



LYNNWOOD CITY COUNCIL Work Session

City Hall Council Chambers 19100 44th Ave W Lynnwood WA 98036

MONDAY, OCTOBER 19, 2026 6:00 PM

-
1. CALL TO ORDER
 2. ROLL CALL
 3. MAYOR COMMENTS
 4. COUNCIL COMMENTS
 5. COMMENTS AND QUESTIONS ON MEMO ITEMS
 6. WORK SESSION ITEMS
 - 6.A [2027-2028 Preliminary Budget Presentations by Department](#) - *120 minutes*
Assistant City Administrator Harrell, Director Wolters, Director Cena, Interim Director Connor, Interim Finance Director Harrell
 - 6.B [Discussion: Resolution Opposing Initiatives ILA26-001 and IL26-638 to Protect Student Safety, LGBTQIA2+ Rights, and Equity in Public Education](#) - *20 minutes*
Isabel Mata, Council Member
 7. NEW BUSINESS
- ADJOURN

CITY COUNCIL 6.A
CITY OF LYNNWOOD
CITY COUNCIL

TITLE: 2027-2028 Preliminary Budget Presentations by Department

DEPARTMENT CONTACT: Darcy Kirschner, Executive Office

SUMMARY:

Department Budget Presentations

PRESENTER:

Assistant City Administrator Harrell, Director Wolters, Director Cena, Interim Director Connor, Interim Finance Director Harrell

ESTIMATED TIME:

120

BACKGROUND:

On October 12, 2026, the City Council amended Resolution 2026-03 with Resolution 2026-10 setting the schedule for the 2027-2028 biennial budget. In accordance with that schedule, the preliminary department budgets will be presented to City Council.

SUGGESTED ACTION:

Review the 2027-2028 Preliminary Department Budget Presentations from the following divisions:

- Executive
- Development and Business Services
- Information Technology
- Human Resources
- Finance

PREVIOUS COUNCIL ACTIONS:

January 26, 2026 Adoption of Budget Planning Calendar

September 8, 2026 Budget Summit

September 14, 2026 Proposed Preliminary Budget

September 28, 2026 Budget Priorities and Assumptions Public Hearing

October 12, 2026 Preliminary Budget Overview

VISIONS AND PRIORITIES ALIGNMENT:

Priority 2: Safeguarding Financial Stability and Long-Term Economic Success Through Fiscal Responsibility.

DEPARTMENT ATTACHMENTS

Description:

[2027-2028 Executive Budget Presentation.pdf](#)

[2027-2028 DBS Budget Presentation.pdf](#)

[2027-2028 IT Budget Presentation](#)

[2027-2028 HR Budget Presentation.pdf](#)

[2027-2028 Finance Budget Presentation.pdf](#)



LYNNWOOD
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EXECUTIVE

2027-2028 Biennial Budget Presentation

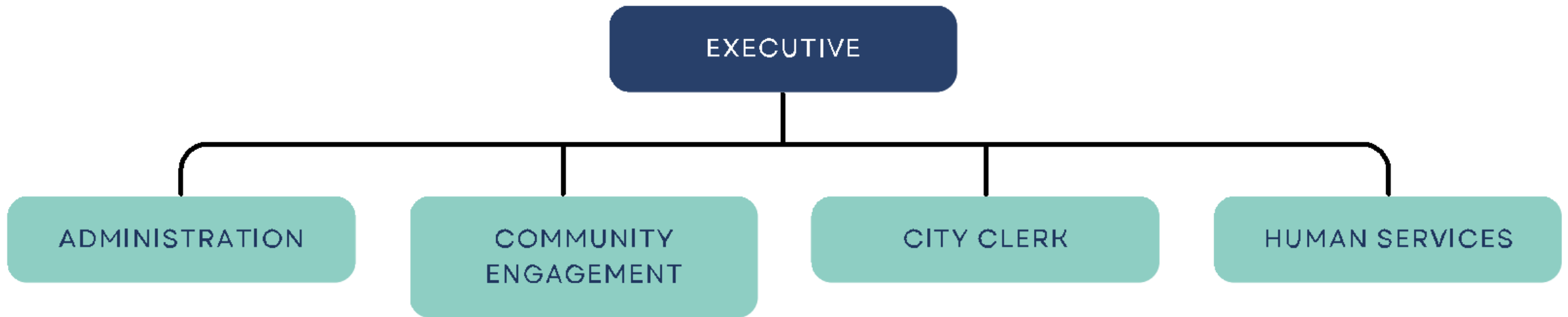
October 19, 2026

Executive Department

- Oversees City administration and operations
- Serves as central information source for media, public records and general public
- Intergovernmental coordination
- Record keeping
- Risk management

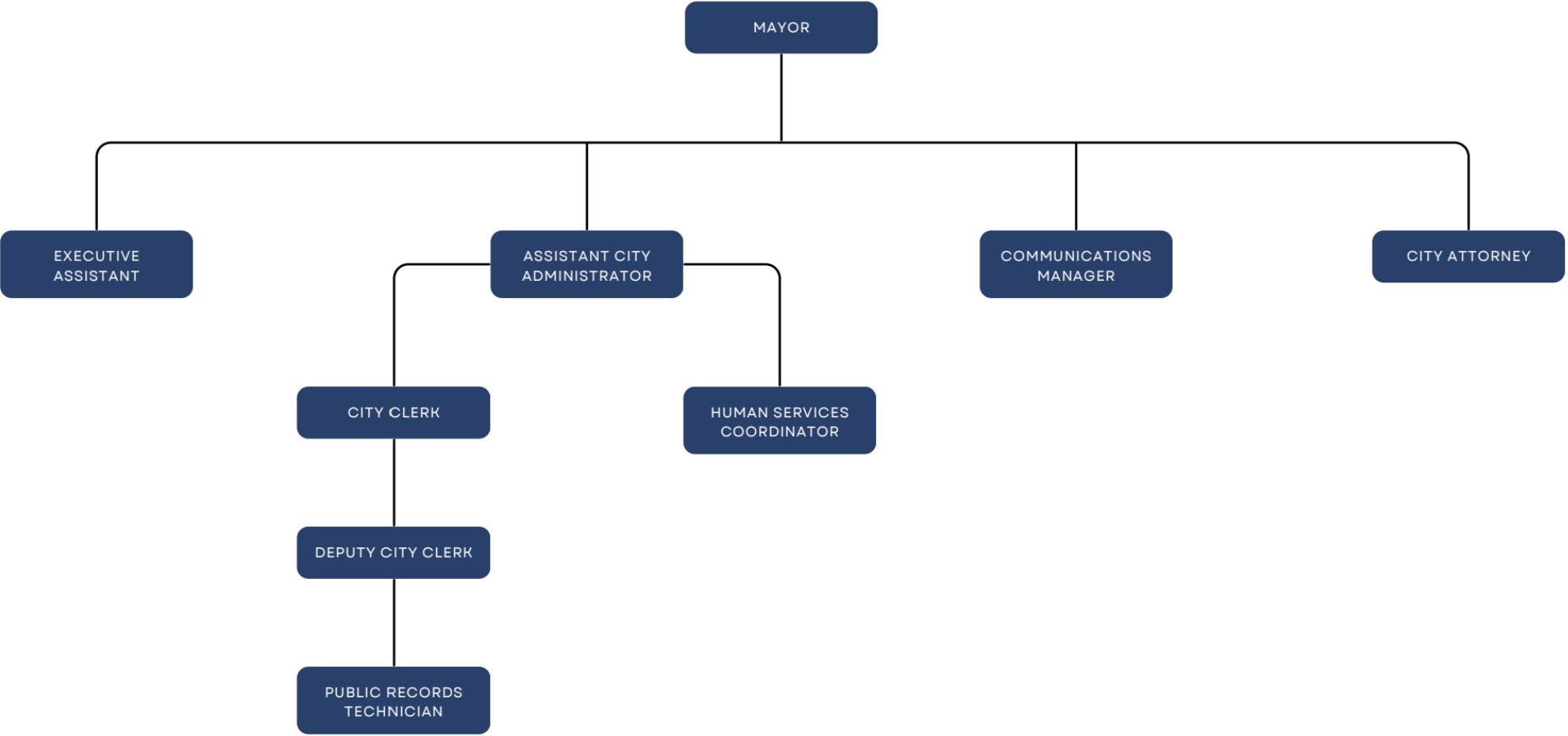


Core Lines of Business



EXECUTIVE DEPARTMENT

PROPOSED ORGANIZATION CHART FOR 2027-2028 BIENNIUM
AS OF 10/16/2026



Department Highlights

- Executive staff recruiting and hiring
- Balanced biennial budget proposal
 - Identified vulnerabilities in systems and processes
 - Focus on sustainability and continuous improvements
 - Two-year runway
- Auditing and planning city process improvements

Efficiencies for 2027-2028

- City Clerk Reorganization
 - Reduced one Deputy City Clerk and one Support Technician – replaced by one Public Records position
- Human Services Coordinator
 - Move from PRCA to provide more direct support for community and role
- City Attorney
 - Bring position in-house to provide improved access and reduce costs

Proposed Biennial Budget

EXECUTIVE	2025 ACTUAL	2026 REMAINING	2025-2026 BUDGET	2027-2028 BUDGET
Administration	\$1,001,603.46	\$20,637.20	\$1,789,872.00	\$2,416,419.00
City Clerk	\$793,676.44	\$428,475.97	\$1,757,508.00	\$1,085,944.00
Community Engagement	\$286,458.54	\$118,297.00	\$646,519.00	\$524,419.00
Equity and Social Justice	\$126,012.10	\$168,729.75	\$347,754.00	\$-
Total	\$2,207,750.54	\$736,139.92	\$4,541,653.00	\$4,026,782.00

EXECUTIVE	2025 ACTUAL	2026 REMAINING	2025-2026 BUDGET	2027-2028 BUDGET
Salaries & Wages	\$1,174,358.77	\$459,781.68	\$2,443,727.00	\$2,377,394.00
Personnel Benefits	\$374,957.22	\$176,179.87	\$779,040.00	\$688,182.00
Supplies	\$6,927.16	\$8,902.13	\$30,700.00	\$11,700.00
Services & Charges	\$651,507.39	\$91,276.24	\$1,288,186.00	\$949,506.00
Total	\$2,207,750.54	\$736,139.92	\$4,541,653.00	\$4,026,782.00



Department Outcomes

- Pathway to Sustainable City Growth
 - Finding pathways forward through unexpected headwinds
 - Timely communication - building common language and knowledge base
 - Understanding what we should do more of, less of, or maintain and in what timeframe
 - Creating the space to implement future vision effectively





Thank you!



