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**SUBSTITUTE SENATE BILL 6049**

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**State of Washington**

**69th Legislature**

**2026 Regular Session**

**By** Senate State Government, Tribal Affairs & Elections (originally sponsored by Senators C. Wilson, Frame, Nobles, and Wellman; by request of Office of Financial Management)

READ FIRST TIME 02/04/26.

1 AN ACT Relating to protecting student and employee information  
2 from public disclosure; amending RCW 42.56.250 and 42.56.320;  
3 reenacting and amending RCW 42.56.250; providing an effective date;  
4 and providing an expiration date.

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

6 **Sec. 1.** RCW 42.56.250 and 2025 c 283 s 1 are each amended to  
7 read as follows:

8 (1) The following employment and licensing information is exempt  
9 from public inspection and copying under this chapter:

10 (a) Test questions, scoring keys, and other examination data used  
11 to administer a license, employment, or academic examination;

12 (b) All applications for public employment other than for  
13 vacancies in elective office, including the names of applicants,  
14 resumes, and other related materials submitted with respect to an  
15 applicant;

16 (c) Professional growth plans (PGPs) in educator license renewals  
17 submitted through the eCert system in the office of the  
18 superintendent of public instruction;

19 (d) The following information held by any public agency in  
20 personnel records, public employment related records, volunteer  
21 rosters, or included in any mailing list of employees or volunteers

1 of any public agency: Residential addresses, residential telephone  
2 numbers, personal wireless telephone numbers, personal email  
3 addresses, social security numbers, driver's license numbers,  
4 identicard numbers, payroll deductions including the amount and  
5 identification of the deduction, and emergency contact information of  
6 employees or volunteers of a public agency, and the names, dates of  
7 birth, residential addresses, residential telephone numbers, personal  
8 wireless telephone numbers, personal email addresses, social security  
9 numbers, and emergency contact information of dependents of employees  
10 or volunteers of a public agency. For purposes of this subsection  
11 (1)(d), "employees" includes independent provider home care workers  
12 as defined in RCW 74.39A.240;

13 (e) Information that identifies a person who, while an agency  
14 employee: (i) Seeks advice, under an informal process established by  
15 the employing agency, in order to ascertain his or her rights in  
16 connection with a possible unfair practice under chapter 49.60 RCW  
17 against the person; and (ii) requests his or her identity or any  
18 identifying information not be disclosed;

19 (f)(i) Except as provided in (f)(ii) of this subsection,  
20 investigative records compiled by an employing agency in connection  
21 with an investigation of a possible unfair practice under chapter  
22 49.60 RCW or of a possible violation of other federal, state, or  
23 local laws or an employing agency's internal policies prohibiting  
24 discrimination or harassment in employment. Records are exempt in  
25 their entirety while the investigation is active and ongoing. After  
26 the agency has notified the complaining employee of the outcome of  
27 the investigation, the records may be disclosed only if the names,  
28 images, employee agency job titles, email addresses, and phone  
29 numbers of complainants, other accusers, and witnesses are redacted  
30 and their voices on any audio recording taken during the course of  
31 the investigation have been altered while retaining inflection and  
32 tone, except to the extent that such a complainant, other accuser, or  
33 witness has consented to the disclosure of such information. The  
34 employing agency must inform a complainant, other accuser, or witness  
35 that his or her name, image, agency job title, email address, and  
36 phone number will be redacted from the investigation records and  
37 their voice on any audio recording taken during the course of the  
38 investigation will be altered in accordance with this subsection  
39 unless he or she consents to disclosure;

1 (ii) After the investigation is complete and the complainant has  
2 been notified of the outcome of the investigation, if an elected  
3 government official is a complainant, the name and title of such  
4 elected government official shall not be redacted from the  
5 investigatory records;

6 (g) Criminal history records checks for board staff finalist  
7 candidates conducted pursuant to RCW 43.33A.025;

8 (h) Photographs and month and year of birth in the personnel  
9 files of employees or volunteers of a public agency, including  
10 employees and workers of criminal justice agencies as defined in RCW  
11 10.97.030. The news media, as defined in RCW 5.68.010(5), shall have  
12 access to the photographs and full date of birth. For the purposes of  
13 this subsection (1)(h), news media does not include any person or  
14 organization of persons in the custody of a criminal justice agency  
15 as defined in RCW 10.97.030;

