

Initiative 2081, to establish a Parents Bill of Rights in Washington State

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Key Findings

1. Initiative Measure 2081 is a citizens' initiative that would establish a parents' bill of rights.
2. Parents would have the right to be informed about educational and medical information related to their children.
3. Initiative 2081 would require the public schools to provide the textbooks, curriculum and supplemental material used in their child's classroom.
4. The measure would require public schools to provide parents access to all records related to their children, including information that schools currently hide from parents.
5. The measure would require public schools to inform parents when medical services are being offered to their child, except where emergency medical treatment is required.
6. Initiative 2081 would require public school officials to affirm that they will not discriminate against children based on the religious beliefs of the child's family.
7. Initiative 2081 would require public schools to allow children to opt out of surveys and activities related to sexual behavior, family's beliefs, religion, or political affiliation.
8. The measure would require public schools to inform parents about the school calendar, school dress code, and their child's academic performance.

Introduction

A group of concerned citizens called Let's Go Washington has gathered enough signatures to present a people's initiative to the

legislature, Initiative 2081, which would require public school officials to provide parents with educational and medical information about their child.¹ Initiative sponsors needed to collect 324,516 valid signatures (8% of the votes cast in the last election for governor) by December 31st to submit the measure for consideration in the 2024 legislative session.²

Initiative 2081 supporters collected 454,372 signatures.³ On January 18, 2024 the Secretary of State certified that the measure had enough valid signatures to qualify.⁴ Lawmakers must debate and consider the initiative during the 2024 session.

Lawmakers have three choices:⁵

- They can enact the initiative into law as is (the governor's signature is not required);
- They can take no action, in which case the initiative is forwarded to voters on the November 2024 general election ballot. If voters approve the initiative it becomes law;

1 "An Act relating to establishing the parents' bill of rights," introduced January 19, 2024, sponsored by The People of the State of Washington, at <https://lawfilesexternal.wa.gov/biennium/2023-24/Pdf/Initiatives/Initiatives/INITIATIVE%202081.pdf?q=20240122151143>.

2 "Initiatives and Referenda Handbook – 2022," Elections Division, Office of the Secretary of State, Washington State, accessed October 20, 2022, at <https://www.sos.wa.gov/assets/elections/initiatives/initiative-and-referenda-handbook-2022.pdf>.

3 "Let's Go Washington Turns in Over 2.6 Million Signatures for Six Landmark Initiatives," by Let's Go Washington, December 28, 2024, at <https://letsgowashington.com/lets-go-washington-turns-in-over-2-6-million-signatures-for-all-six-landmark-initiatives/>.

4 "Secretary Hobbs notifies Legislature of initiative no. 2081 certification," by Washington Secretary of State, January 18, 2024 at <https://www.sos.wa.gov/about-office/news/2024/secretary-hobbs-notifies-legislature-initiative-no-2081-certification>.

5 Ibid.

- They can pass their own alternative version, in which case both versions, the original and the legislature’s, will appear on the November 2024 ballot. Voters will first decide whether either version should become law and, if so, indicate on the same ballot which one should pass.

Text of Initiative 2081

Section 1 of Initiative 2081⁶ describes three fundamental principles:⁷

1. Parents are the primary stakeholders in their children’s upbringing;
2. Parental involvement is a significant factor in increasing student achievement;
3. Providing parents with access to their child’s information encourages greater parental involvement in public education.⁸

Initiative 2081 would establish the legal right of parents to examine the textbooks, curriculum, and supplemental material used in their child’s classrooms and to examine their child’s public school records. These records include:

- Academic records;
- Medical or health records;
- Records of any mental health counseling;
- Records of any vocational counseling;

- Records of discipline, including expulsions and suspensions;
- Records of attendance, including unexcused absences.
- Records associated with a child’s screening for learning problems, exceptional conditions, plans for an Individualized Education Program (IEP) or plans adopted under section 504 of the rehabilitation act of 1973.

This would include any other student-specific files, documents, or other materials that are maintained by the public schools and which are currently kept hidden from parents.

