

SHB 2220 - H AMD 1620

By Representatives Dolan, CaldierBy Representatives Dolan, CaldierBy
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ADOPTED AS AMENDED 02/19/2020

1
2 Strike everything after the enacting clause and insert the
3 following:

4 "NEW SECTION. Sec. 1. A new section is added to chapter 28A.605
5 RCW to read as follows:

6 (1) If a criminal history record check performed as part of the
7 volunteer application process for a parent applicant indicates that
8 the parent has a criminal history, the school must either:

9 (a) Disregard the criminal history if the parent:

10 (i) Submits documentation for each crime indicated on the record
11 check showing either:

12 (A) The guilty plea or conviction is the subject of expungement,
13 pardon, vacation, annulment, certificate of rehabilitation, or other
14 equivalent procedure based on a finding of the rehabilitation; or
15 pardon, annulment, or other equivalent procedure based on a finding of
16 innocence; or

17 (B) For a crime not listed in RCW 28A.400.322, a certificate of
18 restoration of opportunity has been issued under RCW 9.97.020; and

19 (ii) Signs a statement indicating that the parent has not been
20 arrested for a new crime or does not have a pending criminal charge;
21 or

22 (b) Complete a criminal history review for a parent who has not
23 met the requirements of (a) of this subsection. When performing a
24 criminal history review a school must consider the length of time
25 since the commission of the last crime for which the parent pled
26 guilty or was convicted, and whether any crime involved a minor child
27 victim. In addition, the school may consider: (i) The age of the
parent on the date of the commission of the last crime for which the

1 parent pled guilty or was convicted; (ii) whether the parent has been
2 approved by a state agency to have unsupervised access to children
3 under eighteen years of age or persons with developmental
4 disabilities; and (iii) whether providing limited access to children
5 under eighteen years of age and to persons with developmental
6 disabilities within a teacher's classroom would give the parent the
7 opportunity to have meaningful involvement in the school.

8 (2) Within five days of denying the volunteer application of a
9 parent, the school must notify the parent of the school's decision,
10 state specific reasons for the denial, and provide the procedure for
11 appealing the school's decision to the school's governing body.

12 (3) A school must notify parent applicants for volunteer positions
13 about the process for submitting documents and statements related to
14 application review and approval.

15 (4) The definitions in this subsection apply throughout this
16 section unless the context clearly requires otherwise.

17 (a) "Criminal history record check" means any record check through
18 either the Washington state patrol or the federal bureau of
19 investigation, including as authorized under RCW 28A.400.303.

20 (b) "Parent" means a parent, grandparent, guardian, or legal
21 custodian of a student enrolled at a school.

22 (c) "School" means a school district, an educational service
23 district, the Washington center for deaf and hard of hearing youth,
24 the state school for the blind, a federal bureau of Indian
25 affairs-funded school, a charter school established under chapter 28A.
26 710 RCW, or a school that is the subject of a state-tribal education
27 compact under chapter 28A.715 RCW, or a contractor of a school.

28 (d) "Unsupervised" has the same meaning as in RCW 28A.400.303.

29
30 NEW SECTION. Sec. 2. A new section is added to chapter 28A.345
31 RCW to read as follows:

32 The Washington state school directors' association, in consultation
33 with the office of the superintendent of public instruction and the
34 office of the education ombuds, must develop a model parent volunteer

1 policy and procedure that addresses the application review and
2 approval requirements in section 1 of this act. By September 1, 2020,
3 the Washington state school directors' association must post the model
4 policy and procedure on its website. For the purposes of this section,
5 "parent" has the same meaning as in section 1 of this act."

6

7 Correct the title.

8

EFFECT: Strikes all provisions in the underlying bill and replaces them with provisions that:

(1) Require a school (a defined term) to do one of the following if a criminal history record check performed as part of the volunteer application process for a parent (or grandparent, guardian, or legal custodian of a student enrolled at the school) indicates that the parent has a criminal history:

(a) Disregard the criminal history if the parent: (i) submits documentation for each crime indicated on the record check showing criminal innocence or rehabilitation or, for a crime not listed in RCW 28A.400.322, a certificate of restoration of opportunity has been issued; and (ii) signs a statement indicating that the parent has not been arrested for a new crime or does not have a pending criminal charge; or

(b) Complete a criminal history review as prescribed for a parent who has not met the requirements of (a).

(2) Requires that, within five days of denying the volunteer application of a parent, a school notify the parent of the decision, state specific reasons for the denial, and provide the procedure for appealing the decision to the school's governing body.

(3) Requires a school to notify parent applicants for volunteer positions about the process for submitting documents and statements related to application review and approval.

(4) Direct the Washington State School Directors' Association, in consultation with the Office of the Superintendent of Public Instruction and the Office of the Education Ombuds to develop a model policy and procedure related to volunteers that addresses the parent volunteer application review, approval, and denial requirements.

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