

HOUSE BILL REPORT

SSB 6351

As Passed House - Amended:

March 8, 2002

Title: An act relating to safety of school employees and students.

Brief Description: Requiring notification policies regarding threats at schools.

Sponsors: By Senate Committee on Education (originally sponsored by Senators Haugen, McAuliffe, Finkbeiner, Rasmussen, Hochstatter, Stevens, Eide, Kohl-Welles, Keiser and Oke).

Brief History:

Committee Activity:

Education: 2/26/02, 2/27/02 [DPA].

Floor Activity:

Passed House - Amended: 3/8/02, 94-0.

Brief Summary of Substitute Bill (As Amended by House)

- Requires the Superintendent of Public Instruction to adopt a model notification of threats policy by January 1, 2003.
- Requires each school district board of directors to adopt a notification threats policy by September 1, 2003.
- Provides immunity from liability for those who provide notice in good faith and consistent with the board's policies.
- Provides for punishment by a misdemeanor for those who intentionally, in bad faith or maliciously make a false notification of a threat.
- Adds a null and void clause.

HOUSE COMMITTEE ON EDUCATION

Majority Report: Do pass as amended. Signed by 11 members: Representatives Quall, Chair; Haigh, Vice Chair; Talcott, Ranking Minority Member; Anderson, Cox, McDermott, Rockefeller, Santos, Schindler, Schmidt and Upthegrove.

Staff: Ilene Miller (786-7310).

Background:

State law requires courts to notify the principal of a student's school of the disposition of a case when a student has been convicted in adult criminal court, juvenile court, or has entered into a diversion agreement for violent offenses. The school must provide that information to that student's teachers, to any other personnel who supervises that student, or those who for security purposes need to be aware of that student's history.

State law also requires schools to request a student's permanent record to include records of disciplinary action, history of violent behavior, history of adult criminal court cases, and history of any juvenile diversion agreements for violent offenses from schools previously attended by the student. When a school receives this type of information about a student's history, or there is other behavior that indicates a student could be a threat to the safety of staff or other students, the school must then provide this information to the student's teachers and security personnel.

School districts and their employees are immune from civil liability for damages for releasing this information so long as the release is in compliance with both federal and state law.

Summary of Amended Bill:

School districts must adopt a policy by September 1, 2003 that addresses:

- Procedures for providing notice of threats of violence or harm to the student or school employee who is the subject of the threat. The policy must provide a definition of threats of violence or harm-;
- Procedures for disclosing information that is provided to the school administrators about a student's conduct, to include prior disciplinary records, official juvenile court records, and any history of violence, to teachers, staff, and security who , in the judgement of the principal need to know; and
- Procedures for determining whether or not any threats or conduct established in the policy may be grounds for suspension or expulsion.

The Superintendent of Public Instruction (SPI) is required to adopt a model policy that addresses these issues by January 1, 2003. This model policy must be developed in consultation with educators and representatives of law enforcement, classified staff, and organizations with expertise in violence prevention and intervention. The model policy must be posted on the SPI's website. Each school district must review this model policy while drafting their own policy.

If funding for the school safety center is not provided for in the budget, the SPI's

requirement to adopt a model policy is null and void.

Reporting parties are immune from any liability arising out of any such notification so long as the notification is consistent with the board's policies. Making a false notification of a threat is a misdemeanor if it is done intentionally, maliciously, knowingly, and in bad faith.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date of Amended Bill: Ninety days after adjournment of session in which bill is passed. However, if funding for the school safety center is not provided for in the budget, the SPI's requirement to adopt a model policy is null and void.

Testimony For: This bill is about communication and school districts having policies in place that provide for open communication channels regarding threats of violence or harm. This is a small but important step in making schools safer, not only for students, but for teachers as well. This bill fills a void that currently exists. We should be doing everything we can to protect staff and students from potential threats. It is absolutely critical that districts address this issue.

Testimony Against: None.

Testified: (In support) Senator Haugen, prime sponsor; Sue Karahalios, citizen; Robert Butts and Craig Apperson, Office of the Superintendent of Public Instruction; Rainer Houser, Association of Washington School Principals; Glenn Gorton, Public School Employees of Washington; Karen Davis, Washington Education Association; and Ahndrea Blue, Governor's Office.

(With concerns) David Westberg, International Union of Operating Engineers.