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SENATE BILL 6433

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State of Washington                      58th Legislature                      2004 Regular Session

By Senators Benton, Kohl-Welles and Oke

Read first time 01/20/2004. Referred to Committee on Education.

1            AN ACT Relating to investigations by the superintendent of public  
2 instruction; and amending RCW 28A.410.095.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 28A.410.095 and 1992 c 159 s 5 are each amended to  
5 read as follows:

6            (1) The superintendent of public instruction may initiate and  
7 conduct investigations as may be reasonably necessary to establish the  
8 existence of any alleged violations of or noncompliance with this  
9 chapter or any rules adopted under it. For the purpose of any  
10 investigation or proceeding under this chapter, the superintendent or  
11 any officer designated by the superintendent may administer oaths and  
12 affirmations, subpoena witnesses and compel their attendance, take  
13 evidence, and require the production of any books, papers,  
14 correspondence, memoranda, agreements, or other documents or records  
15 that the superintendent deems relevant and material to the inquiry.

16            (2) If any person fails to obey a subpoena or obeys a subpoena but  
17 refuses to give evidence, any court of competent jurisdiction, upon  
18 application by the superintendent, may issue to that person an order  
19 requiring him or her to appear before the court and to show cause why

1 he or she should not be compelled to obey the subpoena, and give  
2 evidence material to the matter under investigation. The failure to  
3 obey an order of the court may be punishable as contempt.

4 (3) Once an investigation has been initiated by the superintendent  
5 of public instruction, the investigation shall be completed regardless  
6 of whether the individual being investigated has resigned his or her  
7 position or allowed his or her teaching certificate to lapse.

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