

2SSB 5141 - H COMM AMD
By Committee on Education

NOT CONSIDERED 12/23/2019

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** It is not the intent of the legislature
4 to require school resource officers to work in schools. If a school
5 district chooses to have a school resource officer program, it is the
6 intent of the legislature to create statewide consistency for the
7 minimum training requirements that school resource officers must
8 receive and ensure that there is a clear agreement between the school
9 district and local law enforcement agency in order to help establish
10 effective partnerships that protect the health and safety of all
11 students.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.320
13 RCW to read as follows:

14 (1) If a school district chooses to have a school resource
15 officer program, the school district must confirm that every school
16 resource officer has received training on the following topics:

17 (a) Constitutional and civil rights of children in schools,
18 including state law governing search and interrogation of youth in
19 schools;

20 (b) Child and adolescent development;

21 (c) Trauma-informed approaches to working with youth;

22 (d) Recognizing and responding to youth mental health issues;

23 (e) Educational rights of students with disabilities, the
24 relationship of disability to behavior, and best practices for
25 interacting with students with disabilities;

26 (f) Collateral consequences of arrest, referral for prosecution,
27 and court involvement;

28 (g) Resources available in the community that serve as
29 alternatives to arrest and prosecution and pathways for youth to
30 access services without court or criminal justice involvement;

1 (h) Local and national disparities in the use of force and
2 arrests of children;

3 (i) De-escalation techniques when working with youth or groups of
4 youth;

5 (j) State law regarding restraint and isolation in schools,
6 including RCW 28A.600.485;

7 (k) Bias free policing and cultural competency, including best
8 practices for interacting with students from particular backgrounds,
9 including English learners, LGBTQ, and immigrants; and

10 (l) The federal family educational rights and privacy act (20
11 U.S.C. Sec. 1232g) requirements including limits on access to and
12 dissemination of student records for noneducational purposes.

13 (2) School districts that have a school resource officer program
14 must annually review and adopt an agreement with the local law
15 enforcement agency using a process that involves parents, students,
16 and community members. At a minimum, the agreement must incorporate
17 the following elements:

18 (a) A clear statement that school resource officers may not be
19 involved in student discipline or enforcing school rules and a clear
20 description of the types of incidents that do not warrant school
21 resource officer action;

22 (b) School district policy and procedure for teachers that
23 clarify the circumstances under which teachers and school
24 administrators may ask an officer to intervene with a student;

25 (c) Annual collection and reporting of data regarding calls for
26 law enforcement service and the outcome of each call, including
27 student arrest and referral for prosecution, disaggregated by school,
28 offense type, race, gender, age, and students who have an
29 individualized education program or plan developed under section 504
30 of the federal rehabilitation act of 1973;

31 (d) A process for families to file complaints with the school and
32 local law enforcement agency related to school resource officers and
33 a process for investigating and responding to complaints; and

34 (e) Confirmation that the school resource officers have received
35 the training required under subsection (1) of this section.

36 (3)(a) School districts that choose to have a school resource
37 officer program must comply with the requirements in subsection (2)
38 of this section by the beginning of the 2020-21 school year.

1 (b) (i) School resource officers assigned to work in a school on
2 or before July 28, 2019, must satisfy the training requirements
3 established in subsection (1) of this section by July 28, 2023.

4 (ii) School resource officers assigned to work in a school after
5 July 28, 2019, must satisfy the training requirements established in
6 subsection (1) of this section before working in a school.

7 (4) For the purposes of this section, "school resource officer"
8 means a commissioned law enforcement officer in the state of
9 Washington with sworn authority to make arrests, deployed in
10 community-oriented policing, and assigned by the employing police
11 department or sheriff's office to work in schools to address crime
12 and disorder problems, gangs, and drug activities affecting or
13 occurring in or around K-12 schools. School resource officers should
14 focus on keeping students out of the criminal justice system when
15 possible and should not be used to attempt to impose criminal
16 sanctions in matters that are more appropriately handled within the
17 educational system.

18 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.300
19 RCW to read as follows:

20 (1) Subject to the availability of amounts appropriated for this
21 specific purpose, the office of the superintendent of public
22 instruction must establish and implement a grant program to fund
23 training for school resource officers as described in section 2 of
24 this act. Training under this section may be developed by schools in
25 partnership with local law enforcement and organizations that have
26 expertise in topics such as juvenile brain development; restorative
27 practices or restorative justice; social-emotional learning; civil
28 rights; and student rights, including free speech and search and
29 seizure. This training may be provided by the criminal justice
30 training commission.

31 (2) By December 1st of each year the program is funded, the
32 office of the superintendent of public instruction must submit an
33 annual report to the governor and appropriate committees of the
34 legislature on the program."

35 Correct the title.

EFFECT: Specifies that school resource officers (SROs) who are
assigned to work in a school on or before July 28, 2019 (the
effective date of the bill), must satisfy training requirements

established in the underlying bill by July 28, 2023, and that SROs who are assigned to work in a school after July 28, 2019, must satisfy the training requirements in the underlying bill before working in a school.

--- **END** ---