

March 30, 2021

Chair Alonso Leon, Vice-Chairs Neron and Weber, Members of the Committee:

We write today in support of HB 2942, which would give districts greater discretion in their local hiring decisions.

We understand the rationale for preventing individuals with a history of violence from working with our students, as we all share the goal of keeping kids safe. However, when it comes to individuals who have a prior record that does not include violence or a crime against another person, we believe that TSPC and local school districts should be allowed greater discretion in making their own decisions about licensure or hiring.

Again, we all prioritize student safety in our work. If districts are given greater discretion in hiring, they won't lower their standards. Nor will TSPC lower their standards for licensure. But passage of HB 2942 will give us the ability to consider qualified applicants who could be a great fit, but for their prior convictions under current law. Recent examples from districts and ESDs include an individual who applied to be a custodian at the recommendation of the head of the department.

In this instance, a facilities manager in a local district wanted to bring someone onto their team who they had worked with in the past, trusted, and valued as an employee. But under our current policies, the district couldn't move forward in hiring as the individual had a decades-old conviction for delivery of a controlled substance. This was a person who had turned their life around, came highly recommended from a current district employee, and had strong references in the community. But the district had no ability under current statute to hire this individual for a custodial position.

It is noteworthy in the above example that the position being filled was at an alternative high school. Many of the students at this school have been in the justice system themselves. Everyone involved in the situation from the HR Director, to the Facilities Manager, to the building principal, felt this individual could be an ideal person to have really authentic connection with these students, given the shared understanding of their lived experience. Who better to talk with them about the importance of making good choices?

This is just one example of how current policy limits school districts' local control over their own hiring decisions. HB 2942 would only expand local decision-making authority. There is nothing in the bill requiring districts to hire folks with these sorts of backgrounds. TSPC and local districts would retain full discretion over such decisions, with express authority to refuse licenses or to choose not to hire individuals based on such prior convictions. In short, it does not create an automatic green light for anyone with a criminal history to work in our schools, but it does get rid of the automatic, state-mandated red light for folks with these non-violent, non-person crimes.

In the interest of giving local districts and ESDs this discretion over their own hiring, and believing that individuals can in fact turn their lives around, we urge your support of HB 2942.

