

***Juvenile Justice Committee***

***HB 1788***

***Brief Description:*** *Changing provisions regarding dissemination of information on public school students.*

***Sponsors:*** *Representatives Woods, Lantz, Talcott, Rockefeller, Cairnes, Anderson, Bush and Pflug.*

***Brief Summary of Bill***

- *Broadens the distribution of information regarding a student's behavioral history from school security personnel and the student's teachers to all school personnel.*
- *Requires the school to maintain a list of students convicted of certain offenses, and make that list available to the parents of other students.*

***Hearing Date:*** *2/14/01*

***Staff:*** *Catherine Blinn (786-7114).*

***Background:***

*A public school enrolling a student who has previously attended school in another school district must request from the previous school the student's permanent record, including records of disciplinary action, a history of violent or criminal behavior, attendance records, immunization records, and academic performance. A juvenile court must notify a school whenever a student is convicted or adjudicated or enters into a diversion agreement regarding a violent offense, a sex offense, inhaling toxic fumes, a controlled substance violation, a liquor violation, a firearm or weapon violation, assault, kidnaping, unlawful imprisonment, custodial interference, harassment, arson, reckless burning, or malicious mischief. The Department of Social and Health Services must notify a school when a student found to have committed a violent offense, a sex offense, or stalking is going to be discharged, paroled, granted an authorized leave or release, or transferred to a community residential facility.*

*Once a school receives information from any of these sources that a student has a history of disciplinary actions, violent behavior, specific criminal convictions, adjudications or diversions, or any other behavior that indicates that the student could pose a threat to the safety of students or staff, the school must provide this information to the student's teachers and to security personnel. School districts and district employees who release such information in compliance with the law are immune from civil liability for damages unless the district or employee acted with gross negligence or in bad faith.*

*Federal law generally prohibits policies and practices that permit the release of educational records or personally identifiable information to an individual, agency, or organization without written consent from the student's parents. One of the exceptions to this rule is the release of information to other school officials who have legitimate educational interests, including the educational interests of the child.*

**Summary of Bill:**

*Once a school receives information from any of these sources that a student has a history of disciplinary actions, violent behavior, specific criminal convictions, adjudications or diversions, or any other behavior that indicates that the student could pose a threat to the safety of students or staff, the school must provide this information to all school personnel. School districts and district employees who release such information to school personnel in compliance with the law are immune from civil liability for damages unless the district or employee acted with gross negligence or in bad faith.*

*Schools are required to maintain a list of students convicted of violent offenses, sex offenses, inhaling toxic fumes, controlled substance violations, liquor violations, firearm or weapon violations, assault, kidnaping, unlawful imprisonment, custodial interference, harassment, arson, reckless burning or malicious mischief. Upon request, schools shall make the list available to parents of other students. School districts and district employees who release such information to other parents in compliance with the statute are immune from civil liability for damages unless the district or employee acted with gross negligence or in bad faith.*

**Appropriation:** None.

**Fiscal Note:** Not Requested.

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