

SENATE BILL REPORT

HB 2259

As Passed Senate, March 3, 2020

Title: An act relating to the office of the superintendent of public instruction's authority to conduct criminal background checks.

Brief Description: Expanding background check requirements for certain educational institutions.

Sponsors: Representatives Rude, Leavitt and Thai; by request of Superintendent of Public Instruction.

Brief History: Passed House: 2/17/20, 98-0.

Committee Activity: Early Learning & K-12 Education: 2/24/20 [DP].

Floor Activity:

Passed Senate: 3/03/20, 48-0.

Brief Summary of Bill

- Adds the Office of the Superintendent of Public Instruction to the list of entities that must require a record check before hiring employees in certain educational settings.
- Requires a pre-employment record check for employees of certain education entities who receive criminal history record information or personally identifiable information from the record checks of other employees.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass.

Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt, McCoy, Mullet, Padden, Pedersen, Salomon and Wagoner.

Staff: Benjamin Omdal (786-7442)

Background: The Office of the Superintendent of Public Instruction Record Check Requirements. Before hiring an employee, school districts, educational service districts, the Washington State Center for Deaf and Hard of Hearing Youth, the State School for the Blind,

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and their contractors hiring employees who will have regularly scheduled unsupervised access to children or persons with developmental disabilities, must request a record check through the Washington State Patrol and the Federal Bureau of Investigation.

When necessary, applicants may be employed on a conditional basis pending completion of the investigation. If the applicant has had a record check within the previous two years, the hiring entity may waive the requirement.

The Office of the Superintendent of Public Instruction (OSPI) must adopt rules as necessary to implement these requirements.

Summary of Bill: Employees who receive criminal history record information or personally identifiable information from the record check are added to the list of employees who must receive a record check before hire.

OSPI is added to the list of entities that must require a record check before hiring an employee who will have:

- regularly scheduled unsupervised access to children or persons with developmental disabilities; or
- who receive criminal history record information or personally identifiable information from the record check.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: It is vital to ensure that our kids are protected and safe. The bill helps to align with federal standards. To have access to the FBI background system, OSPI needs explicit authority from the state to do so.

Persons Testifying: PRO: Representative Skyler Rude, Prime Sponsor; Catherine Slagle, Office of Superintendent of Public Instruction.

Persons Signed In To Testify But Not Testifying: No one.