LYNNWOOD
WASHINGTON

DEVELOPMENT & BUSINESS SERVICES

2027-2028 Biennial Budget
Presentation October 19, 2026
Director Ben Wolters

Contents

- About the Department
- Core Lines of Business
- Department Highlights from the Current Biennium
- Proposed Biennial Budget
- Proposed FTE Structure
- Innovations/Efficiencies/Changes
- Department Outcomes
- Questions & Thank You

About the Department

Mission

Through outstanding public service, proactive planning, and strong partnerships, we foster development of a vibrant community where people and businesses thrive.



About the Department

Vision

1. Create a positive culture for applicants.
2. Build systems, processes, and codes to work smarter and more efficiently.
3. Develop staff expertise and a culture to address Lynnwood's future growth.
4. Enhance quality of life through implementing the Lynnwood Comprehensive Plan.
5. Attract businesses and development partners to succeed in Lynnwood.



About the Department

LMC 2.23.010

Purpose

“The development and business services department is responsible for the city’s current and long-range planning, maintaining and enforcing the zoning, business licensing, subdivision, environmental review, building and related construction codes and code enforcement (nuisance) sections of Lynnwood Municipal Code, as well as programs and activities to support economic development and tourism.

The department manages the city’s permit center function and supports the activities of the hearing examiner, planning commission, tourism advisory committee, and the Lynnwood public facilities district.”



About the Department

LMC 2.23.030

Duties

“The development and business services department shall supervise and control the following:

- A. Preparation and implementation of the budget for the department;
- B. Formulate and recommend comprehensive goals on planning;
- C. Ensure compliance with statutory requirements relative to environmental issues;
- D. Direct preparation and review of environmental impact statements and technical reports and determine final action on environmental issues;
- E. Act as the city’s responsible official for SEPA compliance;



About the Department

LMC 2.23.030 Duties continued

- F. Provide staff to support the planning commission and hearing examiner;
- G. Coordinate with departments to ensure departmental plans are consistent with the comprehensive plan;
- H. Coordinate with departments regarding developer plans to ensure the ability to provide required services to protect the public's health, safety, and welfare;
- I. Represent city on regional issues;
- J. Coordinate with other jurisdictions and agencies;
- K. Develop and maintain the comprehensive plan, sub-area plans, and economic development plans and policies;
- L. Provide lead in annexation issues;
- M. Develop and maintain the zoning ordinance;
- N. Ensure compliance with the Growth Management Act;



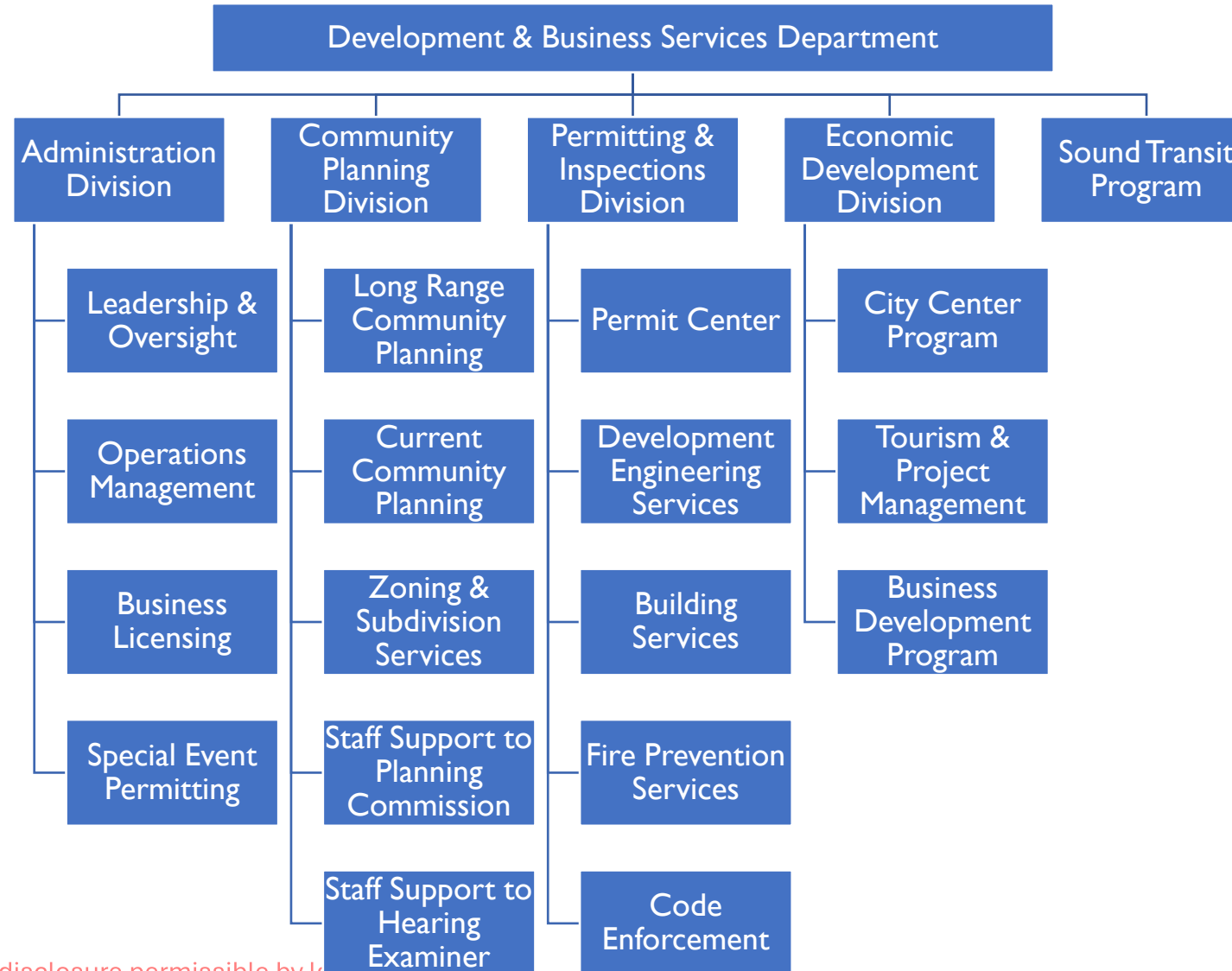
About the Department

LMC 2.23.030 Duties continued

- O. Oversee process for new developments and land use applications, and issue decisions as specified in this code;
- P. Foster public/private partnerships in commercial areas;
- Q. Attract new business and development and support the growth and development needs of existing businesses;
- R. Coordinate economic activity with transportation and land use policies;
- S. Develop, implement and evaluate an ongoing tourism marketing plan"



Core Lines of Business



Core Lines of Business

Administration

- Leadership and oversight for all divisions
 - Program development, implementation, and evaluation
 - Strategic planning and prioritization
- Operations management for all divisions
 - Budgeting and finance, procurement to payment, grants and contracts
 - SmartGov permitting and project management system operation and maintenance
 - Process improvements, quality assurance
 - Physical assets and supplies
 - Website postings, customer information, correspondence and forms, records archiving
- Business Licensing
 - General, General Non-resident, Home Occupation, Specialty/Regulatory, Short Term
 - Public records requests
- Special Event Permitting
 - Permit administration and review coordination



Core Lines of Business

Community Planning

- Long range planning
 - Developing and maintaining Comprehensive and Sub-area Plans
 - Annexation planning and analysis
 - Policy research for Council, Mayor, and community
 - Coordinate with other jurisdictions regarding environmental change and population growth
- Current planning
 - Streamline and update municipal code for clarity and ease of use
 - Implement state and local laws and mandates, including required reporting
 - Coordinate with divisions and departments to implement code changes and development agreements
 - Update and maintain Lynnwood addresses with the County Assessor
 - Public records requests
- Zoning and Subdivision Plan Review
 - Review and approve permit applications for zoning, subdivision, and design code compliance
- Staff support
 - Planning Commission
 - Hearing Examiner



Core Lines of Business

Permits & Inspections

- Permit Center
 - Administer permit intake and coordinate with customers and staff to get complete and accurate submittals, reviews, and timely payments
 - Staff customer service counter, answer mainline phone, perform customer triage
 - Daily payment and refund reporting for Finance
 - Close permits and maintain records
 - Public records requests
- Development Engineering Services
 - Coordinate integration of private development water, storm, and sewer infrastructure with public works
 - Plan review for street and utility permits, including right of way and tree permits and perform required environmental reporting
 - Perform inspections for quality assurance, environmental protection, and traffic control
 - Public records requests



