

HOUSE BILL ANALYSIS

HB 1581

Title: *An act relating to schools.*

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

Meeting Date: *February 14, 1997.*

Bill Analysis Prepared by: *Pat Shelledy (786-7149).*

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 secretary of the Department of Social and Health Services (DSHS) must notify the common school board of directors of the district in which the sex offender intends to reside or the district in which the sex offender last attended school, as appropriate, when the sex offender is discharged. 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.

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 of Bill: Juvenile sex offenders: The prohibition on 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 private schools. The secretary of the

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

Juvenile sex offenders who are not committed to a state institution, but will be given a community based treatment disposition, may also 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 private schools at the earliest possible date but not later than 10 calendar days after entry of the disposition.

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 up to one year if the student displays in a threatening or dangerous manner an instrument that appears to be a firearm, on public school property, transportation, or other facilities when being used exclusively by public schools.

Fiscal Note: Requested on February 7, 1997.

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