
SENATE BILL 6582

State of Washington

65th Legislature

2018 Regular Session

By Senators Chase and Saldaña

1 AN ACT Relating to the criminal history of applicants to
2 institutions of higher education; and adding a new chapter to Title
3 28B RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The definitions in this section apply
6 throughout this chapter unless the context clearly requires
7 otherwise.

8 (1) "Admissions application" means an individual application to
9 enroll as an undergraduate or graduate student at an institution of
10 higher education.

11 (2) "Criminal record" or "criminal history" includes any record
12 about a citation or arrest for criminal conduct, including any
13 records relating to probable cause to arrest, and includes any record
14 about a criminal or juvenile case filed with any court, whether or
15 not the case resulted in a finding of guilt.

16 (3) "Institutions of higher education" means the state
17 universities, the regional universities, The Evergreen State College,
18 the community colleges, and the technical colleges that receive state
19 funds.

20 (4) "Third-party admissions application" means an admissions
21 application not controlled by the institution.

1 NEW SECTION. **Sec. 2.** (1) Except as provided in subsection (2)
2 of this section, an institution of higher education may not use an
3 initial admissions application that requests information about the
4 criminal history of the applicant.

5 (2) An institution of higher education may, but is not required
6 to, use a third-party admissions application that contains
7 information about the criminal history of the applicant if the
8 institution of higher education posts a notice on its web site
9 stating that the institution of higher education may not
10 automatically or unreasonably deny an applicant's admission or
11 restrict access to campus residency based on an applicant's criminal
12 history.

13 NEW SECTION. **Sec. 3.** (1) After an applicant has otherwise been
14 determined to be qualified for admission, an institution of higher
15 education may, but is not required to, inquire into or obtain
16 information about an applicant's criminal conviction history for the
17 purpose of:

18 (a) Accepting or denying an applicant for admission to the
19 institution of higher education or restricting access to campus
20 residency; or

21 (b) Offering supportive counseling or services to help
22 rehabilitate and educate the student on barriers a criminal record
23 may present.

24 (2) After inquiring into or obtaining information under this
25 section, an institution of higher education may not automatically or
26 unreasonably deny an applicant's admission or restrict access to
27 campus residency based on that applicant's criminal history.

28 NEW SECTION. **Sec. 4.** (1) Each institution of higher education
29 shall develop a process to determine whether or not there is a
30 relationship between an applicant's criminal history and a specific
31 academic program or campus residency to justify denial of admission
32 or restrict access to campus residency.

33 (2) The process developed under this section shall be set forth
34 in writing and shall include consideration of:

35 (a) The age of the applicant at the time any aspect of the
36 applicant's criminal history occurred;

37 (b) The time that has elapsed since any aspect of the applicant's
38 criminal history occurred;

1 (c) The nature of the criminal history; and
2 (d) Evidence of rehabilitation or good conduct produced by the
3 applicant.

4 NEW SECTION. **Sec. 5.** This act may be known and cited as the
5 Washington fair chance to education act.

6 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act
7 constitute a new chapter in Title 28B RCW.

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