
HOUSE BILL 1478

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, will benefit from a deeper

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

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

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

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

23 (b) The office of the superintendent of public instruction shall
24 make the statement of student rights available on its website and is
25 encouraged to include the statement in materials provided under RCW
26 28A.230.150.

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

28 (a)(i) Public school students are subject to the United States
29 Constitution and its privileges and protections, including:

30 (A) The free exercise of religion;

31 (B) The freedom of speech;

32 (C) The right to peaceably assemble;

33 (D) The right to petition the government for a redress of
34 grievances;

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

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

37 (G) The right to equal protection of the laws.

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

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

7 (B) The right of students with disabilities to receive special
8 education and related services that address their individual needs;
9 and

10 (C) The right of students with disabilities to be free from
11 discrimination with regard to accessing education programs and
12 facilities.

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

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

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

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

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

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

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

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

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

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

35 (ii) Public school students are subject to numerous privileges
36 and protections derived from state statutes, examples of which
37 include:

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

1 (B) The right to a basic education that provides students with
2 opportunities to develop the knowledge and skills necessary to meet
3 state-established graduation requirements, which are intended to
4 provide students with the opportunity to graduate with a meaningful
5 diploma that prepares them for postsecondary education, gainful
6 employment, and citizenship; and

7 (C) Due process rights related to disciplinary measures and
8 education access.

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

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

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