

# 2028 Washington Family Rights Initiative - amending 2025 House Bill 1296 and related laws – Draft 1

AN ACT Relating to promoting a safe and supportive public education system through student rights, parental and guardian rights, grandparent rights, employee protections, and requirements for state and local education entities; amending RCW 28A.642.010, 28A.230.094, 43.06B.070, 28A.300.286, 28A.343.360, 28A.710.185, 28A.605.005, 28A.320.160, and 28A.400.317; adding a new section to chapter 28A.320 RCW; adding a new section to chapter 28A.642 RCW; adding a new section to chapter 28A.230 RCW; adding new sections to chapter 28A.300 RCW; adding a new section to chapter 28A.410 RCW; adding a new section to chapter 28A.710 RCW; adding a new section to chapter 28A.715 RCW; adding a new section to chapter 28A.400 RCW; amending RCW 84.36.381 and 2019 c 453 s 1, RCW 84.36.383 and 2021 c 220 s 1, RCW 84.36.385 and 2021 c 145 s 24, and RCW 71.34.520 and 2019 c 381 s 5; amending RCW 70.24.110, 71.34.500, 71.34.510, 71.34.520, and 71.34.530; adding a new section to chapter 9.02 RCW; and adding a new section to chapter 26.28 RCW; and creating new sections; providing an effective date; and declaring an emergency.

## **Washington Family Rights Initiative - Table of Contents**

PART ONE FAMILY RIGHTS INITIATIVE - PURPOSE.....	1
PART TWO STUDENT RIGHTS.....	5
PART THREE RESTORING STATE FUNDED, LOCALLY CONTROLLED PUBLIC SCHOOLS.....	17
PART FOUR DUTIES OF TEACHERS AND ADMINISTRATORS.....	34
PART FIVE RIGHTS OF PARENTS AND LEGAL GUARDIANS.....	36
PART SIX GRANDPARENTS RIGHTS.....	41
PART SEVEN AMENDING THE MATURE MINOR RULE.....	49
PART EIGHT MISCELLANEOUS PROVISIONS.....	53

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

### **PART ONE FAMILY RIGHTS INITIATIVE - PURPOSE**

~~PROTECTION OF STUDENTS' SAFETY, EDUCATION ACCESS, AND PRIVACY~~

#### **NEW SECTION.**

A new section is added to chapter 28A.320 RCW to read as follows:

#### **Preamble**

This Family Rights Initiative to the People is intended to amend House Bill 1296, passed by the 2025 Washington state legislature, as well as several related and equally misguided laws passed by the legislature in recent years that harm students and their families.

House Bill 1296 claims to promote “a safe and supportive public education system.” However, we, the People of Washington state find that House Bill 1296 does the exact opposite. It expands a dangerous state-controlled indoctrination system severely harmful to students by failing to recognize that students exist - not as pieces of clay to be molded by the State - but rather as children in families – with an inalienable God Given right to a loving and trusting relationship with their parents. House Bill 1296 destroys this sacred trusting relationship by requiring teachers to lie to both students and their parents - and by further encouraging children to lie to their parents. Nothing can be more harmful to a child than harming their relationship with their parents. In an effort to protect their children from these draconian regulations, parents have pulled nearly 100,000 students out of our public schools. During this same time, as a direct result of these misguided regulations, the mental health of students in our state has declined to among the worst in the nation. The chronic absentee rate of Washington students has skyrocketed from 15% to 30%. Test scores of Washington students on the National 8<sup>th</sup> Grade math test have declined more than any other state in the nation. The primary purpose of our Family Rights Initiative is to restore a safe and supportive public education system by protecting the crucial right of children to a trusting and loving relationship with their parents.

We, the People of Washington state further find that House Bill 1296 violates several sections of the United States Constitution including Article 6, Section 2 (which provides that Federal law has priority over any State laws that conflict with federal laws), the 1st Amendment (which protects the right of all Americans to Freedom of Religion and Freedom of Speech), the 5th Amendment (which protects the right of all Americans to Due Process and the 14<sup>th</sup> Amendment (which protects the right of all Americans to be free from discrimination based on the color of their skin).

In addition, we, the People of Washington state, find that House Bill 1296, and related laws, violates numerous federal laws including Title VI of the Civil Rights Act of 1964 (protecting the right of all Americans to be free from discrimination based on the color of their skin), Title IX of the Education Amendments of 1972 (protecting the right of all students engaged in academic or sports programs that receive federal funding to be free from discrimination based on their biological sex) and the Family Educational Rights and Privacy Act (FERPA) - which protects the right of all parents to be fully and accurately informed about what is happening to their students while their students are at school.

In addition, we, the People of Washington, find that House Bill 1296 violates many United States Supreme Court rulings including Students v Harvard (2023) and Tennessee v Cardona (2024). These violations of the US Constitution, federal laws and US Supreme Court decisions could cause Washington to lose billions of dollars in federal funding.

In addition, we, the People of Washington state, find that House Bill 1296 violates numerous sections of the Washington State Constitution including Article 2, Section 28 (which prohibits the legislature from passing any laws restricting the apportionment of

any part of school funding, prohibits the legislature from passing any laws giving special tax breaks to corporations and prohibits the legislature from passing any laws regarding the management of our public schools – all provisions protecting the local control of our public schools by the People through our locally elected school boards), Article 7 Section 1 (which requires a uniform system of state taxes), Article 9 Section 1 (which requires ample state funding of our public schools) and Article 9 Section 2 (which requires the legislature to provide for a uniform system of public schools).

In addition, we, the People of Washington state, find that House Bill 1296, and related laws, violates several Washington State Supreme Court rulings including Seattle School District No. 1 v. State, 90 Wn.2d 476, 585 P.2d 71 (1978) which concerned the constitutionality of the Washington State's school funding system, specifically its over reliance on local property taxes.

In order to address these problems, We, the People of Washington state hereby make the following changes to House Bill 1296 and related laws.

## **Sec. 101.**

Chapter 28A.320 RCW is amended to read as follows:

(1) It is the policy of the state of Washington that policies and procedures adopted by school districts under this title must prioritize the protection of every student's safety, access to an academic environment free of discrimination, access to the state's statutory program of basic education as defined in RCW 28A.150.203, and privacy, to the fullest extent possible, except as required by state or Title IX, Title VI and FERPA federal laws. This policy serves as a supplement to school district policies and procedures established under this title, ~~both before and after the effective date of this section,~~ and must be considered an integral part of those school district policies and procedures.

~~(2) The office of the superintendent of public instruction shall develop technical assistance and related materials to assist school districts with the implementation of subsection (1) of this section. The assistance and related materials must include a summary of: The privacy rights of minors; and the licensure or other professional requirements for school district employment classifications, if any, related to protecting student privacy. The privacy rights of minors shall be limited to rights which are in compliance with federal laws including Title IX, Title VI and FERPA.~~

~~(3) The office of the superintendent of public instruction may enforce and obtain compliance with subsection (1) of this section by using the process established in section 303 of this act to the extent there is a valid complaint and subsequent finding of willful noncompliance with state law as defined in section 302 of this act. Each local school board shall be responsible for complying with Title IX, Title VI and FERPA as required by these federal laws.~~

(4) This section governs school operation and management under RCW 28A.710.040 and 28A.715.020, and applies to charter schools established under chapter 28A.710

RCW and state-tribal education compact schools subject to chapter 28A.715 RCW to the same extent as it applies to school districts.

## **Sec. 102.**

Chapter 28A.642 RCW is amended to to read as follows:

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

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

~~(2) "Gender expression" means the external appearance of one's gender identity, usually expressed through behavior, clothing, body characteristics, or voice, and which may or may not conform to socially defined behaviors and characteristics typically associated with being either masculine or feminine. "Gender" refers to a person's biological sex. There are only two genders, male or female, which are determined at conception. Any person with a Y chromosome is a male and any person without a Y chromosome is a female. The term "gender expression" has no basis in science and should not be used with students as students deserve to be told the biological truth that they are either male or female.~~

~~(3) "Gender identity" means a person's internal sense of being male, female, both, neither, or in-between, independent of how it is expressed or perceived by others. Is a term that has no basis in science and should not be used with students - who have the right to be told the biological truth that they are either male or female.~~

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

(5) "Immigration or citizenship status" has the same meaning as defined in RCW 43.17.420.

(6) "Neurodivergence" means neurological differences including, but not limited to, autism spectrum disorder, dyslexia, and attention deficit hyperactivity disorder. ~~Neurodivergent individuals may or may not identify as disabled~~ Students may not self-identify as neurodivergent and may only qualify as this through objective scientific testing by qualified professions.

~~(7) "Sexual orientation" means an individual's enduring pattern of romantic, emotional, or sexual attraction to people of the same gender, a different gender, or multiple genders. Shall not be used in schools - which are not the appropriate place to consider a person's sexual attractions.~~

## **Sec. 103.**

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

Discrimination in Washington public schools on the basis of race, ethnicity, creed, religion, color, national origin, honorably discharged veteran or military status, ~~sexual-orientation ((including)), gender-expression ((or)), gender-identity~~ sex, homelessness, immigration or citizenship status, the presence of any sensory, mental, or physical disability, neurodivergence, or the use of a trained dog guide or service animal by a person with a disability is prohibited. **The definitions given these terms in chapter 49.60 RCW apply** throughout this chapter except as provided in section 102 of this act and unless the context clearly requires otherwise.

## **PART TWO STUDENT RIGHTS**

### **~~THE STATEMENT OF STUDENT RIGHTS~~**

#### **Sec. 201.**

(1) The legislature finds that public education is a cornerstone of a healthy, diverse, and productive society.

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

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

#### **Sec. 202.**

Chapter 28A.230 RCW is amended to read as follows:

(1)(a)(i) Each school district, charter school, and state-tribal education compact school shall develop student-focused educational ~~and promotional~~ materials that incorporate ~~the statement of~~ student rights provided by this section. A link to the materials must be made available on school district, charter school, and state-tribal education compact school websites, ~~social media platforms, and other communication channels used by~~ students.

(ii) The materials described in this subsection must also be incorporated into civics education materials ~~and resources~~ provided to students in accordance with RCW 28A.230.094.

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

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

(a) Public school students are the beneficiaries of the foundational principles of individual liberty and equality, as established in the Declaration of Independence, and are entitled to numerous rights and protections under the Constitution of the United States, the Constitution of the state of Washington, and federal and state laws and regulations.

(b) These rights and protections include, but are not limited to, the following:

(i) The right to access an amply funded program of basic education, established pursuant to Article IX of the Constitution of the state of Washington, that provides an opportunity to develop the knowledge and skills necessary to meet state-established graduation requirements, which are intended to provide students with the opportunity to graduate with a meaningful diploma that prepares them for postsecondary education, gainful employment, and citizenship as established in RCW 28A.150.200; The term “amply funded” means the right to at least national average class sizes as determined by the National Center for Education Statistics or other objective, valid and reliable annual national studies.

(ii) The right to learn in a safe, supportive learning environment, free from harassment, intimidation, or bullying. and the right to file a complaint under RCW 28A.600.477 if they are subject to this behavior; with the right to learn in safe schools to include schools that meet health code standards for drinking water and building code standards to withstand earthquakes.

(iii) The right to access an academic environment free of discrimination according to the provisions established in chapters 28A.640, 28A.642, and ~~49.60 RCW~~; Title VI of the Civil Rights Act of 1964.

(iv) The right to exercise constitutionally protected freedoms as established in the United States and Washington state Constitutions and as further interpreted in applicable case law including, but not limited to, the freedoms of speech, assembly, and exercise of religion;

(v) The right, in accordance with ~~RCW 28A.300.286 and~~ 28A.600.010, to receive copies of all school policies and procedures related to students including, but not limited to: Student conduct; nondiscrimination rules; antiharassment, intimidation, and bullying rules; discipline rules and rules related to due process rights for disciplinary actions; and the opportunity to receive educational services;

(vi) The right of students with qualifying disabilities to receive special education and related services that address their individual needs in accordance with federal law and chapter 28A.155 RCW;

(vii) The right of youth to access education programs while residing in institutional education facilities, including adult correctional facilities, in accordance with RCW 28A.150.200 and chapters 28A.190 and 28A.193 RCW;

(viii) The right of qualified students to use education facilities and services established under chapter 72.40 RCW and funded for the benefit of persons who are deaf, blind, or both; and

(ix) The right to access academic courses and instructional materials with historically and scientifically accurate information. ~~that includes the histories, contributions, and perspectives of historically marginalized and underrepresented groups in accordance with RCW 28A.345.130.~~

(x) The right to be told the scientific truth - including the fact that there are at least 6,500 genetic differences between males and females and that it is not possible for a male to turn into a female or a female to turn into a male.

