
SUBSTITUTE SENATE BILL 5123

State of Washington

69th Legislature

2025 Regular Session

By Senate Early Learning & K-12 Education (originally sponsored by Senators Nobles, C. Wilson, Hasegawa, Lias, Lovelett, Saldaña, Slatter, Stanford, and Valdez)

READ FIRST TIME 02/06/25.

1 AN ACT Relating to expanding protections for certain students to
2 promote inclusivity in public schools; amending RCW 28A.642.010;
3 adding a new section to chapter 28A.642 RCW; and creating a new
4 section.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that:

7 (1) Clear and comprehensive definitions that reflect an evolving
8 understanding of identity can ensure that Washington schools are at
9 the forefront of inclusivity;

10 (2) While federal protections provide a foundation, the
11 legislature recognizes the urgency of addressing the needs of diverse
12 communities. Through state protections, the legislature ensures
13 equity and justice for every student regardless of federal action or
14 inaction;

15 (3) Discrimination can create an environment of harassment and
16 exclusion, creating barriers to learning and development and leading
17 to severe impacts on student mental health and academic success. This
18 often results in higher rates of anxiety and depression for
19 marginalized students;

20 (4) Inclusive schools have been shown to improve mental health
21 outcomes through a sense of belonging. For example, LGBTQ-affirming

1 schools play a role in reducing suicidal ideation for LGBTQ students
2 according to the Trevor project; and

3 (5) By providing statewide protections for marginalized students,
4 Washington can pave the way for more inclusivity.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.642
6 RCW to read as follows:

7 The definitions in this section apply throughout this chapter
8 unless the context clearly requires otherwise.

9 (1) "Ethnicity" means a connection to a population group that
10 shares a common cultural heritage or ancestry.

11 (2) "Gender expression" means the external appearance of one's
12 gender identity, usually expressed through behavior, clothing, body
13 characteristics, or voice, and which may or may not conform to
14 socially defined behaviors and characteristics typically associated
15 with being either masculine or feminine.

16 (3) "Gender identity" means a person's internal sense of being
17 male, female, both, neither, or in-between, independent of how it is
18 expressed or perceived by others.

19 (4) "Homelessness" means without a fixed, regular, and adequate
20 nighttime residence, including circumstances such as sharing the
21 housing of other persons due to loss of housing, economic hardship,
22 fleeing domestic violence, or a similar reason as set forth in the
23 federal McKinney-Vento homeless assistance act, 42 U.S.C. Sec. 11301
24 et seq.

25 (5) "Immigration or citizenship status" has the same meaning as
26 defined in RCW 43.17.420.

27 (6) "Neurodivergence" means neurological differences including,
28 but not limited to, autism spectrum disorder, dyslexia, and attention
29 deficit hyperactivity disorder. Neurodivergent individuals may or may
30 not identify as disabled.

31 (7) "Sexual orientation" means an individual's enduring pattern
32 of romantic, emotional, or sexual attraction to people of the same
33 gender, a different gender, or multiple genders.

34 **Sec. 3.** RCW 28A.642.010 and 2010 c 240 s 2 are each amended to
35 read as follows:

36 Discrimination in Washington public schools on the basis of race,
37 ethnicity, creed, religion, color, national origin, honorably
38 discharged veteran or military status, sexual orientation

1 (~~including~~), gender expression (~~or~~), gender identity,
2 homelessness, immigration or citizenship status, the presence of any
3 sensory, mental, or physical disability, neurodivergence, or the use
4 of a trained dog guide or service animal by a person with a
5 disability is prohibited. The definitions given these terms in
6 chapter 49.60 RCW apply throughout this chapter except as provided in
7 section 2 of this act and unless the context clearly requires
8 otherwise.

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