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**SUBSTITUTE HOUSE BILL 1214**

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**State of Washington**

**67th Legislature**

**2021 Regular Session**

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

READ FIRST TIME 02/15/21.

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 and 18.170.105; adding new sections to chapter 28A.320  
4 RCW; adding a new section to chapter 28A.400 RCW; adding a new  
5 section to chapter 28A.310 RCW; adding a new section to chapter  
6 28A.710 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 student discipline, use of force  
22 against a student, or a student arrest. For each student involved in  
23 the incident, the description must include:

24 (i) The student's race, ethnicity, and other demographics; and

25 (ii) Whether the student has an individualized education program  
26 or plan developed under section 504 of the rehabilitation act of  
27 1973;

28 (d) The number of complaints related to job duties and student  
29 interactions filed against safety and security staff; and

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

32 (2)(a) School districts must annually submit any agreements  
33 adopted as required by section 6 of this act and the information  
34 collected as required by this section at the time and in the manner  
35 required by the office of the superintendent of public instruction.

36 (b) The office of the superintendent of public instruction must  
37 make the submitted agreements and information publicly available. To  
38 the extent possible, information collected under subsection (1)(c) of  
39 this section must be disaggregated as provided in RCW 28A.300.042.

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

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

5 (1) Prior to assigning safety and security staff to work on  
6 school property when students are expected to be present, school  
7 districts and their contractors must either:

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

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

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

15 (b) All safety and security staff must complete classroom  
16 training on the subjects listed in section 4(2) of this act, within  
17 the first six months of working on school property when students are  
18 expected to be present.

19 (c) All safety and security staff must complete two days of on-  
20 the-job training with experienced safety and security staff, at the  
21 school of the experienced staff, within the first year of working on  
22 school property when students are expected to be present.

23 (d) Safety and security staff who are not school resource  
24 officers must complete at least six check-in trainings with  
25 experienced staff within the first year of working on school property  
26 when students are expected to be present.

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

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

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

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

1 (b) "School resource officer" has the same meaning as in RCW  
2 28A.320.124.

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

5 (1)(a) A safety and security staff training program is  
6 established. The program must be jointly developed by the educational  
7 service districts, but may be administered primarily by one or more  
8 educational service districts. The program must meet the requirements  
9 of this section.

10 (b) When developing the safety and security staff training  
11 program, the educational service districts should engage with the  
12 state school safety center established in RCW 28A.300.630 and the  
13 school safety and student well-being advisory committee established  
14 in RCW 28A.300.635.

15 (2) The educational service districts must identify or develop  
16 classroom training on the following subjects:

17 (a) Constitutional and civil rights of children in schools,  
18 including state law governing search and interrogation of youth in  
19 schools;

20 (b) Child and adolescent development;

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

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

23 (e) Educational rights of students with disabilities, the  
24 relationship of disability to behavior, and best practices for  
25 interacting with students with disabilities;

26 (f) Bias free policing and cultural competency, including best  
27 practices for interacting with students from particular backgrounds,  
28 including English learner, LGBTQ, immigrant, female, and nonbinary  
29 students;

30 (g) Local and national disparities in the use of force and  
31 arrests of children;

32 (h) Collateral consequences of arrest, referral for prosecution,  
33 and court involvement;

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

37 (j) De-escalation techniques when working with youth or groups of  
38 youth;

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

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

6 (m) Restorative justice principles and practices.

7 (3) The educational service districts must provide, or arrange  
8 for the delivery of, classroom training on the subjects listed in  
9 subsection (2) of this section. At a minimum, classroom trainings on  
10 each subject must be provided annually, remotely, synchronously or  
11 asynchronously, and by at least one educational service district.  
12 Classroom training may be provided on a fee-for-service basis and  
13 should be self-supporting.

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

20 (5) The educational service districts must develop and publish  
21 guidelines for on-the-job training and check-in training that include  
22 recommendations for identifying and recruiting experienced safety and  
23 security staff to provide the trainings, suggested activities during  
24 on-the-job trainings, and best practices for meaningful check-in  
25 trainings. The guidelines for check-in training must also include  
26 recommended frequency, possible topics of discussion, and options for  
27 connecting virtually.

