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**SECOND SUBSTITUTE HOUSE BILL 1191**

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**State of Washington**

**66th Legislature**

**2020 Regular Session**

**By** House Education (originally sponsored by Representatives Goodman and Frame)

READ FIRST TIME 02/06/20.

1 AN ACT Relating to school notifications; amending RCW  
2 28A.320.128, 9A.44.138, 13.04.155, 13.40.215, 28A.225.330, and  
3 72.09.730; adding a new section to chapter 28A.320 RCW; adding a new  
4 section to chapter 28A.195 RCW; adding a new section to chapter  
5 28A.710 RCW; and adding a new section to chapter 42.56 RCW.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.320  
8 RCW to read as follows:

9 (1) A school district superintendent, a designee of the  
10 superintendent, or a principal of a school who receives information  
11 pursuant to RCW 28A.225.330, 9A.44.138, 13.04.155, 13.40.215, or  
12 72.09.730 shall comply with the notification provisions described in  
13 this section.

14 (2) Upon receipt of information described in subsection (1) of  
15 this section, a school district superintendent or a designee of the  
16 superintendent must provide the received information to the principal  
17 of the school where the student is enrolled or will enroll, or if not  
18 known, where the student was most recently enrolled.

19 (3)(a) Upon receipt of information about a sex offense as defined  
20 in RCW 9.94A.030, the principal must comply with the notification  
21 requirements in RCW 9A.44.138.

1 (b) Upon receipt of information about a violent offense as  
2 defined in RCW 9.94A.030, any crime under chapter 9.41 RCW, unlawful  
3 possession or delivery, or both, of a controlled substance in  
4 violation of chapter 69.50 RCW, or a school disciplinary action, the  
5 principal, subject to requirements of subsection (4) of this section,  
6 has discretion to share the information with a school district staff  
7 member if, in the principal's judgment, the information is necessary  
8 for:

9 (i) The staff member to supervise the student;

10 (ii) The staff member to provide or refer the student to  
11 therapeutic or behavioral health services; or

12 (iii) Security purposes.

13 (4)(a) Upon receipt of information about an adjudication in  
14 juvenile court for an unlawful possession of a controlled substance  
15 in violation of chapter 69.50 RCW, the principal must notify the  
16 student and the parent or legal guardian at least five days before  
17 sharing the information with a school district staff member.

18 (b) If either the student or the student's parent or legal  
19 guardian objects to the proposed sharing of the information, the  
20 student, the student's parent or legal guardian, or both, may, within  
21 five business days of receiving notice from the principal, appeal the  
22 decision to share the information with staff to the superintendent of  
23 the school district in accordance with procedures adopted by the  
24 district.

25 (c) The superintendent shall have five business days after  
26 receiving an appeal under (b) of this subsection to make a written  
27 determination on the matter. Determinations by superintendents under  
28 this subsection are final and not subject to further appeal.

29 (d) A principal may not share adjudication information under this  
30 subsection with a school district staff member while an appeal is  
31 pending.

32 (5) Any information received by school district staff under this  
33 section is exempt from disclosure under chapter 42.56 RCW and may not  
34 be further disseminated except as provided in RCW 28A.225.330, other  
35 statutes or case law, and the family and educational and privacy  
36 rights act of 1994 (20 U.S.C. Sec. 1232g et seq.).

37 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.195  
38 RCW to read as follows:

1 The administrator of a private school approved under this chapter  
2 must comply with the notification provisions of section 1 of this act  
3 that apply to superintendents, designees of superintendents, and  
4 principals.

5 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.710  
6 RCW to read as follows:

7 The administrator of a charter public school governed by this  
8 chapter must comply with the notification provisions of section 1 of  
9 this act that apply to superintendents, designees of superintendents,  
10 and principals.

11 **Sec. 4.** RCW 28A.320.128 and 2002 c 206 s 1 are each amended to  
12 read as follows:

13 (1) By September 1, ~~((2003))~~ 2020, each school district board of  
14 directors shall adopt a policy that addresses the following issues:

15 (a) Procedures for providing notice of threats of violence or  
16 harm to the student or school employee who is the subject of the  
17 threat. The policy shall define "threats of violence or harm"; and

18 (b) Procedures for ~~((disclosing information that is provided to  
19 the school administrators about a student's conduct, including but  
20 not limited to the student's prior disciplinary records, official  
21 juvenile court records, and history of violence, to classroom  
22 teachers, school staff, and school security who, in the judgment of  
23 the principal, should be notified ; and~~

24 ~~(c) Procedures for determining whether or not any threats or  
25 conduct established in the policy may be grounds for suspension or  
26 expulsion of the student))~~ complying with the notification provisions  
27 in section 1 of this act.