(xi) The right to private single sex spaces including single sex bathrooms and locker rooms as well as the right to single sex sports as required by Title IX of the 1972 Educational Amendments and as clarified by the January 9, 2025 federal court decision in Tennessee v Cardona..

(xii) The right to be free from discrimination based on the color of their skin as required by Title VI of the Civil Rights Act of 1964 and as clarified by the 2023 US Supreme Court ruling in Students v. Harvard.

(xiii) The right to parental guidance prior to educational or medical interventions.

(xiv) The right to attend schools that do not promote addicting students to toxic drugs such as puberty blockers and cross sex hormones.

(xv) The right to mental health counseling for mental health problems.

(xvi) The right to learn basic skills such as reading and math without being exposed to age inappropriate sexualizing curriculum.

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

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

(5) Nothing in this section creates a private right of action.

## **Sec. 203.**

RCW 28A.300.475 and 2007 c 265 s 2 are each amended to read as follows:

Comprehensive sexual health education limited to grades 6 through 12.

(1)(a)(i) A 2024 National Mental Health study found that students in Washington state suffer among the highest rates of depression and suicide in the nation. One factor contributing to this problem is the age-inappropriate sexualization of children in our elementary schools. To reduce this problem, it is the intent of this section to limit

comprehensive sexual education to middle schools and high schools (grades 6 through 12).

In accordance with the requirements of this section, every public school shall provide comprehensive sexual health education to each student ~~by the 2022-23 school year in~~ grades 6 through 12. The curriculum, instruction, and materials used to provide the comprehensive sexual health education must be medically and scientifically accurate, age-appropriate, and inclusive of all students in grades 6 through 12, regardless of their protected class status under chapter 49.60 RCW, and must include information about abstinence and other methods of preventing unintended pregnancy and sexually transmitted diseases. Abstinence may not be taught to the exclusion of other materials and instruction on contraceptives and disease prevention.

~~(ii)(A) Beginning in the 2020-21 school year, a~~ Any public school that provides comprehensive sexual health education ~~must~~ may ensure that the provide curriculum, instruction, and materials include information about affirmative consent and bystander training.

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

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

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

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

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

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

~~(i) Once to students in kindergarten through grade three;~~

~~(ii) Once to students in grades four through five;~~

(iii) ~~Twice~~ Once to students in grades six through eight; and

(iv) ~~Twice~~ Once to students in grades nine through twelve.

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

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

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

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

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

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

(7)(a) Any parent or legal guardian who wishes to have his or her child excused from any planned instruction in ~~comprehensive~~ sexual health education may do so upon filing a written request with the school district board of directors or its designee, or the

principal of the school his or her child attends, or the principal's designee. The person or entity to whom the request is directed must grant the written request to have the student excused from this instruction ~~in accordance with this subsection~~. In addition, any parent or legal guardian may review the comprehensive sexual health education curriculum provided in his or her child's school by filing a written request with the school district board of directors, the principal of the school his or her child attends, or the principal's designee.

(b) At the beginning of the 2021-22 school year, each school providing comprehensive sexual health education must notify parents and guardians, in writing, or in accordance with the methods the school finds most effective in communicating with parents, that the school will be providing comprehensive sexual health education during the school year. The notice must include, or provide a means for electronic access to, all course materials, by grade, that will be used at the school during the instruction.

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

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

~~(9) RCW [28A.600.480](#)(2), which encourages school employees, students, and volunteers to report harassment, intimidation, or bullying, applies to this section.~~

~~(10)~~ (8) Nothing in this section expresses legislative intent to require that comprehensive sexual health education, or components of comprehensive sexual health education, be integrated into curriculum, materials, or instruction in unrelated subject matters or courses.

~~(11)~~ (9) For the purposes of this section:

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

(b) "Comprehensive sexual health education" means recurring instruction in human development and reproduction that is age-appropriate. ~~and inclusive of all students, regardless of their protected class status under chapter [49.60](#) RCW. All curriculum, instruction, and materials used in providing comprehensive sexual health education must be medically and scientifically accurate and must use language and strategies that recognize all members of protected classes under chapter [49.60](#) RCW. Comprehensive sexual health education for students in kindergarten through grade three must be instruction in social-emotional learning that is consistent with learning standards and benchmarks adopted by the office of the superintendent of public instruction under~~

~~RCW 28A.300.478. Comprehensive sexual health education for students in grades four~~  
~~six through twelve must include information about:~~

- (i) The physiological, psychological, and sociological developmental processes experienced by an individual;
  - (ii) The development of intrapersonal and interpersonal skills to communicate, respectfully and effectively, to reduce health risks, and choose healthy behaviors and relationships that are based on mutual respect and affection, and are free from violence, coercion, and intimidation;
  - (iii) Health care and prevention resources;
  - (iv) The development of meaningful relationships and avoidance of exploitative relationships;
  - (v) Understanding the influences of family, peers, community, and the media throughout life on healthy sexual relationships; and
  - (vi) Affirmative consent and recognizing and responding safely and effectively when violence, or a risk of violence, is or may be present with strategies that include bystander training;
- (c) "Medically and scientifically accurate" means information that is verified ~~or supported~~ by research in compliance with scientific methods, is published in peer-reviewed journals, ~~where appropriate~~, and is recognized as accurate and objective by professional organizations and agencies with expertise in the field of sexual health including ~~but not limited to the American college of obstetricians and gynecologists, the Washington state department of health, and the federal centers for disease control and prevention~~; and
- (d) "Public schools" has the same meaning as in RCW [28A.150.010](#).

## **Sec. 204.**

RCW 28A.320.230 and 1989 c 371 s 1 are each amended to read as follows:

Instructional materials—Instructional materials committee—Complaint system.

- (1) Every board of directors, unless otherwise specifically provided by law, shall:
  - (a) In accordance with RCW 28A.345.130, prepare, negotiate, set forth in writing and adopt, policy relative to the selection or deletion of instructional materials. Such policy shall:
    - (i) State the school district's goals and principles relative to instructional materials;
    - (ii) Delegate responsibility for the preparation and recommendation of teachers' reading lists and specify the procedures to be followed in the selection of all instructional materials including text books;
    - (iii) Establish an instructional materials committee to be appointed, with the approval of the school board, by the school district's chief administrative officer. This committee

shall consist of: Representative members of the district's professional staff, including representation from the district's curriculum development committees; one or more parents of enrolled students, with the parent members equaling less than one-half of the total membership of the committee; and in the case of districts that operate elementary school(s) only, the educational service district superintendent, one of whose responsibilities shall be to assure the correlation of those elementary district adoptions with those of the high school district(s) which serve their children. School districts shall develop and implement comprehensive outreach programs to parents of enrolled students in the district for the purpose of recruiting a diverse pool of parent members for instructional materials committees that reflects the demographics and learning needs in the district to the greatest extent possible;

(iv) Instructional materials committees that are unable to recruit at least one parent of an enrolled student to serve on the committee must, while they are without a parent member, report quarterly to the school district board of directors and the public on their efforts to recruit one or more parents to serve on the committee;

(v) Provide for reasonable notice to parents of the opportunity to serve on the committee and for terms of office for members of the instructional materials committee;

(vi) Provide a system for receiving, considering and acting upon written complaints regarding instructional materials used by the school district. The system required by this subsection (1)(a)(vi) must:

(A) Require that complaints be in writing from a parent or legal guardian of a student who is enrolled in the district and submitted to a principal from a school where the materials that are the subject of the complaint are used;

(B) Seek to resolve complaints through, if requested by the parent or guardian, a meeting with the parent or guardian, a certificated teacher who uses the materials that are the subject of the complaint, and the principal to whom the complaint was submitted;

(C) Require, if a resolution cannot be agreed upon with the parent or guardian and the school principal, the instructional materials committee to provide a written decision on the matter within: (I) 60 days of a meeting held under (a)(vi)(B) of this subsection; or (II) 90 days after the complaint was received by the principal, whichever date is later. Decisions made in accordance with this subsection (1)(a)(vi) must be in conformity with RCW 28A.320.233 and may be limited in application to only the student or students of the parent or guardian who submitted the complaint; and

(D) Provide a process for appealing decisions of the instructional materials committee, by the parent or guardian, a certificated teacher who uses the materials that are the subject of the complaint, or a principal from a school where the materials that are the subject of the complaint are used, to the superintendent of the school district or a designee of the superintendent. Appeal requests must be made in writing and decisions by the superintendent or designee under this subsection are not subject to appeal. Final

decisions at any point in the process made in accordance with this subsection (1)(a)(vi) may not be reconsidered for a minimum of three years unless there is a substantive change of circumstances as determined by the superintendent; and

(vii) Provide free text books, supplies and other instructional materials to be loaned to the pupils of the school, when, in its judgment, the best interests of the district will be subserved thereby and prescribe rules and regulations to preserve such books, supplies and other instructional materials from unnecessary damage; and

(b) Establish a depreciation scale for determining the value of texts which students wish to purchase.

(2) Recommendation of instructional materials shall be by the district's instructional materials committee in accordance with district policy. ~~Recommendations made in accordance with this section must include recommendations for culturally and experientially representative instructional materials including materials on the study of the role and contributions of individuals or groups that are part of a protected class under RCW 28A.642.010 and 28A.640.010, but a~~ Approval or disapproval shall be by the local school district's board of directors.

(3) Districts may pay the necessary travel and subsistence expenses for expert counsel from outside the district. In addition, the committee's expenses incidental to visits to observe other districts' selection procedures may be reimbursed by the school district.

(4) Districts may, within limitations stated in board policy, use and experiment with instructional materials for a period of time before general adoption is formalized.

(5) Within the limitations of board policy, a school district's chief administrator may purchase instructional materials to meet ~~deviant needs or~~ rapidly changing circumstances.

## **Sec. 205.**

RCW 28A.320.233 is amended to read as follows:

~~Student materials—Denial based on protected class prohibited—~~Complaint procedure.

(1)(a) In keeping with local control of our public schools, each school district may choose the student materials for its schools after consulting with local teachers and parents.

~~Except as provided otherwise by this section, a school district board of directors may not refuse to approve, or prohibit the use of, any textbook, instructional material, supplemental instructional material, or other curriculum for student instruction on the basis that it relates to or includes the study of the role and contributions of any individual or group who is part of a protected class as established in RCW 28A.642.010 and 28A.640.010.~~

(b) Each school district should create a complaint procedure whereby local parents can express concerns about existing student materials and suggest changes to student materials for future years.

~~Subsection (1)(a) of this section does not apply if the content of the material relating to the role and contributions of an individual or group violates the provisions of chapter 28A.642 or 28A.640 RCW, including materials containing bias against any individual or group who is part of a protected class as established in RCW 28A.642.010 and 28A.640.010.~~

~~(2) Anyone alleging a violation of subsection (1) of this section may bring a complaint under the provisions of chapter 28A.642 or 28A.640 RCW. Any school district board of directors found to be in violation of subsection (1) of this section shall be considered to have violated chapter 28A.642 or 28A.640 RCW and is subject to the provisions of that chapter.~~

~~(3) For the purposes of this section, "supplemental instructional materials" has the same meaning as in RCW 28A.320.235.~~

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

## **Sec. 206.**

RCW 18.130.020 and 2018 c 300 s 3 are each amended to read as follows:

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

(1) "Board" means any of those boards specified in RCW 18.130.040.

(2) "Clinical expertise" means the proficiency or judgment that a license holder in a particular profession acquires through clinical experience or clinical practice and that is not possessed by a lay person.

(3) "Commission" means any of the commissions specified in RCW 18.130.040.

~~(4)(a) "Conversion therapy" means a regime that seeks to change an individual's sexual orientation or gender identity. The term includes efforts to change behaviors or gender expressions, or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same sex. The term includes, but is not limited to, practices commonly referred to as "reparative therapy." "Gender dysphoria" also known as "gender confusion" is a mental health problem which is best treated by counseling to better understand a person's underlying mental health problems.~~

~~(b) "Conversion therapy" does not include counseling or psychotherapies that provide acceptance, support, and understanding of clients or the facilitation of clients' coping, social support, and identity exploration and development that do not seek to change~~

sexual orientation or gender identity is a misleading term based on the false belief that a child suffering from gender dysphoria would benefit from being given toxic and ineffective drugs such as puberty blockers and cross sex hormones rather than being given counseling to better understand their underlying mental health problems. Such child counseling is not conversion therapy. Several nations including Great Britain, Denmark, Sweden, Norway, Finland and France all now recommend counseling instead of drugs for treating gender dysphoria. 26 states have banned giving minors toxic puberty blockers and cross sex hormones and a May 1, 2026 409 page report by the US Department of Health and Human Services summarizing the latest research on treatments for Gender Dysphoria also recommended counseling and concluded that giving minors drugs offers no proven benefits and instead has numerous serious mental and physical health risks including increased risks of tumors, cancer, heart attacks, stroke and suicide.

