CERTIFICATION OF ENROLLMENT

**SECOND SUBSTITUTE HOUSE BILL 1216**

Chapter 333, Laws of 2019

66th Legislature

2019 Regular Session

SCHOOL SAFETY AND STUDENT WELL-BEING

EFFECTIVE DATE: July 28, 2019

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| Passed by the House April 23, 2019  Yeas 81 Nays 15  FRANK CHOPP  **Speaker of the House of Representatives**  Passed by the Senate April 12, 2019  Yeas 47 Nays 0  CYRUS HABIB  **President of the Senate** | CERTIFICATE  I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE HOUSE BILL 1216** as passed by the House of Representatives and the Senate on the dates hereon set forth.  BERNARD DEAN  Chief Clerk |
| Approved May 9, 2019 2:43 PM | May 13, 2019 |
| JAY INSLEE  **Governor of the State of Washington** | **Secretary of State**  **State of Washington** |

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**SECOND SUBSTITUTE HOUSE BILL 1216**

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AS AMENDED BY THE SENATE

Passed Legislature - 2019 Regular Session

**State of Washington 66th Legislature 2019 Regular Session**

**By** House 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)

AN ACT Relating to nonfirearm measures to increase school safety and student well-being; amending RCW 38.52.040, 28A.320.125, 28A.300.273, 28A.300.490, 28A.320.126, and 28A.320.1271; adding new sections to chapter 28A.300 RCW; adding a new section to chapter 28A.310 RCW; adding new sections to chapter 28A.320 RCW; creating new sections; repealing RCW 28A.310.505; and providing an expiration date.

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

NEW SECTION. **Sec.**  INTENT. (1) The legislature recognizes that school safety supports effective teaching and learning by creating and promoting a physically, emotionally, socially, behaviorally, and academically secure climate for students, staff, and visitors. Keeping a school safe involves planning for the prevention of, intervention in, mitigation of, protection from, response to, and recovery from various natural, physical, social, emotional, biological, and technological threats and trauma to an individual, the school, and the community.

(2) The legislature has taken steps over the years to improve the safety of public school students by, for example: (a) Requiring schools and school districts to have school safety plans in place; (b) requiring school districts to have plans for recognition, initial screening, and response to emotional or behavioral distress in students, including indicators of possible substance abuse, violence, youth suicide, and sexual abuse; (c) requiring the use of a statewide first responder building mapping information system; (d) requiring school districts to adopt policies and procedures to prevent harassment, intimidation, and bullying, including cyberbullying; and (e) prohibiting firearms and other dangerous weapons on school premises.

(3) The legislature finds that many school districts need additional supports to keep their schools safe. The legislature intends to establish a statewide network of the structural components necessary to enhance student safety in schools so that students have a sense of well-being and can focus on learning. This network, or system, of comprehensive school safety supports is based on the work of the state school safety center, which supports the regional school safety centers at each educational service district. The regional school safety centers, in collaboration with community school safety stakeholders, support the efforts of the local school districts and schools to bring best practices in school safety to every school and classroom in the state. The school safety and student well-being advisory committee provides ongoing advice to the state and regional school safety centers, as well as public and private schools. The state and regional school safety centers, together with the school safety and student well-being advisory committee, bring together caring adults, including those who work directly with students every day, to define school safety problems at the state and local levels and identify solutions to those problems, such as creating needed programs and identifying necessary supports. Creating a system of comprehensive school safety supports will maximize the use of state and local resources so that every student can attend a school with a safe, healthy, and supportive learning environment.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.300 RCW to read as follows:

STATE SCHOOL SAFETY CENTER.

(1) Subject to the availability of amounts appropriated for this specific purpose, the superintendent of public instruction shall establish a school safety center as provided in this section.

(2) The center, working in conjunction with the regional school safety centers established in section 3 of this act, forms a statewide network for school safety.

(3) The center, in collaboration with staff in the office of the superintendent of public instruction, must:

(a) Serve as a clearinghouse for information regarding comprehensive school safety planning and practice;

(b) Disseminate information regarding school safety incidents in Washington and across the country;

(c) Develop and maintain a public web site to increase the availability of information, research, and other materials related to school safety;

(d) Serve as the lead school safety center, and work in conjunction with the regional school safety centers, to support school districts efforts to meet state requirements regarding school safety including the development and implementation of:

(i) Comprehensive safe school plans as required by RCW 28A.320.125; and

(ii) Plans for recognition, initial screening, and response to emotional or behavioral distress in students as required by RCW 28A.320.127;

(e) Develop model school safety policies and procedures and identify best practices in school safety;

(f) Work in conjunction with the regional school safety centers to plan for the provision of school safety trainings and to provide technical assistance;

(g) Hold an annual school safety summit as required by RCW 28A.300.273;

(h) Support the required activities of the regional school safety centers, established in section 3 of this act; and

(i) Perform other functions consistent with the purpose of the center, as described in this section.

