
HOUSE BILL 1214

State of Washington

67th Legislature

2021 Regular Session

By Representatives Senn, J. Johnson, Ramos, Dolan, Lovick, Santos, Ortiz-Self, Slatter, Berg, Hackney, Callan, Valdez, Macri, and Frame

Read first time 01/15/21. Referred to Committee on Education.

1 AN ACT Relating to the provision of K-12 public school safety and
2 security services by classified staff or contractors; amending RCW
3 28A.320.124; adding a new section to chapter 28A.320 RCW; adding a
4 new section to chapter 28A.400 RCW; adding a new section to chapter
5 28A.310 RCW; adding a new section to chapter 28A.710 RCW; adding a
6 new section to chapter 28A.715 RCW; and creating a new section.

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

8 NEW SECTION. **Sec. 1.** (1) The legislature acknowledges the
9 disproportionate impact that interactions with police have on youth
10 of color and on Black youth in particular. Not only are Black youth
11 more likely than their white peers to have contact with police at a
12 young age despite similar or lower rates of illegal behavior, but
13 early police contact for Black youth is predictive of future arrests
14 in a way that is not true for white youth.

15 (2) The legislature finds that schools should be a place in which
16 all youth feel safe and it is imperative that school resource
17 officers, school security officers, and other school safety and
18 security staff do not contribute to an unsafe environment for Black
19 youth and youth of color.

20 (3) The legislature recognizes that chapter 333, Laws of 2019
21 made significant improvements to the quality and transparency of

1 school districts' school resource officer programs by implementing
2 training and intergovernmental agreement requirements. However, the
3 legislature intends to expand these requirements to other school
4 safety and security staff. The legislature also expects to require
5 on-the-job training and offer a certificate of completion of all the
6 training requirements. In addition, the legislature finds that in
7 order to understand the full scope and impact of safety and security
8 staff on school property, additional information must be collected
9 and made publicly available.

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

12 (1) School districts must annually collect the following
13 information on safety and security staff:

14 (a) Total number of safety and security staff working in the
15 district and in each school building, and number of days per week
16 that each staff works;

17 (b) The name of any law enforcement agency or private
18 organization with which the district has an agreement for safety and
19 security services;

20 (c) A description of each incident where safety and security
21 staff were involved that resulted in escalated involvement with a
22 student, use of force against a student, or a student arrest. The
23 description must include the race and ethnicity and other
24 demographics of any student involved in the incident, including
25 whether any students receive special education services;

26 (d) The number of complaints filed against safety and security
27 staff; and

28 (e) Other school safety and security information required by the
29 office of the superintendent of public instruction.

30 (2) School districts must annually submit any agreements adopted
31 as required by RCW 28A.320.124 and the information collected as
32 required by this section at the time and in the manner required by
33 the office of the superintendent of public instruction. The office of
34 the superintendent of public instruction must make the submitted
35 agreements and information publicly available.

36 (3) For the purposes of this section, "safety and security staff"
37 has the same meaning as in RCW 28A.320.124.

1 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.400
2 RCW to read as follows:

3 (1) Prior to assigning safety and security staff to work on
4 school property during the school day, school districts and their
5 contractors must either:

6 (a) Confirm that the safety and security staff were issued a
7 certificate of completion under section 4 of this act; or

8 (b) Require the safety and security staff to complete the
9 training series described in subsection (2) of this section.

10 (2)(a) The training series, two components for school resource
11 officers and three components for other safety and security staff,
12 must meet the requirements in this subsection.

13 (b) All safety and security staff must complete classroom
14 training on the subjects listed in section 4(2) of this act, before
15 working on school property during the school day.

16 (c) All safety and security staff must complete two days of on-
17 the-job training with experienced safety and security staff, at the
18 school of the experienced staff, within the first year of working on
19 school property during the school day.

20 (d) Safety and security staff who are not school resource
21 officers must complete at least six check-in trainings with
22 experienced staff within the first year of working on school property
23 during the school day.