The Initiative would require parents to be notified whenever school officials take action that directly affects their child’s life, such as:

- Medical services are being offered to their child, except in emergencies;
- Any medical service or medications have been provided to their child which could result in financial cost to the parents’ health insurance or copays;
- When a school has arranged for medical treatment that results in follow-up care beyond normal school hours;
- If a child has been the victim of a crime;
- If law enforcement personnel question their child, except in cases the child may be the victim of abuse.
- If their child is taken or removed from the public school campus without parental permission, including being sent to a youth shelter or “host home”;

The Initiative would require school officials to affirm that they will not discriminate against children based upon the sincerely held religious beliefs of the child’s family in accordance with RCW 28A.642. It would allow children to be excused from participating in any mandatory activities or surveys related to role-playing, video recordings of students, or classroom exercises related to sexual activity.

The Initiative would protect family privacy by barring school officials from requiring

6 Initiative Measure No. 2081, at <https://letsgowashington.com/i-2081/>.

7 The Ballot Summary provides:
 “This measure would allow parents and guardians of public-school children to review instructional materials and inspect student records, including health and disciplinary records, upon request. It would require public schools to provide parents and guardians with certain notifications, including about medical services given and when students are taken off campus; access to calendars and certain policies; and written notice and opportunities to opt students out of comprehensive sexual-health education and answering certain surveys or assignments.”

8 Initiative Measure No. 2081, Section 1, <https://letsgowashington.com/i-2081/>.

students to report on activities or beliefs in the home, including conversations related to family beliefs, morality, religion, or political affiliations. Such privacy protection would extend to any family member related to mental health or psychological conditions experienced in the home.

This state-level protection would be in accord with the family-privacy provisions of the federal Protection of Pupil Rights Amendment of the Family Educational Rights and Privacy Act.⁹

The Initiative would require parents to receive advance written notice and to have the choice of excusing their child when school officials require attendance at classroom activities or school programs related to sexual activity.

Public school officials would be required to provide parents with the academic calendar for their child's school no later than 30 days before the start of the school year, plus advance notice of any mandated fees, added costs or privately-purchased school supplies.

The Initiative would require parents to be notified of the school's dress code, and to be informed of their child's academic performance, including whether their child is provided a specialized student learning plan or is at risk of not being promoted to the next grade level.¹⁰

Policy Analysis

Parental right to be notified about school curriculum

Sponsors of Initiative 2081 describe why they believe their proposal is needed and should become law:

“There has been this doctrine [in public schools] of the ‘mature minor’ and that doctrine has been used by the legislature to erode parental rights, particularly the right of parents to be notified of what is in the curriculum, and to know what is going on with your child medically.

9 Protection of Pupil Rights Amendment, Family Educational Rights and Privacy Act, 20 U.S.C. §1232h, page 834 at <https://www.govinfo.gov/content/pkg/USCODE-2010-title20/pdf/USCODE-2010-title20-chap31-subchapIII-part4-sec1232h.pdf>.

10 Initiative 2081, Section (2)(o), at <https://letsgowashington.com/i-2081/>.

“For example, I know of a minor medical procedure performed on the 13-year-old child of some parents I know. The parents got an invoice to pay for the procedure, but were told they couldn't ask what the medical procedure was.”¹¹

Initiative 2081 would require districts to make curricula, textbooks and other instructional materials available to parents. This would allow parents, the media, policymakers and the general public to learn what is actually being taught in public schools.

Some public school officials deny they are teaching harmful and controversial Critical Race Theory (CRT) and associated Queer Theory (QT) ideology to students, although many parents believe these ideas are lies that prevent children from receiving a good public education. Instead of obtaining easy access to the curriculum, inquiring parents find school officials erect obstacles to accessing information about the content of school textbooks and lessons.

When Governor Inslee closed public schools during the 2020 – 2022 period and students were required to participate online from home, many parents learned for the first time the content of what was being presented in class. As a result many parents, and members of the general public, lost trust in public schools as an institution, concluding that some schools are presenting students with false and politically-motivated information, instead of instilling a solid, broadminded education based on student knowledge of core subjects.

