

SENATE BILL REPORT

SB 5543

AS REPORTED BY COMMITTEE ON EDUCATION, FEBRUARY 28, 1991

Brief Description: Establishing a professional standards unit within the office of the superintendent of public instruction.

SPONSORS: Senators Bailey and Rinehart.

SENATE COMMITTEE ON EDUCATION

Majority Report: That Substitute Senate Bill No. 5543 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

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

Staff: Leslie Goldstein (786-7424)

Hearing Dates: February 27, 1991; February 28, 1991

BACKGROUND:

In 1990, the State Board of Education adopted rules establishing acts of unprofessional conduct for certificated employees (Chapter 180-87 WAC). Under current rules, the Superintendent of Public Instruction commences an investigation only upon: 1) written complaint from a school district or educational service district superintendent or the chief administrative officer of an approved private school; or 2) the Superintendent of Public Instruction becomes aware that the certificate holder has had a professional license revoked or has been arrested, charged or convicted of certain specified felony offenses. Private citizens with allegations of teacher misconduct must submit complaints to the school district or educational service district superintendent or the chief administrative officer of a private school who are required to investigate the complaint.

SUMMARY:

The Superintendent of Public Instruction establishes a professional standards unit to receive, investigate and process written complaints or reports of lack of good moral character and personal fitness, and acts of unprofessional conduct by school staff. In conducting investigations, the unit may work with the Department of Social and Health Services and law enforcement agencies. The unit is also specifically responsible for investigating reports or complaints of suspected acts of child abuse and neglect by school staff. The unit enforces the code of professional conduct adopted by the State Board of Education.

Any person may submit a report or complaint to the Superintendent of Public Instruction. The unit must investigate all complaints.

The Superintendent of Public Instruction may establish a panel to review cases after a formal hearing has been held. The Superintendent of Public Instruction may prepare cases for formal action by the Attorney General of the state of Washington. The superintendent is responsible for making the final determination which may include recommendation for suspension, letter of reprimand, certificate revocation, or request for legal action by the Attorney General.

The Superintendent of Public Instruction reports annually to the Legislature on the number of written reports and complaints and the resolution of those complaints.

EFFECT OF PROPOSED SUBSTITUTE:

The name of the investigative body within the Office of the Superintendent of Public Instruction is changed from Professional Standards Unit to Professional Practices Office. The Professional Practices Office is required only to investigate complaints of misconduct by certificated employees. The person making the complaint must first seek to resolve the problem with the local school board and school district superintendent.

Appropriation: \$560,000 to the Superintendent of Public Instruction

Revenue: none

Fiscal Note: February 21, 1991

TESTIMONY FOR:

The Office of the Superintendent of Public Instruction would be better able to investigate complaints in a timely manner. This would assist in enforcing the code of professional conduct.

Laws should protect children from abuse by all adults. This would help prevent child abuse from occurring in the public schools.

TESTIMONY AGAINST: None

TESTIFIED: Toni Taber (pro); Marcia Costello, Office of the Superintendent of Public Instruction (pro)