(5) "Department" means the department of health.

(6) "Disciplinary action" means sanctions identified in RCW 18.130.160.10

(7) "Disciplining authority" means the agency, board, or commission having the authority to take disciplinary action against a holder of, or applicant for, a professional or business license upon a finding of a violation of this chapter or a chapter specified under RCW 18.130.040.

(8) "Health agency" means city and county health departments and the department of health.

(9) "License," "licensing," and "licensure" shall be deemed equivalent to the terms "license," "licensing," "licensure," "certificate," "certification," and "registration" as those terms are defined in RCW 18.120.020.

(10)(a) "Physician well-being program" means a formal program established for the purpose of addressing issues related to career fatigue and well-being in physicians licensed under chapter 18.71 RCW, osteopathic physicians and surgeons licensed under chapter 18.57 RCW, physicians licensed under chapter 18.71B RCW, and physician assistants licensed under chapters 18.71A and 18.71C RCW, that:

(i) Uses one-on-one, peer-to-peer interactions and connects participants to physical and behavioral health resources and professional supports when appropriate;

(ii) Is limited to no more than three sessions per participant every 12 months;

(iii) May include discussions pertaining to general career fatigue and well-being arising from the physician's or physician assistant's professional obligations, but not for other purposes such as evaluation of specific care or harm of specific patients, discipline, quality improvement, or the identification and prevention of medical malpractice or misconduct of specific providers;

(iv) Is established in writing and contracted for, in advance of any peer-to-peer interactions or referrals, by an employer of physicians and physician assistants, a

nonprofit professional medical organization representing a specialty of physicians, or a statewide organization representing physicians and physician assistants;

(v) Does not allow as participants any person employed by, or with a financial ownership interest in, the program; and

(vi) Does not include the monitoring of physicians or physician assistants who may be unable to practice medicine with reasonable skill and safety.

(b) A quality improvement plan established under RCW 43.70.510 or 70.41.200 is not a physician well-being program for purposes of this section. RCW 43.70.510 and 70.41.200 therefore do not apply to a physician well-being program established under this section.

(11) "Practice review" means an investigative audit of records related to the complaint, without prior identification of specific patient or consumer names, or an assessment of the conditions, circumstances, and methods of the professional's practice related to the complaint, to determine whether unprofessional conduct may have been committed.

(12) "Secretary" means the secretary of health or the secretary's designee.

(13) "Standards of practice" means the care, skill, and learning associated with the practice of a profession.

(14) "Unlicensed practice" means:

(a) Practicing a profession or operating a business identified in RCW 18.130.040 without holding a valid, unexpired, unrevoked, and unsuspended license to do so; or

(b) Representing to a consumer, through offerings, advertisements, or use of a professional title or designation, that the individual is qualified to practice a profession or operate a business identified in RCW 18.130.040, without holding a valid, unexpired, unrevoked, and unsuspended license to do so.

## **Sec. 207.**

RCW 28A.230.094 and 2020 c 208 s 9 are each amended to read as follows:

(1)(a) ~~Beginning with or before the 2020-21 school year, e~~ Each school district that operates a high school must provide a mandatory one-half credit stand-alone course in civics for each high school student. Except as provided by (c) of this subsection, civics content and instruction embedded in other social studies courses do not satisfy the requirements of this subsection.

(b) Credit awarded to students who complete the civics course must be applied to course credit requirements in social studies that are required for high school graduation.

(c) Civics content and instruction required by this section may be embedded in social studies courses that offer students the opportunity to earn both high school and postsecondary credit.

(2) The content of the civics course must include, but is not limited to:

(a) Federal, state, tribal, and local government organization and procedures;

(b) Rights and responsibilities of citizens addressed in the Washington state and United

~~States Constitutions., including the statement of student rights and materials delineated in section 202 of this act;~~

(c) Current issues addressed at each level of government;

(d) Electoral issues, including elections, ballot measures, initiatives, and referenda;

(e) The study and completion of the civics component of the federally administered naturalization test required of persons seeking to become naturalized United States citizens; and

(f) The importance in a free society of living the basic values and character traits specified in RCW 28A.150.211.

(3) ~~By September 1, 2020, the office of the superintendent of public instruction, in collaboration with the Washington state association of county auditors and a 501(c)(3) nonprofit organization engaged in voter outreach and increasing voter participation,~~ shall identify and make available civics materials and resources for use in courses under this section. The materials and resources must be posted on the office of the superintendent of public instruction's website.

#### **~~Sec. 204.~~**

~~Sections 201 through 203 of this act may be known and cited as the statement of student rights act.~~

### **PART THREE RESTORING STATE FUNDED, LOCALLY CONTROLLED PUBLIC SCHOOLS** **ENSURING PROTECTION OF STUDENTS' SAFETY, EDUCATION ACCESS, CIVIL RIGHTS, AND PRIVACY**

#### **Sec. 301.**

A new section is added to chapter 28A.320 RCW to read as follows:

(1) The legislature acknowledges and the People of Washington find that Family Rights to control local schools and protect their children can not be preserved without local control of our public schools and state funding for our public schools. The People further find that several sections of the Washington State Constitution are intended to provide for locally controlled and state funded public schools. Local control means that local parents control the policies in their local school district through the election of their local school board members. The legislature is prohibited from micromanaging local schools by Article 2, Section 28, Clause 15 of our State Constitution. State funding means that, per Article 9, Section 2 of our state constitution, "The legislature shall provide for a general and uniform system of public schools." This sentence means that the legislature must provide the funds for a uniform system of public schools. Uniform means the uniform apportionment of funds and the word "shall" means that uniform state funding is required. The word "uniform" was further defined by the Washington Supreme Court decision in Seattle School District No. 1 v. State, 90 Wn.2d 476, 585 P.2d 71 (1978) which concerned the constitutionality of the Washington State's school funding system, specifically its over reliance on local property taxes. The court found that the state's

funding system resulted in substantial disparities between school districts, with some districts having significantly more resources than others. The court ruled that the state had a constitutional duty to ensure a “uniform” system of public education, and that the over reliance on local levies was unconstitutional. After this decision, local school operating levies were capped at no more than 10% of state funding. This insured that there would be no more than a 10% difference between property rich school districts and property poor school districts. At the time, local homeowners paid no more than 10% of school operating costs and about 15% of school construction costs. However, over time the legislature has ignored our State Constitution by creating a system of State controlled and locally funded public schools. Currently, local homeowners pay up to 30% of the cost of operating schools and up to 90% of the cost of school construction. The intent of the sections in PART THREE is to restore locally controlled, state funded schools as intended by our State Constitution.

~~supports the importance of local control for school district governance. Local school boards and superintendents are in the best position to effectively and quickly respond to the needs of their communities. However, local control is not absolute and must also be balanced against the need to ensure all students have access to a healthy, safe-learning environment that celebrates and protects their diversity and civil rights. There are certain areas of state law that are critically important to ensuring every student has equal access to this type of supportive and responsive learning environment.~~

~~(2) The legislature is aware that some school districts are intentionally not complying with certain requirements in state law and that this noncompliance is negatively impacting students. School board members and superintendents are uniquely responsible for ensuring that their school district is in compliance with those state laws and members of the school district should have a mechanism to hold those individuals accountable if state laws are not followed.~~

~~(3) The legislature therefore intends to establish a complaint process for students, parents, and community members to address willful noncompliance with certain state laws that are necessary for protecting the health, safety, and civil rights of students in order to ensure every student has access to a positive learning environment.~~

NEW SECTION.

## **Sec. 302.**

A new section is added to chapter 28A.150 RCW to read as follows:

(a) Article 9, Sections 1 and 2 require the legislature to provide funding for a uniform system of public schools. This is an affirmative right of students. Therefore, the legislature shall not deprive any school district of any portion of their school apportionment due to actions taken by a local school board.

(b) Article 2, Section 28, Clause 15 of the Washington State Constitution states that “The legislature is prohibited from enacting any private or special laws in the following cases: (Clause 15) Providing for the management of common schools.” When asked by

local reporters in 1889 why this clause was inserted in the state constitution, drafters of our constitution stated that they wanted to prevent a “corrupt legislature” from micromanaging local public schools.” Here is a quote from a local newspaper in 1889: *“If a stranger dropped into the convention, he would conclude that the members were fighting a great enemy - and that this enemy is the State legislature!” Tacoma Daily Ledger August 9 1889. Currently, local school districts are buried under hundreds of unfunded mandates from our legislature. These unfunded mandates render local control to be meaningless. Therefore, school boards who choose to ignore these unfunded mandates shall not lose any portion of their school apportionment or be threatened in any other way by the legislature.*

(c) The locally elected school board sets the policies and procedures for their school district – by a majority vote in a public hearing – and only AFTER hearing from local parents who are encouraged to provide public comments on how the proposed policy change will affect their children.

(d) The School District Superintendent may recommend but shall not set any policies or procedures for the school district. Instead, the Superintendent’s only authority is to carry out policies set by the locally elected school board and be guided by these policies in managing the local schools.

(e) The role of the State Superintendent of Public Instruction is similar to the local school district superintendent. The Superintendent of Public Instruction is limited **to managing – but not setting policies for - all the school districts** in Washington state. The primary job of the State Superintendent is to distribute funds to local school districts in a uniform manner to insure that we have a “uniform” system of public schools

(f) A uniform system of public schools can not be attained by forcing property poor areas of the state to pass excessive local school operating levies. Therefore the maximum local levies are limited to no more than 10% of actual state funding for any given school district.

(f) A uniform system of public schools can not be attained by forcing property poor areas of the state to pass excessive local school construction bonds. Therefore the maximum local school construction bonds are limited to no more than 10% of the actual cost of constructing local schools.

(g) The term “amply fund” in Article IX, Section 1 of our state constitution is operationally defined to mean “state school funding that provides at least national average class sizes.” Providing for national average class sizes will require hiring back and or adding thousands of additional teachers – which will cost billions of dollars.

(h) Reducing local levies from 30% to 10% will reduce the tax burden on local homeowners by billions of dollars, but will increase the state burden by billions of dollars.

(l) Transferring the tax burden for school construction from local homeowners back to the state, will reduce the tax burden on local homeowners by billions of dollars, but will increase the state burden by billions of dollars.

(j) Due to the state failure to pay for school construction during the past 30 years, as well as ignoring health department and building code standards, Washington now has a school construction backlog of more than \$50 billion dollars – one of the worst school construction backlogs in the nation. The PEOPLE find that the state must pay at least \$5 billion a year for school construction with the goal of clearing the school construction backlog in the next 10 years.

(k) Article 7, Section 1 of the Washington state constitution requires a “uniform system of taxation”. This provision is essential in order to provide for a uniform system of public schools. In addition, Article 2, Section 28, Clause 6 of the Washington State Constitution prohibits the legislature from “granting corporate powers or privileges.” Despite these provisions, our legislature has granted more than 700 “tax preferences” which exempt some of the wealthiest corporations in the history of the world from taxation. The total amount exceeds \$30 billion per year – making the Washington legislature the third most corrupt legislature in the nation according to a recent national study. The People hereby repeal all of these unconstitutional tax preferences except the tax exemption on food – which was passed by an Initiative of the People rather than by the legislature. In addition, the People also find that tax nexus for Microsoft is located in Redmond Washington rather than in Reno Nevada and has been since 1985. Therefore, to the maximum extent possible, Microsoft should pay all state taxes they have fraudulently avoided paying by falsely claiming to be located in Reno, Nevada. Paying their fair share of state taxes will not harm corporations because they can deduct their state taxes from their federal taxes. But it will allow us to lower local property taxes by billions of dollars while at the same time reducing class sizes to the national average and ending our school construction backlog.

(l) The 2023 Washington State Supreme Court ruling on school construction in WAHKIAKUM SCHOOL DISTRICT NO. 200 v STATE OF WASHINGTON is hereby reversed as forcing local school districts to contribute more than 10% to the cost of school construction violates Article IX, Section 2 of our state constitution which requires a uniform system of public schools. The word “system” in Article IX Section 2 includes the construction of school buildings that the classes are conducted in.”

