

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 1230

Chapter 131, Laws of 1998

55th Legislature
1998 Regular Session

STUDENTS' RELIGIOUS RIGHTS

EFFECTIVE DATE: 6/11/98

Passed by the House March 7, 1998
Yeas 93 Nays 3

CLYDE BALLARD
Speaker of the
House of Representatives

Passed by the Senate March 3, 1998
Yeas 37 Nays 12

BRAD OWEN
President of the Senate

Approved March 25, 1998

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1230** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

FILED

March 25, 1998 - 4:17 p.m.

Secretary of State
State of Washington

ENGROSSED SUBSTITUTE HOUSE BILL 1230

AS AMENDED BY THE SENATE

Passed Legislature - 1998 Regular Session

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

23 (2) This section is not intended to impose any limit on the
24 exchange of ideas in the common schools of this state. No officer,
25 employee, agent, or contractor of a school district may impose his or
26 her religious beliefs on any student in class work, homework,
27 evaluations or tests, extracurricular activities, or other activities
28 under the auspices of the school district.

29 (3) The superintendent of public instruction shall distribute to
30 the school districts information about laws governing students' rights
31 of religious expression in school.

Passed the House March 7, 1998.

Passed the Senate March 3, 1998.

Approved by the Governor March 25, 1998.

Filed in Office of Secretary of State March 25, 1998.