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6 **STATE OF WASHINGTON**
THURSTON COUNTY SUPERIOR COURT

7 IN RE: BALLOT TITLE AND
8 SUMMARY APPEAL FOR
9 REFERENDA NOS. 90 AND 91,

NO. 20-2-01355-34

STIPULATION AND ~~PROPOSED~~
ORDER *CM*

9 On behalf of KING COUNTY SEXUAL
10 ASSAULT RESOURCE CENTER,
11 WASHINGTON STUDENT
12 ASSOCIATION, EQUAL RIGHTS
WASHINGTON, GENDER JUSTICE
LEAGUE, and COALITION ENDING
GENDER-BASED VIOLENCE

(Clerk's Action Required)

13 **STIPULATION**

14 IT IS HEREBY STIPULATED AND AGREED by and between Petitioners, King
15 County Sexual Assault Resource Center, Washington Student Association, Equal Rights
16 Washington, Gender Justice League, And Coalition Ending Gender-Based Violence, acting by
17 and through their attorneys, Nancy Talner, Paul J. Lawrence, Breanne Schuster, Leah Rutman,
18 and Julia Mizutani, Kim Clark, Catherine West; Referendum 90 Sponsor Mindie Wirth, acting
19 by and through her attorney, Joel Ard; Referendum 91 Sponsor Matthew C. Marshall, acting
20 by and through his attorney, Joel Ard; and Respondent, the State of Washington, by and
21 through its attorney of record, Jeffrey T. Even, Deputy Solicitor General, that the ballot titles
22 issued by the Office of the Attorney General for both Referendum 90 and 91 shall be modified
23 to read as follows:

24 **BALLOT TITLE**

25 Statement of Subject: The legislature passed Engrossed Substitute Senate
26 Bill 5395 concerning comprehensive sexual health education.

1 Concise Description: This bill would require school districts to adopt or
2 develop, consistent with state standards, comprehensive age-appropriate sexual
3 health education, as defined, for all students, and excuse students if their parents
4 request.

Should this bill be: Approved [] Rejected []

BALLOT MEASURE SUMMARY

6 The legislature enacted a law requiring all school districts to provide comprehensive
7 sexual health education, as defined, beginning in 2021-22 for grades 6-12 and in
8 2022-23 for grades K-5. Students must be excused from this program if parents so
9 request. The curriculum must satisfy state standards. The content and frequency of
providing comprehensive sexual health education would vary by grade level and
must include affirmative consent and bystander training. K-3 instruction must be
social-emotional learning.

10 DATED this 7th day of April 2020.

11 ROBERT W. FERGUSON
12 Attorney General

13 *s/ Jeffrey T. Even*
14 JEFFREY T. EVEN, WSBA 20367
 Deputy Solicitor General

15 1125 Washington Street SE
16 PO Box 40100
17 Olympia, WA 98504-0100
 360-586-0728
 Jeffrey.Even@atg.wa.gov

18 *s/ Joel Ard*
19 JOEL ARD, WSBA 40104
20 Ard Law Group, PLLC
21 P.O. Box 11633
22 Bainbridge Island, WA 98110
23 (206) 701-9243
 Joel@ard.law
 Attorney for Sponsor of R-90,
 Mindie Wirth and Sponsor of R-91,
 Matthew C. Marshall

s/ Paul J. Lawrence
 NANCY TALNER, WSBA 11196
 PAUL J. LAWRENCE, WSBA 13557
 BREANE SCHUSTER, WSBA 49993
 LEAH RUTMAN, WSBA 50376
 JULIA MIZUTANI, WSBA 55615
 American Civil Liberties Union
 of Washington Foundation
 P.O. Box 2728

 KIM CLARK, WSBA 51644
 CATHERINE WEST, WSBA 35353
 Legal Voice
 907 Pine Street, Unit 500
 Seattle, WA 98101
 (206) 245-7597
 kclark@legalvoice.org
 cwest@legalvoice.org
 Counsel for Petitioners

1 **PROPOSED ORDER**

2 The Court having considered the above agreed stipulation regarding the Challenge to
3 Ballot Title and Summary for Referenda Nos. 90 and 91;

4 IT IS ORDERED that the Ballot Title and Summary for Referenda Nos. 90 and 91 are:

5
6 **BALLOT TITLE**

7 Statement of Subject: The legislature passed Engrossed Substitute Senate
8 Bill 5395 concerning comprehensive sexual health education.

9 Concise Description: This bill would require school districts to adopt or
10 develop, consistent with state standards, comprehensive age-appropriate sexual
11 health education, as defined, for all students, and excuse students if their parents
12 request.

13 Should this bill be: Approved [] Rejected []

14 **BALLOT MEASURE SUMMARY**

15 The legislature enacted a law requiring all school districts to provide comprehensive
16 sexual health education, as defined, beginning in 2021-22 for grades 6-12 and in
17 2022-23 for grades K-5. Students must be excused from this program if parents so
18 request. The curriculum must satisfy state standards. The content and frequency of
19 providing comprehensive sexual health education would vary by grade level and
20 must include affirmative consent and bystander training. K-3 instruction must be
21 social-emotional learning.

22 DATED this 8th day of April, 2020.

*The stipulation resolves
all issues and the case
is DISMISSED.*

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Carol Murphy

HONORABLE CAROL MURPHY
Superior Court Judge

1 ROBERT W. FERGUSON
Attorney General

Receipt Acknowledged,
Notice of presentation waived:

2
3 *s/ Jeffrey T. Even*
JEFFREY T. EVEN, WSBA 20367
4 *Deputy Solicitor General*
1125 Washington Street SE
5 PO Box 40100
Olympia, WA 98504-0100
6 360-586-0728
Jeffrey.Even@atg.wa.gov
7

s/ Paul J. Lawrence
NANCY TALNER, WSBA 11196
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American Civil Liberties Union
of Washington Foundation
P.O. Box 2728

8
9 *s/ Joel Ard*
JOEL ARD, WSBA 40104
Ard Law Group, PLLC
10 P.O. Box 11633
Bainbridge Island, WA 98110
11 (206) 701-9243
Joel@ard.law
12 *Attorney for Sponsor of R-90,*
Mindie Wirth and Sponsor of R-91,
13 *Matthew C. Marshall*

KIM CLARK, WSBA 51644
CATHERINE WEST, WSBA 35353
Legal Voice
907 Pine Street, Unit 500
Seattle, WA 98101
(206) 245-7597
kclark@legalvoice.org
cwest@legalvoice.org
Counsel for Petitioners