

INITIATIVE 2081

1 AN ACT Relating to establishing the parents' bill of rights; and
2 adding a new section to chapter 28A.605 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.605
5 RCW to read as follows:

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

11 (2) Parents and legal guardians of public school children younger
12 than 18 years old have all of the following rights:

13 (a) To examine the textbooks, curriculum, and supplemental
14 material used in their child's classroom;

15 (b)(i) To inspect their child's public school records in
16 accordance with RCW 28A.605.030, and to receive a copy of their
17 child's records within 10 business days of submitting a written
18 request, either electronically or on paper.

19 (ii) Parents or legal guardians must not be required to appear in
20 person for the purposes of requesting or validating a request for
21 their child's public school records.

1 (iii) No charge may be imposed on a parent or legal guardian to
2 receive such records electronically. Any charges for a paper copy of
3 such records must be reasonable and set forth in the official
4 policies and procedures of the school district.

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

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

8 (B) Medical or health records;

9 (C) Records of any mental health counseling;

10 (D) Records of any vocational counseling;

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

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

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

19 (H) Any other student-specific files, documents, or other
20 materials that are maintained by the public school;

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

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

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

35 (f) To receive immediate notification if a criminal action is
36 deemed to have been committed against their child or by their child;

37 (g) To receive immediate notification if law enforcement
38 personnel question their child, except in cases where the parent or
39 legal guardian has been accused of abusing or neglecting the child;

1 (h) To receive immediate notification if their child is taken or
2 removed from the public school campus without parental permission,
3 including to stay at a youth shelter or "host home" as defined in RCW
4 74.15.020;

5 (i) To receive assurance their child's public school will not
6 discriminate against their child based upon the sincerely held
7 religious beliefs of the child's family in accordance with chapter
8 28A.642 RCW;

9 (j) To receive written notice and the option to opt their child
10 out of any surveys, assignments, questionnaires, role-playing
11 activities, recordings of their child, or other student engagements
12 that include questions about any of the following:

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

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

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

18 (iv) All surveys, analyses, and evaluations subject to areas
19 covered by the protection of pupil rights amendment of the family
20 educational rights and privacy act;

21 (k) To receive written notice and have the option to opt their
22 child out of instruction on topics associated with sexual activity in
23 accordance with RCW 28A.300.475;

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

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

35 (n) To receive in writing each year or to view on the school's
36 website a description of the school's required dress code or uniform
37 established pursuant to RCW 28A.320.140, if applicable, for students;
38 and

39 (o) To be informed if their child's academic performance,
40 including whether their child is provided a student learning plan

1 under RCW 28A.655.270, is such that it could threaten the child's
2 ability to be promoted to the next grade level and to be offered an
3 in-person meeting with the child's classroom teacher and principal to
4 discuss any resources or strategies available to support and
5 encourage the child's academic improvement.

6 (3) Notwithstanding anything to the contrary, a public school
7 shall not be required to release any records or information regarding
8 a student's medical or health records or mental health counseling
9 records to a parent during the pendency of an investigation of child
10 abuse or neglect conducted by any law enforcement agency or the
11 department of children, youth, and families where the parent is the
12 target of the investigation, unless the parent has obtained a court
13 order.

14 (4) As used in this section "public school" has the same meaning
15 as in RCW 28A.150.010.