

CERTIFICATION OF ENROLLMENT

**SENATE BILL 6582**

Chapter 83, Laws of 2018

65th Legislature  
2018 Regular Session

CRIMINAL HISTORY--HIGHER EDUCATION APPLICANTS

EFFECTIVE DATE: June 7, 2018

Passed by the Senate March 3, 2018  
Yeas 30 Nays 19

KAREN KEISER

**President of the Senate**

Passed by the House March 1, 2018  
Yeas 62 Nays 36

FRANK CHOPP

**Speaker of the House of Representatives**

Approved March 15, 2018 11:47 AM

JAY INSLEE

**Governor of the State of Washington**

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6582** as passed by Senate and the House of Representatives on the dates hereon set forth.

BRAD HENDRICKSON

**Secretary**

FILED

March 16, 2018

**Secretary of State  
State of Washington**

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SENATE BILL 6582

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AS AMENDED BY THE HOUSE

Passed Legislature - 2018 Regular Session

State of Washington                      65th Legislature                      2018 Regular Session

By Senators Chase, Saldaña, and Hasegawa

Read first time 01/30/18. Referred to Committee on Higher Education & Workforce Development.

1            AN ACT Relating to the criminal history of applicants to  
2 institutions of higher education; and adding a new chapter to Title  
3 28B RCW.

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

5            NEW SECTION.    **Sec. 1.** The definitions in this section apply  
6 throughout this chapter unless the context clearly requires  
7 otherwise.

8            (1) "Admissions application" means an individual application to  
9 enroll as an undergraduate or graduate student at an institution of  
10 higher education.

11            (2) "Criminal record" or "criminal history" includes any record  
12 about a citation or arrest for criminal conduct, including any  
13 records relating to probable cause to arrest, and includes any record  
14 about a criminal or juvenile case filed with any court, whether or  
15 not the case resulted in a finding of guilt.

16            (3) "Institutions of higher education" means the state  
17 universities, the regional universities, The Evergreen State College,  
18 the community colleges, and the technical colleges that receive state  
19 funds.

20            (4) "Third-party admissions application" means an admissions  
21 application not controlled by the institution.

1        NEW SECTION.    **Sec. 2.**    (1) Except as provided in subsection (2)  
2 of this section, an institution of higher education may not use an  
3 initial admissions application that requests information about the  
4 criminal history of the applicant.

5        (2) An institution of higher education may, but is not required  
6 to, use a third-party admissions application that contains  
7 information about the criminal history of the applicant if the  
8 institution of higher education posts a notice on its web site  
9 stating that the institution of higher education may not  
10 automatically or unreasonably deny an applicant's admission or  
11 restrict access to campus residency based on an applicant's criminal  
12 history.

13        NEW SECTION.    **Sec. 3.**    (1) After an applicant has otherwise been  
14 determined to be qualified for admission, an institution of higher  
15 education may, but is not required to, inquire into or obtain  
16 information about an applicant's criminal history for the purpose of:

17        (a) Accepting or denying an applicant for admission to the  
18 institution of higher education or restricting access to campus  
19 residency; or

20        (b) Offering supportive counseling or services to help  
21 rehabilitate and educate the student on barriers a criminal record  
22 may present.

23        (2) After inquiring into or obtaining information under this  
24 section, an institution of higher education may not automatically or  
25 unreasonably deny an applicant's admission or restrict access to  
26 campus residency based on that applicant's criminal history.

27        NEW SECTION.    **Sec. 4.**    (1) Each institution of higher education  
28 shall develop a process to determine whether or not there is a  
29 relationship between an applicant's criminal history and a specific  
30 academic program or campus residency to justify denial of admission  
31 or restrict access to campus residency.

32        (2) The process developed under this section shall be set forth  
33 in writing and shall include consideration of:

34        (a) The age of the applicant at the time any aspect of the  
35 applicant's criminal history occurred;

36        (b) The time that has elapsed since any aspect of the applicant's  
37 criminal history occurred;

1 (c) The nature of the criminal history, including but not limited  
2 to whether the applicant was convicted of a "serious violent offense"  
3 or a "sex offense" as those terms are defined in RCW 9.94A.030; and

4 (d) Evidence of rehabilitation or good conduct produced by the  
5 applicant.

6 NEW SECTION. **Sec. 5.** This act may be known and cited as the  
7 Washington fair chance to education act.

8 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act  
9 constitute a new chapter in Title 28B RCW.

Passed by the Senate March 3, 2018.

Passed by the House March 1, 2018.

Approved by the Governor March 15, 2018.

Filed in Office of Secretary of State March 16, 2018.

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