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

REGIONAL SCHOOL SAFETY CENTERS.

(1) Subject to the availability of amounts appropriated for this specific purpose, each educational service district must establish a regional school safety center as provided in this section.

(2) The regional school safety centers working in collaboration with one another and the state school safety center, established in section 2 of this act, form a statewide network for school safety. The purpose of this statewide network is to provide coordination of school safety efforts throughout the state and to provide school safety resources to the school districts in each educational service district region.

(3) Working in collaboration with the office of the superintendent of public instruction and the statewide network, each regional school safety center must provide to the school districts in its region:

(a) Behavioral health coordination that, at a minimum, includes:

(i) Providing support for school district development and implementation of plans for recognition, initial screening, and response to emotional or behavioral distress in students as required by RCW 28A.320.127;

(ii) Suicide prevention training for school counselors, school psychologists, and school social workers;

(iii) Facilitating partnerships and coordination between school districts, public schools, and existing regional and local systems of behavioral health care services and supports in order to increase student and family access to the services and supports;

(iv) Assisting school districts and public schools in building capacity to identify and support students in need of behavioral health care services and to link students and families with community-based behavioral health care services;

(v) Identifying, sharing, and integrating, to the extent practicable, behavioral and physical health care service delivery models;

(vi) Providing medicaid billing related training, technical assistance, and coordination between school districts; and

(vii) Guidance in implementing best practices in response to, and to recover from, the suicide or attempted suicide of a student;

(b) School-based threat assessment coordination that, at a minimum, includes:

(i) Providing training and technical assistance regarding the use of the model policy and procedure to establish a school-based threat assessment program, developed under section 6 of this act;

(ii) Assisting with ongoing identification and implementation of best practices for school-based threat assessment programs, described under section 5 of this act; and

(iii) Building partnerships with community partners, such as behavioral health providers, law enforcement agencies, emergency responders, juvenile justice organizations, and child welfare agencies, for the purpose of implementing school-based threat assessment programs that comply with best practices;

(c) Assistance with coordinating other entities in the region to provide support to school districts before emergencies occur;

(d) Plan, coordinate, and deliver the trainings required by this subsection (3), and other school district staff trainings related to school safety, in order to maximize quality professional learning;

(e) Technical assistance to school districts seeking funding for first aid, health, and safety and security resources;

(f) Information about systems and programs that allow anonymous reporting of student concerns;

(g) Real-time support and assistance for school districts in crisis, such as offering information, technical assistance associated with best practices, and staff trained in responding to school emergencies;

(h) Develop collaborative relationships with community organizations, private schools, businesses, and others interested in supporting safe schools; and

(i) Other services consistent with state and federal school safety requirements, including comprehensive safe school planning under RCW 28A.320.125.

(4) The regional school safety centers may, based on the needs of the school districts in their region, and in collaboration with emergency responders, provide assistance to, and facilitate communication between, emergency responders and schools or school districts impacted by emergency situations.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.300 RCW to read as follows:

SCHOOL SAFETY AND STUDENT WELL-BEING ADVISORY COMMITTEE.

(1) The school safety and student well-being advisory committee is established within the office of the superintendent of public instruction. The purpose of the committee is to advise the superintendent, the office of the superintendent of public instruction's school safety center, the regional school safety centers, school districts, and public and private schools on all matters related to comprehensive school safety and student well-being.

(2) The superintendent of public instruction must appoint the members of the committee. The members must represent the following sectors, agencies, and organizations, at a minimum: The various state education associations, including teachers associations, the association of colleges for teacher education, and associations for educational staff associates; the educational service districts; the state ethnic commissions; the governor's office of Indian affairs; parent organizations; student organizations; private schools; emergency management; behavioral health; public health; law enforcement; and emergency first responders.

(3) The committee shall:

(a) Make recommendations to those it advises on policies and strategies to improve school safety and student well-being;

(b) Identify emerging issues and best practices for consideration and implementation, particularly as these relate to the integration of student well-being and school safety;

(c) Establish priorities for training, funding, statewide data collection, and other forms of support for students, schools, and school districts;

(d) Engage the public on school safety and student well-being; and

(e) Perform other duties as required by law.

