

Washington State PTA Opposes Initiative IL26-001

Washington State PTA (WSPTA), founded in 1905 as the Washington Congress of Mothers, is the oldest and largest volunteer child advocacy association in the state. For more than 120 years we have supported strong parent and family engagement in education and promoted environments in which families are valued as primary influences in their children's lives and essential partners in their education and development (1,2).

When a question arises around whether a parent should have access to information or involvement in decisions relating to their child's education, our default answer is "yes." Any exception must rest on a strong competing concern, such as an imminent risk to a student's safety, and policy must carefully balance the rights of students and parents in those cases. After careful and detailed analysis, Washington State PTA opposes Initiative IL26-001, which will appear on the November 2026 ballot under the title "Concerns parental rights relating to their children in public schools (3)."

WSPTA's opposition is grounded in the initiative's specific provisions — not its stated values. WSPTA shares the initiative's stated commitment to meaningful parental involvement. What we oppose is a set of specific provisions that remove existing student safety protections, create conflicts with state and federal laws, and undermine the trust between students, families, and schools that makes parental involvement effective in the first place.

IL26-001(4) would largely reinstate the parental rights framework enacted in 2024 (5) under the Initiative to the Legislature I-2081 (6), while adding a new provision declaring that voter approval provides two years of constitutional protection from legislative interference, repealing the amendments the legislature made in 2025 through ESHB 1296 (7). Many of the IL26-001's provisions already exist elsewhere in state law. But legal analysis identified specific provisions that conflict with — or raise unresolved questions under — existing state and federal law (8,9). The 2025 legislature addressed those problems through ESHB 1296, which also gathered into a single statute, for the first time, all the parental rights previously scattered across many sections of law. IL26-001 would reverse both of those steps.

Principal areas of concern

- **Conflicts with state and federal law over student records.** IL26-001 adds medical or health records and mental health counseling records to the records parents may request to inspect (4). Student education records and parents' rights to review them are defined in state law (10) and federal law (11), and do not include medical or mental health records. Adding medical and mental health records to the definition of public school records places schools, districts, and school-based health centers at risk of violating medical-privacy law (12), particularly for students aged 13 - 17, who under Washington law may consent to certain care on their own (13). The current parental rights law expressly preserves Washington's health care information privacy statute (14); IL26-001

removes that preservation and provides no way to resolve the resulting conflict. The result is legal uncertainty for schools, districts, and school-based health centers that the legislature or courts would have to resolve.

- **Risk to student access to mental health care.** WSPTA recognizes that not every child lives in a safe home. The Washington Department of Children, Youth, and Families (DCYF) fielded more than 122,000 calls regarding child abuse or neglect in 2025 (15). Making mental health counseling records inspectable by parents for all students under 18 (4), with no exception for students in unsafe home situations short of an active abuse investigation, poses a real risk to students' access to care. A student who seeks support from a school counselor, trusting that the conversation is confidential, could have those records disclosed to a parent. This is especially concerning for LGBTQIA2S+ students, as many may be at risk for being forced out of their family home; 40% of all youth experiencing homelessness identify as LGBTQIA2S+, and 26% of them say they were forced out of their family home over their sexual orientation or gender identity (16). Students who fear disclosure may not seek help at all, making school-based mental health services inaccessible in practice even where they exist.
- **Reduced safety protections for at-risk students.** IL26-001 weakens existing protections for students in unsafe homes in three specific ways:
 - It requires immediate parental notification when a student is removed from school and placed in a youth shelter or host home (17). Current law (5) preserves the statutes (17,18,19,20) that allow notification of DCYF rather than the parent when there are compelling safety reasons not to contact the parent. IL26-001 removes that preservation. For a student who has fled an abusive or dangerous home and been placed in a shelter, mandatory immediate parental notification could directly endanger the student.
 - It narrows the existing exception that withholds a student's records from a parent under investigation for child abuse or neglect. It protects fewer record types than current law — only medical/health and mental health counseling records, not the social work and disciplinary records that often document a child's experience of abuse — and it applies only during an active investigation, not when a parent has been criminally charged with harming the child but no investigation is currently pending (8,9).
 - Within the parental rights statute, it replaces the broad requirement to notify parents when a child is the *reported victim* of abuse, misconduct, or assault by a school employee with a narrower standard which OSPI reads as applying only when a person is *charged or convicted* of a crime (9). Note that a separate statute independently requires schools to notify parents of alleged abuse by a school employee and is not amended by IL26-001 (21).
- **Removal of consolidated rights from the parental rights statute.** Because IL26-001 replaces the entire current statute (4,5), it removes a substantial set of rights the 2025 legislature gathered into one place (7), including the right to file a harassment, intimidation, and bullying complaint on a child's behalf (22); special education information, appeal, and due process rights; language access rights for families whose

primary language is not English; school enrollment rights for military families; and the guarantee against discrimination on bases including sex, race, religion, national origin, sexual orientation, gender identity, and disability. Most of these rights continue to exist elsewhere in state and federal law. Striking them from the parental rights law is not the elimination of the underlying protection, but the removal of these protections from the single, accessible statute so that a student, parent or legal guardian must search all Washington state laws for various rights. WSPTA sees this as a step backwards for the transformative family engagement we advocate for.