16 (i)(i) Any employee's name or other personally identifying  
17 information, including but not limited to birthdate, job title,  
18 addresses of work stations and locations, work email address, work  
19 phone number, bargaining unit, or other similar information,  
20 maintained by an agency in personnel-related records or systems, or  
21 responsive to a request for a list of individuals subject to the  
22 commercial purpose prohibition under RCW 42.56.070(8), if the  
23 employee:

24 (A) Has provided a sworn statement, signed under penalty of  
25 perjury and verified by the director of the employing agency or  
26 director's designee, that the employee or a dependent of the employee  
27 is a survivor of domestic violence as defined in RCW 10.99.020 or  
28 7.105.010, sexual assault as defined in RCW 70.125.030 or sexual  
29 abuse as defined in RCW 7.105.010, stalking as described in RCW  
30 9A.46.110 or defined in RCW 7.105.010, a hate crime as described in  
31 RCW 9A.36.080 or defined in RCW 49.76.020, or harassment as described  
32 in RCW 9A.46.020 or defined in RCW 7.105.010, and notifying the  
33 agency as to why the employee has a reasonable basis to believe that  
34 the risk of domestic violence, sexual assault, sexual abuse,  
35 stalking, hate crime, or harassment continues to exist. A sworn  
36 statement under this subsection expires after two years, but may be  
37 subsequently renewed by providing a new sworn statement to the  
38 employee's employing agency; or

1 (B) Provides proof to the employing agency of the employee's  
2 participation or the participation of a dependent in the address  
3 confidentiality program under chapter 40.24 RCW.

4 (ii) Any documentation maintained by an agency to administer this  
5 subsection (1)(i) is exempt from disclosure under this chapter and is  
6 confidential and may not be disclosed without consent of the employee  
7 who submitted the documentation. Agencies may provide information to  
8 their employees on how to submit a request to anonymize their work  
9 email address.

10 (iii) For purposes of this subsection (1)(i), "verified" means  
11 that the director of the employing agency or director's designee  
12 confirmed that the sworn statement identifies the alleged perpetrator  
13 or perpetrators by name and, if possible, image or likeness, or that  
14 the director or designee obtained from the employee a police report,  
15 protection order petition, or other documentation of allegations  
16 related to the domestic violence, sexual assault or abuse, stalking,  
17 hate crime, or harassment.

18 (iv) The exemption in this subsection (1)(i) does not apply to  
19 public records requests from the news media as defined in RCW  
20 5.68.010(5);

21 (j) The global positioning system data that would indicate the  
22 location of the residence of a public employee or volunteer using the  
23 global positioning system recording device;

24 (k) Information relating to a future voter, as provided in RCW  
25 29A.08.725;

26 (l) Voluntarily submitted information collected and maintained by  
27 a state agency or higher education institution that identifies an  
28 individual state employee's personal demographic details. "Personal  
29 demographic details" means race or ethnicity, sexual orientation as  
30 defined by RCW 49.60.040, immigration status, national origin, or  
31 status as a person with a disability. This exemption does not prevent  
32 the release of state employee demographic information in a  
33 deidentified, anonymized, or ((aggregate)) aggregated format, as  
34 those terms are defined in (n) of this subsection; ((and))

35 (m) Benefit enrollment information collected and maintained by  
36 the health care authority through its authority as director of the  
37 public employees' benefits board and school employees' benefits board  
38 programs as authorized by chapter 41.05 RCW. This subsection (1)(m)  
39 does not prevent the release of benefit enrollment information in a

1 deidentified or aggregate format. "Benefit enrollment information"  
2 means:

- 3 (i) Information listed in (d) of this subsection;
- 4 (ii) Personal demographic details as defined in (1) of this  
5 subsection;
- 6 (iii) Benefit elections;
- 7 (iv) Date of birth;
- 8 (v) Documents provided for verification of dependency, such as  
9 tax returns or marriage or birth certificates;
- 10 (vi) Marital status;
- 11 (vii) Primary language spoken;
- 12 (viii) Tobacco use status; and
- 13 (ix) Tribal affiliation; and

14 (n) (i) All individual survey responses voluntarily provided by a  
15 state employee, vendor, or contractor in response to a voluntary  
16 survey administered by or on behalf of a public agency for the  
17 purposes of engagement and improving state government. This exemption  
18 does not prevent the release of survey information that is  
19 deidentified, anonymized, or aggregated.