28 (2) The ~~((superintendent of public instruction))~~ Washington state  
29 school directors' association, in consultation with educators and  
30 representatives of law enforcement, classified staff, ~~((and))~~  
31 organizations with expertise in violence prevention and intervention,  
32 and organizations that provide free legal services for youth, shall  
33 adopt, and revise as necessary, a model policy that includes the  
34 issues listed in subsection (1) of this section ~~((by January 1,~~  
35 ~~2003))~~. The model policy shall be ~~((posted on the superintendent of~~  
36 ~~public instruction's))~~ disseminated by the Washington state school  
37 directors' association and made available to the public on its web  
38 site. ~~((The))~~ Each school district ~~((s, in drafting their own~~

1 ~~policies,~~) shall (~~review~~) adopt the model policy required by this  
2 subsection unless it has a compelling reason to develop and adopt a  
3 different policy that also addresses the issues identified in  
4 subsection (1) of this section.

5 (3) School districts, school district boards of directors, school  
6 officials, and school employees providing notice in good faith as  
7 required and consistent with the board's policies adopted under this  
8 section are immune from any liability arising out of such  
9 notification.

10 (4) A person who intentionally and in bad faith or maliciously,  
11 knowingly makes a false notification of a threat under this section  
12 is guilty of a misdemeanor punishable under RCW 9A.20.021.

13 **Sec. 5.** RCW 9A.44.138 and 2011 c 337 s 4 are each amended to  
14 read as follows:

15 (1) Upon receiving notice from a registered person pursuant to  
16 RCW 9A.44.130 that the person will be attending a school enrolling  
17 students in grades kindergarten through twelve or an institution of  
18 higher education, or will be employed with an institution of higher  
19 education, the sheriff must promptly notify the designated recipient  
20 of the school (~~(district and the school principal)~~) or  
21 institution(~~'s department~~) of (~~(public safety and shall provide~~  
22 ~~that school or department with)~~) the person's: (a) Name and any  
23 aliases used; (b) complete residential address; (c) date and place of  
24 birth; (d) place of employment; (e) crime for which convicted; (f)  
25 date and place of conviction; (g) (~~(social security number; (h))~~)  
26 photograph; and (~~(i)~~) (h) risk level classification.

27 (2) (~~(A principal or department)~~) Except as provided in  
28 subsection (3) of this section, a designated recipient receiving  
29 notice under this (~~(subsection)~~) section must disclose the  
30 information received from the sheriff as follows:

31 (a) If the student is classified as a risk level II or III, the  
32 (~~(principal)~~) designated recipient shall provide the information  
33 received to every teacher of the student and to any other personnel  
34 who, in the judgment of the (~~(principal)~~) designated recipient,  
35 supervises the student or for security purposes should be aware of  
36 the student's record;

37 (b) If the student is classified as a risk level I, the  
38 (~~(principal or department)~~) designated recipient shall provide the  
39 information received only to personnel who, in the judgment of the

1 (~~principal or department~~) designated recipient, for security  
2 purposes should be aware of the student's record.

3 (3) When the designated recipient is the administrator of a  
4 school district, the designated recipient must disclose the  
5 information to the principal of the school that the registered person  
6 will be attending, whether the school is a common school as defined  
7 in RCW 28A.150.020 or a school that is the subject of a state-tribal  
8 education compact under chapter 28A.715 RCW. The principal must then  
9 disclose the information as provided in subsection (2) of this  
10 section.

11 (4) The sheriff shall notify the applicable (~~school district and~~  
12 ~~school principal or institution's department of public safety~~)  
13 designated recipient whenever a student's risk level classification  
14 is changed or the sheriff is notified of a change in the student's  
15 address.

16 (~~(4)~~) (5) Any information received by school or institution  
17 personnel under this (~~subsection~~) section is (~~confidential~~)  
18 exempt from disclosure under chapter 42.56 RCW and may not be further  
19 disseminated except as provided in RCW 28A.225.330, other statutes or  
20 case law, and the family and educational and privacy rights act of  
21 1994, 20 U.S.C. Sec. 1232g et seq.

