

MEMORANDUM

TO Let's Go Washington (Sponsored by Brian Heywood)

FROM Callie A. Castillo

DATE August 26, 2026

RE Initiative IL26-001 - Parental Notification

Initiative IL26-001 or the Parents' Bill of Rights Initiative would reinstate laws previously adopted by the Legislature in 2024 under Initiative 2081. You asked us to analyze the effect that the Parent's Bill of Rights Initiative would have on schools' obligation to notify parents when their child is the victim of any criminal action. The measure would broaden the notification requirements for schools currently in existing law, not narrow them.

The Initiative would require public schools to provide parents "immediate notification if a criminal action is deemed to have been committed against their child or by their child." IL26-001 § 1(3)(f). This requirement broadly applies whenever the school receives information or has knowledge that criminal action has been committed in connection with the child and regardless of where and when the crime took place.¹

In contrast, if the current law as amended by the Legislature in 2025 remains in place without IL26-001, schools are required only to provide immediate notification when the criminal action is alleged to have committed against the child on school property during the school day or during a school sponsored activity, or if the child has been detained on probable cause of involvement in criminal activity on school property during the school day. RCW 28A.605.005(2)(c). The school does not have any obligation to report to parents other known criminal activity against or by the child, except when abuse is alleged to have been by a school employee or contractor *Id.* (2)(d).

¹ We note that the Office of Superintendent of Public Instruction previously construed this provision as requiring notice only when a person is charged or convicted with a crime. Such a restrictive interpretation would put children at significant risk if schools had information that an alleged crime had been committed against a child but withheld that information from a parent because the allegation had not yet been adjudicated. This interpretation would also be contrary to other mandatory reporting laws such as RCW 26.44.030.

IL26-001 would thus expand parents' rights to receive notification from schools about any criminal activity involving their child, regardless of where or when the activity took place and would not limit it to only those crimes committed on school property during school hours or school events as set forth in current law.

CAC