- **Vague mandates and removal of the liability limit.** The current parental rights law (5) states plainly that “nothing in this section creates a private right of action.” IL26-001 removes that limit while creating new obligations that are difficult to fulfill in practice, most notably a requirement to notify parents of medical arrangements that might affect their insurance or co-pays, which would require schools to know each family’s insurance status and coverage (4,9). The combination of vague mandates and removed liability protection creates significant legal uncertainty for school districts (8,9) that diverts district resources away from classrooms and toward legal risk management.
- **A two-year barrier to legislative correction.** Like any initiative approved directly by voters, IL26-001, if passed, could not be amended by the legislature for two years, except by a two-thirds vote of both chambers (Washington Constitution Article II, § 41, 23). This is ordinary constitutional procedure, not unique to this initiative. It matters because the identified conflicts with existing laws will require correction by the legislature, and for two years, that correction would be available only by a supermajority vote, a significantly higher bar.

In summary

Washington State PTA opposes IL26-001 because it recreates conflicts with state and federal law, especially regarding student privacy and the protection of students who are victims of abuse at home, risks reducing students’ access to mental and behavioral health support, narrows or removes existing safety protections, removes from a single accessible statute the consolidated rights that families rely on, and diverts school funding toward legal risk management. WSPTA’s long and continuing commitment to parental engagement is precisely why we conclude that this initiative is the wrong mechanism for advancing it.

WSPTA opposes IL26-001, encourages all its affiliated local PTAs and councils to oppose it and to educate their members, and encourages all our 80,000+ members to vote NO on IL26-001.

Resolution grounding

This position rests on the following member-adopted WSPTA resolutions:

- [Resolution 2.18 Trauma Informed Care](#)
- [Resolution 2.14 Child Abuse Prevention Supports](#)

- [Resolution 2.27 Improving Outcomes for Children and Youth in Highly Mobile Populations](#)
- [Resolution 2.19 LGBTQIA2S+ Safety and Inclusion](#)
- [Resolution 4.16 Equitable and Impactful Family Engagement in Education](#)
- [Resolution 11.26 Supporting the Mental and Behavioral Health Needs of Children and Youth](#)
- [Resolution 18.38 Equitable Education Opportunities to Close Gaps](#)
- [Resolution 18.40 Equitable Access and Improved Outcomes for Students with Disabilities](#)
- [Resolution 18.46 K-12 Education Funding](#)
- [Resolution 18.51 Rights and Services for Immigrant Families, Children, and Youth](#)

References

- 1 [WSPTA Resolution 4.16 Equitable and Impactful Family Engagement in Education](#)
- 2 [National PTA Position Statement, Family Engagement in Education](#)
- 3 [Ballot title and description for IL26-001 \(WA Secretary of State\)](#)
- 4 [Full text of IL26-001 \(WA Secretary of State\)](#)
- 5 [RCW 28A.605.005, Parental rights \(current law\)](#)
- 6 [Initiative 2081 \(2024\) summary page](#)
- 7 [Engrossed Substitute House Bill 1296 \(2025\) summary page](#)
- 8 [OSPI Office of Legal Affairs Bulletin 037-24, initial I-2081 implementation guidance](#)
- 9 [OSPI Office of Legal Affairs Bulletin 009-25, updated I-2081 implementation guidance](#)
- 10 [RCW 28A.605.030, Student education records—Parental review](#)
- 11 [Family Educational Rights and Privacy Act \(FERPA\)](#)
- 12 [Health Insurance Portability and Accountability Act \(HIPAA\)](#)
- 13 [Chapter 71.34 RCW, Behavioral health services for minors](#)
- 14 [Chapter 70.02 RCW, Medical records—Health care information access and disclosure](#)
- 15 [Washington Department of Children, Youth, and Families, Report Child Abuse or Neglect](#)
- 16 [National Coalition for the Homeless. Homelessness Among the LGBTQ Community](#)
- 17 [RCW 74.15.020, definitions including “host home”](#)
- 18 [RCW 13.32A.082, Providing shelter to minor—Requirement to notify parent, law enforcement, or department](#)

- 19 [RCW 26.44.050, Abuse or neglect of child—Duty of law enforcement agency or department of children, youth, and families—Taking child into custody without court order, when](#)
- 20 [RCW 26.44.115, Child taken into custody under court order—Information to parents](#)
- 21 [RCW 28A.320.160, notification of alleged abuse by a school employee](#)
- 22 [RCW 28A.600.477, harassment, intimidation, and bullying](#)
- 23 [Ballotpedia, Laws governing the initiative process in Washington](#)

For additional information, contact the [WSPTA Advocacy Director](#).