22 (6) For the purposes of this section, "designated recipient"  
23 means: (a) The superintendent of the school district, or his or her  
24 designee, of a common school as defined in RCW 28A.150.020 or a  
25 school that is the subject of a state-tribal education compact under  
26 chapter 28A.715 RCW; (b) the administrator of a charter public school  
27 governed by chapter 28A.710 RCW; (c) the administrator of a private  
28 school approved under chapter 28A.195 RCW; or (d) the director of the  
29 department of public safety at an institution of higher education.

30 **Sec. 6.** RCW 13.04.155 and 2000 c 27 s 1 are each amended to read  
31 as follows:

32 (1) (~~Whenever a minor enrolled in any common school is~~) The  
33 provisions of this section apply only to persons who:

34 (a) Were adjudicated in juvenile court or convicted in adult  
35 criminal court(~~(, or adjudicated or entered into a diversion~~  
36 ~~agreement with the juvenile court on any)) of (~~the following~~  
37 ~~offenses, the court must notify the principal of the student's school~~  
38 ~~of the disposition of the case, after first notifying the parent or~~  
39 ~~legal guardian that such notification will be made)):~~~~

1       ~~((a))~~ (i) A violent offense as defined in RCW 9.94A.030;  
2       ~~((b))~~ (ii) A sex offense as defined in RCW 9.94A.030;  
3       ~~((c) Inhaling toxic fumes under chapter 9.47A RCW;~~  
4       ~~(d) A controlled substances violation under chapter 69.50 RCW;~~  
5       ~~(e) A liquor violation under RCW 66.44.270; and~~  
6       ~~(f) Any crime under chapters 9.41, 9A.36, 9A.40, 9A.46, and 9A.48~~  
7       ~~RCW.~~

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

17       (iii) Any crime under chapter 9.41 RCW; or

18       (iv) Unlawful possession or delivery, or both, of a controlled  
19       substance in violation of chapter 69.50 RCW;

20       (b) Are twenty-one years of age or younger; and

21       (c) Have not received a high school diploma or its equivalent.

22       (2) The court must provide written notification of the juvenile  
23       court adjudication or adult criminal court conviction of a person  
24       described in subsection (1) of this section to the designated  
25       recipient of the school where the person:

26       (a) Was enrolled prior to adjudication or conviction; or

27       (b) Has expressed an intention to enroll following adjudication  
28       or conviction.

29       (3) Any information received by a ~~((principal or school~~  
30       ~~personnel))~~ designated recipient under this section is  
31       ~~((confidential))~~ exempt from disclosure under chapter 42.56 RCW and  
32       may not be further disseminated except as provided in RCW  
33       28A.225.330, other statutes or case law, and the family and  
34       educational and privacy rights act of 1994, 20 U.S.C. Sec. 1232g et  
35       seq.

36       (4) For the purposes of this section, "designated recipient"  
37       means: (a) The superintendent of the school district, or his or her  
38       designee, of a common school as defined in RCW 28A.150.020 or a  
39       school that is the subject of a state-tribal education compact under  
40       chapter 28A.715 RCW; (b) the administrator of a charter public school

1 governed by chapter 28A.710 RCW; or (c) the administrator of a  
2 private school approved under chapter 28A.195 RCW.

3 **Sec. 7.** RCW 13.40.215 and 1999 c 198 s 1 are each amended to  
4 read as follows:

5 (1)(a) Except as provided in subsection (2) of this section, at  
6 the earliest ((possible)) practicable date, and in no event later  
7 than thirty days before discharge, parole, or any other authorized  
8 leave or release, or before transfer to a community residential  
9 facility, the secretary shall send written notice of the discharge,  
10 parole, authorized leave or release, or transfer of a juvenile found  
11 to have committed a violent offense, a sex offense, or stalking, to  
12 the following:

13 (i) The chief of police of the city, if any, in which the  
14 juvenile will reside; and

15 (ii) The sheriff of the county in which the juvenile will  
16 reside(~~;~~and