In response to this experience, Initiative 2081 would restate and codify the right of parents to know what their children are being taught in the public schools.

Notifying parents about child medical services

Many parents have had similar negative experiences related to public schools and child medical services. Families have been notified after the fact, or have had to discover on their own, that a child has received medical interventions without the parents' knowledge. This secretive practice undermines the authority of parents to direct the medical care of their

11 Part 1, Interview of Brian Heywood by Glen Morgan of We The Governed, at <https://letsgowashington.com/>.

child, and violates the legal and public policy that parents, not government employees, make decisions related to promoting child health and well-being.

The same is true for follow-up care and a healing period after a child has received medical care. Such recovery and return-to-health period is the responsibility of parents, not employees of a public school.

Parents are equally concerned when school officials refer or transport a child to a youth shelter, public health facility or “host home” without permission and without informing the parents. If such action were taken by any other unrelated adult it would be considered kidnapping.

Sponsors say this provision was included in response to parent concerns raised by passage of SB 5599 in May 2023. This controversial law allows public officials to facilitate the transfer of children to youth shelters and state-designated foster homes, and permits the unauthorized administration of life-altering medical interventions such as surgeries that cause permanent bodily harm, health-damaging hormone treatments and irreversible abortion procedures.

Initiative 2081 would repeal the relevant section of the SB 5599 law and would bar school officials from promoting or facilitating children in seeking harmful medical interventions without parental knowledge.

Barring school-based discrimination based on religion

Initiative 2081 bars school officials from discriminating against students or their families based on religion, in accordance with RCW 28A.64. This civil rights protection law prohibits discrimination on the basis of:

“...sex, race, creed, religion, color, national origin, honorably discharged veteran or military status, sexual orientation including gender expression or 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.”

For example, Initiative 2081 would require the public schools to give assurance to parents

that their children will not be discriminated against based on religious belief or scientific information showing that students cannot change their sex designation at will.¹²

Requiring school officials to provide honest information to parents

Initiative 2081 would repeal administrative policies like Policy 3211, recently issued by the Superintendent of Public Instruction. Policy 3211 requires public school officials to hide information from parents if children are pretending to be a different sex at school, and using names and pronouns that differ from their given names.¹³ The policy requires public schools to keep two sets of files, a doctored cover file which parents are allowed to see, and a secret official record that is kept hidden from parents.¹⁴

The Superintendent’s direction creates a public policy that requires school officials to lie to parents. Under Policy 3211 officials are required to withhold from parents, or even deny the existence of, sensitive personal information about their own children.

The intent of Initiative 2081 is to restore public trust in schools by requiring officials to be honest with parents. The measure would establish a policy of working closely with parents as educational partners, rather than perceiving them as a threat to a cultural agenda espoused by school officials. The Initiative seeks to reverse the suspicion and psychological harm experienced by parents when public officials treat them in a degrading or deceptive way.

Conclusion

Initiative 2081 is a response to laws, regulations and practices public school officials have adopted in recent years that have steadily eroded parental rights in Washington state.

12 Irreversible Damage: The Transgender Craze Seducing our Daughters, by Abigail Schrier (Regnery Publishing 2020).

13 “Gender Inclusive Schools, Adopt Gender-Inclusive Schools Policy and Procedure,” accessed January 12, 2024, at <https://ospi.k12.wa.us/policy-funding/equity-and-civil-rights/resources-school-districts-civil-rights-washington-schools/gender-inclusive-schools>.

14 “3221P – Procedure GenderInclusive Schools,” by Washington State School Directors Association, at <https://wssda.app.box.com/s/1c2bjp451nezhdjvyyx12fqcwvuwxaa>.

Initiative 2081 is a strong first step towards restoring parental rights and public confidence in public education. The Initiative would require the public schools to notify parents about what their children are learning in school. It would also require the public schools to inform parents about life-altering medical treatments being offered to their children, and let parents be informed about their children's involvement in intrusive personal surveys and classroom instruction related to sexual activity. The policies proposed by Initiative 2081 would benefit the public interest by helping to restore trust in one of the state's most important institutions – public education.

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