### **Sec. 303.**

Chapter 28A.345 RCW is amended to read as follows:

(1)(a) By September 1, 2027, the Washington state school directors' association must update a model policy and procedure regarding school board of directors meeting conduct, order of business, and quorum.

(b) The updated model policy and procedure must:

(i) Provide for increased public observation and participation in board meetings through real-time telephonic, electronic, internet, or other readily available means of remote access to the meeting that does not require an additional cost to access the meeting as described in RCW 42.30.030;

(ii) Require an audio or video recording of, or to provide an online streaming option for, all regular board meetings as described in RCW 42.30.220; and

(iii) Make recordings of board meetings available online for a minimum of six months as described in RCW 42.30.220.

(c) The Washington state school directors' association must maintain the model policy and procedure on its website at no cost to school districts.

(2) School districts are encouraged to amend their policies and procedures to incorporate the elements of the updated model policy and procedure described in subsection (1) of this section.

~~Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 303 through 305 of this act.~~

~~(1) "Broad complaint" means a complaint that impacts an entire student body, an entire subgroup of students within a student body, an entire school, or an entire school district.~~

~~(2) "Limited complaint" means a complaint that impacts one or more individual students.~~

~~(3) "Negligent" means the failure to exercise ordinary care by a local school district superintendent, a local school district board of directors, or an individual member or members of a board of directors, and the actor knew or reasonably should have known that the failure to exercise ordinary care would result in noncompliance with state law as defined in this section.~~

~~(4) "Noncompliance with state law" means action or inaction by a local school district superintendent, a local school district board of directors, or an individual member or members of a board of directors, that results in noncompliance with the following state laws, which are intended to ensure academic rights and protections for students in the educational environment:~~

~~(a) State civil rights and nondiscrimination, including the nondiscrimination and sexual equality laws and model policy and procedure requirements related to protecting students' rights as established in chapters 28A.640 and 28A.642 RCW;~~

~~(b) "Harassment, intimidation, or bullying" requirements as established in RCW 28A.600.477;~~

~~(c) Curriculum requirements as described in RCW 28A.150.230, 28A.300.475, and 28A.320.170; the policies and procedures related to the selection or deletion of instructional materials required in RCW 28A.320.230; and the review and removal of supplemental instructional materials required in RCW 28A.320.235;~~

~~(d) The use of restraint or isolation on a student as described in RCW 28A.600.485; or~~  
~~(e) Student discipline as described in chapter 28A.600 RCW.~~

~~(5) "Willful" means nonaccidental action or inaction by a local school district superintendent, a local school district board of directors, or an individual member or members of a board of directors, that the actor knew or reasonably should have known would result in noncompliance with state law.~~

### ~~Sec. 303.~~

~~(1) By July 1, 2026, the office of the superintendent of public instruction must establish a process to investigate and secure equitable resolutions for two types of complaints alleging willful noncompliance with the state laws listed in section 302(4) of this act:~~

~~(a) Limited complaints; and~~

~~(b) Broad complaints.~~

~~(2)(a)(i) Any student who is enrolled in the school district or any parent or legal guardian who has a student enrolled in the school district may file a limited or broad complaint with the office of the superintendent of public instruction alleging willful noncompliance with a state law listed in section 302(4) of this act.~~

~~(ii) Anyone residing within the boundaries of the school district may file a broad complaint with the office of the superintendent of public instruction alleging willful noncompliance with a state law listed in section 302(4) of this act.~~

~~(b) Limited and broad complaints may be filed against a local school district superintendent, a local school district board of directors, or an individual member or members of a board of directors.~~

~~(c) Before a person may file a complaint with the office of the superintendent of public instruction, the person must exhaust available complaint procedures, if such procedures exist, including procedures established under state law including, but not limited to, RCW 28A.320.124, 28A.320.230, 28A.410.090, 28A.600.477, 28A.640.020, and 28A.642.030, and local policy and procedure. If there are no complaint procedures available, the person who intends to file the complaint must provide notice of the complaint to the local school district superintendent before filing the complaint with the office of the superintendent of public instruction.~~

~~(3)(a) The office of the superintendent of public instruction must adopt rules that ensure due process regarding the complaint process, timelines, compliance action plans, and consequences established under this section and sections 304 and 305 of this act.~~

~~(b)(i) The office of the superintendent of public instruction must consult with the state board of education to build a connection between the rules adopted under this subsection and the state board of education's rules on basic education compliance established under RCW 28A.150.220 for complaints regarding willful noncompliance with curriculum requirements as described in section 302(4)(c) of this act.~~

~~(ii) The office of the superintendent of public instruction must consult with the office of the education ombuds about how to include the complaint process established under this section into the simple and uniform access point for the receipt of complaints created under RCW 43.06B.070.~~

~~(c) The office of the superintendent of public instruction may adopt rules to expedite the investigation of complaints related to an immediate health or safety concern.~~

~~(d) The office of the superintendent of public instruction may not take action against a school district or school district superintendent under the provisions established in section 305 of this act unless there is evidence that the school district superintendent, school district board of directors, or individual member or members of a board of directors acted in a willful manner or the school district has received a second notice of continued noncompliance.~~

~~NEW SECTION. Sec. 304. (1)(a) Upon receipt of a complaint filed under section 303 of this act, the office of the superintendent of public instruction must make an initial determination as to whether the complaint reasonably contains enough facts to allege noncompliance with state law as defined in section 302 of this act and whether other available complaint procedures have been exhausted as required by section 303 of this act.~~

~~(b) If the requirements in (a) of this subsection are met, the office of the superintendent of public instruction shall conduct a full investigation of the allegations in the complaint.~~

~~(c) If the requirements in (a) of this subsection are not met, the office of the superintendent of public instruction shall notify the complainant of that finding and is not required to investigate further.~~

~~(2)(a) If, after a full investigation as required under subsection (1)(b) of this section, the office of the superintendent of public instruction finds noncompliance with state law, but determines the noncompliance is not willful, the office of the superintendent of public instruction shall provide the school district with a first notice stating its determination of noncompliance and identify corrective actions and a timeline that the school district may take to come into compliance.~~

~~(b) If the school district fails to comply with the corrective actions identified in the first notice within the prescribed timeline, the office of the superintendent of public instruction shall provide the school district a second notice stating that continued failure to comply with corrective actions may result in consequences as established in section 305 of this act. Upon receipt of a second notice, the school district superintendent and school district board of directors must adopt and submit a compliance action plan to the office of the superintendent of public instruction for approval. The compliance action plan must describe how the school district will implement the corrective actions identified by the office of the superintendent of public instruction. Unless otherwise required by subsection (4) of this section, the compliance action plan must be submitted under a timeline as required by the office of the superintendent of public instruction.~~

~~(c) Before submitting the compliance action plan to the office of the superintendent of public instruction for approval, the school district board of directors must hold a public meeting to present the proposed compliance action plan to the community and allow for public comment on the proposed plan. For all such public meetings, individual students may not be identified without their consent, and the public meetings and materials prepared for such meetings must adhere to nondisclosure of personally identifiable information consistent with state and federal student privacy laws.~~

~~(3)(a) If, after a full investigation as required under subsection (1)(b) of this section, the office of the superintendent of public instruction finds willful noncompliance with state law, the office of the superintendent of public instruction shall provide the school district with a first notice stating its determination of willful noncompliance and identify corrective actions and a timeline that the school district may take to come into compliance. Upon receipt of the first notice, the school district board of directors shall hold a public meeting to present the finding of willful noncompliance with state law, the identified corrective actions and timeline for those actions, and take public comment on what additional actions the public thinks may be needed to come into compliance with state law.~~

~~(b) If the school district fails to comply with the corrective actions identified in the first notice within the prescribed timeline, the office of the superintendent of public instruction shall provide the school district a second notice stating that continued failure to comply with corrective actions may result in consequences as established in section 305 of this act. Upon receipt of a second notice, the school district superintendent and school district board of directors must adopt and submit a compliance action plan to the office of the superintendent of public instruction for approval. The compliance action plan must describe how the school district will implement the corrective actions identified by the office of the superintendent of public instruction. Unless otherwise required by subsection (4) of this section, the compliance action plan must be submitted under a timeline as required by the office of the superintendent of public instruction. The compliance action plan must be developed in collaboration with the office of the superintendent of public instruction. In developing the compliance action plan, the school district must provide school district administrators, teachers, and other staff, parents of children attending a school within the school district, unions representing employees within the school district, students from the school district, and other impacted communities as appropriate with an opportunity to provide input on the development of the plan.~~

~~(c) Before submitting the compliance action plan to the office of the superintendent of public instruction for approval, the school district board of directors must hold a public meeting to present the proposed compliance action plan to the community and allow for public comment on the proposed plan. For all such public meetings, individual students may not be identified without their consent, and the public meetings and materials prepared for such meetings must adhere to nondisclosure of personally identifiable information consistent with state and federal student privacy laws.~~

~~(d) After submission and approval of the compliance action plan, the school district shall conduct additional public meetings with an opportunity for public comment at least once every six months to present school district progress on implementation of the compliance action plan until the superintendent of public instruction finds that the school district has come into compliance with state law.~~

~~(4) A compliance action plan developed under this section must, at a minimum, include the following:~~

~~(a) A description of the changes in the school district's or school's existing policies, structures, agreements, processes, and practices needed to come into compliance with state law; and~~

~~(b) The timeline for coming into compliance with state law.~~

~~(5) Compliance action plans must be developed in accordance with chapters 41.56 and 41.59 RCW where applicable.~~

~~(6) The office of the superintendent of public instruction may develop and publish additional guidelines for the development of compliance action plans as required by this section for use by school districts.~~

~~NEW SECTION. Sec. 305. (1) The office of the superintendent of public instruction may impose any of the following consequences on a school district if the district has been sent a second notice under the provisions of section 304 of this act:~~

~~(a) Require the school district to adopt or readopt policies and procedures to come into compliance with state law;~~

~~(b) Find that a local school district superintendent committed an act of unprofessional conduct under section 309 of this act and may be held accountable for such conduct under rules established under section 309 of this act; and~~

~~(c) As a last resort, **withhold and redirect up to 20 percent** of state funds allocated to the school district for basic education to support the compliance action plan required in section 304 of this act until the office of the superintendent of public instruction finds that the school district has come into compliance with state law. The office of the superintendent of public instruction must consider the school district's overall financial health when determining the amount of funds to withhold and redirect under this subsection. Written notice of the intent to withhold and redirect state funds, with reasons stated for this action, must be made to the school district by the office of the superintendent of public instruction before any portion of the state allocation is withheld and redirected.~~

~~(2) Willful or negligent noncompliance with state law constitutes a violation of the oath of office under RCW 29A.56.110, and a member of a board of directors may be subject to recall and discharge under chapter 29A.56 RCW.~~

~~(3) Sections 303 and 304 of this act and this section do not restrict any existing authority the office of the superintendent of public instruction has to enforce compliance with state law, including health and safety requirements.~~

~~(4) Any party to a complaint may file a notice of appeal with the office of the superintendent of public instruction within 30 days of the final decision. An administrative law judge of the office of administrative hearings will hear and determine the appeal. Appeal proceedings must be conducted pursuant to chapter 34.05 RCW. An appeal of the administrative law judge's determination or order shall be to the superior court. The superior court's decision is subject only to discretionary review under the rules of appellate procedure.~~

#### **~~Sec. 306.~~**

~~The office of the superintendent of public instruction may enact rules for implementation of sections 302 through 305, 312, and 313 of this act.~~

~~Sec. 307. RCW 43.06B.070 and 2024 c 219 s 1 are each amended to read as follows:~~

~~(1) By July 1, 2025, and in compliance with this section, the office of the education ombuds shall create a simple and uniform access point for the receipt of complaints involving the elementary and secondary education system. The purpose of the access point is to provide a single point of entry for complaints to be reported and then referred to the most appropriate individual or entity for dispute resolution at the lowest level of intercession.~~

~~(2) Any individual who has firsthand knowledge of a violation of federal, state, or local laws, policies or procedures, or of improper or illegal actions related to elementary or secondary education and performed by an employee, contractor, student, parent or legal guardian of a student, or member of the public may submit a complaint to the office of the education ombuds.~~

~~(3)(a) The office shall delineate a complaint resolution and referral process for reports received through the access point. The process must:~~

~~(i) Require that the office of the education ombuds assign a unique identifier to a complaint upon receipt before referring the complaint to the appropriate individual or entity for dispute resolution at the lowest level of intercession;~~

~~(ii) Link to all existing relevant complaint and investigative processes, such as the special education community complaint process, the discrimination complaint process, the process for reporting complaints related to harassment, intimidation, and bullying, the complaint process established under section 303 of this act, and the complaint and investigation provisions under RCW 28A.410.090 and 28A.410.095; and~~