17 ~~(iii) The approved private schools and the common school district~~  
18 ~~board of directors of the district in which the juvenile intends to~~  
19 ~~reside or the approved private school or public school district in~~  
20 ~~which the juvenile last attended school, whichever is appropriate,~~  
21 ~~except when it has been determined by the department that the~~  
22 ~~juvenile is twenty-one years old or will be in the community for less~~  
23 ~~than seven consecutive days on approved leave and will not be~~  
24 ~~attending school during that time)).~~

25 (b) (~~After July 25, 1999, the department shall send a written~~  
26 ~~notice to approved private and public schools under the same~~  
27 ~~conditions identified in subsection (1)(a)(iii) of this section when~~  
28 ~~a juvenile adjudicated of any offense is transferred to a community~~  
29 ~~residential facility, discharged, paroled, released, or granted a~~  
30 ~~leave.))~~

31 (i) Except as provided in subsection (2) of this section, at  
32 the earliest practicable date, and in no event later than thirty days  
33 before discharge, parole, or any other authorized leave or release,  
34 or before transfer to a community residential facility, the secretary  
35 shall send written notice of the discharge, parole, authorized leave  
36 or release, or transfer of an individual who is found to have  
37 committed a violent offense or a sex offense, is twenty-one years of  
38 age or younger, and has not received a high school diploma or its  
39 equivalent, to the designated recipient of the school where the  
juvenile either: (A) Was enrolled prior to incarceration or

1 detention; or (B) has expressed an intention to enroll following his  
2 or her release. This notice must also include the restrictions  
3 described in subsection (5) of this section.

4 (ii) The community residential facility shall provide written  
5 notice of the offender's criminal history to the designated recipient  
6 of any school that the offender attends while residing at the  
7 community residential facility and to any employer that employs the  
8 offender while residing at the community residential facility.

9 (iii) As used in this subsection, "designated recipient" means:  
10 (A) The superintendent of the school district, or his or her  
11 designee, of a common school as defined in RCW 28A.150.020 or a  
12 school that is the subject of a state-tribal education compact under  
13 chapter 28A.715 RCW; (B) the administrator of a charter public school  
14 governed by chapter 28A.710 RCW; or (C) the administrator of a  
15 private school approved under chapter 28A.195 RCW.

16 (c) The same notice as required by (a) of this subsection shall  
17 be sent to the following, if such notice has been requested in  
18 writing about a specific juvenile:

19 (i) The victim of the offense for which the juvenile was found to  
20 have committed or the victim's next of kin if the crime was a  
21 homicide;

22 (ii) Any witnesses who testified against the juvenile in any  
23 court proceedings involving the offense; and

24 (iii) Any person specified in writing by the prosecuting  
25 attorney.

26 Information regarding victims, next of kin, or witnesses requesting  
27 the notice, information regarding any other person specified in  
28 writing by the prosecuting attorney to receive the notice, and the  
29 notice are confidential and shall not be available to the juvenile.  
30 The notice to the chief of police or the sheriff shall include the  
31 identity of the juvenile, the residence where the juvenile will  
32 reside, the identity of the person, if any, responsible for  
33 supervising the juvenile, and the time period of any authorized  
34 leave.

35 (d) The thirty-day notice requirements contained in this  
36 subsection shall not apply to emergency medical furloughs.

37 (e) The existence of the notice requirements in this subsection  
38 will not require any extension of the release date in the event the  
39 release plan changes after notification.



1           (2) (a) If a juvenile found to have committed a violent offense, a  
2 sex offense, or stalking escapes from a facility of the department,  
3 the secretary shall immediately notify, by the most reasonable and  
4 expedient means available, the chief of police of the city and the  
5 sheriff of the county in which the juvenile resided immediately  
6 before the juvenile's arrest. If previously requested, the secretary  
7 shall also notify the witnesses and the victim of the offense which  
8 the juvenile was found to have committed or the victim's next of kin  
9 if the crime was a homicide. If the juvenile is recaptured, the  
10 secretary shall send notice to the persons designated in this  
11 subsection as soon as possible but in no event later than two working  
12 days after the department learns of such recapture.

