
Education Committee

2SSB 5141

Brief Description: Concerning school resource officer mandatory training and policies.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Wellman, Kuderer, Nguyen, Hunt, Das, Palumbo, Billig, Lias, Darneille, Frockt, Hasegawa and Wilson, C.).

Brief Summary of Second Substitute Bill

- Establishes a statutory definition of "school resource officer" (SRO).
- Establishes requirements for school district SRO programs, including training requirements for SROs and minimum content and review requirements for SRO agreements between school districts and local law enforcement agencies.
- Directs the Office of the Superintendent of Public Instruction to establish and implement a grant program for SRO training, and to provide a report to the Legislature and the Governor each year the program is funded.

Hearing Date: 3/14/19

Staff: Ethan Moreno (786-7386).

Background:

The position of school resource officer (SRO) is not established or defined in Washington law, but the Office of the Superintendent of Public Instruction (OSPI) indicates that an SRO is:

- a commissioned law enforcement officer in the state with sworn authority to make arrests;
- deployed in community-oriented policing; and
- assigned by the employing police department or sheriff's office to work in schools to address crime and disorder problems, gangs, and drug activities affecting or occurring in or around an elementary or secondary schools.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A model policy of the Washington State School Directors' Association, the state agency that provides advice and assistance to local school boards, specifies that if a district engages with a SRO, the district should, in a written memorandum of understanding, clarify its relationship with the SRO, including the SRO's purpose, role, supervisory structure, and limitations on access to student information.

Summary of Bill:

Establishing a Definition for School Resource Officer.

An SRO is defined as a commissioned law enforcement officer in the state of Washington that: has sworn authority to make arrests; is deployed in community-oriented policing; and is assigned by the employing police department or sheriff's office to work in schools to address crime and disorder problems, gangs, and drug activities affecting or occurring in or around kindergarten through grade 12 schools. The definition also provides that SROs should focus on keeping students out of the criminal justice system when possible, and should not be used to attempt to impose criminal sanctions in matters that are more appropriately handled within the educational system.

Requirements for School Resource Officer Programs in School Districts.

If a school district chooses to have an SRO program, the district, by the beginning of the 2020-21 school year, must confirm that every SRO in the district has received training on 12 specified topics, examples of which include:

- constitutional and civil rights of children in schools, including state law governing search and interrogation of youth in schools;
- recognizing and responding to youth mental health issues;
- educational rights of students with disabilities, the relationship of disability to behavior, and best practices for interacting with students with disabilities;
- resources available in the community that serve as alternatives to arrest and prosecution, and pathways for youth to access services without court or criminal justice involvement;
- bias free policing and cultural competency; and
- requirements under the federal Family Educational Rights and Privacy Act.

Agreements between School Districts and Local Law Enforcement Agencies.

School districts with an SRO program must annually review and adopt an agreement with the local law enforcement agency. The agreement review and adoption process must involve parents, students, and community members. At a minimum, the agreement must include:

- a clear statement that SROs may not be involved in student discipline or enforcing school rules, and a clear description of the types of incidents that do not warrant SRO action;
- a school district policy and procedure for teachers that clarify the circumstances under which teachers and school administrators may ask an SRO to intervene with a student;
- annual collection and reporting of data regarding calls for law enforcement service and the outcome of each call, including student arrest and referral for prosecution. This data must meet specified disaggregation requirements;
- a process for families to file complaints with the school and local law enforcement agency related to SROs, and a process for investigating and responding to complaints; and
- confirmation that the SROs have received the required training on the 12 specified topics.

School Resource Officer Grant Program.

The OSPI, subject to specific legislative funding provisions, must establish and implement a grant program to fund training for SROs on the 12 specified topics. The training may be:

- developed by schools in partnership with local law enforcement and organizations that have expertise in delineated topics; and
- provided by the Washington State Criminal Justice Training Commission.

The OSPI must submit a report on the grant program to the Governor and appropriate committees of the Legislature each year the grant program is funded. The report is due each December 1.

Appropriation: None.

Fiscal Note: Available.

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