

# SENATE BILL REPORT

## SSB 5097

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As Amended by House, April 20, 2007

**Title:** An act relating to safe schools.

**Brief Description:** Regarding safe schools.

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senators Rockefeller, McAuliffe, Swecker, Kastama, Regala, Weinstein, Eide, Oemig, Pridemore, Kohl-Welles, Keiser, Shin, Berkey, Murray, Kline and Rasmussen).

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education: 1/22/07, 2/01/07 [DP-WM, DNP].  
Ways & Means: 2/12/07, 3/05/07 [DPS].  
Passed Senate: 3/13/07, 47-0.

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Majority Report:** Do pass and be referred to Committee on Ways & Means.

Signed by Senators McAuliffe, Chair; Tom, Vice Chair; Clements, Eide, Hewitt, Hobbs, Kauffman, Oemig, Rasmussen, Weinstein and Zarelli.

**Minority Report:** Do not pass.

Signed by Senators Holmquist, Ranking Minority Member and Brandland.

**Staff:** Kimberly Cushing (786-7421)

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** That Substitute Senate Bill No. 5097 be substituted therefor, and the substitute bill do pass.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Pridemore, Vice Chair, Operating Budget; Zarelli, Ranking Minority Member; Brandland, Carrell, Fairley, Hatfield, Hewitt, Hobbs, Honeyford, Keiser, Kohl-Welles, Oemig, Parlette, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Tom.

**Staff:** Bryon Moore (786-7726)

**Background:** Under current law, the Superintendent of Public Instruction (SPI) must establish timelines for school districts to develop individual comprehensive safe school plans. School districts are required to report progress on their comprehensive safe school

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plans to SPI on a periodic but undefined basis. SPI is given authority to adopt rules for implementation.

The Washington Association of Sheriffs and Police Chiefs (WASPC) is required to create and operate a statewide first responder building and mapping information system. Beginning in 2003, the Washington Legislature has provided funding through WASPC to map and assess the security of schools in Washington.

In 2003, Homeland Security Presidential Directive 5 called for the establishment of a single, comprehensive National Incident Management System (NIMS). Federal preparedness assistance funding for state and local governments is dependent on NIMS compliance. A school district is considered local government. One of the NIMS implementation requirements is to use the Incident Command System (ICS), which provides a common organizational structure for the immediate response to emergencies and coordination of personnel and equipment at the site of an incident. Currently, the Association of Washington School Principals, the Washington Emergency Management Division (EMD), and SPI are providing NIMS and ICS training to school administrators.

**Summary of Substitute Bill:** Schools and school districts are required to adopt, by September 1, 2008, and implement a safe school plan, consistent with the school mapping information system. Each plan must include required school safety policies and procedures; address emergency mitigation, preparedness, response, and recovery; include provisions for assisting and communicating with students and staff; comply with training guidance provided by EMD; require the building principal to be ICS certified; consider how schools can be used in the event of a community-wide emergency; and set guidelines for requesting local emergency management agencies to meet with school districts annually.

School districts are required to annually update their safe school plans; inventory hazardous materials; update the school mapping information system, which includes identifying staff members trained on NIMS or ICS and identifying school transportation emergency procedures; and provide information to all staff on the use of emergency supplies and alert procedures. This information must be reported to WASPC. School districts are encouraged to work with emergency management agencies to conduct one tabletop exercise, one functional exercise, and two full-scale exercises within a four-year period.

Schools are required to conduct no less than one safety-related drill each month, which includes a drill using the school mapping information system, a drill for lockdowns, a drill for shelter-in-place, and six fire drills. Schools should also consider drills for earthquakes, tsunamis, or other high-risk local events. Such drills should be documented. The required safety-related drills are intended to satisfy all federal requirements for comprehensive school emergency drills and evacuations.

Educational service districts (ESDs) are encouraged to apply to federal emergency response and crisis management grants with the assistance of SPI and EMD.

A task force on gangs in schools is created to examine adult and youth gang activities that are affecting school safety. The task force will annually report its findings and recommendations to the education committees of the Legislature starting December 1, 2007.

A grant program for school districts is created that will be administered by the ESDs for developing and updating comprehensive safe plans, training for school safety, and conducting safety-related drills.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Original Bill (Early Learning & K-12 Education):** PRO: This legislation begins to make use of the school mapping information system. The mapping system has proved useful in real-life emergencies, such as fires, power outages, and nearby shootings. Districts have a responsibility to keep schools safe. Ongoing updates of the school mapping information system are needed for accurate information. Updates can be made in a few hours each year. Mapping has to be used continually to be useful. Schools are at different places in creating safe school plans. Principals do not have knowledge of the ICS and they are the first responders in emergencies. It is important to train all staff. It needs to be clear which school employees are in charge. It is crucial to create strong connections with state and local emergency management agencies. ESDs are deeply involved already. It is useful for schools to think about their role in the community. The plans must be comprehensive; emergencies created by winds and floods are just as important as those created by violence. There will be some costs, including emergency supplies and training, but this is an investment that needs to be made. Fiscal support is necessary. A parent notification system should also be considered.

OTHER: The safety of children should be a part of basic education. Without fiscal support, these requirements put pressure and strain on schools.

**Persons Testifying (Early Learning & K-12 Education):** PRO: Senator Rockefeller, prime sponsor; Craig Apperson, Office of the Superintendent of Public Instruction; Joe Pope, Association of Washington School Principals; John Hughes, Sunnyside School District; Lucinda Young, Washington Educational Association; Don Pierce, WASPC; Norm Wisner, Association of Educational Service Districts; Steven C. Bailey, Washington State Emergency Management Association.

OTHER: Barbara Mertens, Washington Association of School Administrators; Dan Steel, Washington State School Directors' Association; Frank Hewins, Franklin Pierce School District and School Safety Center.

**Staff Summary of Public Testimony on Original Bill (Ways & Means):** PRO: Schools are at different places in creating safe school plans. Due to the negotiation and compromise that went into this proposal, this will not overburden school districts. This provides for needed training and drills and allows for better collaboration between schools, emergency responders, and others. This also addresses gang violence by creating a task force to address these issues.

OTHER: There is still concern about the unfunded mandate nature of this bill. While it has been indicated that the fiscal requirements have been significantly reduced in the proposed substitute, the impacts need to be fully funded in order for it to have the desired effect.

**Persons Testifying (Ways & Means):** PRO: Senator Rockefeller, prime sponsor; Craig Apperson, Office of the Superintendent of Public Instruction; Joe Pope, Association of Washington School Principals; Don Pierce, WASPC; Mitch Denning, Alliance of Education Associations.

OTHER: Barbara Mertens, Washington Association of School Administrators.

**House Amendment(s):** Removes the grant program for school districts that would have been administered by the ESDs to develop and update comprehensive safe plans, train for school safety, and conduct safety-related drills.