

ESHB 2220 - S COMM AMD

By Committee on Early Learning & K-12 Education

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.605
4 RCW to read as follows:

5 (1) If a criminal history record check performed as part of the
6 volunteer application process for a parent applicant indicates that
7 the parent has a criminal history, the school must either:

8 (a) Permit the application to proceed if the parent:

9 (i) Submits documentation for each crime indicated on the record
10 check showing either:

11 (A) The guilty plea or conviction is the subject of expungement,
12 pardon, vacation, annulment, certificate of rehabilitation, or other
13 equivalent procedure based on a finding of the rehabilitation; or
14 pardon, annulment, or other equivalent procedure based on a finding
15 of innocence; or

16 (B) For a crime not listed in RCW 28A.400.322, a certificate of
17 restoration of opportunity has been issued under RCW 9.97.020; and

18 (ii) Signs a statement indicating that the parent has not been
19 arrested for a new crime or does not have a pending criminal charge;
20 or

21 (b) Complete a criminal history review for a parent who has not
22 met the requirements of (a) of this subsection. When performing a
23 criminal history review a school must consider the length of time
24 since the commission of the last crime for which the parent pled
25 guilty or was convicted, and whether any crime involved a minor child
26 victim. In addition, the school may consider: (i) The age of the
27 parent on the date of the commission of the last crime for which the
28 parent pled guilty or was convicted; (ii) whether the parent has been
29 approved by a state agency to have unsupervised access to children
30 under eighteen years of age or persons with developmental
31 disabilities; and (iii) whether providing limited access to children
32 under eighteen years of age and to persons with developmental

1 disabilities within a teacher's classroom would give the parent the
2 opportunity to have meaningful involvement in the school.

3 (2) Within five days of denying the volunteer application of a
4 parent, the school must notify the parent of the school's decision,
5 state specific reasons for the denial, and provide the procedure for
6 appealing the school's decision to the school's governing body.

7 (3) A school must notify parent applicants for volunteer
8 positions about the process for submitting documents and statements
9 related to application review and approval.

10 (4) The definitions in this subsection apply throughout this
11 section unless the context clearly requires otherwise.

12 (a) "Criminal history record check" means any record check
13 through either the Washington state patrol or the federal bureau of
14 investigation, including as authorized under RCW 28A.400.303.

15 (b) "Parent" means a parent, grandparent, guardian, or legal
16 custodian of a student enrolled at a school.

17 (c) "School" means a school district, an educational service
18 district, the Washington center for deaf and hard of hearing youth,
19 the state school for the blind, a federal bureau of Indian affairs-
20 funded school, a charter school established under chapter 28A.710
21 RCW, or a school that is the subject of a state-tribal education
22 compact under chapter 28A.715 RCW, or a contractor of a school.

23 (d) "Unsupervised" has the same meaning as in RCW 28A.400.303.

24 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.345
25 RCW to read as follows:

26 The Washington state school directors' association, in
27 consultation with the office of the superintendent of public
28 instruction and the office of the education ombuds, must develop a
29 model parent volunteer policy and procedure that addresses the
30 application review and approval requirements in section 1 of this
31 act. By September 1, 2020, the Washington state school directors'
32 association must post the model policy and procedure on its web site.
33 For the purposes of this section, "parent" has the same meaning as in
34 section 1 of this act."

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1 On page 1, line 2 of the title, after "conviction;" strike the
2 remainder of the title and insert "adding a new section to chapter
3 28A.605 RCW; and adding a new section to chapter 28A.345 RCW."

EFFECT: (1) Removes the provision that required schools to complete a criminal history record check for all prospective volunteers, to be paid for or reimbursed by the Office of the Superintendent of Public Instruction.

(2) Provides that if a criminal history record check performed as part of a parent volunteer application process indicates that the parent has a criminal history, the school must either:

(a) Permit the application to proceed if the parent submits documentation of a finding of innocence, a finding of rehabilitation, or, with the exception of crimes against children, a certificate of restoration of opportunity; or

(b) Complete a criminal history review as prescribed for a parent who has not met the requirements of section 1(1)(a) of this act.

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