

HOUSE BILL REPORT

HB 2350

As Reported by House Committee On: Education

Title: An act relating to allowing valid portable background check clearance cards issued by the department of early learning to be used by certain educational employees and their contractors for purposes of their background check requirements.

Brief Description: Allowing valid portable background check clearance cards issued by the department of early learning to be used by certain educational employees and their contractors for purposes of their background check requirements.

Sponsors: Representatives Senn, Dahlquist, Kagi, Walsh, Ryu, Morrell, Roberts, Goodman and Freeman; by request of Department of Early Learning and Superintendent of Public Instruction.

Brief History:

Committee Activity:

Education: 1/29/14, 2/3/14 [DP].

Brief Summary of Bill

- Authorizes that educational employees and contractors who hold a valid portable Background Check Clearance Card issued by the Department of Early Learning can meet record check requirements by providing a true and accurate copy of their background report results from the Washington State Patrol and the Federal Bureau of Investigation to the Office of the Superintendent of Public Instruction.

HOUSE COMMITTEE ON EDUCATION

Majority Report: Do pass. Signed by 12 members: Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Bergquist, Fey, Haigh, S. Hunt, Lytton, Muri, Orwall, Pollet and Seaquist.

Minority Report: Do not pass. Signed by 7 members: Representatives Magendanz, Assistant Ranking Minority Member; Hargrove, Hawkins, Hayes, Klippert, Parker and Warnick.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Staff: Megan Wargacki (786-7194).

Background:

School districts, Educational Service Districts, the Center for Childhood Deafness and Hearing Loss, the State School for the Blind, and schools funded by the Federal Bureau of Indian Affairs, and their contractors must require a record check through the Washington State Patrol (WSP) and the Federal Bureau of Investigation (FBI) before hiring an employee who will have regularly scheduled unsupervised access to children. This requirement may be waived if the applicant has had a record check within the past two years.

The Professional Educator Standards Board (PESB) certifies K-12 educators. The PESB requires that applicants for certification have a record check through the WSP and the FBI. The Office of the Superintendent of Public Instruction (OSPI) may waive the record check requirement for applicants who have had a record check in the past two years.

In 2012 the Department of Early Learning (DEL) established and began maintaining a portable background check clearance registry for individuals seeking a child care license or employment in a licensed or regulated child care facility. Individuals that pass the background check are issued a Background Check Clearance Card, which is valid for three years.

Summary of Bill:

Applicants for school positions with regularly scheduled unsupervised access to children who hold a valid portable Background Check Clearance Card issued by the DEL can meet the record check requirements by providing a true and accurate copy of their background report results from the WSP and the FBI to the OSPI.

Applicants for certification by the PESB who hold a valid portable Background Check Clearance Card issued by the DEL are exempt from the OSPI's fingerprint background check if they provide a true and accurate copy of their the background report results from the WSP and the FBI to the OSPI.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill streamlines the background check process. The result will be reducing the time and money applicants spend getting duplicate background checks. This bill is about efficiency. This bill has no fiscal impact, rather it saves educators time and money and lets them focus on working with children. This bill will not impact lots of employees, but will reduce costs and hassle for those it applies to. For someone employed in early learning whose job moves to a K-12 field, this bill will not require them to get another background check. However, parents will still know that the teachers are vetted and will give the children a good education.

(Opposed) None.

Persons Testifying: Representative Senn, prime sponsor; Bob McLellan, Department of Early Learning; Bob Butts, Office of the Superintendent of Public Instruction; and Lucinda Young, Washington Education Association.

Persons Signed In To Testify But Not Testifying: None.