24 (3) School safety and security staff who complete the training
25 series described in subsection (2) of this section, and staff with
26 significant prior training and experience, may apply for a
27 certificate of completion under section 4 of this act.

28 (4) Nothing in this section effects the categorization of safety
29 and security staff as classified staff. Safety and security staff are
30 not considered certificated instructional staff as that term and its
31 meaning are used in this title.

32 (5) The definitions in this subsection apply throughout this
33 section unless the context clearly requires otherwise.

34 (a) "Safety and security staff" or "staff" has the same meaning
35 as in RCW 28A.320.124.

36 (b) "School resource officer" has the same meaning as in RCW
37 28A.320.124.

38 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.310
39 RCW to read as follows:

1 (1) A safety and security staff training program is established.
2 The program must be jointly developed by the educational service
3 districts, but may be administered primarily by one educational
4 service district. The program must meet the requirements of this
5 section.

6 (2) The educational service districts must, in collaboration with
7 the criminal justice training commission, identify or develop
8 classroom training on the following subjects:

9 (a) Constitutional and civil rights of children in schools,
10 including state law governing search and interrogation of youth in
11 schools;

12 (b) Child and adolescent development;

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

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

15 (e) Educational rights of students with disabilities, the
16 relationship of disability to behavior, and best practices for
17 interacting with students with disabilities;

18 (f) Bias free policing and cultural competency, including best
19 practices for interacting with students from particular backgrounds,
20 including English learner, LGBTQ, immigrant, female, and nonbinary
21 students;

22 (g) Local and national disparities in the use of force and
23 arrests of children;

24 (h) Collateral consequences of arrest, referral for prosecution,
25 and court involvement;

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

29 (j) De-escalation techniques when working with youth or groups of
30 youth;

31 (k) State law regarding restraint and isolation in schools,
32 including RCW 28A.600.485;

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

36 (m) Restorative justice principles and practices.

37 (3) The educational service districts must provide, or arrange
38 for the delivery of, classroom training on the subjects listed in
39 subsection (2) of this section. At a minimum, classroom trainings on

1 each subject must be provided annually, remotely, and by one
2 educational service district.

3 (4) The educational service districts must issue certificates of
4 completion of the safety and security staff training series described
5 in section 3(2) of this act. Before issuing a certificate of
6 completion, completion of each component of the training series must
7 be verified or, in the case of safety and security staff with
8 significant prior training and experience, waived.

9 (5) The educational service districts must develop and publish
10 guidelines for on-the-job training and check-in training that include
11 recommendations for identifying and recruiting experienced safety and
12 security staff to provide the trainings, suggested activities during
13 on-the-job trainings, and best practices for meaningful check-in
14 trainings. The guidelines for check-in training must also include
15 recommended frequency, possible topics of discussion, and options for
16 connecting virtually.

17 (6) For purposes of this section, the term "safety and security
18 staff" has the same meaning as in RCW 28A.320.124.

19 **Sec. 5.** RCW 28A.320.124 and 2019 c 333 s 12 are each amended to
20 read as follows:

21 ~~(1) ((If a school district chooses to have a school resource~~
22 ~~officer program, the school district must confirm that every school~~
23 ~~resource officer has received training on the following topics:~~

24 ~~(a) Constitutional and civil rights of children in schools,~~
25 ~~including state law governing search and interrogation of youth in~~
26 ~~schools;~~

27 ~~(b) Child and adolescent development;~~

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

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

30 ~~(e) Educational rights of students with disabilities, the~~
31 ~~relationship of disability to behavior, and best practices for~~
32 ~~interacting with students with disabilities;~~

33 ~~(f) Collateral consequences of arrest, referral for prosecution,~~
34 ~~and court involvement;~~

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

38 ~~(h) Local and national disparities in the use of force and~~
39 ~~arrests of children;~~

1 ~~(i) De-escalation techniques when working with youth or groups of~~
2 ~~youth;~~

3 ~~(j) State law regarding restraint and isolation in schools,~~
4 ~~including RCW 28A.600.485;~~