20 (ii) For purposes of this subsection (1) (n):

21 (A) "Aggregated" means data combined from many individuals and  
22 reported in summary form such that individual-level information is  
23 not disclosed.

24 (B) "Anonymized" means data processed so that an individual can  
25 no longer be identified directly or indirectly by any party making  
26 reidentification effectively impossible.

27 (C) "Deidentified" means data that has been stripped of personal  
28 identifiers or redacted so that it cannot reasonably be linked to a  
29 specific individual.

30 (2) Upon receipt of a request for information located exclusively  
31 in an employee's personnel, payroll, supervisor, or training file,  
32 the agency must provide notice to the employee, to any union  
33 representing the employee, and to the requestor. The notice must  
34 state:

- 35 (a) The date of the request;
- 36 (b) The nature of the requested record relating to the employee;
- 37 (c) That the agency will release any information in the record  
38 which is not exempt from the disclosure requirements of this chapter  
39 at least ten days from the date the notice is made; and

1 (d) That the employee may seek to enjoin release of the records  
2 under RCW 42.56.540.

3 **Sec. 2.** RCW 42.56.250 and 2025 c 283 s 1 and 2025 c 238 s 5 are  
4 each reenacted and amended to read as follows:

5 (1) The following employment and licensing information is exempt  
6 from public inspection and copying under this chapter:

7 (a) Test questions, scoring keys, and other examination data used  
8 to administer a license, employment, or academic examination;

9 (b) All applications for public employment other than for  
10 vacancies in elective office, including the names of applicants,  
11 resumes, and other related materials submitted with respect to an  
12 applicant;

13 (c) Professional growth plans (PGPs) in educator license renewals  
14 submitted through the eCert system in the office of the  
15 superintendent of public instruction;

16 (d) The following information held by any public agency in  
17 personnel records, public employment related records, volunteer  
18 rosters, or included in any mailing list of employees or volunteers  
19 of any public agency: Residential addresses, residential telephone  
20 numbers, personal wireless telephone numbers, personal email  
21 addresses, social security numbers, driver's license numbers,  
22 identicard numbers, payroll deductions including the amount and  
23 identification of the deduction, and emergency contact information of  
24 employees or volunteers of a public agency, and the names, dates of  
25 birth, residential addresses, residential telephone numbers, personal  
26 wireless telephone numbers, personal email addresses, social security  
27 numbers, and emergency contact information of dependents of employees  
28 or volunteers of a public agency. For purposes of this subsection  
29 (1)(d), "employees" includes independent provider home care workers  
30 as defined in RCW 74.39A.240;

31 (e) Information that identifies a person who, while an agency  
32 employee: (i) Seeks advice, under an informal process established by  
33 the employing agency, in order to ascertain his or her rights in  
34 connection with a possible unfair practice under chapter 49.60 RCW  
35 against the person; and (ii) requests his or her identity or any  
36 identifying information not be disclosed;

37 (f)(i) Except as provided in (f)(ii) of this subsection,  
38 investigative records compiled by an employing agency in connection  
39 with an investigation of a possible unfair practice under chapter

1 49.60 RCW or of a possible violation of other federal, state, or  
2 local laws or an employing agency's internal policies prohibiting  
3 discrimination or harassment in employment. Records are exempt in  
4 their entirety while the investigation is active and ongoing. After  
5 the agency has notified the complaining employee of the outcome of  
6 the investigation, the records may be disclosed only if the names,  
7 images, employee agency job titles, email addresses, and phone  
8 numbers of complainants, other accusers, and witnesses are redacted  
9 and their voices on any audio recording taken during the course of  
10 the investigation have been altered while retaining inflection and  
11 tone, except to the extent that such a complainant, other accuser, or  
12 witness has consented to the disclosure of such information. The  
13 employing agency must inform a complainant, other accuser, or witness  
14 that his or her name, image, agency job title, email address, and  
15 phone number will be redacted from the investigation records and  
16 their voice on any audio recording taken during the course of the  
17 investigation will be altered in accordance with this subsection  
18 unless he or she consents to disclosure;