~~(iii) Discourage frivolous complaints and complaints made in bad faith.~~

~~(b) The establishment of a process as required in this section does not confer additional authority to the office of the education ombuds to mitigate or oversee disputes.~~

~~(4) The office of the education ombuds, in collaboration with the office of the superintendent of public instruction, must develop protocols for the receipt, resolution, and referral of complaints and must design a communications plan to inform individuals who report complaints through the access point about the steps in the complaint resolution and referral process, including when to expect a response from the individual or entity charged with resolving the complaint.~~

~~(5) For the purposes of this section, "employee" or "contractor" means employees and contractors of the state educational agencies, educational service districts, public schools as defined in RCW 28A.150.010, the state school for the blind, and the center for deaf and hard of hearing youth.~~

~~Sec. 308. RCW 28A.300.286 and 2023 c 242 s 1 are each amended to read as follows:~~

~~(1) The office of the superintendent of public instruction shall develop, and periodically update, model student handbook language that includes information about ((policies)):~~

~~(a) Policies and complaint procedures related to discrimination, including sexual harassment and addressing transgender students, and information about policies and complaint procedures related to harassment, intimidation, and bullying, as well as the overlap between the policies and complaint procedures((. The model student handbook language must also include a));~~

~~(b) A description of the services available through the office of the education ombuds and the contact information for the office of the education ombuds; and~~

~~(c) The complaint process established under section 303 of this act.~~

~~(2) The model student handbook language must be aligned with existing requirements in state law including chapters 28A.640 and 28A.642 RCW and RCW 28A.600.477 and 28A.600.510. The model student handbook language must be jointly developed with the Washington state school directors' association, and in consultation with the office of the education ombuds. The model student handbook language must be posted publicly on the office of the superintendent of public instruction's website beginning July 1, 2024.~~

~~((2))) (3) Beginning with the 2024-25 school year, each school district must include the model student handbook language developed under subsection (1) of this section in any student, parent, employee, and volunteer handbook that it or one of its schools publishes and on the school district's website, and any school's website, if a school or the school district maintains a website. If a school district neither publishes a handbook nor maintains a website, it must provide the model student handbook language developed under subsection (1) of this section to each student, parent, employee, and volunteer at least annually.~~

#### **~~Sec. 309.~~**

~~A new section is added to chapter 28A.410 RCW to read as follows:~~

~~(1) The Washington professional educator standards board must adopt rules that make a local school district superintendent's or chief administrator's willful noncompliance with~~

~~state law an act of unprofessional conduct and provide that a superintendent or chief administrator, whether certificated or not, may be held accountable for such conduct under rules established under this section. It is a defense to a finding of willful noncompliance with state law if the superintendent or chief administrator can show that they were actively attempting to bring the school district, charter school, or state-tribal education compact school into compliance with the applicable state law.~~

~~(2) For the purposes of this section, "willful" and "noncompliance with state law" have the same meaning as in section 302 of this act.~~

### **Sec. 304.**

RCW 28A.343.360 and 1990 c 33 s 314 are each amended to read as follows:

Every person elected or appointed to the office of school director, before entering upon the discharge of the duties thereof, shall take an oath or affirmation to support the Constitution of the United States and the state of Washington ~~and the laws of the state of Washington~~ and to faithfully discharge the duties of the office according to the best of his or her ability. In case any official has a written appointment or commission, the official's oath or affirmation shall be endorsed thereon and sworn to before any officer authorized to administer oaths. School officials are hereby authorized to administer all oaths or affirmations pertaining to their respective offices without charge or fee. All oaths of office, when properly made, shall be filed with the county auditor. Every person elected to the office of school director shall begin his or her term of office at the first official meeting of the board of directors following certification of the election results.

### **Sec. 311.**

~~RCW 28A.710.185 and 2023 c 356 s 11 are each amended to read as follows:~~

~~(1)(a) By November 1, 2023, the commission shall establish and maintain on its website an online system for students who attend charter schools, and the parents of those students, to submit complaints about the operation and administration of one or more charter schools, including complaints about the provision of education services and complaints alleging noncompliance with the requirements of this chapter or other provisions governing charter schools.~~

~~(b)(i) The commission shall acknowledge the receipt of each received complaint within 10 business days and shall, in a timely manner, perform any inquiries or other actions it deems necessary and appropriate to respond to each received complaint, unless the complaint is alleging willful noncompliance with state law as defined in section 302 of this act.~~

~~(ii) After determining that a person has exhausted any available complaint procedures in accordance with section 303(2)(c) of this act, the commission shall forward any complaints alleging willful noncompliance with state law as defined in section 302 of this act to the office of the superintendent of public instruction and these complaints must follow the process established under sections 303 through 305 of this act.~~

~~(2) The commission shall adopt and revise as necessary rules to implement this section.~~

**~~Sec. 312.~~**

~~A new section is added to chapter 28A.710 RCW to read as follows:~~

~~(1) Except as provided otherwise by this section, sections 302 through 305 of this act govern school operation and management under RCW 28A.710.040 and apply to charter schools established under this chapter.~~

~~(2) Section 302(4) of this act governs school operation and management under RCW 28A.710.040 and applies to charter schools to the extent that a statute or chapter listed in section 302(4) of this act applies to charter schools under RCW 28A.710.040.~~

**~~Sec. 313.~~**

~~A new section is added to chapter 28A.715 RCW to read as follows:~~

~~(1) Except as provided otherwise by this section, sections 302 through 305 of this act govern school operation and management under RCW 28A.715.020 and apply to state-tribal education compact schools subject to this chapter to the same extent as it applies to school districts.~~

~~(2) Section 302(4) of this act governs school operation and management under RCW 28A.715.020 and applies to state-tribal education compact schools subject to this chapter to the extent that a statute or chapter listed in section 302(4) of this act applies to state-tribal education compact schools under RCW 28A.715.020.~~

~~Sec. 314. Sections 302 through 305 of this act are each added to chapter 28A.300-RCW.~~

~~Sec. 315. Section 308 of this act takes effect August 1, 2025.~~

**Sec. 305.**

RCW 84.52.0531 and 2022 c 108 s 3 are amended to read as follows:

(1) Article 9, Section 2 of our state constitution states, "The legislature shall provide for a general and uniform system of public schools." This sentence means that the legislature must provide the funds for a uniform system of public schools. The word "uniform" was further defined by the Washington Supreme Court decision in *Seattle School District No. 1 v. State*, 90 Wn.2d 476, 585 P.2d 71 (1978) which concerned the constitutionality of the Washington State's school funding system, specifically its over reliance on local property taxes. The court found that the state's funding system resulted in substantial disparities between school districts, with some districts having significantly more resources than others. The court ruled that the state had a constitutional duty to ensure a "uniform" system of public education, and that the over reliance on local levies was unconstitutional. After this decision, local levies were capped at no more than 10% of state funding. The purpose of Section (2) is to reduce the maximum local levy to 10% so that the funding disparity between rich school districts and poor school districts is eventually no more than 10% of state funding.

(1) Beginning with taxes levied for collection in 2027, the maximum local levy is limited to no more than 20% of state funding. For taxes levied for collection in 2028, the

maximum local levy is limited to no more than 15% of state funding. For taxes levied for collection in 2029, the maximum local levy is limited to no more than 10% of state funding. 2020, the maximum dollar amount which may be levied by or for any school district for enrichment levies under RCW 84.52.053 is equal to the lesser of \$2.50 per \$1,000 of the assessed value of property in the school district or the maximum per-pupil limit. This maximum dollar amount shall be reduced accordingly as provided under RCW 43.09.2856(2).

(2) The definitions in this subsection apply to this section unless the context clearly requires otherwise.

(a) "Inflation" means the percentage change in the seasonally adjusted consumer price index for all urban consumers, Seattle area, for the most recent 12-month period as of September 25th of the year before the taxes are payable, using the official current base compiled by the United States bureau of labor statistics.

(b) "Inflation enhancement" means:

(i) \$500 in the 2026 calendar year; and

(ii) 3.33 percentage points added to inflation each year from the 2027 to 2030 calendar years.

(c) "Maximum per-pupil limit" means:

(i) Through the 2030 calendar year:

(A) \$2,500, as increased by inflation, plus inflation enhancements defined in (b) of this subsection, beginning with property taxes levied for collection in 2020, multiplied by the number of average annual full-time equivalent students enrolled in the school district in the prior school year, for school districts with fewer than 40,000 annual full-time equivalent students enrolled in the school district in the prior school year; or

(B) \$3,000, as increased by inflation plus the inflation enhancement defined in (b)(i) of this subsection, beginning with property taxes levied for collection in 2020, multiplied by the number of average annual full-time equivalent students enrolled in the school district in the prior school year, for school districts with 40,000 or more annual full-time equivalent students enrolled in the school district in the prior school year.

(ii) Beginning with the 2031 calendar year, \$5,035, as increased by inflation beginning with property taxes levied for collection in 2032, multiplied by the number of average annual full-time equivalent students enrolled in the school district in the prior school year.

(d) "Prior school year" means the most recent school year completed prior to the year in which the levies are to be collected.

(3) For districts in a high/nonhigh relationship, the enrollments of the nonhigh students attending the high school shall only be counted by the nonhigh school districts for purposes of funding under this section.

(4) For school districts participating in an innovation academy cooperative established under RCW 28A.340.080, enrollments of students attending the academy shall be adjusted so that each participant district receives its proportional share of student enrollments for purposes of funding under this section.

~~(5) Beginning with propositions for enrichment levies for collection in calendar year 2020 and thereafter, a district must receive approval of an enrichment levy expenditure plan under RCW 28A.505.240 before submission of the proposition to the voters.~~

~~(6) The superintendent of public instruction shall develop rules and regulations and inform school districts of the pertinent data necessary to carry out the provisions of this section.~~

~~(7) Beginning with taxes levied for collection in 2018, enrichment levy revenues must be deposited in a separate subfund of the school district's general fund pursuant to RCW 28A.320.330, and for the 2018-19 school year are subject to the restrictions of RCW 28A.150.276 and the audit requirements of RCW 43.09.2856.~~

~~(8) Funds collected from levies for transportation vehicles, construction, modernization, or remodeling of school facilities as established in RCW 84.52.053 are not subject to the levy limitations in subsections (1) through (5) of this section.~~

~~Sec. 2. RCW 28A.500.015 and 2022 c 108 s 4 are each amended to read as follows:~~

~~(1) Beginning in calendar year 2020 and each calendar year thereafter, the state must provide state local effort assistance funding to supplement school district enrichment levies as provided in this section.~~

~~(2)(a) For an eligible school district with an actual enrichment levy rate that is less than \$1.50 per \$1,000 of assessed value in the school district, the annual local effort assistance funding is equal to the school district's maximum local effort assistance multiplied by a fraction equal to the school district's actual enrichment levy rate divided by \$1.50 per \$1,000 of assessed value in the school district.~~

~~(b) For an eligible school district with an actual enrichment levy rate that is equal to or greater than \$1.50 per \$1,000 of assessed value in the school district, the annual local effort assistance funding is equal to the school district's maximum local effort assistance.~~

~~(c) Beginning in calendar year 2022, for state tribal education compact schools established under chapter 28A.715 RCW, the annual local effort assistance funding is equal to the actual enrichment levy per student as calculated by the superintendent of public instruction for the previous year for the school district in which the state tribal education compact school is located, up to a maximum per-student amount of \$1,550 as increased by inflation from the 2019 calendar year, multiplied by the student enrollment of the state tribal education compact school in the prior school year.~~

~~(3) The state local effort assistance funding provided under this section is not part of the state's program of basic education deemed by the legislature to comply with the requirements of Article IX, section 1 of the state Constitution.~~

~~(4) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.~~

~~(a) "Eligible school district" means a school district where the amount generated by a levy of \$1.50 per \$1,000 of assessed value in the school district, divided by the school district's total student enrollment in the prior school year, is less than the state local effort assistance threshold.~~

~~(b) "Inflation" means the implicit price deflator for the previous calendar year using the official current base, compiled by the bureau of economic analysis, United States department of commerce.~~

~~(c) "Maximum local effort assistance" means the difference between the following:~~

~~(i) The school district's actual prior school year enrollment multiplied by the state local effort assistance threshold; and~~

~~(ii) The amount generated by a levy of \$1.50 per \$1,000 of assessed value in the school district.~~

~~(d) "Prior school year" means the most recent school year completed prior to the year in which the state local effort assistance funding is to be distributed~~

