
ENGROSSED SUBSTITUTE HOUSE BILL 1230

State of Washington

55th Legislature

1997 Regular Session

By House Committee on Education (originally sponsored by Representatives Backlund, Johnson, Lambert, Carrell, Sherstad, D. Schmidt, Thompson, Boldt and Pennington)

Read first time 02/11/97.

1 AN ACT Relating to students' rights; adding a new section to
2 chapter 28A.600 RCW; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature recognizes the right of free
5 speech and freedom of religion as guaranteed through the First
6 Amendment to the United States Constitution and Article I, sections 5
7 and 11 of the Washington state Constitution and that these rights
8 extend to students enrolled in the common schools of our state.

9 The legislature also recognizes that students may choose to
10 exercise these rights, as protected under the law, in response to the
11 challenges of academic pursuit. While the legislature upholds the
12 rights of students to freely express their religious beliefs and right
13 of free speech, it also holds firmly that it is not the role of
14 education to solicit student responses that force students to reveal,
15 analyze, or critique their religious beliefs.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.600
17 RCW to read as follows:

1 (1) The First Amendment to the United States Constitution, and
2 Article I, sections 5 and 11 of the Washington state Constitution
3 guarantee that students retain their rights of free speech and free
4 exercise of religion, notwithstanding the student's enrollment and
5 attendance in a common school. These rights include, but are not
6 limited to, the right of an individual student to freely express and
7 incorporate the student's religious beliefs and opinions where relevant
8 or appropriate in any and all class work, homework, evaluations or
9 tests. School personnel may not grade the class work, homework,
10 evaluation, or test on the religious expression but may grade the
11 student's performance on scholastic content such as spelling, sentence
12 structure, and grammar, and the degree to which the student's
13 performance reflects the instruction and objectives established by the
14 school personnel. School personnel may not subject an individual
15 student who expresses religious beliefs or opinions in accordance with
16 this section to any form of retribution or negative consequence and may
17 not penalize the student's standing, evaluations, or privileges. An
18 employee of the school district may not censure a student's expression
19 of religious beliefs or opinions, when relevant or appropriate, in any
20 class work, homework, evaluations or tests, extracurricular activities,
21 or other activities under the sponsorship or auspices of the school
22 district.

23 (2) This section is not intended to impose any limit on the
24 exchange of ideas in the common schools of this state. However, no
25 officer, employee, agent, or contractor of a school district may
26 solicit, suggest, or prompt students, either directly or indirectly, to
27 express their religious beliefs or opinions, recognized and protected
28 by this statute, in class work, homework, evaluations or tests,
29 extracurricular activities, or other activities under the auspices of
30 the school district.

31 (3) The superintendent of public instruction shall distribute to
32 the school districts information about laws governing students' rights
33 of religious expression in school.

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