19 (ii) After the investigation is complete and the complainant has  
20 been notified of the outcome of the investigation, if an elected  
21 government official is a complainant, the name and title of such  
22 elected government official shall not be redacted from the  
23 investigatory records;

24 (g) Criminal history records checks for board staff finalist  
25 candidates conducted pursuant to RCW 43.33A.025;

26 (h) Photographs and month and year of birth in the personnel  
27 files of employees or volunteers of a public agency, including  
28 employees and workers of criminal justice agencies as defined in RCW  
29 10.97.030. The news media, as defined in RCW 5.68.010(5), shall have  
30 access to the photographs and full date of birth. For the purposes of  
31 this subsection (1)(h), news media does not include any person or  
32 organization of persons in the custody of a criminal justice agency  
33 as defined in RCW 10.97.030;

34 (i)(i) Any employee's name or other personally identifying  
35 information, including but not limited to birthdate, job title,  
36 addresses of work stations and locations, work email address, work  
37 phone number, bargaining unit, or other similar information,  
38 maintained by an agency in personnel-related records or systems, or  
39 responsive to a request for a list of individuals subject to the

1 commercial purpose prohibition under RCW 42.56.070(8), if the  
2 employee:

3 (A) Has provided a sworn statement, signed under penalty of  
4 perjury and verified by the director of the employing agency or  
5 director's designee, that the employee or a dependent of the employee  
6 is a survivor of domestic violence as defined in RCW 10.99.020 or  
7 7.105.010, sexual assault as defined in RCW 70.125.030 or sexual  
8 abuse as defined in RCW 7.105.010, stalking as described in RCW  
9 9A.46.110 or defined in RCW 7.105.010, a hate crime as described in  
10 RCW 9A.36.080 or defined in RCW 49.76.020, or harassment as described  
11 in RCW 9A.46.020 or defined in RCW 7.105.010, and notifying the  
12 agency as to why the employee has a reasonable basis to believe that  
13 the risk of domestic violence, sexual assault, sexual abuse,  
14 stalking, hate crime, or harassment continues to exist. A sworn  
15 statement under this subsection expires after two years, but may be  
16 subsequently renewed by providing a new sworn statement to the  
17 employee's employing agency; or

18 (B) (~~Proof~~ [~~Provides proof~~]) Provides proof to the employing  
19 agency of the employee's participation or the participation of a  
20 dependent in the address confidentiality program under chapter 40.24  
21 RCW.

22 (ii) Any documentation maintained by an agency to administer this  
23 subsection (1)(i) is exempt from disclosure under this chapter and is  
24 confidential and may not be disclosed without consent of the employee  
25 who submitted the documentation. Agencies may provide information to  
26 their employees on how to submit a request to anonymize their work  
27 email address.

28 (iii) For purposes of this subsection (1)(i), "verified" means  
29 that the director of the employing agency or director's designee  
30 confirmed that the sworn statement identifies the alleged perpetrator  
31 or perpetrators by name and, if possible, image or likeness, or that  
32 the director or designee obtained from the employee a police report,  
33 protection order petition, or other documentation of allegations  
34 related to the domestic violence, sexual assault or abuse, stalking,  
35 hate crime, or harassment.