~~(e) "State local effort assistance threshold" means ((one thousand five hundred fifty dollars)) \$1,550 per student, increased for inflation beginning in calendar year 2020.~~

~~(f) "Student enrollment" means the average annual full-time equivalent student enrollment.~~

~~(5) For districts in a high/nonhigh relationship, the enrollments of the nonhigh students attending the high school shall only be counted by the nonhigh school districts for purposes of funding under this section.~~

~~(6) For school districts participating in an innovation academy cooperative established under RCW 28A.340.080, enrollments of students attending the academy shall be adjusted so that each participant district receives its proportional share of student enrollments for purposes of funding under this section~~

~~NEW SECTION. Sec. 3. The superintendent of public instruction shall convene a K-12 funding equity work group to analyze K-12 funding formulas and revenue sources and explore options for revisions to the funding formula that are responsive to student needs, including economic, demographic, and geographic differences in student and community populations. The office of the superintendent of public instruction may contract with institutions of higher education and public, nonpartisan research entities to support the work group's analysis.~~

~~(1) At a minimum, the work group's analysis must include:~~

~~(a) Impacts of changes to per-pupil funding formulas and local revenue;~~

~~(b) Compensation factors described in RCW 28A.150.412;~~

~~(c) Funding distribution trends resulting from the prototypical school funding formula;~~

~~(d) Impacts of economic disparities on communities' access to resources for schools; and~~

~~(e) Current formulas that benefit specific populations of students including, but not limited to, the learning assistance program, local effort assistance, and small school funding.~~

~~(2) The superintendent of public instruction must use the work group's analysis conducted under subsection (1) of this section to consider options for revising state and local school funding formulas. By November 1, 2025, and annually thereafter through 2027, the superintendent of public instruction shall report the work group's progress and any proposed options to the education and fiscal committees of the legislature. The reports must include, but are not limited to, the following topics:~~

~~(a) Options for revisions to the funding formula that address system and resource inequities;~~

~~(b) Options that address state, local, and regional needs;~~

~~(c) The potential adoption of student weights to direct additional funding to students most in need;~~

~~(d) Modifications to state and local tax authority for schools; and~~

~~(e) Metrics for monitoring and accountability related to equitable access to resources.~~

~~(3) The superintendent of public instruction may determine the size, membership, and meeting frequency of the work group. The work group must include representation from education and community partners that are demographically and geographically diverse including, but not limited to, groups representing educators, school and district administrators, labor unions, families, students, community partners who support groups disproportionately impacted by inequities, the department of revenue, and legislators.~~

~~(4) This section expires December 1, 2027.~~

## **PART FOUR DUTIES OF TEACHERS AND ADMINISTRATORS**

### **RETALIATION PROTECTIONS**

#### **Sec. 401.**

chapter 28A.400 RCW is amended to read as follows:

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

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

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

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

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

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

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

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

(1) Article VI, Section 2 of the United States Constitution states in part: "This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding." This means that federal laws have priority over any Washington state laws that conflict with federal laws.

(2) Title VI of the Civil Rights Act of 1964 is a federal law that protects the rights of all citizens against discrimination based on the color of their skin. In 2023, in the case of Students v Harvard, the US Supreme Court clarified that this law requires that our nation become "color blind." Thus, any racial preference policies or laws shall be null and void.

(3) Title IX of the Educational Amendments of 1972 is a federal law that protects the right of all students to fair opportunities in all educational and athletic activities that receive federal funding. This includes the right of all students to have their own private spaces, bathrooms, locker rooms and sports leagues based on their biological sex. On January 9, 2025, in the case of Cardona v Tennessee, a federal court ordered all school districts in the United States to comply with this plaintiff meaning of Title IX, stating that allowing biological males in girls sports and girls bathrooms would render Title IX to be "meaningless."

(4) The Family Educational Rights and Privacy Act (FERPA) is a federal law that requires school districts to provide parents with complete and accurate information on their students who attend public schools.

(5) Title VI, Title IX and FERPA are all written in the form of a contract between the federal governments and state and local education agencies whereby state and local education agencies receive federal funding in trade for assuring the federal government that they are in compliance with Title IX, Title VI and FERPA. Failure to comply with any of these three federal laws can result in a loss of federal funding by the local educational agency or the state educational agency.

(6) The People of Washington state find that, for the past several years, local educational agencies in Washington state, as well as the Washington state educational agency (Office of Superintendent of Public Instruction) have falsely signed federal certification contracts claiming to be in compliance with these three federal laws when in fact they were clearly not in compliance – due to allowing boys in girls sports, boys in girls bathrooms and locker rooms, and failing to provide complete and accurate information to educational and medical records to parents - and have thus risked losing billions of dollars in federal funding – in addition to depriving students and parents of their federal right under Title VI, Title IX and FERPA.

(7) Any school district policies, procedures or programs, including Policy 3211 and 3211P, that violate Title IX, Title VI and or FERPA shall be considered null and void.

(8) All school district employees, including all teachers and administrators, shall receive annual training on their duty to comply with Title VI, Title IX and FERPA, including training on Article VI, Section 2 of the US Constitution which requires that they comply with these federal laws regardless of any laws passed by the Washington State legislature.

(9) Any school district employee who, after a public hearing before the school board, is found to have violated Title VI, Title IX or FERPA, shall be given a written warning that any further violations of federal law will result in dismissal – regardless of any union contract provisions.

(10) Any school district employee who, after a public hearing before the school board, is found to have violated Title VI, Title IX or FERPA a second time shall be dismissed – regardless of any union contract provisions.

## **PART FIVE RIGHTS OF PARENTS AND LEGAL GUARDIANS**

### **Sec. 501.**

RCW 28A.605.005 and 2024 c 4 s 1 are each amended to read as follows:

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

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

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

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

(ii) Parents ~~((or))~~ and legal guardians ~~((must))~~ choosing to inspect and review their child's education records may not be required by a public school to appear in person for the purposes of requesting or validating a request for their child's ~~((public school))~~ education records, provided the public school can ascertain the identity of the requestor.

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

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

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

(B) Medical or health records;

(C) Records of any mental health counseling;

(D) Records of any vocational counseling;

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

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

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

(H) Any other student-specific files, documents, or other materials that are maintained by the public school)) Education records means those official records, files, and data directly related to a student and maintained by the public school including, but not limited to, records encompassing all the material kept in the child's cumulative folder, such as general identifying data, records of attendance and of academic work completed, records of achievement and results of evaluative tests, disciplinary status, test protocols, and individualized education programs;

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

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

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

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

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

(f))) To receive immediate notification ((if)) upon receipt of a report that a criminal action is ((deemed)) alleged to have been committed against their child ((or by their child)) on school property during the school day or during a school sponsored activity, including immediate notification if there has been a shooting on school property, or their child has been detained based on probable cause of involvement in criminal activity on school property during the school day;

((g))) (d) To receive immediate notification upon receipt of a report that their child is alleged to be the victim, target, or recipient of physical or sexual abuse, sexual misconduct, or assault by a school employee or school contractor, as required by RCW-28A.320.160;

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

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

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

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

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

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

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

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

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

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

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

(iii) ~~Sex behavior and attitudes;~~

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

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

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

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

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

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

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

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

~~((n))) considered in the administration of fees;~~

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

~~((o))) ((m)) To be informed if their child's academic ((performance, including whether their  
child is provided a student learning plan under RCW 28A.655.270)) progress, including  
the right to receive periodic reports on their child's educational growth and development  
in accordance with ~~RCW 28A.150.240~~ and to receive notice of their child's performance  
on state learning standards tests and assessments in accordance with ~~RCW  
28A.230.195~~, and whether the performance, is such that it could threaten the child's  
ability to be promoted to the next grade level ((and to be offered)). A parent or legal  
guardian also has the right to request an in-person meeting with the child's classroom  
teacher and principal to discuss any resources or strategies available to support and  
encourage the child's academic improvement;~~

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

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

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

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

- (r) To have their child whose primary language is not English access supplemental instruction and services through the transitional bilingual instruction program in accordance with RCW 28A.150.220;
- (s) To receive annual notice of the public school's language access policies and services, the parents' rights to free language access services under Title VI of the civil rights act of 1964, 42 U.S.C. Sec. 2000d, et seq., and the contact information for any language access services under RCW 28A.183.040;
- (t) To request enrollment for their child in a nonresident school district in accordance with RCW 28A.225.220, 28A.225.225, and 28A.225.230;
- (u) To be notified of unexcused absences and to engage in efforts to eliminate or reduce their child's absences in accordance with RCW 28A.225.015, 28A.225.018, and 28A.225.020;
- (v) To request, under RCW 28A.155.090, information about special education programs and assistance for their child if their child is eligible for but not receiving special education services, including due to illness;
- (w) To request an appeal to the superintendent of public instruction under RCW 28A.155.080 if their child with disabilities has been denied the opportunity of a special education program by a school district or public school; and
- (x) To access special education due process hearings regarding their child as required by RCW 28A.155.020.
- (3) Notwithstanding anything to the contrary, a public school shall not be required to release any records or information regarding a student's ((medical or health records or mental health counseling)) ~~health care, social work, counseling, or disciplinary records~~ to a parent or legal guardian who is the defendant in a criminal proceeding where the student is the named victim or during the pendency of an investigation of child abuse or neglect conducted by any law enforcement agency or the department of children, youth, and families where the parent or legal guardian is the target of the investigation, unless the parent or legal guardian has obtained a court order.
- (4) ((As used in this section "public school" has the same meaning as in RCW 28A.150.010)) ~~Nothing in this section creates a private right of action.~~

## **PART SIX GRANDPARENTS RIGHTS**

### **Sec. 601**

RCW 84.36.381 and 2019 c 453 s 1 are each amended to read as follows:

The only tax exemption specifically granted in the Washington State Constitution is a property tax exemption for retired property owners. Article 7, Section 10 of our state constitution states: "Notwithstanding the provisions of Article 7, section 1 and Article 7, section 2, the following tax exemption shall be allowed as to real property: The legislature shall have the power, by appropriate legislation, to grant to retired property

owners relief from the property tax on the real property occupied as a residence by those owners. The legislature may place such restrictions and conditions upon the granting of such relief as it shall deem proper. Such restrictions and conditions may include, but are not limited to, the limiting of the relief to those property owners below a specific level of income and those fulfilling certain minimum residential requirements.”

The People of Washington find Grandparents play a crucial role to their children and grandchildren of providing stability for parents and their children that one purpose of Article 7, Section 10 was to assist grandparents who are retired and typically living on fixed incomes in retaining their family home which can then house their children and grandchildren in difficult economic times . It is therefore the intent of Part 7 of this Act to amend RCW 84.36.381 and 2019 c 453 s 1 by increasing the right of retired persons, including senior citizens, age 61 and over, and disabled persons, and veterans, and living on a combined disposable income doubled from the current \$30,000 per year to \$60,000 per year or less, to be exempt from all state and local property taxes for the first \$500,000 in valuation (versus the current \$50,000 of valuation) of their primary residence, and for those living on a disposable income greater than \$60,000 up to \$90,000 to receive a partial exemption from state and local property taxes.

A person is exempt from any legal obligation to pay all or a portion of the amount of excess and regular real property taxes due and payable in the year following the year in which a claim is filed, and thereafter, in accordance with the following:

(1)(a) The property taxes must have been imposed upon a residence which was occupied by the person claiming the exemption as a principal place of residence as of the time of filing. However, any person who sells, transfers, or is displaced from his or her residence may transfer his or her exemption status to a replacement residence, but no claimant may receive an exemption on more than one residence in any year.

Moreover, confinement of the person to a hospital, nursing home, assisted living facility, adult family home, or home of a relative for the purpose of long-term care does not disqualify the claim of exemption if:

(i) The residence is temporarily unoccupied;

(ii) The residence is occupied by a spouse or a domestic partner and/or a person financially dependent on the claimant for support; or

(iii) The residence is rented for the purpose of paying nursing home, hospital, assisted living facility, or adult family home costs.

(b) For the purpose of this subsection (1), "relative" means any individual related to the claimant by blood, marriage, or adoption;

(2) The person claiming the exemption must have owned, at the time of filing, in fee, as a life estate, or by contract purchase, the residence on which the property taxes have been imposed or if the person claiming the exemption lives in a cooperative housing association, corporation, or partnership, such person must own a share therein representing the unit or portion of the structure in which he or she resides. For purposes

of this subsection, a residence owned by a marital community or state registered domestic partnership or owned by cotenants is deemed to be owned by each spouse or each domestic partner or each cotenant, and any lease for life is deemed a life estate;

(3)(a) The person claiming the exemption must be:

(i) Sixty-one years of age or older on December 31st of the year in which the exemption claim is filed, or must have been, at the time of filing, retired from regular gainful employment by reason of disability; or

(ii) A veteran of the armed forces of the United States entitled to and receiving compensation from the United States department of veterans affairs at:

(A) A combined service-connected evaluation rating of 40 percent or higher; or

(B) A total disability rating for a service-connected disability without regard to evaluation percent.