Core Lines of Business

Permits & Inspections continued

- Building Services
 - Plan review and inspection for structural, mechanical, plumbing and electrical permits for new commercial and residential buildings, tenant improvements, and homeowner remodels and repairs
- Fire Prevention Services (provided via Interlocal Agreement with Regional Fire Authority)
 - Plan review and inspection for compliance with fire codes for new and existing buildings, food trucks, and special events
- Code Enforcement
 - Investigate complaints and work with business owners, homeowners, and community members to obtain voluntary compliance with licensing, permitting, zoning, development engineering, building, property maintenance, fire prevention, and nuisance codes and laws.
 - Issue citations and take enforcement action through the Courts if offenders fail to comply voluntarily
 - Perform property abatement and cleanup
 - Coordinate as needed with City Attorney on enforcement, Police Department on special operations, and Parks Department on human services

Core Lines of Business

Economic Development

- City Center Program
 - Steward vision of Lynnwood City Center development
 - Manage relations with developers and maintain incentive programs (OZ2, MFTE, TIF)
 - Oversee and coordinate large projects including
 - Sound Transit
 - Public Facilities Master Plan
 - 44th Avenue Underpass Improvements
 - Northline Village
- Tourism/Project Management
 - Steward lodging tax revenues
 - Provide marketing and support for hospitality and retail industry
 - Secure grants for projects
- Business Development Program
 - Connect small businesses and entrepreneurs to resources and support in the region



Department Highlights

Housing

- 316-unit Enso apartments opened this year
- Supported Housing Hope Scriber Place 52-unit multi-family affordable housing project with \$1.9M CHIP grant
- Middle housing permit applications doubled to 62 since last year's adoption of the new Unified Development Code
- Pre-Approved Detached Accessory Dwelling Unit plans set to roll-out this fall

Mobility

- Lynnwood Link light rail fully operational with strong ridership
- Interim parking Ordinance approved to support transit ridership and special events
- Everett Link light rail planning, design, and environmental review underway
- Launched Everett Link Extension Corridor improvement study
- Supported 44th Ave Underpass project under construction through funding and planning



Department Highlights

Health, Safety, and Environment

- Critical Areas Ordinance adopted without appeal - completed by city staff – saving \$100,000 in consultant costs
- 2,684 building permits were processed in 2025 driving compliance with international building standards and Lynnwood municipal code
- In 2025, Code Enforcement investigated over 700 complaints, with 57% found to be in violation and addressed

Business Support

- Small Business Development program provided direct assistance to over 200 businesses
- More than 150 small businesses and entrepreneurs attended Quarterly Small Business Workshops to learn about licensing and registration, marketing, federal loan programs, and basics of food business
- 12 outreach sessions were conducted with Lynnwood Police to promote public safety and address any concerns the business community might have
- Food truck ordinance
- Retail cannabis ordinance



Department Highlights

Thriving Community

- Adoption and implementation of Public Facilities District development agreement
- Adoption and implementation of Tax Increment Financing for City Center Development
- Governor's approval of Opportunity Zone 2 tax incentive program for Lynnwood's City Center

Customer Service Process Improvements

- Special event permitting and regulatory business license applications were moved from paper to online making it easier to apply and improving turnaround time.
- Implemented e-Checks reducing the need for paper checks and the cost of payment processing
- Efficiencies were gained by automating reporting for side sewer permits and pre-treatment, as well as streamlined collection and reporting of data to support utilities operations
- Department moved from a separate office complex near Mountlake Terrace to City Hall, saving approximately \$300,000+ per year and improving customer service



Proposed Biennial Budget

CATEGORY	2025 ACTUAL	2026 REMAINING	2025-2026 BUDGET	2027-2028 PROPOSED BUDGET	CHANGE FROM 2025-2026
Salaries & Wages	3,871,567	4,240,719	8,112,286	5,295,458	-34.72%
Personnel Benefits	1,298,344	1,594,008	2,892,352	1,761,069	-39.11%
Supplies	15,946	109,804	125,750	53,650	-57.34%
Services & Charges	672,392	3,157,108	3,829,500	1,625,173	-57.56%
Total	5,858,249	9,101,639	14,959,888	8,735,350	-41.61%

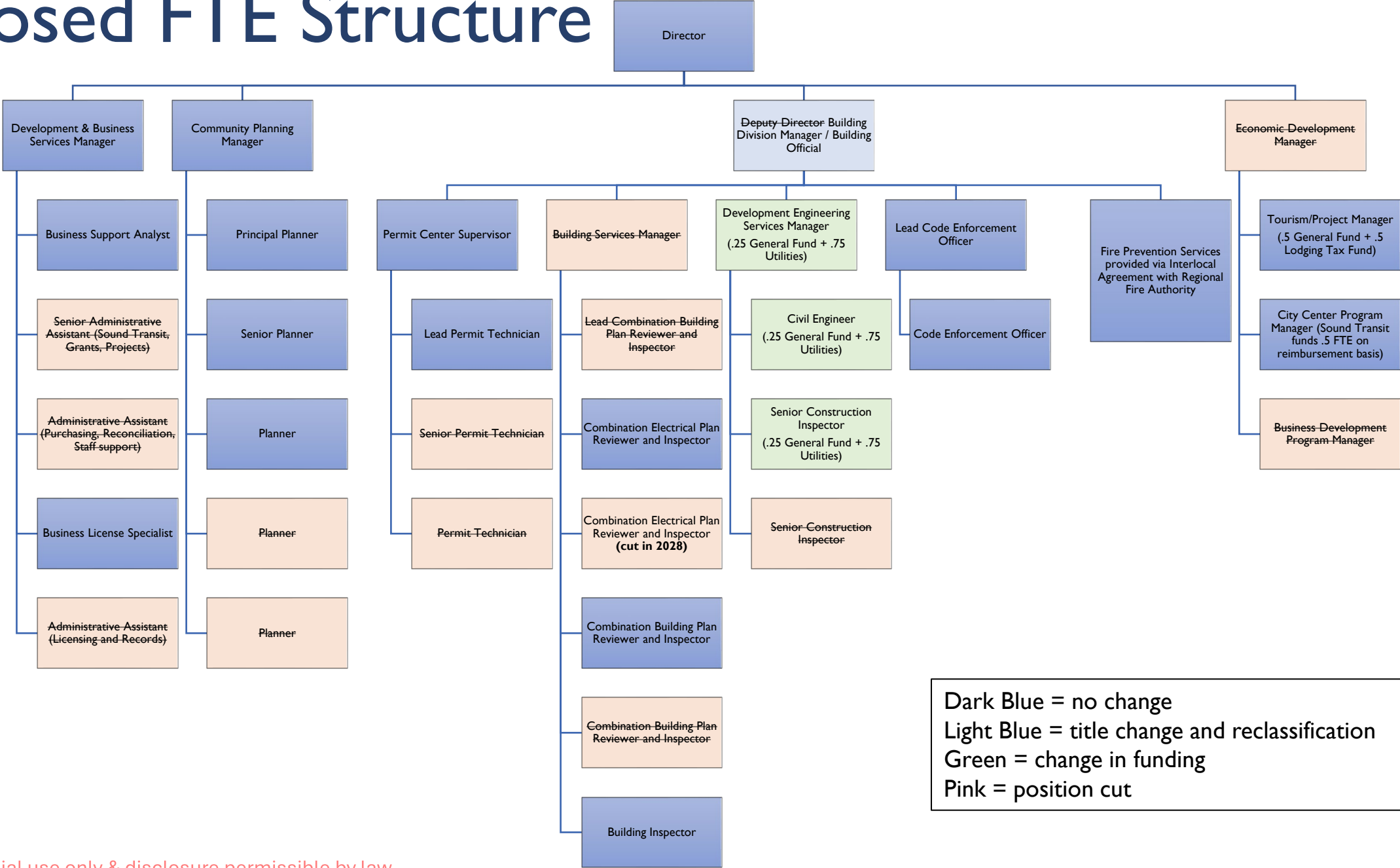
DIVISION	2025 ACTUAL	2026 REMAINING	2025-2026 BUDGET	2027-2028 PROPOSED BUDGET	CHANGE FROM 2025-2026
Administration	1,314,505	1,669,952	2,984,457	2,215,366	-25.77%
Planning	959,720	1,906,584	2,866,304	1,805,777	-37.00%
Permits & Inspections	2,891,435	3,727,778	6,619,213	4,010,027	-39.42%
Economic Development	650,071	969,843	1,619,914	512,978	-68.33%
Sound Transit - Light Rail	42,518	827,482	870,000	191,202	-78.02%
Total	5,858,249	9,101,639	14,959,888	8,735,350	-41.61%

Proposed FTE Structure

Staffing by Year	FTE by Funding Distribution			
	General Fund	Lodging Tax Fund	Utilities Funds	Total FTE All Funds
Authorized by Council for 2025-2026 Biennium	34.50	0.50	0.00	35.00
Department reduced staffing as of January 2026	28.50	0.50	0.00	29.00
Proposed January 2027	19.25	0.50	2.25	22.00
Proposed January 2028	18.25	0.50	2.25	21.00

- 2025-2026 authorized budget based on Strategica Efficiency Study recommended level of staffing
- Department not able to achieve optimal staffing in 2025-2026 due to budget shortfall (-6 positions)
- 2027 proposed staffing level preserves core functions while significantly reducing capacity (-7 positions)
- 2028 assumes continued budget pressure and shows not backfilling one staff retiring in 2027 (-1 position)
- Total reduction in staffing of 40% from 2025 to 2028.

