

# HOUSE BILL REPORT

## SB 6093

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### 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:** Senators Rolfes, Dammeier, Billig, Kohl-Welles and McAuliffe; by request of Department of Early Learning and Superintendent of Public Instruction.

#### **Brief History:**

##### **Committee Activity:**

Education: 2/24/14, 2/26/14 [DP].

#### **Brief Summary of Bill**

- Authorizes educational employees and contractors who hold a valid portable Background Check Clearance Card issued by the Department of Early Learning to 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.

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### HOUSE COMMITTEE ON EDUCATION

**Majority Report:** Do pass. Signed by 17 members: Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist, Fey, Haigh, Hargrove, Hawkins, Hayes, S. Hunt, Lytton, Muri, Orwall, Pollet, Seaquist and Warnick.

**Minority Report:** Do not pass. Signed by 2 members: Representatives Klippert and Parker.

**Staff:** Megan Wargacki (786-7194).

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*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.*

**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 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.

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**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 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.

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**Appropriation:** None.**Fiscal Note:** Available.**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) Early learning providers identified the issue of bureaucracy related to fingerprinting as one of their key concerns. This is a simple bill which will make life easier

and cheaper for certain childcare employees. The DEL is committed to working with the Legislature on the subject of wrap-back provisions to make sure no one is lost in cracks.

(Opposed) None.

**Persons Testifying:** Senator Rolfes, prime sponsor; and Amy Blondin, Department of Early Learning.

**Persons Signed In To Testify But Not Testifying:** None.