

**ESSB 5395** - H AMD TO ED COMM AMD (H-4971.4/20) **2021**

By Representative Shea

**NOT ADOPTED 03/04/2020**

1           On page 5, line 7 of the striking amendment, after "(11)"  
2 insert "Public schools must provide teachers and other school  
3 employees with an opportunity to opt of providing the instruction in  
4 comprehensive sexual health education required under this section.  
5 No public school shall discharge or in any manner discriminate  
6 against any teacher or school employee because such teacher or  
7 employee has opted out of providing instruction. Any teacher or  
8 school employee who believes that he or she has been discharged or  
9 otherwise discriminated against in violation of this subsection may  
10 bring an action in the superior court of the county wherein the  
11 violation is alleged to have occurred against the public school  
12 alleged to have violated this subsection. The superior court shall  
13 have jurisdiction, for cause shown, to restrain violations of this  
14 subsection and order all appropriate relief, including rehiring or  
15 reinstatement of the teacher or school employee to his or her former  
16 position with back pay.

17           (12)"

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**EFFECT:** Requires public schools to provide teachers and other school employees with an opportunity to opt out of providing instruction in comprehensive sexual health education. Prohibits public schools from discriminating against teachers and other school employees who opt out. Specifies that teachers and school employees who believe they have been discriminated against may bring an action for appropriate relief in superior court.

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