Proposed FTE Structure



Dark Blue = no change
Light Blue = title change and reclassification
Green = change in funding
Pink = position cut



Innovations/Efficiencies/Changes for 2027-2028

Program Changes

- Building permit services - realign costs with customer demand
- Business Licensing and Special Event Permitting - cross train staff to provide backup
- Economic Development – significantly reduce business development program
- Community Planning – reduce long-range planning
- All programs
 - share staff across functions as feasible to cover short and long-term vacancies
 - decrease number of mobile devices: cell phones, tablets, and printers
 - reduce professional training, including travel except for required certifications
 - Fleet Reductions

Grants & Incentives

OZ2, TIF, CHIP, MFTE, Sound Transit staffing agreement, Commerce Grants for 2029 Climate Element

Business Process Improvements – Ongoing

- Improve customer instructions and submittal checklists to reduce rework for customers and staff
- Eliminate or combine permitting workflow steps using lean principles; automate more workflow steps
- Automate more reporting from SmartGov and the WA Department of Revenue Business License Service
- Increase use of AI for drafting correspondence, templates, and website content, as well as proofreading



Department Outcomes

- Maintain core functions at reduced service through difficult budget times
- Increase in affordable housing, transit-oriented development, and placemaking through land use management, project coordination, and incentive programs for economic development
- Improved mobility through cooperative public and private infrastructure projects
- Improved building and community safety through permitting, inspections, and code enforcement
- Thriving community with a vibrant Public Facilities District, excellent lodging and retail options, special events where all are welcome, and a growing City Center





Thank you!



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Information Technology

2027-2028 Biennial Budget

Presentation

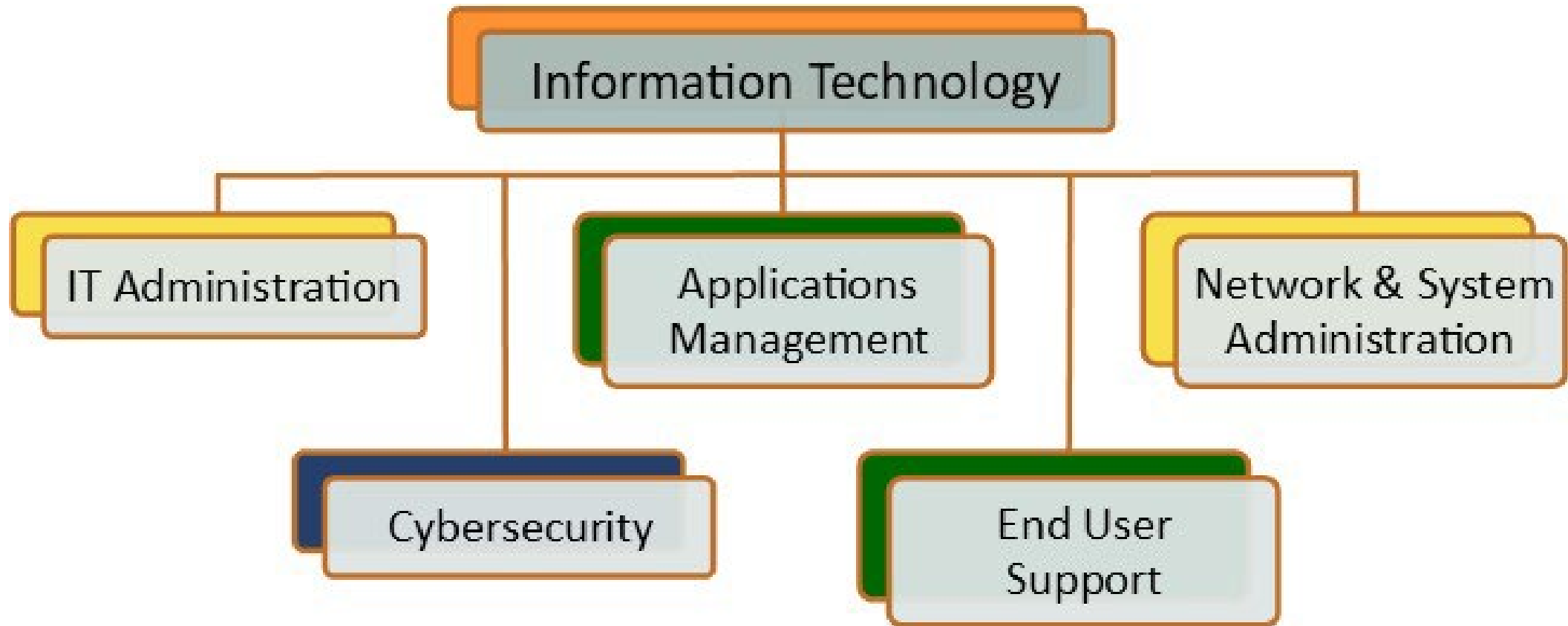
Will Cena

About the Department

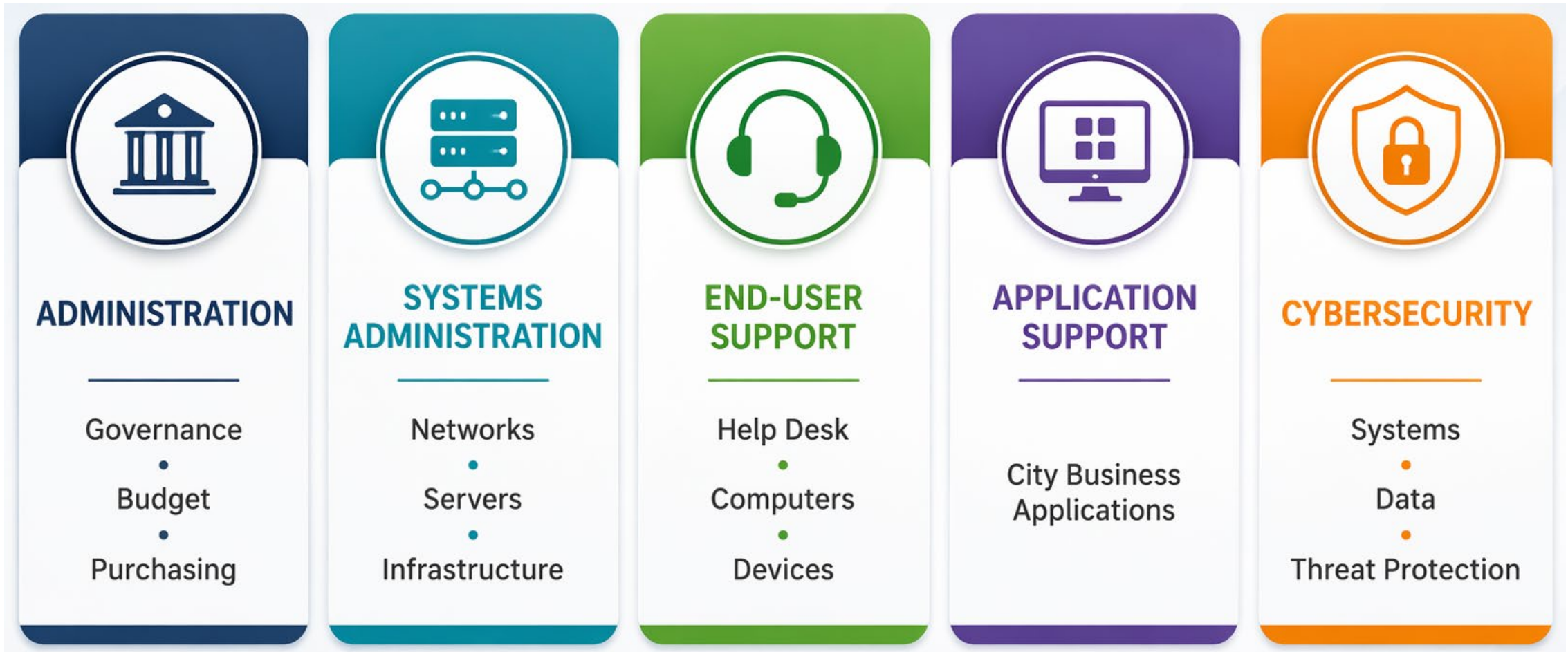
- Our mission is to provide secure, proven technology to enhance employees' operational effectiveness and meet our community's needs.
- Our vision is to be a trusted technology partner, empowering the business through innovation and efficiency.