36 (iv) The exemption in this subsection (1)(i) does not apply to  
37 public records requests from the news media as defined in RCW  
38 5.68.010(5);

1 (j) The global positioning system data that would indicate the  
2 location of the residence of a public employee or volunteer using the  
3 global positioning system recording device;

4 (k) Information relating to a future voter, as provided in RCW  
5 29A.08.725;

6 (l) Voluntarily submitted information collected and maintained by  
7 a state agency or higher education institution that identifies an  
8 individual state employee's personal demographic details. "Personal  
9 demographic details" means race or ethnicity, sexual orientation as  
10 defined by RCW 49.60.040, immigration status, national origin, or  
11 status as a person with a disability. This exemption does not prevent  
12 the release of state employee demographic information in a  
13 deidentified, anonymized, or ~~((aggregate))~~ aggregated format, as  
14 those terms are defined in (o) of this subsection;

15 (m) Benefit enrollment information collected and maintained by  
16 the health care authority through its authority as director of the  
17 public employees' benefits board and school employees' benefits board  
18 programs as authorized by chapter 41.05 RCW. This subsection (l)(m)  
19 does not prevent the release of benefit enrollment information in a  
20 deidentified or aggregate format. "Benefit enrollment information"  
21 means:

22 (i) Information listed in (d) of this subsection;

23 (ii) Personal demographic details as defined in (l) of this  
24 subsection;

25 (iii) Benefit elections;

26 (iv) Date of birth;

27 (v) Documents provided for verification of dependency, such as  
28 tax returns or marriage or birth certificates;

29 (vi) Marital status;

30 (vii) Primary language spoken;

31 (viii) Tobacco use status; and

32 (ix) Tribal affiliation; ~~((and))~~

33 (n) Information contributed by the department of licensing to the  
34 data system or shared with the cosmetology licensure compact  
35 commission, or member states described in the cosmetology licensure  
36 compact pursuant to RCW 18.16.400; and

37 (o)(i) All individual survey responses voluntarily provided by a  
38 state employee, vendor, or contractor in response to a voluntary  
39 survey administered by or on behalf of a public agency for the  
40 purposes of engagement and improving state government. This exemption

1 does not prevent the release of survey information that is  
2 deidentified, anonymized, or aggregated.

3 (ii) For purposes of this subsection (1)(o):

4 (A) "Aggregated" means data combined from many individuals and  
5 reported in summary form such that individual-level information is  
6 not disclosed.

7 (B) "Anonymized" means data processed so that an individual can  
8 no longer be identified directly or indirectly by any party making  
9 reidentification effectively impossible.

10 (C) "Deidentified" means data that has been stripped of personal  
11 identifiers or redacted so that it cannot reasonably be linked to a  
12 specific individual.

13 (2) Upon receipt of a request for information located exclusively  
14 in an employee's personnel, payroll, supervisor, or training file,  
15 the agency must provide notice to the employee, to any union  
16 representing the employee, and to the requestor. The notice must  
17 state:

18 (a) The date of the request;

19 (b) The nature of the requested record relating to the employee;

20 (c) That the agency will release any information in the record  
21 which is not exempt from the disclosure requirements of this chapter  
22 at least ten days from the date the notice is made; and

23 (d) That the employee may seek to enjoin release of the records  
24 under RCW 42.56.540.

25 **Sec. 3.** RCW 42.56.320 and 2009 c 191 s 1 are each amended to  
26 read as follows:

27 The following educational information is exempt from disclosure  
28 under this chapter:

29 (1) Financial disclosures filed by private vocational schools  
30 under chapters 28B.85 and 28C.10 RCW;

31 (2) Financial and commercial information supplied by or on behalf  
32 of a person, firm, corporation, or entity under chapter 28B.95 RCW  
33 relating to the purchase or sale of tuition units and contracts for  
34 the purchase of multiple tuition units;

35 (3) Individually identifiable information received by the  
36 workforce training and education coordinating board for research or  
37 evaluation purposes;

38 (4) Except for public records as defined in RCW 40.14.010, any  
39 records or documents obtained by a state college, university,

1 library, or archive through or concerning any gift, grant,  
2 conveyance, bequest, or devise, the terms of which restrict or  
3 regulate public access to those records or documents; (~~and~~)

4 (5) The annual declaration of intent filed by parents under RCW  
5 28A.200.010 for a child to receive home-based instruction; and

6 (6) Records containing individual student responses to the  
7 healthy youth survey administered by the health care authority under  
8 RCW 69.50.540(3)(b)(i).

9 NEW SECTION. **Sec. 4.** Section 1 of this act expires June 1,  
10 2028.

11 NEW SECTION. **Sec. 5.** Section 2 of this act takes effect June 1,  
12 2028.

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