
SENATE BILL 5136

State of Washington

69th Legislature

2025 Regular Session

By Senator McCune

Prefiled 01/03/25.

1 AN ACT Relating to protecting the rights of parents and guardians
2 by using students' given names in public schools; adding a new
3 section to chapter 28A.320 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.320
6 RCW to read as follows:

7 (1) In order to protect the rights of children, families, and
8 teachers, and maintain order in K-12 public schools, the legislature
9 enacts the following provisions notwithstanding the model policies
10 and procedures required under RCW 28A.642.080:

11 (a) An employee or contractor may not use a name to address a
12 student other than the name listed on a student's birth certificate,
13 or derivatives thereof, without the written permission of a student's
14 parents or guardians.

15 (b) An employee or contractor may not use a pronoun in addressing
16 a student that is different from that student's biological sex
17 without the written permission of a student's parents or guardians.

18 (c) An employee or contractor operating in this state, when
19 acting in the course of his or her official duties, shall not carry
20 out any act or communication that would violate (a) or (b) of this
21 subsection.

1 (d) A public school or school district may not require an
2 employee or contractor to use a pronoun that does not match a
3 person's biological sex if contrary to the employee's or contractor's
4 religious or moral convictions.

5 (2) Nothing in this section prohibits an employee or contractor
6 from discussing any matters of public concern outside the context of
7 their official duties.

8 (3) Any aggrieved individual under this section may seek relief
9 through the office for civil rights at the United States department
10 of education, or bring a private right of action against any public
11 school or school district engaged in such prohibited discrimination,
12 or both.

13 (4) For the purposes of this section:

14 (a) "Contractor" means any individual working in any capacity for
15 any public school or school district through a contract between any
16 such public school or school district and that individual or that
17 individual's employer.

18 (b) "Employee" means any individual working in any capacity,
19 whether performance of such work is voluntary or paid, at any public
20 school or school district including but not limited to teachers,
21 administrators, janitors, cafeteria workers, or other individuals.

22 (c) "Parent" or "guardian" means a resident of this state who is
23 the parent, stepparent, adoptive parent, foster parent, or otherwise
24 the legal guardian of a qualified student.

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

26 (e) "Sex" means biological sex, as listed on an individual's
27 original birth certificate.

28 (f) "Student" means an individual under the age of 18 and has not
29 been emancipated under chapter 13.64 RCW.

30 NEW SECTION. **Sec. 2.** This act may be known and cited as the
31 given name act.

32 NEW SECTION. **Sec. 3.** If any provision of this act or its
33 application to any person or circumstance is held invalid, the
34 remainder of the act or the application of the provision to other
35 persons or circumstances is not affected.

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