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

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

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