

FINAL BILL REPORT

SHB 1153

C 198 L 99

Synopsis as Enacted

Brief Description: Changing school safety provisions.

Sponsors: By House Committee on Education (Originally sponsored by Representatives McDonald, Kastama, Sump, Delvin, Hurst, Rockefeller, Kessler, Stensen, O'Brien, Bush, Lovick, Dickerson, Carlson, Keiser, Ogden, Hatfield, Wood, Ruderman, Tokuda, Santos, McIntire, Conway and Lantz).

House Committee on Education
Senate Committee on Education

Background:

When a juvenile who has committed a sex, violent, or stalking offense will be released, paroled, or transferred to a community residential facility (group home), the Department of Social and Health Services must notify the private schools and the public school board in the district in which the offender intends to reside or the district in which the offender last attended school, as appropriate. This notification requirement was expanded in 1997 to require the department to notify schools when an offender under the jurisdiction of the department for any offense will be transferred to a community residential facility.

The juvenile court administrator must notify the school principal if an elementary or secondary school student is convicted of any of the following offenses: violent or sex offenses, inhaling toxic fumes, violations of the controlled substances provisions, liquor violations, or offenses relating to kidnaping, harassment, or arson. The principal must provide the criminal history information to the student's teachers, supervisors, and other personnel who need to know for security reasons. Otherwise, the information is confidential except when it may be disseminated pursuant to a statute or federal law.

When a student transfers to another school, the records of immunization, academic performance, disciplinary actions, and attendance follow the student to the new school. When a student switches school districts, the new school may ask the parent and student to provide certain information about the student, including information about disciplinary actions and any history of violent or sex offenses, violations of the controlled substances provisions, liquor violations, or offenses relating to inhaling toxic fumes, kidnaping, harassment, or arson. School districts may reject a

nonresident student applicant if the student's history indicates a history of violent or disruptive behavior or gang membership.

Except for official juvenile court files, most records regarding juvenile offenses are confidential. Records of juvenile justice or care agencies, which include schools, may be released to other participants in the juvenile justice system when the participant is involved in the investigation or when the participant is responsible for supervising the juvenile.

Summary:

The Department of Social and Health Services must notify the private schools and the public school board in the district in which the juvenile offender intends to reside or the district in which the offender last attended school, as appropriate, whenever an offender under the jurisdiction of the department for any offense will be released, paroled, or granted leave. The community residential facility housing a juvenile offender must provide a written notice to any school the juvenile is attending while residing at the facility describing the juvenile's criminal history. This notice must also be provided to any employer while the juvenile is residing at the community residential facility.

In addition to the current information that follows a student to a new school, information from the previous school must be provided on any offenses relating to violent or sex offenses, violations of the controlled substances provisions, liquor violations, or offenses relating to inhaling toxic fumes, kidnaping, harassment, or arson. School districts may reject a nonresident student applicant if, in addition to reasons under current law, the juvenile has committed crimes or offenses. Teachers and security personnel must be informed when the school receives information that a student poses a safety risk.

Law enforcement officials and prosecuting attorneys are authorized to share information regarding the arrest of a student with the school, including information on the investigation, prosecution, or diversion of the student. Information should be released to the maximum extent possible without jeopardizing the investigation or prosecution, or endangering witnesses.

Votes on Final Passage:

House 96 0
Senate 47 0 (Senate amended)
House 94 0 (House concurred)

Effective: July 25, 1999