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

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

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

35 ~~(a) Constitutional and civil rights of children in schools,  
36 including state law governing search and interrogation of youth in  
37 schools;~~

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

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

1 ~~(d) Recognizing and responding to youth mental health issues;~~  
2 ~~(e) Educational rights of students with disabilities, the~~  
3 ~~relationship of disability to behavior, and best practices for~~  
4 ~~interacting with students with disabilities;~~  
5 ~~(f) Collateral consequences of arrest, referral for prosecution,~~  
6 ~~and court involvement;~~  
7 ~~(g) Resources available in the community that serve as~~  
8 ~~alternatives to arrest and prosecution and pathways for youth to~~  
9 ~~access services without court or criminal justice involvement;~~  
10 ~~(h) Local and national disparities in the use of force and~~  
11 ~~arrests of children;~~  
12 ~~(i) De-escalation techniques when working with youth or groups of~~  
13 ~~youth;~~  
14 ~~(j) State law regarding restraint and isolation in schools,~~  
15 ~~including RCW 28A.600.485;~~  
16 ~~(k) Bias free policing and cultural competency, including best~~  
17 ~~practices for interacting with students from particular backgrounds,~~  
18 ~~including English learners, LGBTQ, and immigrants; and~~  
19 ~~(1) The federal family educational rights and privacy act (20~~  
20 ~~U.S.C. Sec. 1232g) requirements including limits on access to and~~  
21 ~~dissemination of student records for noneducational purposes.~~  
22 ~~(2) School districts that have a school resource officer program~~  
23 ~~must annually review and adopt an agreement with the local law~~  
24 ~~enforcement agency using a process that involves parents, students,~~  
25 ~~and community members. At a minimum, the agreement must incorporate~~  
26 ~~the following elements)) By the beginning of the 2021-22 school year,~~  
27 ~~school districts that have safety and security staff working on~~  
28 ~~school property when students are expected to be present must adopt,~~  
29 ~~and periodically update, a policy and procedure that:~~  
30 ~~(a) ((A)) Includes a clear statement regarding ((school resource~~  
31 ~~officer)) safety and security staff duties and responsibilities~~  
32 ~~related to student behavior and discipline that:~~  
33 ~~(i) Prohibits a school resource officer from becoming involved in~~  
34 ~~formal school discipline situations that are the responsibility of~~  
35 ~~school administrators; and~~  
36 ~~(ii) ((Acknowledges the role of a school resource officer as a~~  
37 ~~teacher, informal counselor, and law enforcement officer; and~~  
38 ~~(iii))) Recognizes that ((a)) trained ((school resource officer))~~  
39 ~~safety and security staff know((s)) when to informally interact with~~  
40 ~~students to reinforce school rules and when to enforce the law;~~

1           (b) ~~((School district policy and procedure for teachers that~~  
2 ~~clarify))~~ Clarifies the circumstances under which teachers and school  
3 administrators may ask ~~((an officer))~~ safety and security staff to  
4 intervene with a student;

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

11           ~~(d) A)~~ Explains how safety and security staff will be engaged in  
12 creating a positive school climate and positive relationships with  
13 students; and

14           (d) Describes the process for families to file complaints with  
15 the school and, when applicable, the local law enforcement agency or  
16 the company that provides the safety and security staff on contract  
17 related to ((school resource officers)) safety and security staff and  
18 a process for investigating and responding to complaints~~((; and~~

19           ~~(e) Confirmation that the school resource officers have received~~  
20 ~~the training required under subsection (1) of this section).~~

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

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

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

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

36           (b) "School resource officer" means a commissioned law  
37 enforcement officer in the state of Washington with sworn authority  
38 to make arrests, deployed in community-oriented policing, and  
39 assigned by the employing police department or sheriff's office to  
40 work in schools to address crime and disorder problems, gangs, and

1 drug activities affecting or occurring in or around K-12 schools.  
2 School resource officers should focus on keeping students out of the  
3 criminal justice system when possible and should not be used to  
4 attempt to impose criminal sanctions in matters that are more  
5 appropriately handled within the educational system.

