
17 read as follows:

18 (1)(a)(i) In accordance with the requirements of this section,  
19 including parental or legal guardian approval in subsection (7) of  
20 this section, every public school shall provide comprehensive sexual

1 health education to each student by the 2022-23 school year. The  
2 curriculum, instruction, and materials used to provide the  
3 comprehensive sexual health education must be medically and  
4 scientifically accurate, age-appropriate, and inclusive of all  
5 students, regardless of their protected class status under chapter  
6 49.60 RCW, and must include information about abstinence and other  
7 methods of preventing unintended pregnancy and sexually transmitted  
8 diseases. Abstinence may not be taught to the exclusion of other  
9 materials and instruction on contraceptives and disease prevention.

10 (ii)(A) Beginning in the 2020-21 school year, any public school  
11 that provides comprehensive sexual health education must ensure that  
12 the curriculum, instruction, and materials include information about  
13 affirmative consent and bystander training.

14 (B) The school district boards of directors of one or more public  
15 schools that are not providing comprehensive sexual health education  
16 in either the 2019-20 school year, the 2020-21 school year, or both,  
17 must prepare for incorporating information about affirmative consent  
18 and bystander training into the comprehensive sexual health education  
19 curriculum, instruction, and materials required by this section. In  
20 satisfying the requirements of this subsection (1)(a)(ii)(B), school  
21 district boards of directors must also, no later than the 2020-21  
22 school year, consult with parents and legal guardians of students,  
23 local communities, and the Washington state school directors'  
24 association.

25 (b) A public school may choose to use separate, outside speakers  
26 or prepared curriculum to teach different content areas or units  
27 within its comprehensive sexual health education program if all  
28 speakers, curriculum, and materials used are in compliance with this  
29 section.

30 (c) Comprehensive sexual health education must be consistent with  
31 the Washington state health and physical education K-12 learning  
32 standards and the January 2005 guidelines for sexual health  
33 information and disease prevention developed by the department of  
34 health and the office of the superintendent of public instruction.

35 (2)(a) Beginning in the 2021-22 school year, comprehensive sexual  
36 health education must be provided to all public school students in  
37 grades six through twelve.

38 (b) Beginning in the 2022-23 school year, comprehensive sexual  
39 health education must be provided to all public school students.

1 (c) The provision of comprehensive sexual health education to  
2 public school students as required by (a) and (b) of this subsection  
3 (2) must be provided no less than:

- 4 (i) Once to students in kindergarten through grade three;
- 5 (ii) Once to students in grades four through five;
- 6 (iii) Twice to students in grades six through eight; and
- 7 (iv) Twice to students in grades nine through twelve.

8 (3) The office of the superintendent of public instruction and  
9 the department of health shall make the Washington state health and  
10 physical education K-12 learning standards and the January 2005  
11 guidelines for sexual health information and disease prevention  
12 available to public schools, teachers, and guest speakers on their  
13 websites. Within available resources, the office of the  
14 superintendent of public instruction and the department of health  
15 shall also, and to the extent permitted by applicable federal law,  
16 make any related information, model policies, curricula, or other  
17 resources available on their websites.

18 (4) The office of the superintendent of public instruction, in  
19 consultation with the department of health, shall develop a list of  
20 comprehensive sexual health education curricula that are consistent  
21 with the 2005 guidelines for sexual health information and disease  
22 prevention, the Washington state health and physical education K-12  
23 learning standards, and this section. This list, which may serve as a  
24 resource for schools, teachers, or any other organization or  
25 community group, must be updated at least annually, and must be made  
26 available on the websites of the office of the superintendent of  
27 public instruction and the department of health.

28 (5) Subject to the availability of amounts appropriated for this  
29 specific purpose, the office of the superintendent of public  
30 instruction shall periodically review and revise, as necessary,  
31 training materials, which may be in an electronic format, for  
32 classroom teachers and principals to implement the applicable  
33 requirements of this section. The initial review required by this  
34 subsection (5) must be completed by March 1, 2021.

35 (6) (a) Public schools are encouraged to review their  
36 comprehensive sexual health education curricula and choose a  
37 curriculum from the list developed under subsection (4) of this  
38 section. Any public school may identify, choose, or develop any other  
39 curriculum if it complies with the requirements of this section.

1 (b) If a public school chooses a curriculum that is not from the  
2 list developed under subsection (4) of this section, the public  
3 school or applicable school district, in consultation with the office  
4 of the superintendent of public instruction, must conduct a review of  
5 the selected or developed curriculum to ensure compliance with the  
6 requirements of this section using a comprehensive sexual health  
7 education curriculum analysis tool of the office of the  
8 superintendent of public instruction.

9 (c) The office of the superintendent of public instruction shall  
10 provide technical assistance to public schools and school districts  
11 that is consistent with the curricula review, selection, and  
12 development provisions in (a) and (b) of this subsection (6).