13           (b) The secretary may authorize a leave, for a juvenile found to  
14 have committed a violent offense, a sex offense, or stalking, which  
15 shall not exceed forty-eight hours plus travel time, to meet an  
16 emergency situation such as a death or critical illness of a member  
17 of the juvenile's family. The secretary may authorize a leave, which  
18 shall not exceed the time medically necessary, to obtain medical care  
19 not available in a juvenile facility maintained by the department.  
20 Prior to the commencement of an emergency or medical leave, the  
21 secretary shall give notice of the leave to the appropriate law  
22 enforcement agency in the jurisdiction in which the juvenile will be  
23 during the leave period. The notice shall include the identity of the  
24 juvenile, the time period of the leave, the residence of the juvenile  
25 during the leave, and the identity of the person responsible for  
26 supervising the juvenile during the leave. If previously requested,  
27 the department shall also notify the witnesses and victim of the  
28 offense which the juvenile was found to have committed or the  
29 victim's next of kin if the offense was a homicide.

30           In case of an emergency or medical leave the secretary may waive  
31 all or any portion of the requirements for leaves pursuant to RCW  
32 13.40.205 (2) (a), (3), (4), and (5).

33           (3) If the victim, the victim's next of kin, or any witness is  
34 under the age of sixteen, the notice required by this section shall  
35 be sent to the parents or legal guardian of the child.

36           (4) The secretary shall send the notices required by this chapter  
37 to the last address provided to the department by the requesting  
38 party. The requesting party shall furnish the department with a  
39 current address.

1 (5) Upon discharge, parole, transfer to a community residential  
2 facility, or other authorized leave or release, a convicted juvenile  
3 sex offender shall not attend a public or approved private  
4 elementary, middle, or high school that is attended by a victim or a  
5 sibling of a victim of the sex offender. The parents or legal  
6 guardians of the convicted juvenile sex offender shall be responsible  
7 for transportation or other costs associated with or required by the  
8 sex offender's change in school that otherwise would be paid by a  
9 school district. (~~Upon discharge, parole, transfer to a community  
10 residential facility, or other authorized leave or release of a  
11 convicted juvenile sex offender, the secretary shall send written  
12 notice of the discharge, parole, or other authorized leave or release  
13 and the requirements of this subsection to the common school district  
14 board of directors of the district in which the sex offender intends  
15 to reside or the district in which the sex offender last attended  
16 school, whichever is appropriate. The secretary shall send a similar  
17 notice to any approved private school the juvenile will attend, if  
18 known, or if unknown, to the approved private schools within the  
19 district the juvenile resides or intends to reside.~~)

20 (6) For purposes of this section the following terms have the  
21 following meanings:

22 (a) "Violent offense" means a violent offense under RCW  
23 9.94A.030;

24 (b) "Sex offense" means a sex offense under RCW 9.94A.030;

25 (c) "Stalking" means the crime of stalking as defined in RCW  
26 9A.46.110;

27 (d) "Next of kin" means a person's spouse, parents, siblings, and  
28 children.

29 **Sec. 8.** RCW 28A.225.330 and 2013 c 182 s 10 are each amended to  
30 read as follows:

31 (1) When enrolling a student who has attended school in another  
32 school district, the school enrolling the student may request the  
33 parent and the student to briefly indicate in writing whether or not  
34 the student has:

35 (a) Any history of placement in special educational programs;

36 (b) Any past, current, or pending disciplinary action;

37 (c) Any history of violent behavior, or behavior listed in RCW  
38 13.04.155;

39 (d) Any unpaid fines or fees imposed by other schools; and

1 (e) Any health conditions affecting the student's educational  
2 needs.

3 (2) The school enrolling the student shall request (~~the school~~  
4 ~~the student previously attended to send~~) the student's permanent  
5 record including records of disciplinary action, history of violent  
6 behavior or behavior listed in RCW 13.04.155, attendance,  
7 immunization records, and academic performance from the school the  
8 student previously attended. If the student has not paid a fine or  
9 fee under RCW 28A.635.060, or tuition, fees, or fines at approved  
10 private schools the school may withhold the student's official  
11 transcript, but shall transmit information about the student's  
12 academic performance, special placement, immunization records,  
13 records of disciplinary action, and history of violent behavior or  
14 behavior listed in RCW 13.04.155. If the official transcript is not  
15 sent due to unpaid tuition, fees, or fines, the enrolling school  
16 shall notify both the student and parent or guardian that the  
17 official transcript will not be sent until the obligation is met, and  
18 failure to have an official transcript may result in exclusion from  
19 extracurricular activities or failure to graduate.

