

SENATE BILL REPORT

SB 6240

AS REPORTED BY COMMITTEE ON EDUCATION, FEBRUARY 6, 1992

Brief Description: Changing provisions for educational employees.

SPONSORS: Senators Bailey, Rinehart, Amondson and Skratek; by request of Superintendent of Public Instruction and Board of Education

SENATE COMMITTEE ON EDUCATION

Majority Report: That Substitute Senate Bill No. 6240 be substituted therefor, and the substitute bill do pass.

Signed by Senators Bailey, Chairman; Erwin, Vice Chairman; Metcalf, Murray, Oke, Pelz, Rinehart, and Talmadge.

Staff: Mich'l Prentice Needham (786-7439)

Hearing Dates: February 5, 1992; February 6, 1992

BACKGROUND:

Currently, applicants for initial teaching certificates are required to undergo a background check with the Washington State Patrol criminal identification system. This background check retrieves information on criminal activity that occurred in Washington State but not across the country.

The Office of the Superintendent of Public Instruction may investigate alleged violations only if a complaint has been filed by a school district superintendent or educational service district superintendent.

SUMMARY:

Before hiring an employee, school districts, educational service districts, and their contractors shall require a criminal record check and fingerprint check through the Washington State Patrol criminal identification system and the FBI. All volunteers with unsupervised access to children under age 16 will also be checked. The requirement may be waived if the applicant has had a criminal record check within the previous two years. The district or contractor will determine who shall pay the costs associated with the criminal record check.

State Board of Education rules governing requirements for initial certification shall require a criminal record check and fingerprint check through the Washington State Patrol criminal identification system and the FBI. The requirement may be waived if the applicant has had a criminal record check within the previous two years.

Complaints filed by private school administrators may also be used to revoke certificates.

The Superintendent of Public Instruction has authority to initiate and conduct investigations of possible violations, and subpoena witnesses and records.

EFFECT OF PROPOSED SUBSTITUTE:

The criminal record check is changed to a record check using the Washington State criminal identification system and the FBI. School districts and educational service districts can choose to require record checks for volunteers. Exemptions from the record check for certain teaching certificates no longer apply.

Appropriation: none

Revenue: none

Fiscal Note: requested January 31, 1992

TESTIMONY FOR:

The current background check is not complete without access to national records. The fingerprint check will supply information from the other 49 states. It is the duty of the state to ensure a safe atmosphere for children and protect them from convicted criminals and having full access to criminal records will help.

TESTIMONY AGAINST:

Requiring background checks of all volunteers could devastate volunteer programs and be too costly.

TESTIFIED: PRO: Kathleen Anderson, State Board of Education; Marcia Costello, OSPI; Rick Wilson, OSPI; Howard Fisher, OSPI; Walter Ball, Association of Washington State Principals; John Kvamme, Tacoma Public Schools; Lynn McKinnon, Public School Employees; Dave Ashton, LaidLaw Transit; Barbara Schneider, Washington Association of Partners in Education.; Carol Marble, State Council on Voluntary Action; Lorraine Wilson, Washington State School Directors Association; Sharon Foster, YMCA; Debra Senn, Services Employees Union; Judy Hartmann, Washington Education Association; Dave Westberg, Stationary Engineers