RCW 28A.605.005 Parental rights. (1) The legislature finds that: (a) Parents are the primary stakeholders in their children's upbringing; (b) parental involvement is a significant factor in increasing student achievement; and (c) access to student information encourages greater parental involvement.

(2) Parents and legal guardians of children enrolled in public schools as defined in RCW 28A.150.010 have the following rights:

(a) To access their child's classroom and school-sponsored activities to observe in accordance with RCW 28A.605.020 and to examine the curriculum, textbooks, instructional materials, and supplemental instructional materials used in their child's classroom in accordance with policies and procedures;

(b)(i) To inspect and review their child's education records and to request and receive a copy of their child's education records within a reasonable period of time, but not more than 45 days, of submitting a request in accordance with the federal family educational rights and privacy act of 1974, Title 20 U.S.C. Sec. 1232g, as in effect on January 1, 2025, and RCW 28A.605.030.

(ii) Parents and legal guardians choosing to inspect and review their child's education records may not be required by a public school to appear in person for the purposes of requesting or validating a request for their child's education records, provided the public school can ascertain the identity of the requestor.

(iii) No charge may be imposed on a parent or legal guardian to inspect or review their child's education records or for the costs of searching for or retrieving the education records. Any charges for a copy of such records must be reasonable, not prevent a parent, legal guardian, or eligible child from exercising the right to inspect and review the child's education records, and be set forth in the official policies and procedures of the school district and public school.

(iv) Education records means those official records, files, and data directly related to a student and maintained by the public school including, but not limited to, records encompassing all the material kept in the child's cumulative folder, such as general identifying data, records of attendance and of academic work completed, records of achievement and results of evaluative tests, disciplinary status, test protocols, and individualized education programs.

(v) Education records do not include records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record.

(vi) Nothing in this section changes the access and disclosure provisions established in chapter 70.02 RCW related to health care information;

(c) To receive immediate notification upon receipt of a report that a criminal action is alleged to have been committed against their child on school property during the school day or during a school sponsored activity, including immediate notification if there has been a shooting on school property, or their child has been detained based on probable cause of involvement in criminal activity on school property during the school day;

(d) To receive immediate notification upon receipt of a report that their child is alleged to be the victim, target, or recipient of physical or sexual abuse, sexual misconduct, or assault by a school employee or school contractor, as required by RCW 28A.320.160;

(e) To receive immediate notification if law enforcement personnel question their child during a custodial interrogation at the

school during the school day, except in cases where the parent or legal guardian has been accused of abusing or neglecting the child;

(f) To not have their child removed from school grounds or buildings during school hours without authorization of a parent or legal guardian according to the provisions in RCW 28A.605.010. Nothing in this section affects the provisions in RCW 74.15.020, 13.32A.082, 26.44.050, or 26.44.115;

(g) To have their child receive a public education in a setting in which discrimination on the basis of sex, race, creed, religion, color, national origin, honorably discharged veteran or military status, sexual orientation, gender expression, gender identity, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability is prohibited under chapters 28A.640 and 28A.642 RCW;

(h) In accordance with the protection of pupil rights, Title 20 U.S.C. Sec. 1232h, the right to receive written notice and the option to opt their child out of any survey, analysis, or evaluation that reveals information concerning:

(i) Political affiliations or beliefs of the student or the student's parent or legal guardian;

(ii) Mental or psychological problems of the student or the student's family;

(iii) Sex behavior and attitudes;

(iv) Illegal, antisocial, self-incriminating, or demeaning behavior;

(v) Critical appraisals of other individuals with whom respondents have close family relationships;

(vi) Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;

(vii) Religious practices, affiliations, or beliefs of the student or student's parent or legal guardian; or

(viii) Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program;

(i) To receive written notice and have the option to opt their child out of comprehensive sexual health education in accordance with RCW 28A.300.475;

(j) To receive from the public school the annual school calendar, no later than 30 days prior to the beginning of the school year, and to be notified in writing as soon as feasible of any revisions to such calendar. Such calendar must be posted to the public school's website and must include, at a minimum, student attendance days and any known event that requires parent, legal guardian, or student attendance outside of normal school days or hours;

(k) To receive in writing each year or to view on the public school's website a comprehensive listing of any required fee and its purpose and use and a description of how economic hardships may be considered in the administration of fees;

(l) To receive in writing each year or to view on the public school's website a description of the school's required dress code or uniform established pursuant to the policies established and allowed by RCW 28A.320.140, if applicable, for students;

(m) To be informed if their child's academic progress, including the right to receive periodic reports on their child's educational growth and development in accordance with RCW 28A.150.240 and to receive notice of their child's performance on state learning standards tests and assessments in accordance with RCW 28A.230.195,

and whether the performance, is such that it could threaten the child's ability to be promoted to the next grade level. A parent or legal guardian also has the right to request an in-person meeting with the child's classroom teacher and principal to discuss any resources or strategies available to support and encourage the child's academic improvement;

(n) To file a complaint on behalf of their child under RCW 28A.600.477 relating to harassment, intimidation, and bullying;

(o) To have their child qualify for enrollment in a school district if they are transferred to, or pending transfer to, a military installation within the state in accordance with RCW 28A.225.216;

(p) To request enrollment for their child in a charter school established under chapter 28A.710 RCW;

(q) To have their child qualify without a legal residence for enrollment in a school district in accordance with RCW 28A.225.215;

(r) To have their child whose primary language is not English access supplemental instruction and services through the transitional bilingual instruction program in accordance with RCW 28A.150.220;

(s) To receive annual notice of the public school's language access policies and services, the parents' rights to free language access services under Title VI of the civil rights act of 1964, 42 U.S.C. Sec. 2000d, et seq., and the contact information for any language access services under RCW 28A.183.040;

(t) To request enrollment for their child in a nonresident school district in accordance with RCW 28A.225.220, 28A.225.225, and 28A.225.230;

(u) To be notified of unexcused absences and to engage in efforts to eliminate or reduce their child's absences in accordance with RCW 28A.225.015, 28A.225.018, and 28A.225.020;

(v) To request, under RCW 28A.155.090, information about special education programs and assistance for their child if their child is eligible for but not receiving special education services, including due to illness;

(w) To request an appeal to the superintendent of public instruction under RCW 28A.155.080 if their child with disabilities has been denied the opportunity of a special education program by a school district or public school; and

(x) To access special education due process hearings regarding their child as required by RCW 28A.155.020.

(3) Notwithstanding anything to the contrary, a public school shall not be required to release any records or information regarding a student's health care, social work, counseling, or disciplinary records to a parent or legal guardian who is the defendant in a criminal proceeding where the student is the named victim or during the pendency of an investigation of child abuse or neglect conducted by any law enforcement agency or the department of children, youth, and families where the parent or legal guardian is the target of the investigation, unless the parent or legal guardian has obtained a court order.

(4) Nothing in this section creates a private right of action. [2025 c 369 s 501; 2024 c 4 s 1 (Initiative Measure No. 2081).]

Effective date—2025 c 369: See note following RCW 28A.320.209.