

SENATE BILL REPORT

ESHB 1214

As Passed Senate, April 3, 2021

Title: An act relating to the provision of K-12 public school safety and security services by classified staff or contractors.

Brief Description: Providing K-12 public school safety and security services by classified staff or contractors.

Sponsors: House Committee on Education (originally sponsored by Representatives Senn, Johnson, J., Ramos, Dolan, Lovick, Santos, Ortiz-Self, Slatter, Berg, Hackney, Callan, Valdez, Macri and Frame).

Brief History: Passed House: 3/2/21, 67-30.

Committee Activity: Early Learning & K-12 Education: 3/19/21, 3/22/21 [DP, DNP].

Floor Activity: Passed Senate: 4/3/21, 34-13.

Brief Summary of Bill

- Creates a new safety and security category of classified staff for public schools.
- Requires safety and security staff to meet certain training requirements.
- Directs school districts and charter schools to adopt a policy and procedure with certain elements, adopt an agreement with the law enforcement agency or security guard company supplying the staff, and collect and submit certain information on safety and security staff to the Office of the Superintendent of Public Instruction.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass.

Signed by Senators Wellman, Chair; Nobles, Vice Chair, K-12; Wilson, C., Vice Chair, Early Learning; Hawkins, Ranking Member; Hunt, Mullet and Pedersen.

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

Minority Report: Do not pass.

Signed by Senators Dozier and McCune.

Staff: Ailey Kato (786-7434)

Background: State and Regional Safety Centers. The State School Safety Center within the Office of the Superintendent of Public Instruction (OSPI) serves as a clearing house for information regarding comprehensive safety planning and practice and disseminates information regarding school safety incidents.

Regional School Safety Centers are established within educational service districts (ESDs). The State and Regional Safety Centers create a statewide network for school safety that helps coordinate school safety efforts and provides resources.

School Resource Officers. School resource officers (SRO) means a commissioned law enforcement officer 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 K-12 schools. 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 more appropriately handled within the educational system.

In 2019, school districts were required to confirm that every SRO received training on 12 subjects. Schools districts that have a SRO program must annually review and adopt an agreement with the local enforcement agency that includes certain elements.

Training Materials and Grants. Subject to appropriations, the State School Safety Center must identify and make publicly available SRO training materials that meet certain requirements. OSPI must also implement a grant program to fund SRO training, which is also subject to appropriations.

Security Guard Licensing Requirements. The Department of Licensing licenses security guards and security companies. All security guards must complete at least eight hours of pre-assignment training and at least eight hours of initial post-assignment training. Once these two components are completed, security guards must complete at least four hours of annual refresher training each year.

Summary of Bill: Safety and Security Staff. A new category of classified staff is defined. "Safety and security staff" means an SRO, a school security officer, a campus security officer, and any other commissioned or noncommissioned employee or contractor, whose primary duty is to provide safety or security services for a public school.

The definition of SRO is amended to include building positive relationships with students.

Training Requirements. Before assigning safety and security staff to work on school property when students are expected to be present, school districts and their contractors must either:

- confirm the staff have training series documentation provided by an ESD; or
- require staff to complete the required training series.

Training Series. The training series has two components for SROs and three components for other safety and security staff:

- classroom training—all safety and security staff must complete classroom training on 13 subjects within the first six months of working;
- on-the-job training—all safety and security staff must complete two days of on-the-job training with experienced staff within the first year of working; and
- check-in training—safety and security staff who are not SROs must complete at least six check-in trainings with experienced staff within the first year of working.

The subjects for classroom training mirrors existing requirements except restorative justice principles and practices is added as a subject.

Educational Service Districts Training Program. ESDs, in collaboration with the State School Safety Center and the School Safety and Student Well-Being Advisory Committee, must develop and administer a safety and security staff training program that meets certain requirements.

At a minimum, classroom training must be provided annually, remotely, synchronously or asynchronously. Classroom training may be provided on a fee-for-service basis and should be self-supporting.

ESDs must develop and publish guidelines for on-the-job training and check-in training including recommendations for identifying training staff, suggested activities, best practices, and possible topics for discussion.

ESDs must verify and provide documentation that the training series has been completed. ESDs may waive components of the training series for staff with significant prior training and experience.

Security Guards. Security guards who receive any of the school safety and security staff classroom training may apply the number of completed classroom training hours to meet either the initial post-assignment training requirement or the annual refresher training requirement for security guards.

School District and Charter School Requirements. The following school district requirements also apply to charter schools.

Policy and Procedure. By the beginning of the 2021-22 school year, school districts that

have safety and security staff working on school property when students are expected to be present must adopt, and periodically update, a policy and procedure that:

- includes a clear statement regarding safety and security staff's duties and responsibilities related to student behavior and discipline;
- clarifies the circumstances under which teachers and school administrators may ask safety and security staff to intervene with a student;
- explains how safety and security staff will be engaged in creating a positive school climate and positive relationships; and
- describes the process for families to file complaints.

Annual Presentation. At the beginning of each school year, school districts that have safety and security staff must present to and discuss with students, and distribute to students' families, information about the role and responsibilities of safety and security staff.

Agreements. School districts must annually review and adopt an agreement with the law enforcement agency or security guard company if safety and security staff work on school property when students are expected to be present. The agreement must be adopted using a process that involves parents, students, and community members and must:

- meet the requirements in the policy and procedure;
- include a jointly determined hiring and placement process and a performance evaluation process; and
- confirm the staff have completed the training series, or a plan to complete the training series.

School districts must submit agreements to OSPI, and OSPI must make them publicly available.

Information Collection. School districts must annually collect the following information on safety and security staff and submit to OSPI to make it publicly available:

- total number of safety and security staff working in the district and in each school building and the number of days per week that each staff works;
- the name of any law enforcement agency or private organization with which the district has an agreement;
- a description of each incident where this staff was involved that resulted in student discipline, use of force against a student, or a student arrest and certain information about the student;
- the number of complaints filed against this staff; and
- other information required by OSPI.

To the extent possible, this information must be disaggregated by certain categories including race and ethnicity, gender, students in foster care, and students experiencing homelessness.

Appropriation: None.

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: PRO: Many schools do not have SROs, but they do have security staff, and this bill would encompass more staff. Many students and families are not aware of the role of safety and security staff. This bill focuses on data, training, and introducing safety and security staff to help improve school climate and work for every student. Early involvement with law enforcement can lead to negative outcomes and long-term involvement with the criminal justice system. Early involvement more often occurs for students of color. This bill requires more data and aims to make all students feel welcome, safe, and supported. Restorative justice was added as a training component. Safety must be balanced with the rights of students. More training can help improve skills and knowledge including data showing disparities for students of color.

Persons Testifying: PRO: Representative Tana Senn, Prime Sponsor; Melissa Gombosky, Association of Educational Service Districts; Ivan Duran, Bellevue School District; Rick Chisa, Public School Employees of Washington; Michael Harrington, Association of Washington School Principals; Lucinda Young, Washington Education Association; Camille Goldy, Office of the Superintendent of Public Instruction.

Persons Signed In To Testify But Not Testifying: No one.