

FINAL BILL REPORT

EHB 1581

C 265 L 97

Synopsis as Enacted

Brief Description: Changing provisions relating to disruptive students and offenders in schools.

Sponsors: Representatives Sterk, Quall, Cooper, Hatfield, Kastama, Talcott, Robertson, D. Schmidt, Sump, Mulliken, Johnson, Smith, Crouse, Boldt, Dunn, Sheahan, Schoesler, Carrell, Thompson, Honeyford, Bush, Keiser, Kessler and Morris.

House Committee on Education
Senate Committee on Education

Background: Juvenile sex offenders. When a juvenile sex offender is released from a state juvenile institution on parole, the sex offender may not attend a public elementary, middle, or high school that is attended by the victim. The parents of the sex offender are responsible for the costs of transporting the sex offender to another school. Some juvenile sex offenders are not committed to a state juvenile institution. Rather, they are treated in the community and placed under community supervision. The prohibition on attending the same school as the victim does not apply to these juvenile sex offenders.

Notice of release of certain offenders. When a juvenile who has been adjudicated of a sex, violent, or stalking offense will be released, paroled, or transferred to a group home, the secretary of the Department of Social and Health Services must notify the private schools and the common school board of directors of the district in which the offender intends to reside or the district in which the offender last attended school, as appropriate.

Nonresident students. School districts must adopt policies establishing rationale, fair, and equitable standards for accepting nonresident students. The districts must consider all applications equally. A school district may reject a nonresident student if acceptance of the student would create a financial hardship for the district.

Firearms on school grounds. A student who improperly brings a firearm onto school grounds must be expelled for at least one year.

Summary: Juvenile sex offenders. The prohibition against a juvenile sex offender attending the same school as the juvenile sex offender's victim is extended to the same school as the victim's siblings. It is also expanded to include approved private

schools. The secretary of the Department of Social and Health Services must also notify approved private schools when a sex offender will be released on parole.

Juvenile sex offenders who are not committed to a state institution, but who will be given a community based treatment disposition, also may not attend the same school as the victim or the victim's siblings. The parents must provide transportation for the student to any new school. The court must notify the applicable local public and approved private schools at the earliest possible date but not later than 10 calendar days after entry of the disposition.

Notice of transfer of offenders. The requirement to notify schools of the release or transfer of certain offenders is expanded to require the department to notify schools when an offender under the jurisdiction of the department will be transferred to a group home.

Nonresident students. A school district may refuse to accept a nonresident student if the student's disciplinary records indicate a history of violent or disruptive behavior or gang membership, or the student has been expelled or suspended from a public school for more than 10 consecutive days. Any readmission policy must apply uniformly to resident and nonresident students. A gang— is defined.

Firearms on school grounds. A school district may suspend a student for up to one year if the student acts with malice and displays an instrument that appears to be a firearm on public school property, public school-provided transportation, or other facilities when being used exclusively by public schools.

Votes on Final Passage:

House 96 0
Senate 47 0 (Senate amended)
House (House refused to concur)

Conference Committee

Senate 41 0
House 97 0

Effective: July 27, 1997