
**Juvenile Justice & Family Law
Committee**

ESSB 5171

Brief Description: Enhancing school safety through information sharing between schools and juvenile justice and care agencies.

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senators Carrell, Rockefeller, Rasmussen, Shin, Schoesler, Delvin and McAuliffe).

Brief Summary of Engrossed Substitute Bill

- Requires school principals to notify law enforcement when the principal has reasonable cause to believe that a person has committed a drug offense or a crime against a person that causes severe injury while on school grounds or at a school sponsored event.

Hearing Date:

Staff: Sonja Hallum (786-7092).

Background:

In Washington, information that the school personnel must share with law enforcement is limited. School personnel must release information under a lawfully issued subpoena and must notify parents and students prior to releasing the information under the subpoena.

If a child is a victim of child abuse or neglect, professional school personnel are required to report the information to law enforcement or to the Department of Social and Health Services under the statutes mandating the reporting of child abuse or neglect.

In addition to these situations requiring release of information, school personnel may exchange information with law enforcement and juvenile court officials to the extent allowed under the Family Education and Privacy Rights Act of 1974 (FERPA). The FERPA does allow the release of information if necessary to protect other students.

Summary of Bill:

The principal of a school must report to law enforcement when the principal has reasonable cause to believe that a person has committed a drug offense or a crime against a person that causes severe injury while on school grounds or at a school sponsored event. The report may be by telephone, in person, or on paper and must be made within seventy-two hours after the offense occurs.

If a principal violates this requirement in flagrant disregard or clear abandonment of generally recognized professional standards or endangers the educational welfare or personal safety of teachers or students, the principal may be subject to sanctions by the Superintendent of Public Instruction.

A principal who obstructs a law enforcement officer by knowingly failing to report an offense that requires reporting may be guilty of criminal offense of obstructing a law enforcement officer. A principal may be guilty of the criminal offense of rendering criminal assistance for failing to report an offense that requires reporting if the principal's intent is to prevent, hinder, or delay the apprehension or prosecution of the person.

A liability limitation is created to limit the civil liability of a principal who cooperates in an investigation arising from the report so long as the principal acts in good faith and without gross negligence.

Appropriation: None.

Fiscal Note: Requested on March 10, 2005.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.