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SENATE BILL 6455

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State of Washington

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By Senators McAuliffe, Stevens, Regala, Murray, Doumit, Rasmussen, Fairley, Schmidt, Kohl-Welles, Winsley, Thibaudeau, Eide, Keiser, Parlette and Jacobsen

Read first time 01/21/2004. Referred to Committee on Education.

1 AN ACT Relating to schools and juvenile justice agencies sharing  
2 information; and amending RCW 13.04.155, 13.50.160, and 28A.600.475.

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

4 **Sec. 1.** RCW 13.04.155 and 2000 c 27 s 1 are each amended to read  
5 as follows:

6 (1) Whenever a minor enrolled in any common school is convicted in  
7 adult criminal court, or adjudicated or entered into a diversion  
8 agreement with the juvenile court on any of the following offenses, the  
9 court must notify the principal of the student's school of the  
10 disposition of the case, after first notifying the parent or legal  
11 guardian that such notification will be made:

12 (a) A violent offense as defined in RCW 9.94A.030;

13 (b) A sex offense as defined in RCW 9.94A.030;

14 (c) Inhaling toxic fumes under chapter 9.47A RCW;

15 (d) A controlled substances violation under chapter 69.50 RCW;

16 (e) A liquor violation under RCW 66.44.270; and

17 (f) Any crime under chapters 9.41, 9A.36, 9A.40, 9A.46, and 9A.48  
18 RCW.

1 (2) The principal must provide the information received under  
2 subsection (1) of this section to every teacher of any student who  
3 qualifies under subsection (1) of this section and any other personnel  
4 who, in the judgment of the principal, supervises the student or for  
5 security purposes should be aware of the student's record. The  
6 principal must provide the information to teachers and other personnel  
7 based on any written records that the principal maintains or receives  
8 from a juvenile court administrator or a law enforcement agency  
9 regarding the student.

10 (3) Any information received by a principal or school personnel  
11 under this section is confidential and may not be further disseminated  
12 except as provided in RCW 28A.225.330, other statutes or case law, and  
13 the family and educational and privacy rights act of 1994, 20 U.S.C.  
14 Sec. 1232g et seq.

15 (4) Any person or entity who releases or receives the information  
16 under this section in compliance with federal and state law is immune  
17 from civil liability for damages unless it is shown that the school  
18 district or district employee acted with gross negligence or in bad  
19 faith.

20 **Sec. 2.** RCW 13.50.160 and 1997 c 266 s 8 are each amended to read  
21 as follows:

22 Records of disposition for a juvenile offense must be provided to  
23 schools as provided in RCW 13.04.155. A juvenile justice or care  
24 agency, a school district, or an employee or agent or other person who  
25 receives or releases the information in compliance with federal and  
26 state law is immune from civil liability for damages unless it is shown  
27 that the entity or employee acted with gross negligence or in bad  
28 faith.

29 **Sec. 3.** RCW 28A.600.475 and 1998 c 269 s 11 are each amended to  
30 read as follows:

31 (1) School districts may participate in the exchange of information  
32 with law enforcement and juvenile court officials to the extent  
33 permitted by the family educational and privacy rights act of 1974, 20  
34 U.S.C. Sec. 1232g. When directed by court order or pursuant to any  
35 lawfully issued subpoena, a school district shall make student records  
36 and information available to law enforcement officials, probation

1 officers, court personnel, and others legally entitled to the  
2 information. Except as provided in RCW 13.40.480, parents and students  
3 shall be notified by the school district of all such orders or  
4 subpoenas in advance of compliance with them.

5 (2) Any school district or district employee who releases or  
6 receives the information or provides notification in compliance with  
7 federal and state law is immune from civil liability for damages unless  
8 it is shown that the school district or district employee acted with  
9 gross negligence or in bad faith.

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