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HOUSE BILL 2159

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State of Washington

56th Legislature

1999 Regular Session

By Representatives Quall, Talcott, Schindler, O'Brien, Esser, Gombosky, Ruderman, Boldt, Haigh, D. Sommers, Dunn, Kagi, Stensen, Kenney, Miloscia, Santos, Tokuda, Lambert, Edwards and Barlean

Read first time 02/17/1999. Referred to Committee on Education.

1 AN ACT Relating to record checks of private school educational  
2 employees; adding new sections to chapter 28A.195 RCW; making an  
3 appropriation; providing an expiration date; and declaring an  
4 emergency.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.195  
7 RCW to read as follows:

8 (1) The legislature finds additional safeguards are necessary to  
9 ensure safety of school children attending approved private schools in  
10 the state of Washington. In order to ensure this goal, by June 30,  
11 1999, private schools approved under this chapter shall require that  
12 all employees who have regularly scheduled unsupervised access to  
13 children and were hired before July 1, 1999, undergo a record check  
14 through the Washington state patrol criminal identification system  
15 under RCW 43.43.830 through 43.43.838 and 10.97.050, and through the  
16 federal bureau of investigation. The record check shall include a  
17 fingerprint check using a complete Washington state criminal  
18 identification card. Certified employees who have completed a record  
19 check in accordance with RCW 28A.410.010 are not required to undergo

1 the record check required by this section. The superintendent of  
2 public instruction shall provide a copy of the record report to the  
3 employee. Once an employee has a record check as required under this  
4 section, additional record checks shall not be required of the employee  
5 unless required by other provisions of law.

6 (2) Private schools under this chapter and their employees shall  
7 not be required by the state patrol or superintendent of public  
8 instruction to pay for the record check required in this section.

9 (3) The record checks required in this section shall be in process  
10 no later than September 30, 1999.

11 (4) This section expires March 31, 2001.

12 NEW SECTION. **Sec. 2.** The sum of seven hundred fifty thousand  
13 dollars, or as much thereof as may be necessary, is appropriated for  
14 the fiscal year ending June 30, 2001, from the general fund to the  
15 superintendent of public instruction for the purposes of section 1 of  
16 this act.

17 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.195  
18 RCW to read as follows:

19 (1) By June 30, 1999, private schools approved under this chapter  
20 shall require that all employees who have regularly scheduled  
21 unsupervised access to children and were hired after June 30, 1999,  
22 undergo a record check through the Washington state patrol criminal  
23 identification system under RCW 43.43.830 through 43.43.838 and  
24 10.97.050, and through the federal bureau of investigation. The record  
25 check shall include a fingerprint check using a complete Washington  
26 state criminal identification card. Certified employees who have  
27 completed a record check in accordance with RCW 28A.410.010 are not  
28 required to undergo the record check required by this section.

29 (2) The approved private school or the employee or applicant shall  
30 pay the costs associated with the record check required in this  
31 section.

32 (3) The processing of record checks required in this section for  
33 employees hired after July 1, 1999, shall begin by September 30, 1999.

34 (4) When necessary, applicants may be employed on a conditional  
35 basis pending completion of the investigation. If the applicant has  
36 had this record check within the prior two years, the approved private  
37 school or contractor may waive the requirement.

1        NEW SECTION.    **Sec. 4.**    This act is necessary for the immediate  
2 preservation of the public peace, health, or safety, or support of the  
3 state government and its existing public institutions, and takes effect  
4 immediately.

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