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**ENGROSSED HOUSE BILL 1478**

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**State of Washington**                      **68th Legislature**                      **2023 Regular Session**

**By** Representatives Timmons, Sandlin, Santos, Ryu, Ramel, and Pollet

Read first time 01/20/23. Referred to Committee on Education.

1            AN ACT Relating to a statement of student rights that reaffirms  
2 and promotes the constitutional and statutory rights of public school  
3 students; adding a new section to chapter 28A.230 RCW; and creating  
4 new sections.

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

6            NEW SECTION.    **Sec. 1.**    (1) The legislature finds that public  
7 education is a cornerstone of a healthy, diverse, and productive  
8 society. Public education is a transformative force that shapes the  
9 history and functioning of our nation, including its civic  
10 institutions, colleges and universities, and economy. Public  
11 education is also instrumental in helping to chart the course of  
12 progress for our nation's future.

13            (2) Article IX of the Washington Constitution requires the state  
14 to make ample provision for the education of all children residing  
15 within its borders. This requirement recognizes that public schools  
16 are foundational to our democracy, working in partnership with  
17 families and communities to shape the next generation of leaders into  
18 respectful and engaged critical thinkers.

19            (3) The legislature finds that students, who rightly enjoy  
20 privileges and protections under the Constitutions and laws of the  
21 United States and the state of Washington, as well as the Declaration

1 of Independence, will benefit from a deeper awareness and knowledge  
2 of those rights, including their evolution and interpretation, and  
3 how they may be subject to extension or elimination through  
4 executive, legislative, or judicial actions.

5 (4) Whether in matters of free speech, privacy, equal protection  
6 under the law, or voting rights, the engagement of an active  
7 citizenry is critical to our nation and its democratic ideals.  
8 Therefore, in recognition of the role that public education can play  
9 in providing students with information about their rights and about  
10 how to employ their rights for the betterment of education and  
11 society, the legislature intends to require each school district,  
12 charter school, and state-tribal education compact school to develop  
13 student-focused educational and promotional materials, for  
14 communication and classroom use, that incorporate the statement of  
15 student rights established in section 2 of this act.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.230  
17 RCW to read as follows:

18 (1)(a) Each school district, charter school, and state-tribal  
19 education compact school shall develop student-focused educational  
20 and promotional materials that incorporate the statement of student  
21 rights provided by this section. A link to the materials must be made  
22 available on school district, charter school, and state-tribal  
23 compact school websites, social media platforms, and other  
24 communication channels used by students. The materials must also be  
25 incorporated into civics education curricula provided to students in  
26 accordance with RCW 28A.230.094.

27 (b) The office of the superintendent of public instruction shall  
28 make the statement of student rights available on its website and is  
29 encouraged to include the statement in materials provided under RCW  
30 28A.230.150.

31 (2) The statement of student rights is as follows:

32 (a)(i) Public school students are subject to the Declaration of  
33 Independence and the United States Constitution, and its privileges  
34 and protections, including:

35 (A) The free exercise of religion;

36 (B) The freedom of speech;

37 (C) The right to peaceably assemble;

38 (D) The right to petition the government for a redress of  
39 grievances;

1 (E) The freedom from unreasonable searches and seizures;

2 (F) The right to a due process of law;

3 (G) The right to equal protection of the laws; and

4 (H) The right to life, liberty, and the pursuit of happiness.

5 (ii) Public school students are subject to numerous privileges  
6 and protections derived from federal statutes, examples of which  
7 include:

8 (A) The right to be free from discrimination with regard to  
9 accessing education programs and activities offered by a recipient of  
10 federal financial assistance;

11 (B) The right of students with disabilities to receive special  
12 education and related services that address their individual needs;  
13 and

14 (C) The right of students with disabilities to be free from  
15 discrimination with regard to accessing education programs and  
16 facilities.

17 (b) (i) Public school students are subject to the state  
18 Constitution and its privileges and protections, including:

19 (A) The right of petition and peaceable assemblage;

20 (B) The freedom to speak, write, and publish on all subjects;

21 (C) The right to not be disturbed in private affairs without  
22 authority of law;

23 (D) The right to absolute freedom of conscience in all matters of  
24 religious sentiment, belief, and worship;

25 (E) The right to attend public schools that are funded in a  
26 manner that is consistent with the state's paramount duty of making  
27 ample provision for the education of all children residing within its  
28 borders;

29 (F) The right to have schools that are maintained wholly or  
30 partially by public funds free from sectarian control or influence;

31 (G) The right for minors to receive an education while residing  
32 in a criminal justice facility;

33 (H) The right of qualified persons to utilize education  
34 facilities and services established and funded for the benefit of  
35 persons who are deaf, blind, or both; and

36 (I) The right of qualified persons to vote at all elections,  
37 including elections for school directors, members of the legislature,  
38 and the superintendent of public instruction.

1 (ii) Public school students are subject to numerous privileges  
2 and protections derived from state statutes, examples of which  
3 include:

4 (A) The right to access, without tuition, a school district's  
5 kindergarten through 12th grade basic education program for students  
6 of qualifying age;

7 (B) The right to a basic education that provides students with  
8 opportunities to develop the knowledge and skills necessary to meet  
9 state-established graduation requirements, which are intended to  
10 provide students with the opportunity to graduate with a meaningful  
11 diploma that prepares them for postsecondary education, gainful  
12 employment, and citizenship; and

13 (C) Due process rights related to disciplinary measures and  
14 education access.

15 (3) The rights identified in this section are not intended to be  
16 a comprehensive delineation of student rights or the manner in which  
17 they are derived, nor is this section intended to have any  
18 application to rights established in other titles or in other  
19 provisions of state and federal law.

20 NEW SECTION. **Sec. 3.** This act may be known and cited as the  
21 statement of student rights act.

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