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**ENGROSSED SUBSTITUTE SENATE BILL 6065**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** Senate Early Learning & K-12 Education (originally sponsored by Senators Wellman, Hunt, and Hasegawa)

AN ACT Relating to school district policy and procedures for interviews and interrogations of students on school premises; and adding a new section to chapter 28A.320 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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

(1) By August 1, 2018, each school district shall adopt a policy and procedures for interviews and interrogations of students on school premises that at a minimum incorporates the model policy and procedures on this topic revised by the Washington state school directors' association in July of 2013 and must also include the procedures set forth in subsection (2) of this section.

(2) The procedures adopted under subsection (1) of this section must include the following for law enforcement interviews and interrogations of students not involving child abuse or neglect investigations:

(a) If a student is under twelve years of age, parents, guardians, or designated adults must be notified and give permission before any interview or interrogation takes place unless the law enforcement officer has a warrant, court order, or indicates that exigent circumstances exist;

(b) If a student is twelve to eighteen years of age, the principal or designee will make a reasonable effort to contact the parents or guardians prior to the interview or as soon as possible thereafter. If a parent or guardian cannot be contacted, the principal or designee will contact the designated adults noted on the student's emergency contact card for their consent. Parent contact is not required when the law enforcement officer has a warrant, court order, or indicates that exigent circumstances exist;

(c) If a student is eighteen to twenty-one years of age, the principal or designee is not required to contact the parents or guardians before an interview or interrogation; and

(d) Except when exigent circumstances apply, law enforcement officers must recognize the potential time delay for parents or guardians to be contacted and a reasonable time for parents or guardians to arrive at the school.

(3) School districts shall notify law enforcement officers within their boundaries of the policy and procedures adopted under subsection (1) of this section. Such notification may be by electronic means.

(4) For the purposes of this section, "exigent circumstances" means circumstances that include, but are not limited to, serious threats to the health and safety of students and staff.

**--- END ---**