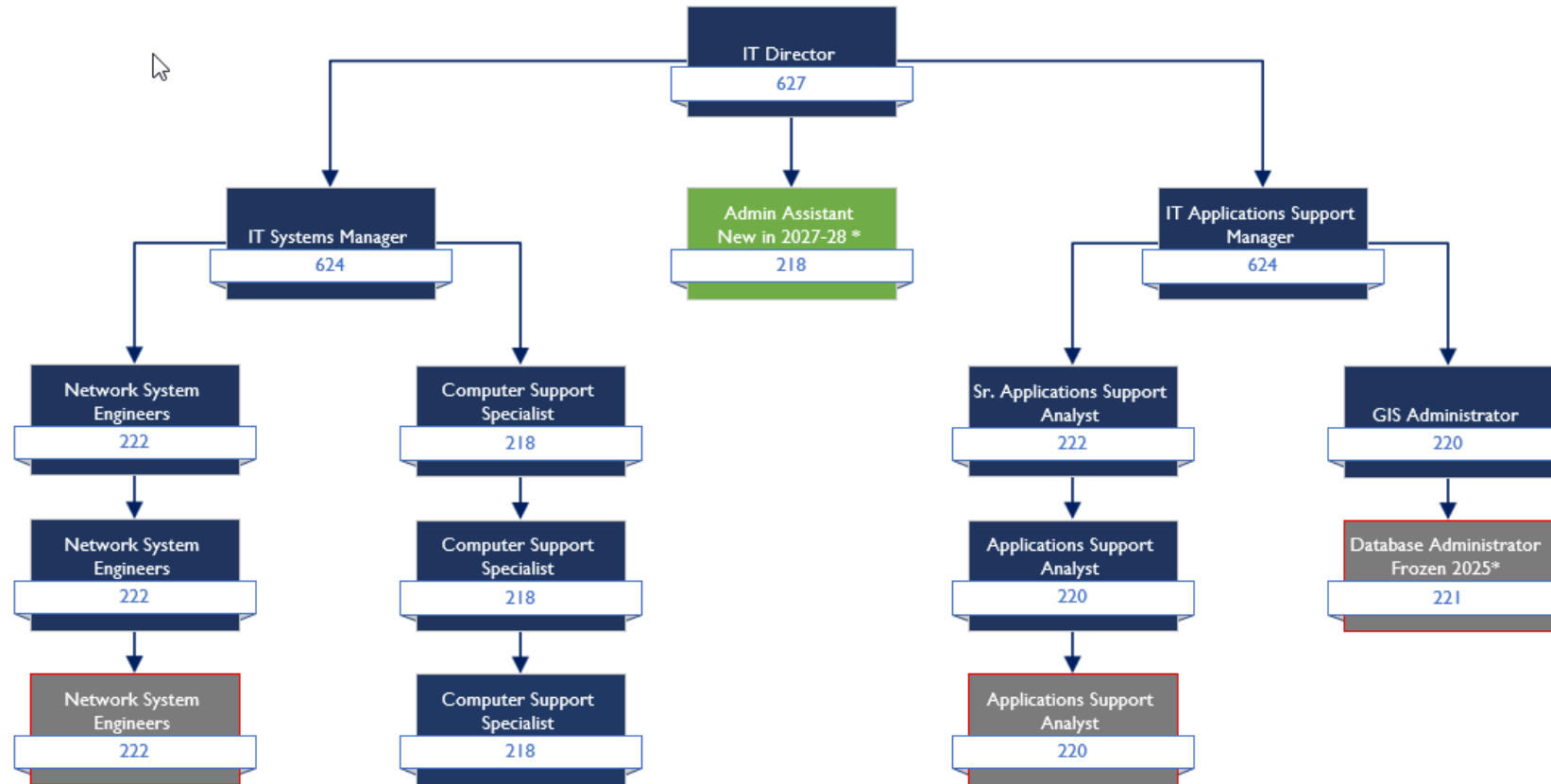
Core Lines of Business



Core Lines of Business



Proposed FTE Structure



Gray = Position proposed for elimination in the 2027-28 budget

Green = Position transferred from the Finance Department.

Proposed staffing Reduction: 3 FTE
These reductions decrease staffing capacity: the underlying technology systems, applications, infrastructure, and support responsibilities remain.

Department Highlights

- **Hosted Phone System** — Modernized City communications
- **Network Resiliency** — Improved security and added backup internet at City facilities
- **Disaster Recovery** — Strengthened recovery of critical City systems
- **Knowledge Management** — Standardized and documented IT procedures
- **Utility Billing Website & Payments** — Launched a new customer website with expanded payment options

Innovations/Efficiencies for 2027-2028

- **Automation & Process Improvement**
Identify repetitive tasks that can be automated or simplified to reduce staff workload.
- **Technology Standardization** — Simplify hardware, software, and platforms to reduce support complexity.
- **Application & License Optimization** — Eliminate duplication and maximize the value of existing technology investments.
- **Service Prioritization** — Focus limited resources on critical services, cybersecurity, and operational reliability.

Proposed Biennial Budget

INFORMATION TECHNOLOGY	2025 ACTUAL	2026 REMAINING	2025 - 2026 BUDGET	2027 - 2028 BUDGET
Administration	\$583,416	\$186,049	\$1,328,091	\$1,183,707
Application Management	\$845,062	\$505,245	\$2,113,365	\$1,730,203
End User Support	\$516,997	\$244,421	\$1,261,601	\$1,043,509
Network & Systems Administration	\$809,623	\$230,406	\$1,849,281	\$2,024,093
Cyber Security	\$89,352	\$114,654	\$560,285	\$517,550
Totals	\$2,844,449	\$2,225,881	\$7,112,623	\$6,499,062

Department Outcomes

	2022	2023	2024	2025	Jan-Aug 2026
Total number of support tickets	4535	4751	6377	7246	4724
Total number of supported network accounts	368	376	427	422	414
Total Desktops, Laptops, and Mobile Devices	622	705	797	816	830
Overall Satisfaction with Departments (%)	98.2	97.4	98.0	98.8	98.6
Service Level Agreement commitments fulfilled (%)	85	86	91	81	93



Thank you!



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HUMAN RESOURCES

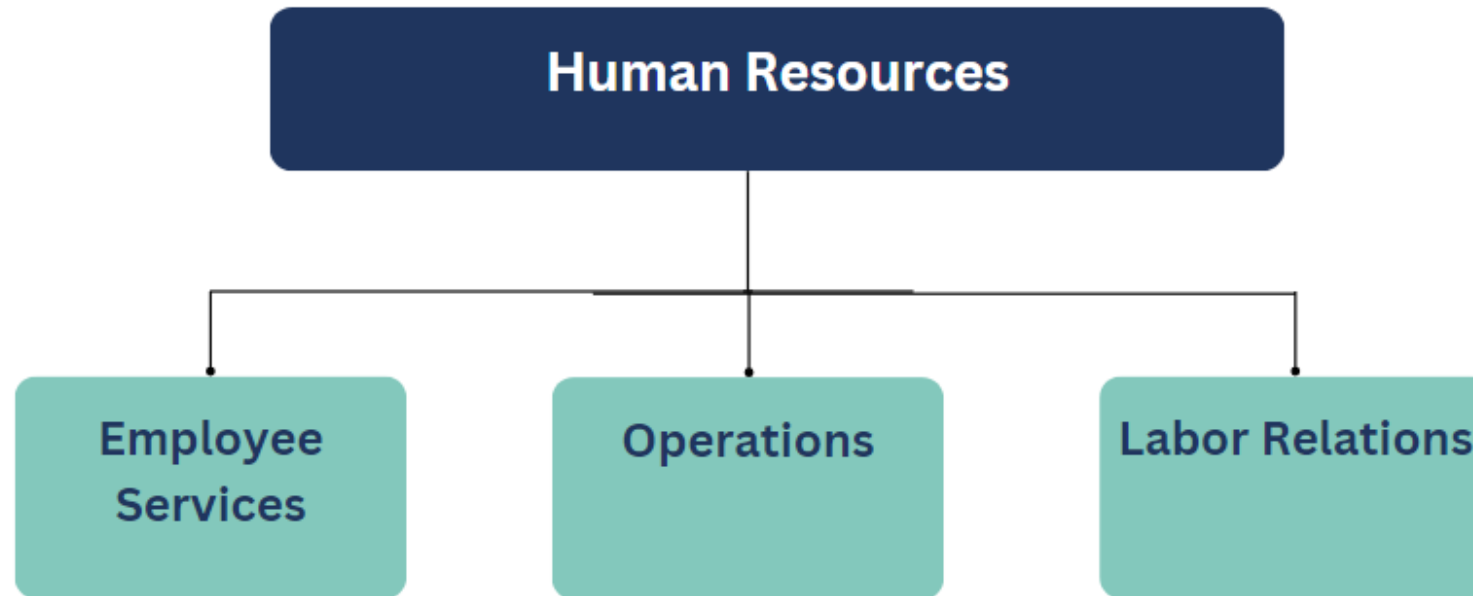
2027-2028 Biennial Budget
Presentation
Interim Director Connor

About the Department

City of Lynnwood Human Resources provides strategic and practical Human Resources guidance, delivers excellent service, embraces diversity, acts with respect, emphasizes collaboration, and creates a welcoming environment where all contribute, develop, and reach their full potential .



Core Lines of Business



Core Lines of Business

The Human Resources (HR) Department is an internal, full-service Human Resources Department, providing human resource management and administrative assistance to employees, City departments, supervisors, and the Mayor. Our programs are designed to attract and retain a diverse, highly qualified, and engaged City staff. The department's responsibilities include the following:

HR Operations

- Recruitment, selection, and onboarding
- Classification & compensation
- Strategic & workforce planning
- Diversity, equity, & inclusion support