6 NEW SECTION. **Sec. 6.** A new section is added to chapter 28A.320  
7 RCW to read as follows:

8 (1)(a) If a law enforcement agency or security guard company  
9 supplies safety and security staff to work on school property when  
10 students are expected to be present, the school district must  
11 annually review and adopt an agreement with the law enforcement  
12 agency or security guard company that meets the requirements of this  
13 section. The agreement must:

- 14 (i) Meet the requirements described in RCW 28A.320.124(1);  
15 (ii) Include a jointly determined hiring and placement process  
16 and a performance evaluation process; and  
17 (iii) Either confirm that the safety and security staff were  
18 issued a certificate of completion under section 4(4) of this act or  
19 describe the plan for safety and security staff to complete the  
20 training series described under section 3(2) of this act.

21 (b) The agreement review and adoption process must involve  
22 parents, students, and community members.

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

25 NEW SECTION. **Sec. 7.** A new section is added to chapter 28A.710  
26 RCW to read as follows:

27 Sections 2, 3, and 6 of this act and RCW 28A.320.124 govern  
28 school operation and management under RCW 28A.710.040 and apply to  
29 charter schools established under this chapter.

30 **Sec. 8.** RCW 18.170.105 and 2007 c 306 s 2 are each amended to  
31 read as follows:

32 (1) To promote the safety of persons and the security of  
33 property, the director shall meet with interested parties to develop  
34 lists of suggested preassignment, postassignment, and postassignment  
35 refresher training by rule.

36 (2) All security guards licensed on or after July 1, 2005, must  
37 complete at least eight hours of preassignment training, comprised of



1 at least four hours of classroom instruction and an additional four  
2 hours of classroom instruction or individual instruction, or both.  
3 The preassignment training may be waived for any individual who was  
4 most recently employed full time as a sworn peace officer not more  
5 than five years prior to applying to become licensed as a private  
6 security guard and who passes the examination typically administered  
7 to applicants at the conclusion of the preassignment training.

8 (3)(a) All security guards licensed on or after July 1, 2005,  
9 must complete at least eight hours of initial postassignment training  
10 that shall be administered to each security guard. The initial  
11 postassignment training must be in the topic areas established by the  
12 director and may be classroom instruction or individual instruction,  
13 or both. A company may waive the initial postassignment training for  
14 security guards already licensed who transfer from another company,  
15 if the security guard presents appropriate training records signed by  
16 a department-certified trainer from the previous company, or a signed  
17 affidavit that the individual has already completed the required  
18 initial postassignment training provided by his or her previous  
19 company.

20 (b) Security guards who received their temporary security guard  
21 registration card on or before July 22, 2007, must receive their  
22 initial postassignment training before June 30, 2008. Security guards  
23 who received their temporary security guard registration card after  
24 July 22, 2007, must receive their initial postassignment training as  
25 specified in (c) and (d) of this subsection.

26 (c) Security guards licensed between January 1st and June 30th of  
27 any calendar year may receive eight hours of initial postassignment  
28 training any time between the day following the issuance of a  
29 temporary security guard registration card with their company and  
30 June 30th of the year following initial issuance of their license by  
31 the department.

32 (d) Security guards initially licensed between July 1st and  
33 December 31st of any calendar year may receive eight hours of initial  
34 postassignment training at any time between the day following the  
35 issuance of a temporary security guard registration card with their  
36 company and December 31st of the year following initial issuance of  
37 their license by the department.

38 (4) Following completion of the preassignment and postassignment  
39 training, at least four total hours of annual refresher training  
40 shall be administered to security guards each subsequent year. The

1 subsequent year begins, for refresher training purposes, the day  
2 following the last date the security guard is required to receive the  
3 eight hours of initial postassignment training. No more than one hour  
4 per year of annual refresher training may focus directly on customer  
5 service-related skills or topics and the remaining three hours per  
6 year of annual refresher training must focus on emergency response  
7 concepts, skills, or topics including but not limited to knowledge of  
8 site post orders or life safety.

9 (5) Security guards who receive any of the school safety and  
10 security staff classroom training described in section 4(2) of this  
11 act may apply the number of completed classroom training hours to  
12 meet either the initial postassignment training requirement or the  
13 annual refresher training requirement.

14 (6) Companies must maintain records regarding the training hours  
15 completed by each employee. All such records are subject to  
16 inspection by the department. The training requirements and test  
17 results must be recorded and attested to by a department-certified  
18 trainer. Training records must contain a description of the topics  
19 covered, the name and signature of the trainer, and the name and  
20 signature of the security guard.

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