(b) However, any surviving spouse or surviving domestic partner of a person who was receiving an exemption at the time of the person's death will qualify if the surviving spouse or surviving domestic partner is 57 years of age or older and otherwise meets the requirements of this section;

(4)(a) The amount that the person is exempt from an obligation to pay is calculated on the basis of combined disposable income, as defined in RCW 84.36.383.38

(b) If the person claiming the exemption was retired for two months or more of the assessment year, the combined disposable income of such person must be calculated by multiplying the average monthly combined disposable income of such person during the months such person was retired by 12.

(c) If the income of the person claiming exemption is reduced for two or more months of the assessment year by reason of the death of the person's spouse or the person's domestic partner, or when other substantial changes occur in disposable income that are likely to continue for an indefinite period of time, the combined disposable income of such person must be calculated by multiplying the average monthly combined disposable income of such person after such occurrences by 12.

(d)(i) If the income of the person claiming the exemption increases as a result of a cost-of-living adjustment to social security benefits or supplemental security income in an amount that would disqualify the applicant from eligibility, the applicant is not disqualified but instead maintains eligibility.

(ii) The continued eligibility under this subsection applies to applications for property taxes levied for collection in the current and or previous calendar year-2024.

(e) If it is necessary to estimate income to comply with this subsection (4), the assessor may require confirming documentation of such income prior to May 31st of the year following application;

(5)(a) A person who otherwise qualifies under this section and has a combined disposable income equal to or less than income threshold 3 is exempt from all excess property taxes, the additional state property tax imposed under RCW 84.52.065(2), and the portion of the regular property taxes authorized pursuant to RCW 84.55.050 and approved by the voters, if the legislative authority of the county or city imposing the additional regular property taxes identified this exemption in the ordinance placing the RCW 84.55.050 measure on the ballot; and

(b)(i) A person who otherwise qualifies under this section and has a combined disposable income equal to or less than income threshold 2 but greater than income threshold 1 is exempt from all regular property taxes on the greater of ~~\$50,000~~ \$500,000 or ~~35~~ 75 percent of the valuation of his or her residence, but not to exceed ~~\$70,000~~ \$700,000 of the valuation of his or her residence; or

(ii) A person who otherwise qualifies under this section and has a combined disposable income equal to or less than income threshold 1 is exempt from all regular property taxes on the greater of ~~\$60,000~~ \$500,000 or ~~60~~ 90 percent of the valuation of his or her residence, but not to exceed \$700,000 of the valuation of his or her residence;

(6)(a) For a person who otherwise qualifies under this section and has a combined disposable income equal to or less than income threshold 3, the valuation of the residence is the assessed value of the residence on ~~the later of January 1, 1995, or~~ January 1st of the assessment year the person first qualifies under this section. If the person subsequently fails to qualify under this section only for one year because of high income, this same valuation must be used upon requalification. If the person fails to qualify for more than one year in succession because of high income or fails to qualify for any other reason, the valuation upon requalification is the assessed value on January 1st of the assessment year in which the person requalifies. If the person transfers the exemption under this section to a different residence, the valuation of the different residence is the assessed value of the different residence on January 1st of the assessment year in which the person transfers the exemption.

(b) In no event may the valuation under this subsection be greater than the true and fair value of the residence on January 1<sup>st</sup> of the assessment year.

(c) This subsection does not apply to subsequent improvements to the property in the year in which the improvements are made. Subsequent improvements to the property must be added to the value otherwise determined under this subsection at their true and fair value in the year in which they are made.

## **Sec. 602**

RCW 84.36.383 and 2021 c 220 s 1 are each amended to read as follows: As used in RCW 84.36.381 through 84.36.389, unless the context clearly requires otherwise:

(1) "Combined disposable income" means the disposable income of the person claiming the exemption, plus the disposable income of his or her spouse or domestic partner, and the disposable income of each cotenant occupying the residence for the

assessment year, less amounts paid by the person claiming the exemption or his or her spouse or domestic partner during the assessment year for:

- (a) Drugs supplied by prescription of a medical practitioner authorized by the laws of this state or another jurisdiction to issue prescriptions;
  - (b) The treatment or care of either person received in the home or in a nursing home, assisted living facility, or adult family home;
  - (c) Health care insurance premiums for medicare under Title XVIII of the social security act;
  - (d) Costs related to medicare supplemental policies as defined in Title 42 U.S.C. Sec. 1395ss;
  - (e) Durable medical equipment, mobility enhancing equipment, medically prescribed oxygen, and prosthetic devices as defined in RCW 82.08.0283;
  - (f) Long-term care insurance as defined in RCW 48.84.020;
  - (g) Cost-sharing amounts as defined in RCW 48.43.005;
  - (h) Nebulizers as defined in RCW 82.08.803;
  - (i) Medicines of mineral, animal, and botanical origin prescribed, administered, dispensed, or used in the treatment of an individual by a person licensed under chapter 18.36A RCW;
  - (j) Ostomic items as defined in RCW 82.08.804;
  - (k) Insulin for human use;
  - (l) Kidney dialysis devices; and
  - (m) Disposable devices used to deliver drugs for human use as defined in RCW 82.08.935.
- (2) "Cotenant" means a person who resides with the person claiming the exemption and who has an ownership interest in the residence.
- (3) "County median household income" means the median household income estimates for the state of Washington by county of the legal address of the principal place of residence, as published by the office of financial management.
- (4) "Department" means the state department of revenue.
- (5) "Disability" has the same meaning as provided in 42 U.S.C.32 Sec. 423(d)(1)(A) as amended prior to January 1, 2005, or such subsequent date as the department may provide by rule consistent with the purpose of this section.
- (6) "Disposable income" means adjusted gross income as defined in the federal internal revenue code, as amended prior to January 1, 1989, or such subsequent date as the director may provide by rule consistent with the purpose of this section, plus all of the

following items to the extent they are not included in or have been deducted from adjusted gross income:

- (a) Capital gains, other than gain excluded from income under section 121 of the federal internal revenue code to the extent it is reinvested in a new principal residence;
- (b) Amounts deducted for loss;
- (c) Amounts deducted for depreciation;
- (d) Pension and annuity receipts;
- (e) Military pay and benefits other than attendant-care and medical-aid payments;
- (f) Veterans benefits, other than:
  - (i) Attendant-care payments;
  - (ii) Medical-aid payments;
  - (iii) Disability compensation, as defined in Title 38, part 3, section 3.4 of the Code of Federal Regulations, as of January 1, 2008; and
  - (iv) Dependency and indemnity compensation, as defined in Title 38, part 3, section 3.5 of the Code of Federal Regulations, as of January 1, 2008;
- (g) Federal social security act and railroad retirement benefits;
- (h) Dividend receipts; and
- (i) Interest received on state and municipal bonds.

(7) "Income threshold 1" means:

~~(a) For taxes levied for collection in calendar years prior to 2020, a A combined disposable income equal to ~~\$30,000~~ \$60,000 or less;~~

~~(b) For taxes levied for collection in calendar years 2020 through 2023, a combined disposable income equal to the greater of "income threshold 1" for the previous year or 45 percent of the county median household income and~~

~~(c) (b) For taxes levied for collection in calendar year 2024 and thereafter, a combined disposable income equal to the greater of "income threshold 1" for the previous year or 50 70 percent of the county median household income, adjusted every three years beginning August 1, 2023, as provided in RCW 84.36.385(8).~~

(8) "Income threshold 2" means:

~~(a) For taxes levied for collection in calendar years prior to 2020, a A combined disposable income equal to ~~\$35,000~~ more than \$60,000 but less than \$75,000;~~

~~(b) For taxes levied for collection in calendar years 2020 through 2023, a combined disposable income equal to the greater of "income threshold 2" for the previous year or 55 percent of the county median household income; and~~

~~(c)-(b)~~ For taxes levied for collection in calendar year 2024 and thereafter, a combined disposable income equal to the greater of "income threshold 2" for the previous year or 60 75 percent of the county median household income, adjusted every three years beginning August 1, 2023, as provided in RCW 84.36.385(8).

(9) "Income threshold 3" means:

(a) For taxes levied for collection in calendar years prior to 2020, a A combined disposable income equal to \$40,000 more than \$75,000 but less than \$90,000.

~~(b) For taxes levied for collection in calendar years 2020 through 2023, a combined disposable income equal to the greater of "income threshold 3" for the previous year or 65 percent of the county median household income; and~~

~~(c)~~ (b) For taxes levied for collection in calendar year 2024 and thereafter, a combined disposable income equal to the greater of "income threshold 3" for the previous year or 70 90 percent of the county median household income, adjusted every three years beginning August 1, 2023, as provided in RCW 84.36.385(8).

(10) "Principal place of residence" means a residence occupied for more than six months each calendar year by a person claiming an exemption under RCW 84.36.381.

(11) The term "real property" also includes a mobile home which has substantially lost its identity as a mobile unit by virtue of its being fixed in location upon land owned or leased by the owner of the mobile home and placed on a foundation (posts or blocks) with fixed pipe, connections with sewer, water, or other utilities. A mobile home located on land leased by the owner of the mobile home is subject, for tax billing, payment, and collection purposes, only to the personal property provisions of chapter 84.56 RCW and RCW 84.60.040.

(12) The term "residence" means a single-family dwelling unit whether such unit be separate or part of a multiunit dwelling, including the land on which such dwelling stands not to exceed one acre, except that a residence includes any additional property up to a total of five acres that comprises the residential parcel if this larger parcel size is required under land use regulations. The term also includes a share ownership in a cooperative housing association, corporation, or partnership if the person claiming exemption can establish that his or her share represents the specific unit or portion of such structure in which he or she resides. The term also includes a single-family dwelling situated upon lands the fee of which is vested in the United States or any instrumentality thereof including an Indian tribe or in the state of Washington, and notwithstanding the provisions of RCW 84.04.080 and 84.04.090, such a residence is deemed real property.

### **Sec. 603**

RCW 84.36.385 and 2021 c 145 s 24 are each amended to read as follows: (1) A claim for exemption under RCW 84.36.381 as now or hereafter amended, may be made and filed at any time during the year for exemption from taxes payable the following year and thereafter and solely upon forms as prescribed and furnished by the department of

revenue. However, an exemption from tax under RCW 84.36.381 continues for no more than six years unless a renewal application is filed as provided in subsection (3) of this section.

(2) A person granted an exemption under RCW 84.36.381 must inform the county assessor of any change in status affecting the person's entitlement to the exemption on forms prescribed and furnished by the department of revenue.

(3) Each person exempt from taxes under RCW 84.36.381 in 1993 and thereafter must file with the county assessor a renewal application not later than December 31st of the year the assessor notifies such person of the requirement to file the renewal application. Renewal applications must be on forms prescribed and furnished by the department of revenue.

(4) At least once every six years, the county assessor must notify those persons receiving an exemption from taxes under RCW 84.36.381 of the requirement to file a renewal application. The county assessor may also require a renewal application following an amendment of the income requirements set forth in RCW 84.36.381.

(5) If the assessor finds that the applicant does not meet the qualifications set forth in RCW 84.36.381, ~~as now or hereafter amended~~, the claim or exemption must be denied but such denial is subject to appeal under the provisions of RCW 84.48.010 and in accordance with the provisions of RCW 84.40.038. If the applicant had received exemption in prior years based on erroneous information, the taxes must be collected subject to penalties as provided in RCW 84.40.130 for a period of not to exceed five 3 years.

(6) The department and each local assessor is hereby directed to publicize the qualifications and manner of making claims under RCW 84.36.381 through 84.36.389, through communications media, including such paid advertisements or notices as it deems appropriate. Notice of the qualifications, method of making applications, the penalties for not reporting a change in status, and availability of further information must be included on or with property tax statements and revaluation notices for all residential property including mobile homes, except rental properties.

(7) The department must authorize an option for electronic filing of applications and renewal applications for the exemption under RCW 84.36.381.

(8) Beginning August 1, 2023, and by March 1st every third year thereafter, the department must publish updated income thresholds. The adjusted thresholds must be rounded up to the nearest one thousand dollars. If the income threshold adjustment is negative, the income threshold for the prior year continues to apply. The department must adjust income thresholds for each county to reflect the most recent year available of estimated county median household incomes, including preliminary estimates or projections, as published by the office of financial management. For the purposes of this subsection, "county median household income" has the same meaning as provided in RCW 84.36.383.