HR Employee Services

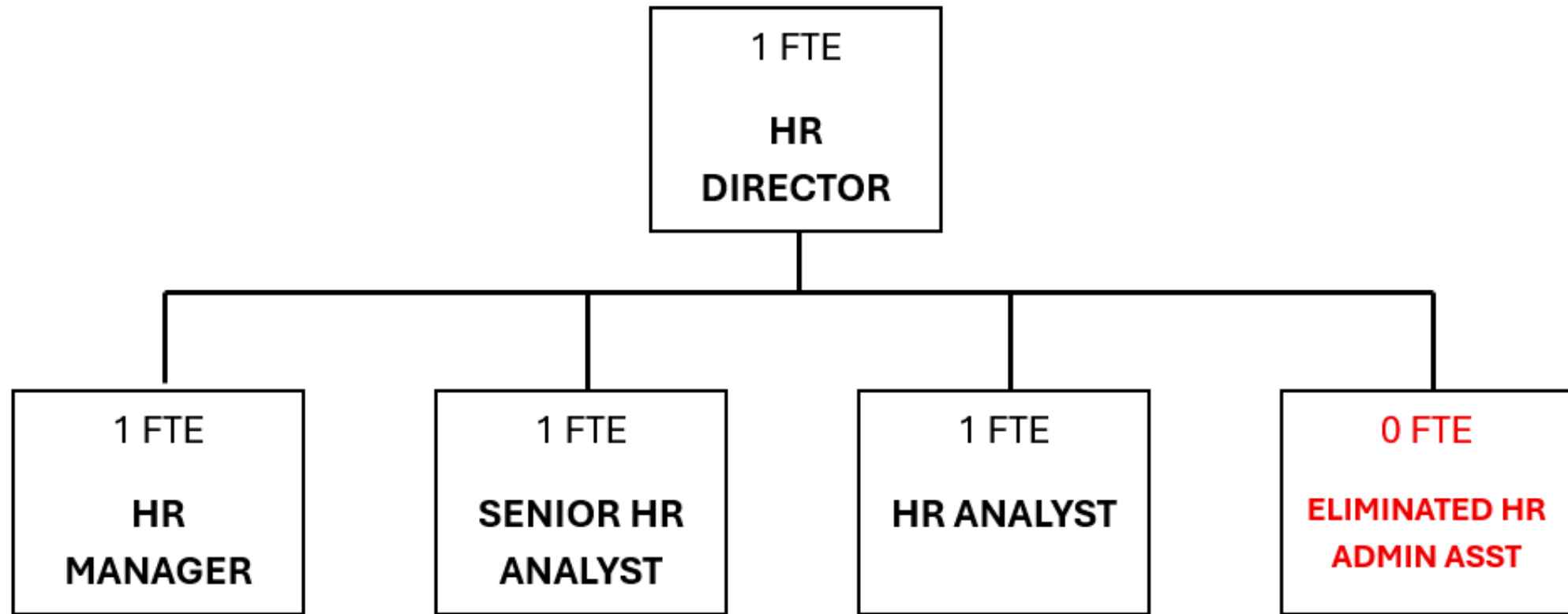
- Employee benefits administration
- Civil Service administration
- Workers' compensation reporting & compliance
- Employee professional development

Labor Relations

- Employee & labor relations
- Employment policy administration & legal compliance



Proposed FTE Structure



Department Highlights

- Roll out of employee customer service training program.
- Expansion of NEOGOV module enrollment to support an inclusive employee experience.
- 9 successful HR policy revisions.
- Processed 5,522 applications from 1/1/2025-8/21/2026
- Teamsters Union compensation study performed.
- Negotiated successor AFSCME Contract.
- Supported City departments in organizational restructuring requirement.



Innovations/Efficiencies for 2027-2028

- Reduction of 1 FTE position equates to 20% cut in Operation Funds.
- Reorganization and reassignment of HR functions for efficiency.
- SOP manual creation for consistent application of routine human resource process capturing institutional knowledge and practices.
- Continue formulation of LMS training courses that are COL-centric.
- Elimination of policy management module as a cost efficiency.

Proposed Biennial Budget

	2027 HR Dept Budget	2028 HR Dept Budget
Program	\$ 1,066,969.00	\$ 1,128,195.00
Operations	\$ 73,003.00	\$ 73,003.00
Employee Services	\$ 60,500.00	\$ 60,500.00
Labor	\$ 1,200,472.00	\$ 1,261,698.00

Proposed Biennial Budget

	2027 HR Dept Budget	2028 HR Dept Budget
Salaries	\$ 703,847.00	\$ 749,228.00
Benefits	\$ 202,242.00	\$ 218,087.00
Supplies	\$ 10,225.00	\$ 10,225.00
Services	\$ 284,158.00	\$ 284,158.00
Total	\$ 1,200,472.00	\$ 1,261,698.00

Department Outcomes

- Continued focus on training & development.
- Mitigate grievances through Labor Management collaboration.
- Efficient, compliant and responsive HR services.
- Ensure staff feel welcomed, informed, and integral to the City team.





Thank you.



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FINANCE

2027-2028 Biennial Budget Presentation

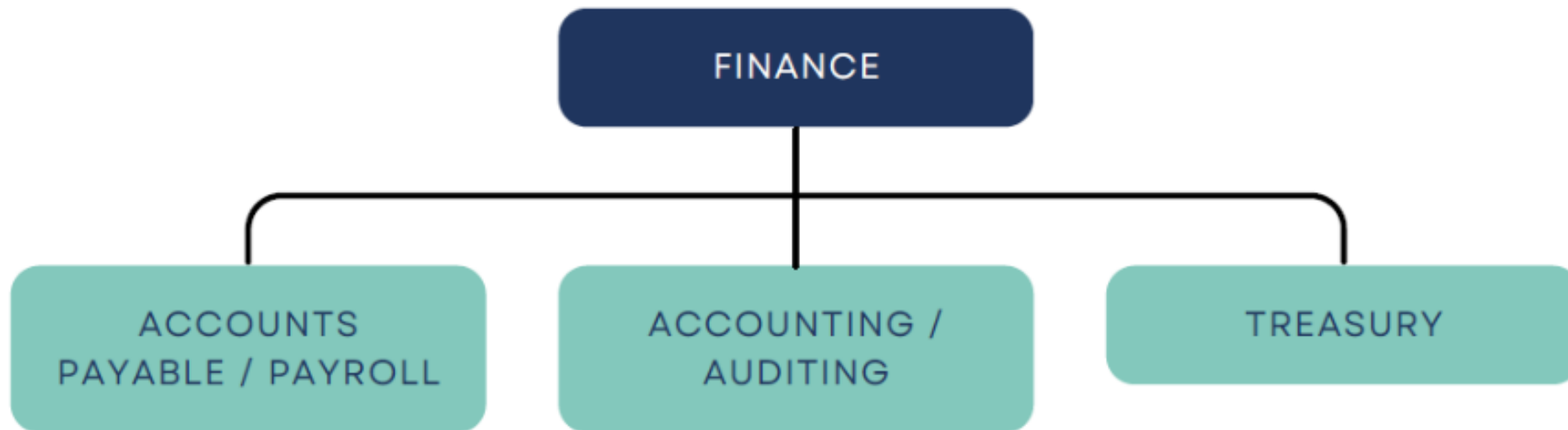
October 19, 2026

Finance Department

- Ensure transparent management of public funds
- Compiling and maintaining accurate financial records
- Compliance with federal, state, and local laws
- Processing City financial transactions
- City Hall reception services



Core Lines of Business



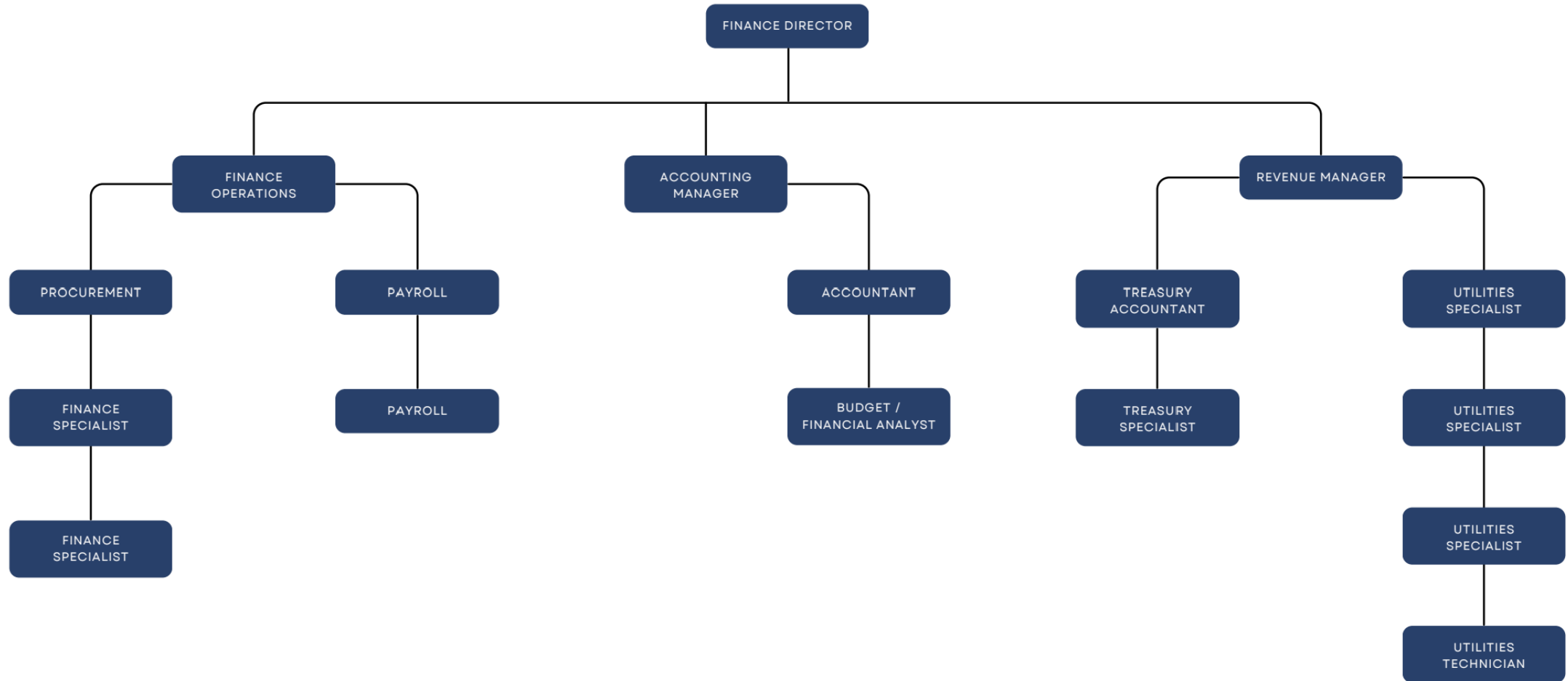
Core Lines of Business

- Accounting
- Accounts Payable
- Budget Management
- Capital Asset Tracking
- Debt Management
- Financial Planning and Reporting
- Investment Tracking
- Payroll
- Procurement
- Treasury



