
SENATE BILL 5181

State of Washington

69th Legislature

2025 Regular Session

By Senators C. Wilson and Pedersen

Prefiled 01/08/25.

1 AN ACT Relating to amending the parents rights initiative to
2 bring it into alignment with existing law; and amending RCW
3 28A.605.005.

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

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

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

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

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

1 (b) (i) To inspect their child's (~~public school~~) education
2 records in accordance with RCW 28A.605.030, and to request and
3 receive a copy of their child's education records (~~within 10~~
4 ~~business days of submitting a written request, either electronically~~
5 ~~or on paper~~) in accordance with the federal family educational
6 rights and privacy act of 1974, Title 20 U.S.C. Sec. 1232g, as in
7 effect on January 1, 2025, within a reasonable period of time.

8 (ii) Parents or legal guardians must not be required to appear in
9 person for the purposes of requesting or validating a request for
10 their child's (~~public school~~) education records.

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

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

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

22 ~~(B) Medical or health records;~~

23 ~~(C) Records of any mental health counseling;~~

24 ~~(D) Records of any vocational counseling;~~

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

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

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

33 ~~(H) Any other student-specific files, documents, or other~~
34 ~~materials that are maintained by the public school)) Education~~

35 records means those official records, files, and data directly
36 related to a student and maintained by the school including, but not
37 limited to, records encompassing all the material kept in the child's
38 cumulative folder, such as general identifying data, records of
39 attendance and of academic work completed, records of achievement and

1 results of evaluative tests, disciplinary status, test protocols, and
2 individualized education programs;

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

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

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

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

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

24 ~~(f)) To receive ((immediate)) notification ((if a criminal~~
25 ~~action is deemed to have)) within a reasonable amount of time, but no~~
26 ~~later than 72 hours, of the school district receiving information~~
27 ~~that a criminal action has been committed against their child ((or by~~
28 ~~their child)) on school property during the school day or their child~~
29 ~~has been detained based on probable cause of involvement in criminal~~
30 ~~activity on school property during the school day;~~

31 ~~((g)) (d) To receive ((immediate)) notification within a~~
32 ~~reasonable amount of time, but no later than 72 hours, if law~~
33 ~~enforcement personnel question their child during a custodial~~
34 ~~interrogation at the school during the school day, except in cases~~
35 ~~where the parent or legal guardian has been accused of abusing or~~
36 ~~neglecting the child;~~

37 ~~((h)) (e) To receive ((immediate notification if their child is~~
38 ~~taken or removed from the public school campus without parental~~
39 ~~permission, including to stay at a youth shelter or "host home" as~~
40 ~~defined in RCW 74.15.020)) notification within a reasonable amount of~~

1 time, but no later than 72 hours, if their child is removed from any
2 school grounds or building thereon during school hours, pursuant to
3 the policies established and required by RCW 28A.605.010, except
4 where the provisions of RCW 74.15.020, 13.32A.082, 26.44.050, or
5 26.44.115 apply, in which case the notice provisions related to those
6 statutes govern;

7 ~~((i))~~ (f) To receive assurance their child's public school will
8 not discriminate against their child based ~~((upon the sincerely held~~
9 ~~religious beliefs of the child's family in accordance with chapter))~~
10 on the basis of sex, race, creed, religion, color, national origin,
11 honorably discharged veteran or military status, sexual orientation
12 including gender expression or identity, the presence of any sensory,
13 mental, or physical disability, or the use of a trained dog guide or
14 service animal by a person with a disability in accordance with
15 chapters 28A.640 and 28A.642 RCW;

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

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

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

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

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

31 (i) Political affiliations or beliefs of the child or the child's
32 parent or legal guardian;

33 (ii) Mental or psychological problems of the child or the child's
34 family;

35 (iii) Sex behavior and attitudes;

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

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

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

3 (vii) Religious practices, affiliations, or beliefs of the child
4 or child's parent or legal guardian; or

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

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

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

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

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

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

1 (3) Notwithstanding anything to the contrary, a public school
2 shall not be required to release any records or information regarding
3 a student's (~~medical or health records or mental health counseling~~)
4 health care, social work, counseling, or disciplinary records to a
5 parent or legal guardian who is the defendant in a criminal
6 proceeding where the student is the named victim or during the
7 pendency of an investigation of child abuse or neglect conducted by
8 any law enforcement agency or the department of children, youth, and
9 families where the parent or legal guardian is the target of the
10 investigation, unless the parent or legal guardian has obtained a
11 court order.

12 (4) (~~As used in this section "public school" has the same~~
13 ~~meaning as in RCW 28A.150.010~~) Nothing in this section creates a
14 private right of action.

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