

RCW 9A.44.138 Attendance, employment of registered sex offenders and kidnapping offenders at schools and institutions of higher education—Notice to designated recipients—Information exempt from disclosure.

(1) Upon receiving notice from a registered person pursuant to RCW 9A.44.130 that the person will be attending a school enrolling students in grades kindergarten through twelve or an institution of higher education, or will be employed with an institution of higher education, the sheriff must promptly notify the designated recipient of the school or institution of the person's: (a) Name and any aliases used; (b) complete residential address; (c) date and place of birth; (d) place of employment; (e) crime for which convicted; (f) date and place of conviction; (g) photograph; and (h) risk level classification.

(2) Except as provided in subsection (3) of this section, a designated recipient receiving notice under this section must disclose the information received from the sheriff as follows:

(a) If the student is classified as a risk level II or III, the designated recipient shall provide the information received to every teacher of the student and to any other personnel who, in the judgment of the designated recipient, supervises the student or for security purposes should be aware of the student's record;

(b) If the student is classified as a risk level I, the designated recipient shall provide the information received only to personnel who, in the judgment of the designated recipient, for security purposes should be aware of the student's record.

(3) When the designated recipient is the administrator of a school district, the designated recipient must disclose the information to the principal of the school that the registered person will be attending, whether the school is a common school as defined in RCW 28A.150.020 or a school that is the subject of a state-tribal education compact under chapter 28A.715 RCW. The principal must then disclose the information as provided in subsection (2) of this section.

(4) The sheriff shall notify the applicable designated recipient whenever a student's risk level classification is changed or the sheriff is notified of a change in the student's address.

(5) Any information received by school or institution personnel under this section is exempt from disclosure under chapter 42.56 RCW and may not be further disseminated except as provided in RCW 28A.225.330, other statutes or case law, and the family and educational and privacy rights act of 1994, 20 U.S.C. Sec. 1232g et seq.

(6) For the purposes of this section, "designated recipient" means: (a) The superintendent of the school district, or his or her designee, of a common school as defined in RCW 28A.150.020 or a school that is the subject of a state-tribal education compact under chapter 28A.715 RCW; (b) the administrator of a charter public school governed by chapter 28A.710 RCW; (c) the administrator of a private school approved under chapter 28A.195 RCW; or (d) the director of the department of public safety at an institution of higher education. [2020 c 167 § 5; 2011 c 337 § 4.]