
HOUSE BILL 2332

State of Washington

52nd Legislature

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By Representatives Vance, Peery, Brough, G. Fisher, Betrozoff, Brumsickle, Roland, Tate, Neher, Broback, P. Johnson, Winsley, Forner, Kremen, Paris, Chandler, D. Sommers, Mitchell, Bowman, Wynne, Sheldon, Pruitt, Silver, Carlson, McLean, Rasmussen, Sprenkle and Hochstatter

Read first time 01/15/92. Referred to Committee on Education.

1 AN ACT Relating to background checks of school personnel and
2 contractors; reenacting and amending RCW 28A.410.010; adding a new
3 section to chapter 28A.400 RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that additional
6 safeguards are necessary to ensure that school districts and their
7 contractors are informed of the existence of any criminal records of
8 prospective employees. The legislature further finds that the results
9 from state patrol background checks are more complete when fingerprints
10 of individuals are provided, and that information from the federal
11 bureau of investigation also is necessary to obtain information on out-
12 of-state criminal records. The legislature further finds that
13 confidentiality safeguards in state law are in place to ensure that the
14 rights of job applicants and newly hired employees are protected.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.400
2 RCW to read as follows:

3 School districts, educational service districts, and their
4 contractors shall require a background check through the Washington
5 state patrol criminal identification system under RCW 43.43.830 through
6 43.43.834 and through the federal bureau of investigation before hiring
7 an employee who will have unsupervised access to children under the age
8 of sixteen. The background check shall include a fingerprint check.
9 When necessary, applicants may be employed on a conditional basis
10 pending completion of the investigation. At the discretion of the
11 school district or educational service district, background checks also
12 may be required of volunteers. If the applicant has had a background
13 check within the previous two years, the district or contractor may
14 waive the requirement. The district or contractor hiring the employee
15 shall determine who shall pay costs associated with the background
16 check.

17 **Sec. 3.** RCW 28A.410.010 and 1988 c 172 s 3 and 1988 c 97 s 1 are
18 each reenacted and amended to read as follows:

19 The state board of education shall establish, publish, and enforce
20 rules and regulations determining eligibility for and certification of
21 personnel employed in the common schools of this state, including
22 certification for emergency or temporary, substitute or provisional
23 duty and under such certificates or permits as the board shall deem
24 proper or as otherwise prescribed by law. Except for applicants who
25 are applying for certificates which restrict the holder of the
26 certificate to the teaching of students who are sixteen years of age or
27 older, the rules shall require that the initial application for
28 certification shall require a background check of the applicant through
29 the Washington state patrol criminal identification system and through

1 the federal bureau of investigation at the applicant's expense. The
2 background check shall include a fingerprint check. If the applicant
3 has had the background check within the last two years, the requirement
4 may be waived.

5 In establishing rules pertaining to the qualifications of
6 instructors of sign language the state board shall consult with the
7 national association of the deaf, "sign instructors guidance network"
8 (s.i.g.n.), and the Washington state association of the deaf for
9 evaluation and certification of sign language instructors.

10 The superintendent of public instruction shall act as the
11 administrator of any such rules and regulations and have the power to
12 issue any certificates or permits and revoke the same in accordance
13 with board rules and regulations.