20 (3) Upon request, school districts shall furnish a set of  
21 unofficial educational records to a parent or guardian of a student  
22 who is transferring out of state and who meets the definition of a  
23 child of a military family in transition under Article II of RCW  
24 28A.705.010. School districts may charge the parent or guardian the  
25 actual cost of providing the copies of the records.

26 (4) If information is requested under subsection (2) of this  
27 section, the information shall be transmitted within two school days  
28 after receiving the request and the records shall be sent as soon as  
29 possible. The records of a student who meets the definition of a  
30 child of a military family in transition under Article II of RCW  
31 28A.705.010 shall be sent within ten days after receiving the  
32 request. Any school district or district employee who releases the  
33 information in compliance with this section is immune from civil  
34 liability for damages unless it is shown that the school district  
35 employee acted with gross negligence or in bad faith. The  
36 professional educator standards board shall provide by rule for the  
37 discipline under chapter 28A.410 RCW of a school principal or other  
38 chief administrator of a public school building who fails to make a  
39 good faith effort to assure compliance with this subsection.

1 (5) Any school district or district employee who releases the  
2 information in compliance with federal and state law is immune from  
3 civil liability for damages unless it is shown that the school  
4 district or district employee acted with gross negligence or in bad  
5 faith.

6 ~~(6) ((When a school receives information under this section or  
7 RCW 13.40.215 that a student has a history of disciplinary actions,  
8 eriminal or violent behavior, or other behavior that indicates the  
9 student could be a threat to the safety of educational staff or other  
10 students, the school shall provide this information to the student's  
11 teachers and security personnel.~~

12 ~~(7))~~ A school may not prevent a student who is dependent  
13 pursuant to chapter 13.34 RCW from enrolling if there is incomplete  
14 information as enumerated in subsection (1) of this section during  
15 the ten business days that the department of social and health  
16 services has to obtain that information under RCW 74.13.631. In  
17 addition, upon enrollment of a student who is dependent pursuant to  
18 chapter 13.34 RCW, the school district must make reasonable efforts  
19 to obtain and assess that child's educational history in order to  
20 meet the child's unique needs within two business days.

21 **Sec. 9.** RCW 72.09.730 and 2011 c 107 s 1 are each amended to  
22 read as follows:

23 (1) ~~((At the earliest possible date and in no event later than  
24 thirty days before))~~ The provisions of this section apply only to an  
25 offender ((is)) released from confinement((, the department shall  
26 provide notice to the school district board of directors of the  
27 district in which the offender last attended school if the offender))  
28 who:

29 (a) Was convicted of a violent offense or sex offense as those  
30 terms are defined in RCW 9.94A.030;

31 (b) Is twenty-one years of age or younger at the time of  
32 release((÷

33 ~~(b) Has been convicted of a violent offense, a sex offense, or~~  
34 ~~stalking)); and~~

35 (c) ~~((Last attended))~~ Has not received a high school ((in this  
36 state)) diploma or its equivalent.

37 (2) At the earliest practicable date, and in no event later than  
38 thirty days before release from confinement, the department must  
39 provide written notification of the release of an offender described

1 in subsection (1) of this section to the designated recipient of the  
2 school where the offender:

3 (a) Was enrolled prior to incarceration or detention; or

4 (b) Has expressed an intention to enroll following his or her  
5 release.

6 (3) If after providing notification as required under subsection  
7 (2) of this section, the release of an offender described in  
8 subsection (1) of this section is delayed, the department must inform  
9 the designated recipient of the modified release date.

10 (4) This section applies whenever an offender is being released  
11 from total confinement, regardless if the release is to parole,  
12 community custody, work release placement, or furlough.

13 (5) For the purposes of this section, "designated recipient"  
14 means: (a) The superintendent of the school district, or his or her  
15 designee, of a common school as defined in RCW 28A.150.020 or a  
16 school that is the subject of a state-tribal education compact under  
17 chapter 28A.715 RCW; (b) the administrator of a charter public school  
18 governed by chapter 28A.710 RCW; or (c) the administrator of a  
19 private school approved under chapter 28A.195 RCW.

20 NEW SECTION. Sec. 10. A new section is added to chapter 42.56  
21 RCW to read as follows:

22 Information received by a school district superintendent, a  
23 designee of the superintendent, or a principal pursuant to RCW  
24 28A.225.330, 9A.44.138, 13.04.155, 13.40.215, or 72.09.730 is exempt  
25 from disclosure under this chapter.

--- END ---