

HOUSE BILL ANALYSIS

HB 1153

Title: *An act relating to the sharing of information relating to student safety.*

Brief Description: *Changing school safety provisions.*

Sponsors: *Representatives McDonald, Kastama, Sump, Delvin, Hurst, Rockefeller, Kessler, Stensen, O'Brien, Bush, Lovick, Dickerson, Carlson, Keiser, Ogden, Hatfield, Wood, Ruderman, Tokuda, Santos, McIntire, Conway and Lantz.*

HOUSE COMMITTEE ON EDUCATION

Meeting Date: *January 25, 1999.*

Bill Analysis Prepared by: *Charlie Gavigan (786-7340).*

Background: When a juvenile who has committed a sex, violent, or stalking offense will be released, paroled, or transferred to a group home, the Department of Social and Health Services must notify the private schools and the common school board of directors of the district in which the offender intends to reside or the district in which the offender last attended school, as appropriate. The requirement to notify schools of the release or transfer of certain offenders was expanded in 1997 to require the department to notify schools when an offender under the jurisdiction of the department for any offense will be transferred to a group home.

The juvenile court administrator must notify the school principal if an elementary or secondary school student is convicted of any of the following offenses: violent or sex offenses, inhaling toxic fumes, violations of the controlled substances provisions, liquor violations, or offenses relating to kidnaping, harassment, or arson.

The principal must provide the criminal history information to the student's teachers, supervisors, and other personnel who need to know for security reasons. Otherwise the information is confidential except when it may be disseminated pursuant to a statute or federal law. When a student transfers to another school, the records of immunization, academic performance, disciplinary actions, and attendance must be sent to the new school.

Except for official juvenile court files, most records regarding juvenile offenses are confidential. Records of juvenile justice or care agencies can be released to other participants in the juvenile justice system when the participant is involved in the investigation or when the participant is responsible for supervising the juvenile.

Summary of Bill: The Department of Social and Health Services must notify the private schools and the common school board of directors of the district in which the offender intends to reside or the district in which the offender last attended school, as appropriate, whenever an offender under the jurisdiction of the department for any offense will be released, paroled, or granted leave, not just when being transferred to a group home as under current law.

When a student transfers from a school in another district, the records from the previous school must include information on whether the student has a history of violent or other inappropriate behavior. Parents must provide information similar to the information contained in the school records upon request of the enrolling school. If the parent fails to provide accurate information regarding past school disciplinary action or violent or other inappropriate behavior, the student could be transferred, suspended, or expelled when the school receives correct information.

The school the juvenile attends is responsible for supervising that student and, therefore, has access to records of the juvenile justice and care system for that student. Law enforcement officers must cooperate with schools in releasing information on investigations regarding students. Information should be released to the maximum extent possible without jeopardizing the investigation or prosecution, or endangering witnesses.

Appropriation: None.

Fiscal Note: Requested on January 19, 1999.

Effective Date: Ninety days after adjournment of session in which bill is passed

Rulemaking Authority: None specified.