

SENATE BILL REPORT

2SHB 1216

As Passed Senate - Amended, April 12, 2019

Title: An act relating to nonfirearm measures to increase school safety and student well-being.

Brief Description: Concerning nonfirearm measures to increase school safety and student well-being.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Dolan, Harris, Lovick, Doglio, Stonier, Irwin, Senn, Appleton, Kirby, Vick, Bergquist, Riccelli, Fey, Orwall, Griffey, Gregerson, Peterson, Stanford, Frame, Kilduff, Ortiz-Self, Ryu, Valdez, Lekanoff, Sells, Slatter, Thai, Wylie, Callan, Jinkins, Macri, Goodman and Santos).

Brief History: Passed House: 3/07/19, 83-14.

Committee Activity: Early Learning & K-12 Education: 3/18/19, 3/22/19 [DP-WM, w/oRec].

Ways & Means: 3/28/19, 4/08/19 [DP, w/oRec].

Floor Activity:

Passed Senate - Amended: 4/12/19, 47-0.

Brief Summary of Bill (As Amended by Senate)

- Establishes a statewide network for school safety with a state center, regional centers through the educational service districts, and an advisory committee, subject to appropriations.
- Requires school districts to establish school-based threat assessment programs.
- Directs the Office of the Superintendent of Public Instruction to monitor safety plans and threat assessment programs, subject to appropriations.
- Tasks the Joint Legislative Audit and Review Committee with completing a study on the first responder building mapping information system.
- Adds safe school plan and safety drill requirements.
- Requires school districts that choose to have a school resource officer (SRO) program to adopt an agreement with local law enforcement and confirm that a SRO has received training on specific topics.

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.

- Creates a grant program to fund SRO training and requires the state school safety center to make training materials available, subject to appropriations,

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

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

Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Hunt, McCoy, Pedersen, Salomon and Wagoner.

Minority Report: That it be referred without recommendation.

Signed by Senator Padden.

Staff: Ailey Kato (786-7434)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Braun, Ranking Member; Bailey, Becker, Billig, Carlyle, Conway, Darneille, Hasegawa, Hunt, Keiser, Lias, Palumbo, Pedersen, Rivers, Schoesler, Van De Wege and Wagoner.

Minority Report: That it be referred without recommendation.

Signed by Senators Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Warnick.

Staff: Kayla Hammer (786-7305)

Background: Required School Safety Plans. Current law requires school districts to adopt and implement safe school plans with certain components. To the extent funds are available, school districts must annually review and update these plans. School districts must also adopt a plan for recognition, initial screening, and response to emotional or behavioral distress in students, including but not limited to, indicators of possible substance abuse, violence, youth suicide, and sexual abuse.

School Safety Center and Advisory Committee. In the 2001-02 budget, the Legislature established a school safety center within the Office of the Superintendent of Public Instruction (OSPI) and an advisory committee. The center provides resources to districts and schools to help in the development of emergency operations and safety plans. Specific duties of the center and the advisory committee are not currently codified.

Regional School Safety Programs. Current law allows educational service districts (ESDs) to implement a regional school safety and security program, subject to appropriations. The 2018 supplemental budget included funding to provide grants to ESDs and school districts to develop or expand regional safety programs to address student safety.

Emergency Management Council. This council advises the Governor and the adjutant general on all matters pertaining to state and local emergency management. The council must provide an annual assessment of statewide emergency preparedness and review administrative rules governing state and local emergency management practice.

First Responder Building Mapping Information System. The Washington Association of Sheriffs and Police Chiefs (WASPC) must operate a statewide first responder building mapping information system when funded. The mapping system provides information to emergency first responders such as floor plans and known hazards. All state and local government-owned buildings that are occupied by state or local government employees must be mapped when funding is provided by WASPC or from other sources.

Safety Drills. Current law requires schools to conduct at least one safety-related drill per month when school is in session. These drills must teach students three basic functional drill responses and must incorporate use of the school mapping information system in at least one of the drills and a pedestrian evacuation drill for schools in mapped tsunami hazard zones. The drills may incorporate an earthquake drill.

School Resource Officer. Current state law does not define a SRO. According to OSPI's website, a SRO is a commissioned law enforcement officer in the state of Washington 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 school to address crime and disorder problems, gangs, and drug activities affecting or occurring in or around elementary or secondary schools. SRO funding can come solely from the school district or law enforcement agency, or from a combined funding source.

Mass Shootings Work Group. This work group was created in the 2018 supplemental operating budget and was staffed by WASPC. The work group developed strategies for identification and intervention against potential perpetrators of mass shootings, with an emphasis on school safety, and recommendations for prevention.

Annual School Summit. In 2016, the Legislature directed the school safety advisory committee to hold annual summits. The summit must focus on establishing and monitoring the progress of a statewide plan for funding cost-effective methods for school safety that meet local needs. The summit's focus may also include school safety planning and implementation, training of school safety professionals, and integrating mental health and security measures.

Summary of Amended Bill: Statewide Network for School Safety. Subject to appropriations, OSPI must establish a state school safety center and each ESD must establish a regional school safety center.

The state center has specified duties including:

- serve as a clearinghouse for information regarding comprehensive school safety planning and practices;
- develop model safety policies and procedures; and
- serve as the lead and work with the regional centers to help school districts meet state school safety requirements.

