
SENATE BILL 5568

State of Washington

59th Legislature

2005 Regular Session

By Senator Benton

Read first time 01/28/2005. Referred to Committee on Early Learning,
K-12 & Higher Education.

1 AN ACT Relating to record check costs; and amending RCW 28A.400.303
2 and 28A.410.010.

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

4 **Sec. 1.** RCW 28A.400.303 and 2001 c 296 s 3 are each amended to
5 read as follows:

6 School districts, educational service districts, the state school
7 for the deaf, the state school for the blind, and their contractors
8 hiring employees who will have regularly scheduled unsupervised access
9 to children shall require a record check through the Washington state
10 patrol criminal identification system under RCW 43.43.830 through
11 43.43.834, 10.97.030, and 10.97.050 and through the federal bureau of
12 investigation before hiring an employee. The record check shall
13 include a fingerprint check using a complete Washington state criminal
14 identification fingerprint card. The requesting entity shall provide
15 a copy of the record report to the applicant. When necessary,
16 applicants may be employed on a conditional basis pending completion of
17 the investigation. If the applicant has had a record check within the
18 previous two years, the district, the state school for the deaf, the
19 state school for the blind, or contractor may waive the requirement.

1 The district, pursuant to chapter 41.59 or 41.56 RCW, the state school
2 for the deaf, the state school for the blind, or contractor hiring the
3 employee shall determine who shall pay costs associated with the
4 initial record check. The state shall pay costs associated with
5 subsequent record checks for certificated employees for whom the
6 subsequent record check is required due to a lapsed certificate or a
7 return to the profession before the certificate has lapsed.

8 **Sec. 2.** RCW 28A.410.010 and 2001 c 263 s 1 are each amended to
9 read as follows:

10 The state board of education shall establish, publish, and enforce
11 rules (~~(and regulations)~~) determining eligibility for and certification
12 of personnel employed in the common schools of this state, including
13 certification for emergency or temporary, substitute or provisional
14 duty and under such certificates or permits as the board shall deem
15 proper or as otherwise prescribed by law. The rules shall require that
16 the initial application for certification shall require a record check
17 of the applicant through the Washington state patrol criminal
18 identification system and through the federal bureau of investigation
19 at the applicant's expense. The state shall pay costs associated with
20 subsequent record checks for certificated employees for whom the
21 subsequent record check is required due to a lapsed certificate or a
22 return to the profession before the certificate has lapsed. The record
23 check shall include a fingerprint check using a complete Washington
24 state criminal identification fingerprint card. The superintendent of
25 public instruction may waive the record check for any applicant who has
26 had a record check within the two years before application. The rules
27 shall permit a holder of a lapsed certificate but not a revoked or
28 suspended certificate to be employed on a conditional basis by a school
29 district with the requirement that the holder must complete any
30 certificate renewal requirements established by the state board of
31 education within two years of initial reemployment.

32 In establishing rules pertaining to the qualifications of
33 instructors of American sign language the state board shall consult
34 with the national association of the deaf, "sign instructors guidance
35 network" (s.i.g.n.), and the Washington state association of the deaf
36 for evaluation and certification of sign language instructors.

1 The superintendent of public instruction shall act as the
2 administrator of any such rules (~~and regulations~~) and have the power
3 to issue any certificates or permits and revoke the same in accordance
4 with board rules (~~and regulations~~).

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