FINANCE DEPARTMENT

PROPOSED ORGANIZATION CHART FOR 2027-2028 BIENNIUM
AS OF 10/16/2026



Department Highlights

- 2025 materials submitted to State Auditor
- 2027-2028 Preliminary Biennial Budget completed
- Keeping the trains moving through significant leadership changes and reorganizations



Efficiencies for 2027-2028

- Utility Billing Team
 - Positions funded directly through Utility budget
- Deputy Director
 - Reduced in 2025, removed from 2027-2028
- Management Consolidation
 - Reduced from five (5) to three (3)
- Administration Position
 - Planned 2027-2028 elimination
- Cross-Training
 - 94% of Treasury billed back to Utilities. One position cross trained for support.
- Administrative Pool Development
 - Participate in citywide pool development to better manage emergency coverage



Proposed Biennial Budget

FINANCE	2025 ACTUAL	2026 REMAINING	2025-2026 BUDGET	2027-2028 BUDGET
Salaries & Wages	\$2,547,987.46	\$1,064,878.07	\$5,389,222.00	\$4,050,187.00
Personnel Benefits	\$853,020.94	\$384,873.31	\$1,836,729.00	\$1,201,123.00
Supplies	\$3,603.03	\$2,357.29	\$15,000.00	\$-
Services & Charges	\$496,412.02	\$337,105.36	\$1,264,700.00	\$439,000.00
Total	\$3,901,023.45	\$1,789,214.03	\$8,505,651.00	\$5,690,310.00



Department Outcomes

- Absorbing and reacclimating to reductions while continuing to meet all statutory and regulatory needs
- Partnering with other departments to provide the best customer service to the public as possible given our 2027-2028 biennial resources
- Incoming new leadership will be remarkable asset to supporting finance team and city through the next biennium





Thank you!

CITY COUNCIL 6.B

CITY OF LYNNWOOD CITY COUNCIL

TITLE: Discussion: Resolution Opposing Initiatives ILA26-001 and IL26-638 to Protect Student Safety, LGBTQIA2+ Rights, and Equity in Public Education

DEPARTMENT CONTACT: Estee Milburn, City Council

SUMMARY:

The resolution formally opposes Washington State ballot initiatives IL26-001 and IL26-638, citing concerns about student safety, LGBTQIA2+ protections, and equitable access to education and athletics.

PRESENTER:

Isabel Mata, Council Member

ESTIMATED TIME:

20

BACKGROUND:

This resolution reaffirms Lynnwood's commitment to LGBTQIA2+ residents and equity by formally opposing two Washington State ballot initiatives, IL26-001 and IL26-638, in the November 2026 election.

IL26-001 — Parental rights in education: The resolution argues that the initiative could weaken protections for students experiencing abuse, domestic violence, or bullying by discouraging them from seeking confidential support from trusted school staff and potentially exposing LGBTQ+ youth to unsafe home environments.

IL26-638 — Girls' sports eligibility: The resolution opposes requiring girls to obtain healthcare-provider verification of their biological sex to participate in designated girls' sports.

The resolution cites concerns raised by healthcare professionals, educators, counselors, and domestic violence prevention experts. It argues that both initiatives conflict with Lynnwood City Council's stated values of diversity, equity, inclusion, equal opportunity, good governance, and equitable public education.

Ultimately, the resolution makes a formal statement of opposition to both initiatives as a concrete expression of the City's commitment to protecting LGBTQIA2+ residents, supporting vulnerable youth, and advancing equity beyond symbolic Pride Month recognition.

SUGGESTED ACTION:

Council discussion and feedback during the Work Session, with potential consideration for

adoption at a future Business Meeting.

FUNDING:

There is no direct financial impact to the City, aside from potential staff time.

DEPARTMENT ATTACHMENTS

Description:

[Resolution_Mata ILA.pdf](#)

[II26-001_fulltext.pdf](#)

[II26-638_fulltext.pdf](#)



RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF LYNNWOOD, WASHINGTON, *opposing Initiatives IL26-001 and IL26-638 to protect student safety, LGBTQIA2+ rights, and equity in public education.*

WHEREAS, *the first Gay Pride marches existed to commemorate the Stonewall Riots and further the liberation of the LGBTQ+ community; and*

WHEREAS, *the current political climate and its increased targeting the LGBTQ+ community demands that contemporary Pride Month recognitions go beyond performative to make concrete commitments and take substantive action that ensures the continued affirmation and protection of the LGBTQ+ community members from all forms of homo/transphobia, including the erosion of LGBTQ+ rights; and*

WHEREAS, *Initiative IL26-001 and IL26-638 will be on the ballot in Washington in November of 2026; and*

WHEREAS, *Initiative IL26-001 eliminates carefully crafted language in Ch. 28.A.605 RCW passed by the 2025 Legislature to protect parent and student rights while making sure Washington's parent access laws are consistent with federal and state laws; and*

WHEREAS, *Initiative IL26-638 would require all girls wanting to participate in sports to get a statement signed by a health care provider verifying their biological sex, relying on the student's reproductive anatomy, genetic makeup, or normal endogenously produced testosterone levels; and*

WHEREAS, *these initiatives are opposed by nurses, doctors, teachers, school counselors, and domestic violence prevention experts; and*

WHEREAS, *IL26-001 removes common sense school record protections for victims of child abuse; discourages students facing domestic violence, sexual abuse, or bullying from seeking help from trusted school counselors; and forces teachers and school counselors to knowingly put LGBTQ+ kids in danger of violence and homelessness by outing them to abusive families; and*

WHEREAS, *these initiatives are inconsistent with this City Council's values to promote DEI, equality of opportunity, good government and equity in public education; it further profoundly impacts the youth of our community, especially girls wishing to play in sports and children who identify as LGBTQ+; now, therefore*

THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, DO RESOLVE AS FOLLOWS:

Section 1. *The City Council affirms or reaffirms Lynnwood's commitment to our LGBTQIA2+ residents by opposing initiatives ILA26-001 and IL26-638.*

This Resolution shall be in full force and effect from and after its adoption and approval.

PASSED by the City Council the _____ day of _____, 20XX.

APPROVED:

George Hurst, Mayor

ATTEST/AUTHENTICATED:

Darcy Kirschner, Interim City Clerk

Initiative Measure No. IL26-001

Filed May 22, 2025

RESTORING THE PARENTS' BILL OF RIGHTS

AN ACT Relating to the Washington parents' bill of rights; amending RCW 28A.605.005; and creating new sections.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

Sec. 1. RCW 28A.605.005 and 2025 c 369 s 501 are each amended to read as follows:

(1) Subsections 2 through 5 of this section reinstate Initiative 2081's laws guaranteeing parents' rights, including reviewing their children's instructional materials, accessing their school records, being notified when medical services are provided, and opting-out-of certain classes. Voter approval of this initiative provides two years of constitutional protection from legislative interference, which reinforces Initiative 2081's laws guaranteeing parents' rights.

(2) The people find 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.

(3) Parents and legal guardians of public school children younger than 18 years old have all of the following rights:

(a) To examine the textbooks, curriculum, and supplemental material used in their child's classroom;

(b)(i) To inspect their child's public school records in accordance with RCW 28A.605.030, and to receive a copy of their child's records within 10 business days of submitting a written request, either electronically or on paper.

(ii) Parents or legal guardians must not be required to appear in person for the purposes of requesting or validating a request for their child's public school records.

(iii) No charge may be imposed on a parent or legal guardian to receive such records electronically. Any charges for a paper copy of such records must be reasonable and set forth in the official policies and procedures of the school district.

(iv) Public school records include all of the following:

(A) Academic records including, but not limited to, test and assessment scores in accordance with RCW 28A.230.195;

(B) Medical or health records;

(C) Records of any mental health counseling;

(D) Records of any vocational counseling;

(E) Records of discipline, including expulsions and suspensions under RCW 28A.600.015;

(F) Records of attendance, including unexcused absences in accordance with RCW 28A.225.020;

(G) Records associated with a child's screening for learning challenges, exceptionalities, plans for an individualized education program, or plan adopted under section 504 of the rehabilitation act of 1973; and

(H) Any other student-specific files, documents, or other materials that are maintained by the public school;

(c) To receive prior notification when medical services are being offered to their child, except where emergency medical treatment is required. In cases where emergency medical treatment is required, the parent and legal guardian must be notified as soon as practicable after the treatment is rendered;

(d) To receive notification when any medical service or medications have been provided to their child that could result in any financial impact to the parent's or legal guardian's health insurance payments or copays;

(e) To receive notification when the school has arranged directly or indirectly for medical treatment that results in follow-up care beyond normal school hours. Follow-up care includes monitoring the child for aches and pains, medications, medical devices such as crutches, and emotional care needed for the healing process;

(f) To receive immediate notification if a criminal action is deemed to have been committed against their child or by their child;

(g) To receive immediate notification if law enforcement personnel question their child, except in cases where the parent or legal guardian has been accused of abusing or neglecting the child;

(h) To receive immediate notification if their child is taken or removed from the public school campus without parental permission, including to stay at a youth shelter or "host home" as defined in RCW 74.15.020;

(i) To receive assurance their child's public school will not discriminate against their child based upon the sincerely held religious beliefs of the child's family in accordance with chapter 28A.642 RCW;

(j) To receive written notice and the option to opt their child out of any surveys, assignments, questionnaires, role-playing activities, recordings of their child, or other student engagements that include questions about any of the following:

(i) The child's sexual experiences or attractions;

(ii) The child's family beliefs, morality, religion, or political affiliations;

(iii) Any mental health or psychological problems of the child or a family member; and

(iv) All surveys, analyses, and evaluations subject to areas covered by the protection of pupil rights amendment of the family educational rights and privacy act;

(k) To receive written notice and have the option to opt their child out of instruction on topics associated with sexual activity in accordance with RCW 28A.300.475;

(l) 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 event that requires parent or student attendance outside of normal school days or hours;

(m) 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 addressed;

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

(o) To be informed if their child's academic performance, including whether their child is provided a student learning plan, is such that it could threaten the child's ability to be promoted to the next grade level and to be offered 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.

