

HOUSE BILL ANALYSIS

HB 1348

Title: An act relating to school safety.

Brief Description: Creating schools of last resort and increasing school safety.

Sponsors: Representatives Carrell, Quall, Talcott, Sullivan, Esser, Bush, Campbell, McDonald and Thomas.

HOUSE COMMITTEE ON EDUCATION

Meeting Date: February 10, 1999.

Bill Analysis Prepared by: Charlie Gavigan (786-7340)

Background: When a juvenile who has committed a sex, violent, or stalking offense will be released, paroled, or transferred to a group home, 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. The requirement to notify schools of the release or transfer of certain offenders 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.

A convicted juvenile sex offender who is discharged, paroled, or provided other leave cannot attend the same school as a victim or a sibling of the victim. In addition, the department must send a notice of the discharge, parole, or leave to the school district the juvenile intends to reside or, if unknown, to the district the offender last attended. Approved private schools are also notified.

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 action and any history of violent or sex offenses, inhaling toxic fumes, violations of the controlled substances provisions, liquor violations, or offenses relating to 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.

Summary of Bill: 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. The Secretary of the Department of Social and Health Services must require that any agency that receives juvenile offenders must provide a written notice to any school the juvenile is attending while residing at the agency's facility describing the juvenile's criminal history; the license of the agency is suspended if the agency violates this provision more than once a year.

A convicted juvenile sex offender that is transferred to a community residential facility cannot attend the same school as a victim or a sibling of the victim. In addition, the department must send a notice of the transfer to a community residential facility to the school district and approved private schools.

In addition to the current information that follows a student from one school to a new school, information must be provided on any offenses relating to violent or sex offenses, inhaling toxic fumes, violations of the controlled substances provisions, liquor violations, or offenses relating to kidnaping, harassment, or arson. When a student switches school districts, the new school must ask the parent and student to provide certain information about the student, including information about any history of violent or sex offenses, inhaling toxic fumes, violations of the controlled substances provisions, liquor violations, or offenses relating to kidnaping, harassment, or arson. School districts may reject a nonresident student applicant if, in addition to reasons under current law, the student's history indicates violent or disruptive behavior or gang membership, or if the records indicate a history of violent or sex offenses, inhaling toxic fumes, violations of the controlled substances provisions, liquor violations, or offenses relating to kidnaping, harassment, or arson.

A school district, education service district, or consortium of school districts is authorized to create specialized schools for juvenile offenders who pose a danger to themselves, other students, and staff. Priority is given to students who are violent or chronically disruptive and would otherwise be suspended or expelled.

Appropriation: None.

Fiscal Note: Requested on January 26, 1999.

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