~~(9) Beginning with the adjustment made by August 1, 2023, aAs~~ provided in subsection (8) of this section, ~~and every adjustment thereafter~~, if an income threshold in a county is not adjusted based on percentage of county median income, then the income threshold must be adjusted based on the growth of the seasonally adjusted consumer price index for all urban consumers (CPI-U) for the prior twelve month period as published by the United States bureau of labor statistics. In no case may the adjustment be greater than one percent. The adjusted thresholds must be rounded to the nearest one dollar. If the income threshold adjustment is negative, the income threshold for the prior year continues to apply.

## **Sec. 604**

RCW 84.38.020 and 2019 c 453 s 4 are each amended to read as follows: The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1)(a) "Claimant" means a person who either elects or is required under RCW 84.64.050 to defer payment of the special assessments and/or real property taxes accrued on the claimant's residence by filing a declaration to defer as provided by this chapter.

(b) When two or more individuals of a household file or seek to file a declaration to defer, they may determine between them as to who the claimant is.

(2) "Devisee" has the same meaning as provided in RCW 21.35.005.

(3) "Equity value" means the amount by which the fair market value of a residence as determined from the records of the county assessor exceeds the total amount of any liens or other obligations against the property.

(4) "Heir" has the same meaning as provided in RCW 21.35.005

(5) "Income threshold" means: (a) For taxes levied for collection in calendar ~~years prior to 2020, a combined disposable income equal to \$45,000;~~ and (b) for taxes levied for collection in calendar year 2020 and thereafter, a combined disposable income equal to the greater of the income threshold for the previous year, or 75 90 percent of the county median household income, adjusted every three years beginning August 1, 2023, as provided in RCW 84.36.385(8).

Beginning with the adjustment made by August 1, 2023, as provided in RCW 84.36.385(8), if the income threshold in a county is not adjusted based on percentage of county median income as provided in this subsection, then the income threshold must be adjusted based on the growth of the consumer price index for all urban consumers (CPI-U) for the prior twelve-month period as published by the United States bureau of labor statistics. In no case may the adjustment be greater than one percent. The adjusted threshold must be rounded to the nearest one dollar. If the income threshold adjustment is negative, the income threshold for the prior year continues to apply.

(6) "Local government" means any city, town, county, water-sewer district, public utility district, port district, irrigation district, flood control district, or any other municipal

corporation, quasi-municipal corporation, or other political subdivision authorized to levy special assessments.

(7) "Real property taxes" means ad valorem property taxes levied on a residence in this state in the preceding calendar year.

(8) "Residence" has the meaning given in RCW 84.36.383.

(9) "Special assessment" means the charge or obligation imposed by a local government upon property specially benefited.

(10) RCW 82.32.805 and 82.32.808 do not apply to this act.

(11) This act applies to taxes levied for collection in 2027 and thereafter.

(12) This tax preference is meant to be permanent and, therefore, not subject to the ten-year expiration provision in RCW 82.32.805(1)(a)." [ 2017 c 323 s 304; 2015 3rd sp.s. c 30 s 1.]

## **PART SEVEN AMENDING THE MATURE MINOR RULE**

### **Sec. 701**

RCW 70.24.110 and 2020 c 76 s 7 are each amended to read

as follows:

The People find that children under the age of 17 do not have the proper brain development to fully comprehend the long term consequences of major medical or other health related decisions and strongly benefit from the advice and consent of their parents. Therefore, the intend of PART SEVEN is to amend the Mature Minor rule, to change the age when a child may consent to medical or health related actions, to a minimum age of 17.

A minor ~~((fourteen))~~ 17 years of age or older who may have come in contact with any sexually transmitted disease or suspected sexually transmitted disease may give consent to the furnishing of hospital, medical, and surgical care related to the diagnosis or treatment of such disease; and treatment to avoid HIV infection. Such consent shall not be subject to disaffirmance because of minority. The consent of the parent, parents, or legal guardian of such minor shall not be necessary to authorize hospital, medical, and surgical care related to such disease, and such parent, parents, or legal guardian shall not be liable for payment for any care rendered pursuant to this section.

### **Sec. 702**

RCW 71.34.500 and 2020 c 302 s 74 are each amended to19 read as follows:

(1) ~~((An adolescent))~~ A minor 17 years of age or older may admit himself or herself to an evaluation and treatment facility for inpatient mental health treatment or an approved substance use disorder treatment program for inpatient substance use disorder treatment without parental consent. The admission shall occur only if the professional person in charge of the facility concurs with the need for inpatient treatment. Parental

authorization, or authorization from a person who may consent on behalf of the minor pursuant to RCW 7.70.065, is required for inpatient treatment of a minor under the age of ~~((thirteen))~~ 17.

(2) When, in the judgment of the professional person in charge of an evaluation and treatment facility or approved substance use disorder treatment program, there is reason to believe that a minor is in need of inpatient treatment because of a behavioral health disorder, and the facility provides the type of evaluation and treatment needed by the minor, and it is not feasible to treat the minor in any less restrictive setting or the minor's home, the minor may be admitted to the facility.

(3) Written renewal of voluntary consent must be obtained from the applicant no less than once every ~~((twelve))~~ 12 months. The minor's need for continued inpatient treatments shall be reviewed and documented no less than every ~~((one hundred eighty))~~ 180 days.

### **Sec. 703**

RCW 71.34.510 and 2019 c 381 s 4 are each amended to read as follows:

(1) The professional person in charge of an evaluation and treatment facility shall provide notice to the parent of ~~((an adolescent))~~ a minor 17 years of age or older when the ~~((adolescent))~~ minor is voluntarily admitted to inpatient treatment under RCW 71.34.500 solely for mental health treatment and not for substance use disorder treatment, unless the professional person has a compelling reason to believe that such disclosure would be detrimental to the ~~((adolescent))~~ minor or contact cannot be made, in which case the professional person must document the reasons in the ~~((adolescent's))~~ minor's medical record.

(2) The professional person in charge of an evaluation and treatment facility or an approved substance use disorder treatment program shall provide notice to the parent of ~~((an adolescent))~~ a minor 17 years of age or older voluntarily admitted to inpatient treatment under RCW 71.34.500 for substance use disorder treatment only if: (a) The ~~((adolescent))~~ minor provides written consent to the disclosure of the fact of admission and such other substance use disorder treatment information in the notice; or (b) permitted by federal law.

(3) If the professional person withholds notice to a parent under subsection (1) of this section, or such notice cannot be provided, the professional person in charge of the facility must consult the information that the Washington state patrol makes publicly available under RCW 43.43.510(2) at least once every eight hours for the first ~~((seventy-two))~~ 72 hours of treatment and once every ~~((twenty-four))~~ 24 hours thereafter while the ~~((adolescent))~~ minor continues to receive inpatient services and until the time that the professional person contacts a parent of the ~~((adolescent))~~ minor. If the ~~((adolescent))~~ minor is publicly listed as missing, the professional person must immediately notify the department of children, youth, and families of its contact with the youth listed as missing. The notification must include a description of the ~~((adolescent's))~~ minor's physical and emotional condition.

(4) The notice required under subsections (1) and (2) of this section shall be in the form most likely to reach the parent within ~~((twenty-four))~~ 24 hours of the ~~((adolescent's))~~ minor's voluntary admission and shall advise the parent: (a) That the ~~((adolescent))~~ minor has been admitted to inpatient treatment; (b) of the location and telephone number of the facility providing such treatment; (c) of the name of a professional person on the staff of the facility providing treatment who is designated to discuss the ~~((adolescent's))~~ minor's need for inpatient treatment with the parent; and (d) of the medical necessity for admission. Notification efforts under subsections (1) and (2) of this section shall begin as soon as reasonably practicable, considering the ~~((adolescent's))~~ minor's immediate medical needs.

## **Sec. 704**

RCW 71.34.520 and 2019 c 381 s 5 are each amended to read as follows:

(1) Any ~~((adolescent))~~ minor 17 years of age or older voluntarily admitted to an evaluation and treatment facility or approved substance use disorder treatment program under RCW 71.34.500 may give notice of intent to leave at any time. The notice need not follow any specific form so long as it is written and the intent of the ~~((adolescent))~~ minor can be discerned.

(2) The staff member receiving the notice from a minor 17 years of age or older shall date it immediately and record its existence in the ~~((adolescent's))~~ minor's clinical record.

(a) If the evaluation and treatment facility is providing the ~~((adolescent))~~ minor solely with mental health treatment and not substance use disorder treatment, copies of the notice must be sent to the ~~((adolescent's))~~ minor's attorney, if any, the designated crisis responders, and the parent.

(b) If the evaluation and treatment facility or substance use disorder treatment program is providing the ~~((adolescent))~~ minor with substance use disorder treatment, copies of the notice must be sent to the ~~((adolescent's))~~ minor's attorney, if any, the designated crisis responders, and the parent only if: (i) The ~~((adolescent))~~ minor provides written consent to the disclosure of the ~~((adolescent's))~~ minor's notice of intent to leave and such other substance use disorder information; or (ii) permitted by federal law.

(3) The professional person shall discharge the ~~((adolescent))~~ minor 17 years of age or older from the facility by the second judicial day following receipt of the ~~((adolescent's))~~ minor's notice of intent to leave.

## **Sec. 705**

RCW 71.34.530 and 2019 c 381 s 6 are each amended to read as follows:

Any ~~((adolescent))~~ minor 17 years of age or older may request and receive outpatient treatment without the consent of the ~~((adolescent's))~~ minor's parent. Parental authorization, or authorization from a person who may consent on behalf of the minor

pursuant to RCW 7.70.065, is required for outpatient treatment of a minor under the age of ~~((thirteen))~~ 17.

NEW SECTION.

### **Sec. 706**

A new section is added to chapter 9.02 RCW to read as follows: Notwithstanding any provision of law to the contrary:

(1) A parent or legal guardian of a minor under the age of 17 may not be held financially responsible for services related to an abortion received by the minor if the parent or legal guardian did not consent to such services; and

(2) The state may not expend any funds to permit a minor under the age of 17 to voluntarily terminate a pregnancy without the consent of the minor's parent or legal guardian, unless, as determined by the reasonable, good faith clinical judgment of the patient's primary care physician, the life of the minor is in imminent danger because of a serious physical disorder, illness, or injury if the termination of the pregnancy is not performed.

### **Sec. 707**

**chapter 26.285** RCW is amended to read as follows:

A minor under the age of 17 may not provide informed consent for a health care procedure unless statutorily authorized to do so under this code. ~~The legislature hereby declares the principle of implied emancipation, also known as the mature minor rule, as articulated in Smith v. Seibly, 72 Wn.2d (1967), is abolished to the extent it conflicts with this section.~~

## **PART EIGHT MISCELLANEOUS PROVISIONS**

### **Sec. 801**

RCW 28A.320.160 and 2005 c 274 s 244 are each amended to read as follows:

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

(1) After receiving a report of an allegation that a student is a victim, target, or recipient of physical or sexual abuse, sexual misconduct, or assault by a school employee or school contractor, the school district must immediately notify the parents or legal guardians of that student.

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

~~(3) This section governs school operation and management under RCW 28A.710.040 and 28A.715.020, and applies to charter schools established under chapter 28A.710-~~

~~RCW and state tribal education compact schools subject to chapter 28A.715 RCW to the same extent it applies to school districts.~~

~~Sec. 602.~~

## **Sec. 802**

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

(1) A certificated or classified school employee or school contractor who has knowledge or reasonable cause to believe that a student has been a victim, target, or recipient of physical or sexual abuse ((or)), sexual misconduct, or assault by another school employee or contractor, shall report such abuse ((or)), misconduct, or assault to the appropriate school administrator. The school administrator shall cause a report to be made to the proper law enforcement agency if he or she has reasonable cause to believe that the sexual misconduct ((or)), physical or sexual abuse, or assault has occurred as required under RCW 26.44.030. During the process of making a reasonable cause determination, the school administrator shall contact all parties involved in the complaint and immediately notify parents and legal guardians as required by RCW 28A.320.160.

(2) Certificated and classified school employees shall receive training regarding their reporting obligations under state law and federal laws including Title IX, Title VI and FERPA in their orientation training when hired and then every three years thereafter. The training required under this subsection may be incorporated within existing training programs and related resources.

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

~~NEW SECTION. Sec. 603. Except for section 308 of this act, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.~~

~~NEW SECTION.~~

## **Sec. 803**

If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.