(4) Notwithstanding anything to the contrary, a public school shall not be required to release any records or information regarding a student's medical or health records or mental health counseling records to a parent 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 is the target of the investigation, unless the parent has obtained a court order.

(5) As used in this section "public school" has the same meaning as in RCW 28A.150.010.

~~(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) 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 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.~~

NEW SECTION. Sec. 2. The provisions of this act are to be liberally construed to effectuate the policies, purposes, and intent of this act.

NEW SECTION. **Sec. 3.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 4.** This act is known and may be cited as the Washington Parents' Bill of Rights.

--- END ---

Initiative Measure No. IL26-638

Filed June 2, 2025

AN ACT Relating to defending equity in interscholastic sports; amending RCW 28A.600.200 and 28A.640.020; adding a new section to chapter 28A.600 RCW; and creating new sections.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec. 1.** The people find:

(1) Existing Washington state law and school district policies require students to undergo a routine physical examination prior to participation in interscholastic sports, which includes documentation of the student's sex assigned at birth;

(2) This established requirement provides a reliable and medically verified basis to determine a student's biological sex;

(3) Protecting the integrity and fairness of women's interscholastic sports necessitates that students compete in athletic activities consistent with the gender assigned at birth; and

(4) Leveraging the existing physical examination process to verify biological sex ensures equity, safety, and competitive balance in sports intended exclusively for female students, while respecting the rights and opportunities of all participants.

Sec. 2. RCW 28A.600.200 and 2012 c 155 s 2 are each amended to read as follows:

(1) Each school district board of directors is hereby granted and shall exercise the authority to control, supervise and regulate the conduct of interschool athletic activities and other interschool extracurricular activities of an athletic, cultural, social or recreational nature for students of the district. A board of

directors may delegate control, supervision and regulation of any such activity to the Washington interscholastic activities association or any other voluntary nonprofit entity and compensate such entity for services provided, subject to the ~~((following))~~ conditions ~~((÷~~

~~(1))~~ outlined in this section.

(2) The voluntary nonprofit entity shall not discriminate in connection with employment or membership upon its governing board, or otherwise in connection with any function it performs, on the basis of race, creed, national origin, sex or marital status ~~((÷~~

~~(2)(a))~~ (3) Any rules and policies adopted and applied by the voluntary nonprofit entity that governs student participation in any interschool activity shall be written ~~((÷~~) and

~~((b) Such rules and policies shall))~~ provide for notice of the reasons and a fair opportunity to contest such reasons prior to a final determination to reject a student's request to participate in or to continue in an interschool activity.

~~((3)(a))~~ (4) The association or other voluntary nonprofit entity is authorized to impose penalties for rules violations upon coaches, school district administrators, school administrators, and students, as appropriate, to punish the offending party or parties ~~((÷~~

~~(b) No))~~, but no penalty may be imposed on a student or students unless the student or students knowingly violated the rules or unless a student gained a significant competitive advantage or materially disadvantaged another student through a rule violation ~~((÷~~

~~(c))~~ . Any penalty that is imposed for rules violations must be proportional to the offense ~~((÷~~

~~(d) Any))~~, and any decision resulting in a penalty shall be considered a decision of the school district conducting the activity in which the student seeks to participate or was participating and may be appealed pursuant to RCW 28A.600.205 and 28A.645.010 through 28A.645.030.

~~((4))~~ (5) The school districts, Washington interscholastic activities association districts, and leagues that participate in the interschool extracurricular activities shall not impose more severe penalties for rule violations than can be imposed by the rules of the association or the voluntary nonprofit entity.

~~((5))~~ (6) Policies, procedures, rules, and other requirements adopted by a school district or a voluntary nonprofit entity in accordance with this section must conform with section 3 of this act.

(7) As used in this section and RCW 28A.600.205, "knowingly" means having actual knowledge of or acting with deliberate ignorance or reckless disregard for the prohibition involved.

NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.600 RCW to read as follows:

(1) Policies, procedures, rules, and other requirements adopted in accordance with RCW 28A.600.200 by a school district board of directors or a voluntary nonprofit entity must prohibit biologically male students from competing with and against female students in athletic activities with separate classifications for male and female students if the athletic activity is:

- (a) Intended for female students only; and
- (b) An individual or team competition activity.

(2) A student who elects to participate in individual or team competition activities intended for female students only governed under subsection (1) of this section shall provide, as part of the required routine sports physical examination, a health examination and consent form or other statement signed by the student's personal health care provider that verifies the student's biological sex, relying only on one or more of the following: The student's reproductive anatomy, genetic makeup, or normal endogenously produced testosterone levels.

Sec. 4. RCW 28A.640.020 and 2023 c 242 s 3 are each amended to read as follows:

(1) The superintendent of public instruction shall develop regulations and guidelines to eliminate sex discrimination as it applies to public school employment, counseling and guidance services to students, recreational and athletic activities for students, access to course offerings, and in textbooks and instructional materials used by students.

(a) Specifically with respect to public school employment, all schools shall be required to:

(i) Maintain credential requirements for all personnel without regard to sex;

(ii) Make no differentiation in pay scale on the basis of sex;

(iii) Assign school duties without regard to sex except where such assignment would involve duty in areas or situations, such as but not limited to a shower room, where persons might be disrobed;

(iv) Provide the same opportunities for advancement to males and females; and

(v) Make no difference in conditions of employment including, but not limited to, hiring practices, leaves of absence, hours of employment, and assignment of, or pay for, instructional and noninstructional duties, on the basis of sex.

(b) Specifically with respect to counseling and guidance services for students, they shall be made available to all students equally. All certificated personnel shall be required to stress access to all career and vocational opportunities to students without regard to sex.

(c) Specifically with respect to recreational and athletic activities, they shall be offered to all students without regard to sex, except as provided in section 3 of this act. Schools may provide separate teams for each sex. Schools which provide the following shall do so with no disparities based on sex: Equipment and supplies; medical care; services and insurance; transportation and per diem allowances; opportunities to receive coaching and

instruction; laundry services; assignment of game officials; opportunities for competition, publicity and awards; scheduling of games and practice times including use of courts, gyms, and pools: PROVIDED, That such scheduling of games and practice times shall be determined by local administrative authorities after consideration of the public and student interest in attending and participating in various recreational and athletic activities. Each school which provides showers, toilets, or training room facilities for athletic purposes shall provide comparable facilities for both sexes. Such facilities may be provided either as separate facilities or shall be scheduled and used separately by each sex.

The superintendent of public instruction shall also be required to develop a student survey to distribute every three years to each local school district in the state to determine student interest for male/female participation in specific sports.

(d) Specifically with respect to course offerings, all classes shall be required to be available to all students without regard to sex: PROVIDED, That separation is permitted within any class during sessions on sex education or gym classes.

(e) Specifically with respect to textbooks and instructional materials, which shall also include, but not be limited to, reference books and audiovisual materials, they shall be required to adhere to the guidelines developed by the superintendent of public instruction to implement the intent of this chapter: PROVIDED, That this subsection shall not be construed to prohibit the introduction of material deemed appropriate by the instructor for educational purposes.

(2) (a) By December 31, 1994, the superintendent of public instruction shall develop criteria for use by school districts in developing sexual harassment policies as required under (b) of this subsection. The criteria shall address the subjects of grievance procedures, remedies to victims of sexual harassment, disciplinary actions against violators of the policy, and other subjects at the discretion of the superintendent of public instruction. Disciplinary

actions must conform with collective bargaining agreements and state and federal laws. The superintendent of public instruction also shall supply sample policies to school districts upon request.

(b) By June 30, 1995, every school district shall adopt and implement a written policy concerning sexual harassment. The policy shall apply to all school district employees, volunteers, parents, and students, including, but not limited to, conduct between students.

(c) School district policies on sexual harassment shall be reviewed by the superintendent of public instruction considering the criteria established under (a) of this subsection as part of the monitoring process established in RCW 28A.640.030.

(d) The school district's sexual harassment policy shall be conspicuously posted throughout each school building, and provided to each employee. A copy of the policy shall appear in any publication of the school or school district setting forth the rules, regulations, procedures, and standards of conduct for the school or school district. This requirement as it relates to students, parents, and guardians may be satisfied by using the model student handbook language in RCW 28A.300.286.

(e) Each school shall develop a process for discussing the district's sexual harassment policy. The process shall ensure the discussion addresses the definition of sexual harassment and issues covered in the sexual harassment policy.

(f) "Sexual harassment" as used in this section means unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct or communication of a sexual nature if:

(i) Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining an education or employment;

(ii) Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's education or employment; or

(iii) That conduct or communication has the purpose or effect of substantially interfering with an individual's educational or work performance, or of creating an intimidating, hostile, or offensive educational or work environment.

NEW SECTION. **Sec. 5.** This act may be known and cited as the defending equity in interscholastic sports act.

NEW SECTION. **Sec. 6.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

--- END ---