

SENATE BILL REPORT

ESHB 2518

AS REPORTED BY COMMITTEE ON EDUCATION, FEBRUARY 27, 1992

**Brief Description:** Changing provisions for educational employees.

**SPONSORS:** House Committee on Education (originally sponsored by Representatives Peery, Vance, Brumsickle, D. Sommers, Winsley, Van Luven, Bowman, Broback, Wood, Wynne, Mitchell and H. Myers; by request of Superintendent of Public Instruction and Board of Education)

HOUSE COMMITTEE ON EDUCATION

HOUSE COMMITTEE ON APPROPRIATIONS

SENATE COMMITTEE ON EDUCATION

**Majority Report:** Do pass as amended.

Signed by Senators Bailey, Chairman; Erwin, Vice Chairman; Anderson, Craswell, Metcalf, Murray, Oke, Pelz, Rinehart, A. Smith, and Talmadge.

**Staff:** Mich'l Prentice Needham (786-7439)

**Hearing Dates:** February 25, 1992; February 27, 1992

**BACKGROUND:**

Currently, applicants for initial teaching certificates are required to undergo a background check with the Washington State Patrol criminal identification system. This background check retrieves information on criminal activity that occurred in Washington State but not across the country.

The Office of the Superintendent of Public Instruction may investigate alleged violations only if a complaint has been filed by a school district superintendent or educational service district superintendent.

**SUMMARY:**

Before hiring an employee, school districts, educational service districts, and their contractors shall require a record check and fingerprint check through the Washington State Patrol criminal identification system and the FBI. The requirement may be waived if the applicant has had a criminal record check within the previous two years. The district or contractor will determine who shall pay the costs associated with the record check.

State Board of Education rules governing requirements for initial certification shall require a criminal record check

and fingerprint check through the Washington State Patrol criminal identification system and the FBI. The requirement may be waived if the applicant has had a criminal record check within the previous two years.

Complaints filed by private school administrators may also be used to revoke certificates.

The Superintendent of Public Instruction has authority to initiate and conduct investigations of possible violations, and subpoena witnesses and records.

The State Patrol may charge individuals for the incremental cost of fingerprint checks when school districts or educational service districts request the check. A dedicated account is created to receive receipts from the fingerprint checks.

The State Patrol and the Federal Bureau of Investigation cannot retain records of the fingerprints.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** available

**SUMMARY OF PROPOSED SENATE AMENDMENT:**

Technical corrections to language were made.

**TESTIMONY FOR:**

This measure is in the best interests of children and schools. The modifications made in the House are okay.

**TESTIMONY AGAINST:** None

**TESTIFIED:** PRO: Judy Hartmann, Washington Education Association; Marcia Costello, Office of the Superintendent of Public Instruction; Linda Byrnes, State Board of Education; David Westberg, Stationary Employees; Debra Senn, Service Employees