

# SENATE BILL REPORT

## ESSB 6580

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As Passed Senate, February 9, 2006

**Title:** An act relating to sex offender and kidnapping offender notification and information sharing in schools.

**Brief Description:** Creating work groups to evaluate issues relating to juvenile sex offenders and kidnapping offenders in schools.

**Sponsors:** Senate Committee on Human Services & Corrections (originally sponsored by Senators McAuliffe, Schmidt, Weinstein, Carrell, Berkey, Rasmussen, Oke and Shin).

**Brief History:**

**Committee Activity:** Human Services & Corrections: 1/26/06, 2/1/06 [DPS].

Passed Senate: 2/9/06, 48-0.

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Majority Report:** That Substitute Senate Bill No. 6580 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, McAuliffe and Thibaudeau.

**Staff:** Shani Bauer (786-7468)

**Background:** In 2005, the Legislature passed HB 2101 requiring any adult or juvenile who must register as a sex offender, and who enrolls in any public or private common school, to notify the sheriff of his or her intent to enroll in the school. The report must be made within ten days of enrolling or prior to arriving to attend classes, whichever is earlier. The sheriff must promptly notify the school principal.

If the student is a Level I sex offender, the principal must notify only those persons on the staff who, in the judgment of the principal, need to be aware of the student's record for security purposes. If the student is a Level II or Level III sex offender, the principal must notify all of the student's teachers and any other person who, in the judgment of the principal, supervises the student or needs to be aware of the student's record for security purposes.

Any information received by the principal as a result of the report is confidential and may not be further disseminated except as provided in state or federal law. The notification provisions of HB 2101 take effect September 1, 2006.

The law further requires the Safety Center of the Office of the Superintendent of Public Instruction (OSPI) to review the types and amounts of training that will be necessary for principals, teachers, supervisors, and school staff to implement the new law and report back to the Legislature by January 1, 2006.

In 2005, representatives from education, law enforcement, juvenile justice, sex offender specialists, and both child and victim advocacy groups met to discuss the training component of HB 2101. That Task Force concluded that training could not properly be addressed without first addressing notification and information sharing issues. As an initial step, the Task Force recommended:

- The Washington Association of Sheriffs and Police Chiefs (WASPC) create a statewide model process and content for juvenile sex offender notifications to schools for all jurisdictions; and
- The Washington State School Directors Association, in association with the OSPI, create a statewide model school policy on sex offender notification and outline a clear process to follow when notification is received from law enforcement.

**Summary of Bill:** The OSPI is required to convene a workgroup to develop a model policy for schools to follow when receiving notification from the sheriff's office that a sex offender is enrolled. Issues that must be addressed by the model policy are specified.

OSPI must consult with representatives from other agencies and professional organizations as appropriate in carrying out its duties under this Act. A final report and recommendations must be submitted to the appropriate committees of the Legislature by November 15, 2006.

The Washington Coalition of Sexual Assault Programs is required to create educational materials for parents and other interested community members on how to recognize sex offender behaviors and keep themselves and their children safe. The materials must be developed in consultation with the WASPC, the Washington Association of Prosecuting Attorneys, and the OSPI.

If funding is not provided to create educational materials for parents and community members, those provisions are null and void.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

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

**Testimony For:** Notification standards are needed to give guidance to educators of what to do once they receive notification that a sex or kidnapping offender is attending the school. Teachers and principals are challenged as to what actions are needed when they receive the notice. Public defenders would like a representative on the work groups.

**Testimony Against:** None.

**Who Testified:** PRO: Isabel Munoz-Colon, OSPI; Lisa Mulligan, WACDL & WDA.