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To: Senate Committee on Judiciary
From: Richard Donovan, Legislative Services Specialist
Re: Senate Bill 524
Date: February 28, 2023

Chair Prozanski, Vice-Chair Thatcher, and members of the committee:

On behalf of the OSBA membership, including 197 school districts and 19 Education Service Districts, thank you for the opportunity to submit testimony in support of Senate Bill 524.

SB 524 would cause a comprehensive review of the “forever crimes” list used in public school employment. The list needs revision because it is out of date, and because of technical challenges in the background check process.

As a result of a review, it is possible that crimes could be removed from the list. It is important to center equity in the way we talk about schools and students, and the way society views some of the crimes on the list has changed. It could be that it makes sense to have some of the crimes be removed from the list.

However, it is important to note that some new crimes could be added onto the list. OSBA’s position is there should never be people working with children who have been convicted of any level of child sexual abuse, or contributing towards the sexual delinquency of minors, or any crime involving any level of sexual activity with a minor.

This is relevant because there are some crimes that are not on the list. But also because of the way pleading works in criminal law. The practicalities of criminal pleading mean that an offender may commit actions that would disqualify them from school participation but plead to a lesser crime. This is a concern.

Furthermore, the functional process could be updated to give better information to school districts. The information school districts receive in the background check process is only a yes/no reference, not full information. What districts often do is pay for other background checks from other sources.

Please support SB 524. Having a better process would save money, pass better information on to school districts, and help keep students safe.