

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	5 - 0 - 0
Yeas:	Bonamici, Boquist, Dingfelder, Whitsett, Prozanski
Nays:	0
Exc.:	0
Prepared By:	Anna Braun, Counsel
Meeting Dates:	3/9, 4/9

WHAT THE MEASURE DOES: Revokes teaching, personnel service or administrative license of person if found by the Teacher Standards and Practices Commission by a preponderance of the evidence to have been found guilty of rape, sodomy, sexual penetration or sex abuse of a student grade 12 or below. Bars application or reapplication for license. States records are not exempt from public disclosure. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Workload for Teachers Standards and Practices Commission
- Difficulty meeting the criminal standard of proof

EFFECT OF COMMITTEE AMENDMENT: Replaces the measure.

BACKGROUND: Current law states that the Teachers Standards and Practices Commission (TSPC) must revoke and bar reapplication of a teaching, personnel services or administrative license if a person has been criminally convicted of rape, sodomy, sexual penetration or sex abuse of a child under the age of 16 years. Senate Bill 48A requires the TSPC to revoke a license and bar reapplication for a license if they find by a preponderance of the evidence, through their administrative process, that a teacher engaged in conduct that would have constituted those crimes. Preponderance of the evidence means that after weighing the evidence the decision-maker finds that something is more likely true than not. In a criminal case the standard of proof is "beyond a reasonable doubt." Senate Bill 48A also extends the protection to those in grade 12 or below.