

IL26-001

Rolling Back Student Privacy and Confidentiality Protections

IL26-001 is a Let's Go Washington-sponsored initiative on the November 2026 statewide ballot. It would repeal the protections the Washington Legislature enacted in 2025 (ESHB 1296) and revert school record-access law back to the version passed by Initiative 2081 in 2024, codified at RCW 28A.605. **NAACP State Area Conference of Alaska, Oregon & Washington urges every voter to vote NO.**

WHAT IL26-001 WOULD ACTUALLY CHANGE

- **Shortens the disclosure window.** Schools would have to turn over requested student records in 10 days instead of the 45 days currently allowed under state law.
- **Drops identity verification.** Current law requires a school to verify the identity of anyone requesting a student's records who doesn't appear in person. IL26-001 would not require that.
- **Narrows who counts as protected.** Parental-rights protections would end at age 18 rather than when a student actually leaves the K-12 system, a real gap for students over 18 who are still enrolled in special education or finishing high school.
- **Names medical and mental-health records specifically.** IL26-001 explicitly defines medical and mental-health information as records parents can access through the school, even though federal FERPA already governs standard school records and does not reach records separately protected under HIPAA. The practical effect is legal confusion, not new safety.

WHY THIS MATTERS FOR OUR COMMUNITY

NAACP AOWSAC POLICY PERSPECTIVE

Our community knows what happens when child welfare systems get this wrong. Black families are already more likely to be surveilled and separated by those same systems. A law that forces disclosure over discretion does not make kids safer. It makes it more likely that an abused or struggling child stays silent rather than risk a record reaching the person hurting them.

THE LEGAL REALITY

Supporters of IL26-001 frame it as restoring parents' rights. But federal FERPA law already gives parents access to their child's standard school records. Health and counseling records held by school-based clinics are separately governed by HIPAA. Layering a shortened, state-specific disclosure rule for "medical and mental health" records on top of two federal frameworks that already apply does not close a real gap. It creates confusion for school staff and new risk that sensitive information about a student in crisis reaches the wrong household faster, with less room for a counselor's judgment.

NAACP AOWSAC POSITION: VOTE NO ON IL26-001

VERIFY IT YOURSELF & LEARN MORE

- Official certified ballot text, Washington Secretary of State
sos.wa.gov/sites/default/files/2026-03/INITIATIVE_IL26-001_fulltext.pdf
- RCW 28A.605: Parent Access (current law)
app.leg.wa.gov/rcw/default.aspx?cite=28A.605
- OSPI Bulletin No. 037-24: Initial Implementation of I-2081
ospi.k12.wa.us/sites/default/files/2024-06/bulletin_037-24.pdf