The regional centers have specified duties including coordinating:

- behavioral health services and supports;
- school-based threat assessment; and
- training and technical assistance.

A statute allowing ESDs to implement a regional school safety and security program is repealed.

School Safety and Student Well-Being Advisory Committee. This committee is established to advise OSPI, regional centers, school districts, and public and private schools on all matters related to comprehensive school safety and student well-being. The committee has specified duties including:

- making recommendations on policies and strategies;
- identifying emerging issues;
- establishing priorities; and
- engaging the public.

The committee must meet at least quarterly and submit a report by November 15th every even numbered year.

Emergency Management Council. A representative from OSPI is added to this council. On emergency management issues that involve early learning, K-12, or higher education, the council must consult with the Department of Children, Youth, and Families; OSPI; State Board for Community and Technical Colleges; and an association of public baccalaureate degree granting institutions.

School-Based Threat Assessment Program. By January 1, 2020, the Washington State School Directors' Association, in collaboration with OSPI, must develop a model policy and procedure to establish a school-based threat assessment program. School-based threat assessment means the formal process of evaluating the threatening, or potentially threatening, behavior of a student, and the circumstances surrounding the threat, to uncover any facts or evidence that the threat is likely to be carried out. A school-based threat assessment program must contain specified components.

By the beginning of the 2020-21 school year, each school district must adopt a policy and procedure to establish a school-based threat assessment program. The policy and procedure must be consistent with the model and with other policies, procedures, and plans addressing safe and supportive learning environments.

School Safety Data Collection and Monitoring. Subject to appropriations, OSPI must monitor safety plans and threat assessment programs no less than once every five years to ensure public schools and school districts are meeting state requirements. OSPI may adopt rules to implement these requirements.

OSPI must consult with interested stakeholders to develop data collection and submission requirements for school districts. By December 1, 2020, OSPI must report the plans for data

collection and monitoring and describe any implementation issues that could be fixed through legislation.

First Responder Building Mapping Information System Study. The Joint Legislative Audit and Review Committee (JLARC) must conduct a study of school districts' use of this mapping system. OSPI and WASPC must assist in collecting information from school districts, law enforcement, and emergency first responders. The study must address a number of specified topics including who can access and who uses the system, the costs, what is helpful, and what could be improved. JLARC must submit a report by January 31, 2020.

Safety Drills. Schools must incorporate the following into safety-related drills:

- a pedestrian evacuation drill for schools in mapped lahar zones;
- an earthquake drill using the state-approved safety technique—drop, cover, and hold; and
- a family-student reunification plan.

School Resource Officer. If a school district chooses to have a SRO program, the school district must confirm that every SRO has received training on a number of topics. By the beginning of the 2020-21 school year, school districts must annually review and adopt an agreement with the local law enforcement agency. At a minimum, the agreement must incorporate the following elements:

- a clear statement regarding SRO duties and responsibilities related to student behavior and discipline;
- school district policy and procedure for teachers that clarify the circumstances under which teachers and school administrators may ask a SRO to intervene;
- annual collection and reporting of disaggregated data regarding calls for law enforcement service and the outcome of each call;
- a process for families to file complaints and a process for investigating and responding to complaints; and
- confirmation that the SROs have received the required training.

Subject to appropriations, the state school safety center must identify and make publicly available training materials. OSPI must establish and implement a grant program to fund training for SROs. OSPI must submit a report by December 1st of each year that the grant program is funded.

Conforming amendments are made to existing references to a school safety committee and state center.

Appropriation: The bill contains a null and void clause requiring specific funding be provided in an omnibus appropriation act. The bill contains a section or sections to limit implementation to the availability of amounts appropriated for that specific purpose.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony (Early Learning & K-12 Education): PRO: Issues relating to student health and safety confront school staff every day. This bill creates a statewide system that helps ensure that schools are as safe and supportive as they can be. It increases capacity and support at the state, regional, and local level. These modest investments will have an impact now and in the future. This bill will not solve all of the school safety needs and requirements, but it will provide system-wide momentum and help create a more equitable system. This bill does not require a specific type of threat assessment model and does not require interrogation of students. Threat assessments need to involve a variety of staff members. Increasing the number of support staff and social emotional learning are also important pieces of the puzzle.

OTHER: More counselors and support staff are needed to provide overall support for students. Threat assessments can be misused and deprive students of their rights. Threat assessments disproportionately involve students of color and students with disabilities.

Persons Testifying (Early Learning & K-12 Education): PRO: Lucinda Young, Washington Education Association; Martin Mueller, OSPI; Greg Lynch, Association of Educational Service Districts and Superintendent Olympic ESD, Bremerton; Aurora Flores, President, Washington State School Directors' Association; Carey Morris, League of Education Voters.

OTHER: Vanessa Hernandez, ACLU of Washington.

Persons Signed In To Testify But Not Testifying (Early Learning & K-12 Education): No one.

Staff Summary of Public Testimony (Ways & Means): PRO: The bill takes a comprehensive approach to school safety and is a modest investment that can help with overall safety. Structures are needed to support all school districts to meet their needs. Centralization of the safety centers can be a cost saver. The framework of the bill is consistent with the mass-shooting workgroup recommendations, and the delivery model is efficient.

Persons Testifying (Ways & Means): PRO: Lucinda Young, Washington Education Association; James McMahan, Washington Association of Sheriffs and Police Chiefs; Martin Mueller, OSPI.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.