

# SENATE BILL REPORT

## SB 6218

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As of January 15, 2004

**Title:** An act relating to information on disciplinary actions taken against school employees.

**Brief Description:** Regarding information on disciplinary actions taken against school employees.

**Sponsors:** Senators Kohl-Welles, Johnson, Eide, Carlson, Benton, Keiser, Finkbeiner, Rasmussen, Franklin, McAuliffe, Esser, Winsley, Kline, Oke and Murray.

**Brief History:**

**Committee Activity:** Education: 1/20/04.

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### SENATE COMMITTEE ON EDUCATION

**Staff:** Heather Lewis-Lechner (786-7448)

**Background:** Under Washington's Public Disclosure Act, public records maintained by a state or local agency concerning its own employees are available for public inspection unless a specific provision of the law exempts the record from disclosure. Numerous cases have recognized that a school district is subject to the Public Disclosure Act. The act contains an extensive list of statutory exemptions that includes an exemption for personal information of public employees to the extent that disclosure would violate that employee's "right to privacy" and an exemption for the residential addresses and phone numbers of the employee. A person's "right to privacy" is violated only if disclosure of the information about the person 1) would be highly offensive to a reasonable person, and 2) is not a legitimate concern to the public.

Disciplinary records within a school employees personnel file are subject to the Public Disclosure Act and can be requested by the public through the appropriate process as set out in state law.

**Summary of Bill:** The Superintendent of Public Instruction must post on its website a list of school employees who have had disciplinary action taken against them and the grounds for that disciplinary action. A disciplinary action must not be posted until after all appeals have been made and there is a final disposition of the disciplinary action.

Disciplinary action is defined to include private or public reprimand, suspension, stayed suspension, or revocation of a license.

**Appropriation:** None.

**Fiscal Note:** Requested on January 14, 2004.

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