13 (7) (a) Any parent or legal guardian who wishes to have his or her  
14 child (~~(excused from)~~) participate in any planned instruction in  
15 comprehensive sexual health education (~~(may do so upon filing a~~  
16 ~~written request with)~~) must provide written approval to the school  
17 district board of directors or its designee, or the principal of the  
18 school his or her child attends, or the principal's designee, before  
19 any planned instruction in comprehensive sexual health education  
20 occurs. (~~(The person or entity to whom the request is directed must~~  
21 ~~grant the written request to have the student excused from this~~  
22 ~~instruction in accordance with this subsection.)~~) In addition, any  
23 parent or legal guardian may review the comprehensive sexual health  
24 education curriculum provided in his or her child's school by filing  
25 a written request with the school district board of directors, the  
26 principal of the school his or her child attends, or the principal's  
27 designee.

28 (b) (~~(At the beginning of)~~) Beginning in the (~~(2021-22)~~) 2025-26  
29 school year and each year thereafter, each school providing  
30 comprehensive sexual health education must notify parents and legal  
31 guardians, in writing or in accordance with the methods the school  
32 finds most effective in communicating with parents and legal  
33 guardians, that the school will be providing comprehensive sexual  
34 health education during the school year and that parents and legal  
35 guardians must provide written approval before any planned  
36 instruction in comprehensive sexual health education occurs. The  
37 notice must include, or provide a means for electronic access to, all  
38 course materials, by grade, that will be used at the school during  
39 the instruction.

1 (8) (a) Public schools shall annually, by September 1st, identify  
2 to the office of the superintendent of public instruction any  
3 curricula used by the school to provide comprehensive sexual health  
4 education as required by this section. Materials provided by schools  
5 under this subsection (8) (a) must also describe how the provided  
6 classroom instruction aligns with the requirements of this section.

7 (b) The office of the superintendent of public instruction shall  
8 summarize and, in accordance with RCW 43.01.036, report the results  
9 provided under (a) of this subsection (8) to the education committees  
10 of the house of representatives and the senate biennially, beginning  
11 after the 2022-23 school year.

12 (9) RCW 28A.600.480(2), which encourages school employees,  
13 students, and volunteers to report harassment, intimidation, or  
14 bullying, applies to this section.

15 (10) Nothing in this section expresses legislative intent to  
16 require that comprehensive sexual health education, or components of  
17 comprehensive sexual health education, be integrated into curriculum,  
18 materials, or instruction in unrelated subject matters or courses.

19 (11) For the purposes of this section:

20 (a) "Affirmative consent" means a conscious and voluntary  
21 agreement to engage in sexual activity as a requirement before sexual  
22 activity;

23 (b) "Comprehensive sexual health education" means recurring  
24 instruction in human development and reproduction that is age-  
25 appropriate and inclusive of all students, regardless of their  
26 protected class status under chapter 49.60 RCW. All curriculum,  
27 instruction, and materials used in providing comprehensive sexual  
28 health education must be medically and scientifically accurate and  
29 must use language and strategies that recognize all members of  
30 protected classes under chapter 49.60 RCW. Comprehensive sexual  
31 health education for students in kindergarten through grade three  
32 must be instruction in social-emotional learning that is consistent  
33 with learning standards and benchmarks adopted by the office of the  
34 superintendent of public instruction under RCW 28A.300.478.  
35 Comprehensive sexual health education for students in grades four  
36 through twelve must include information about:

37 (i) The physiological, psychological, and sociological  
38 developmental processes experienced by an individual;

39 (ii) The development of intrapersonal and interpersonal skills to  
40 communicate, respectfully and effectively, to reduce health risks,

1 and choose healthy behaviors and relationships that are based on  
2 mutual respect and affection, and are free from violence, coercion,  
3 and intimidation;

4 (iii) Health care and prevention resources;

5 (iv) The development of meaningful relationships and avoidance of  
6 exploitative relationships;

7 (v) Understanding the influences of family, peers, community, and  
8 the media throughout life on healthy sexual relationships; and

9 (vi) Affirmative consent and recognizing and responding safely  
10 and effectively when violence, or a risk of violence, is or may be  
11 present with strategies that include bystander training;

12 (c) "Medically and scientifically accurate" means information  
13 that is verified or supported by research in compliance with  
14 scientific methods, is published in peer-reviewed journals, where  
15 appropriate, and is recognized as accurate and objective by  
16 professional organizations and agencies with expertise in the field  
17 of sexual health including but not limited to the American college of  
18 obstetricians and gynecologists, the Washington state department of  
19 health, and the federal centers for disease control and prevention;  
20 and

21 (d) "Public schools" has the same meaning as in RCW 28A.150.010.

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