

# FINAL BILL REPORT

## HB 2058

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Synopsis as Enacted

**Brief Description:** Regarding notice requirements for school employees convicted of sexual offenses.

**Sponsors:** By Representatives Quall, Talcott, P. Sullivan, Anderson, Appleton, O'Brien, Lovick, Darneille, Haigh, Holmquist and Ericks.

**House Committee on Education**

**Senate Committee on Early Learning, K-12 & Higher Education**

#### **Background:**

As a condition of employment, school personnel undergo a background check. This background check is intended to reveal any pre-employment convictions. After the initial background check, a school district employer is notified of any convictions occurring during employment to the extent required by law.

Whenever a person is convicted of or pleads guilty to particular types of crimes, the prosecuting attorney must determine whether the person holds a teaching or administrative certificate or is employed by a school district. If the person holds a certificate or is employed by a school district, the prosecuting attorney must notify the Washington State Patrol (WSP). The WSP then must notify the Office of the Superintendent of Public Instruction (SPI), who must report the information to the State Board of Education (SBE) and to the school district where the person is employed.

The types of crimes to which these reporting requirements apply include a specific list of felony sex offenses. These reporting requirements, however, are triggered only when a minor is the victim of the particular sex offense. In cases where a school employee is convicted of an offense against a person other than a minor, no requirement exists to notify the school district employer.

#### **Summary:**

The modifying phrase "where a minor is the victim" is removed from the category of offenses which, if committed by a school employee, require notice to a school district employer. [If a school employee or certificated person is convicted of or pleads guilty to a felony sex offense, regardless of whether a minor was the victim of the offense, the prosecuting attorney must notify the WSP. The WSP then must notify the SPI, who must notify the SBE and the school district where the person is employed.]

#### **Votes on Final Passage:**

House 94 0  
Senate 44 0

**Effective:** July 24, 2005