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

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

11 ~~(2))~~ School districts that have ~~((a school resource officer~~
12 ~~program))~~ safety and security staff working on school property must
13 annually review and adopt an agreement with the safety and security
14 staff, or where applicable, the local law enforcement agency ~~((using~~
15 ~~a process that involves))~~ or the company that provides the safety and
16 security staff on contract. The agreement review and adoption process
17 must involve parents, students, and community members. At a minimum,
18 the agreement must incorporate the following elements:

19 (a) A clear statement regarding ~~((school resource officer))~~
20 safety and security staff duties and responsibilities related to
21 student behavior and discipline that:

22 (i) Prohibits a school resource officer from becoming involved in
23 formal school discipline situations that are the responsibility of
24 school administrators; and

25 (ii) ~~((Acknowledges the role of a school resource officer as a~~
26 ~~teacher, informal counselor, and law enforcement officer; and~~

27 ~~(iii))~~ Recognizes that ~~((a))~~ trained ~~((school resource officer))~~
28 safety and security staff know~~((s))~~ when to informally interact with
29 students to reinforce school rules and when to enforce the law;

30 (b) School district policy and procedure for teachers that
31 clarify the circumstances under which teachers and school
32 administrators may ask ~~((an officer))~~ safety and security staff to
33 intervene with a student;

34 (c) ~~((Annual collection and reporting of data regarding calls for~~
35 ~~law enforcement service and the outcome of each call, including~~
36 ~~student arrest and referral for prosecution, disaggregated by school,~~
37 ~~offense type, race, gender, age, and students who have an~~
38 ~~individualized education program or plan developed under section 504~~
39 ~~of the federal rehabilitation act of 1973;~~

1 ~~(d))~~ A jointly determined hiring and placement process, and
2 performance evaluation process;

3 (d) How safety and security staff will be engaged in creating a
4 positive school climate and positive relationships with students;

5 (e) A process for families to file complaints with the school
6 and, when applicable, the local law enforcement agency or the company
7 that provides the safety and security staff on contract related to
8 ((school resource officers)) safety and security staff and a process
9 for investigating and responding to complaints; and

10 ~~((e))~~ (f) Confirmation that ((the school resource officers have
11 received)) safety and security staff were issued a certificate of
12 completion under section 4 of this act or describe a plan for
13 providing to safety and security staff the training series required
14 under ((subsection (1) of this section)) section 3 of this act.

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

18 ~~(4) For the purposes of this section, "school")~~ (2) At the
19 beginning of each school year, school districts that have safety and
20 security staff working on school property must present to and discuss
21 with students, and distribute to students' families, information
22 about the role and responsibilities of safety and security staff.

23 (3) The definitions in this subsection apply throughout this
24 section unless the context clearly requires otherwise.

25 (a) "Safety and security staff" means a school resource officer,
26 a school security officer, a campus security officer, and any other
27 commissioned or noncommissioned employee or contractor, whose primary
28 job duty is to provide safety or security services for a public
29 school, as defined in RCW 28A.150.010.

30 (b) "School resource officer" means a commissioned law
31 enforcement officer in the state of Washington with sworn authority
32 to make arrests, deployed in community-oriented policing, and
33 assigned by the employing police department or sheriff's office to
34 work in schools to address crime and disorder problems, gangs, and
35 drug activities affecting or occurring in or around K-12 schools.
36 School resource officers should focus on keeping students out of the
37 criminal justice system when possible and should not be used to
38 attempt to impose criminal sanctions in matters that are more
39 appropriately handled within the educational system.

1 NEW SECTION. **Sec. 6.** A new section is added to chapter 28A.710
2 RCW to read as follows:

3 Sections 2 and 3 of this act and RCW 28A.320.124 govern school
4 operation and management under RCW 28A.710.040 and apply to charter
5 schools established under this chapter.

6 NEW SECTION. **Sec. 7.** A new section is added to chapter 28A.715
7 RCW to read as follows:

8 Sections 2 and 3 of this act and RCW 28A.320.124 govern school
9 operation and management under RCW 28A.715.020 and apply to state-
10 tribal compact schools established under this chapter.

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