(4) By November 15, 2020, and by November 15th every even year thereafter, and in compliance with RCW 43.01.036, the committee must coordinate with the office of the superintendent of public instruction's school safety center to submit a report to the appropriate committees of the legislature. The report must summarize the committee's activities during the past biennium, include recommended state policies and strategies for improving school safety and student well-being, provide an estimate of the cost to implement each recommendation, and prioritize the recommendations.

(5) Staff support for the committee must be provided by the office of the superintendent of public instruction.

(6) The committee must meet at least quarterly.

(7) Members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other members is subject to chapter 43.03 RCW.

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

SCHOOL-BASED THREAT ASSESSMENT PROGRAM.

(1) At a minimum, a school-based threat assessment program must:

(a) Provide for timely and methodical school-based threat assessment and management;

(b) Be prompted by the behavior of a student rather than some combination of a student's demographic and personal characteristics;

(c) Convene a multidisciplinary, multiagency team, including special education teachers and practicing educational staff associates, to:

(i) Identify and assess the behavior of a student that is threatening, or potentially threatening, to self, other students, staff, school visitors, or school property;

(ii) Gather and analyze information about the student's behavior to determine a level of concern for the threat that focuses on situational variables, rather than the student's demographic or personal characteristics;

(iii) Depending on the determined level of concern, develop and implement intervention strategies to manage the student's behavior in ways that promote a safe, supportive teaching and learning environment, without excluding the student from the school; and

(iv) In the case of the threatening, or potentially threatening, behavior of a student with disabilities, align intervention strategies with the student's individualized education program or plan developed under section 504 of the rehabilitation act of 1973 by coordinating with the student's individualized education program or section 504 plan team;

(d) Create guidelines for each threat assessment team to collect, report, and review quantitative data on its activities; and

(e) Prohibit suspension or expulsion based merely on threat assessment referral or performance.

(2) By the beginning of the 2020-21 school year, each school district shall adopt a policy and procedure to establish a school-based threat assessment program that meets the requirements of subsection (1) of this section. The school district policy and procedure must be consistent with the model policy and procedure developed under section 6 of this act, and with other school district policies, procedures, and plans addressing safe and supportive learning environments.

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

(a) "School-based threat assessment" means the formal process, established by a school district, 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.

(b) "School-based threat management" means the development and implementation of a plan to manage or reduce the threatening, or potentially threatening, behavior of a student in a way that increases the physical and psychological safety of students, staff, and visitors, while providing for the education of all students.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.300 RCW to read as follows:

MODEL SCHOOL-BASED THREAT ASSESSMENT POLICY AND PROCEDURE.

(1) The Washington state school directors' association, in collaboration with the office of the superintendent of public instruction, shall develop a model policy and procedure to establish a school-based threat assessment program that meets the requirements of section 5 of this act. The model policy and procedure must be posted on the web site of the state school safety center, established in section 2 of this act, by January 1, 2020.

(2) In developing the model policy and procedure, the Washington state school directors' association and the office of the superintendent of public instruction must:

(a) Consult with the school safety and student well-being advisory committee, established under section 4 of this act, and other organizations with expertise in school safety, behavioral health, the rights of students with disabilities, and protecting civil liberties; and

(b) Consider multilevel threat assessment programs implemented in schools in Washington.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.300 RCW to read as follows:

DATA COLLECTION AND MONITORING.

(1) Subject to the availability of amounts appropriated for this specific purpose, in order to ensure that public schools and school districts are meeting the requirements of RCW 28A.320.125 relating to comprehensive safe school plans, RCW 28A.320.127 related to plans for recognition, initial screening, and response to emotional or behavioral distress in students, and section 5 of this act relating to school-based threat assessment programs, the superintendent of public instruction shall monitor these programs no less than once every five years.

(2) The superintendent of public instruction must consult with interested stakeholders to develop data collection and submission requirements for school districts as they relate to RCW 28A.320.125 relating to comprehensive safe school plans, RCW 28A.320.127 related to plans for recognition, initial screening, and response to emotional or behavioral distress in students, and section 5 of this act relating to school-based threat assessment programs.

(3) By December 1, 2020, and in compliance with RCW 43.01.036, the office of the superintendent of public instruction must report to the appropriate committees of the legislature regarding the office's plans for data collection and monitoring under this section and describing any implementation issues that could be fixed through legislation.

(4) The superintendent of public instruction may adopt rules under chapter 34.05 RCW to implement this section.

NEW SECTION. **Sec.**  FIRST RESPONDER BUILDING MAPPING INFORMATION SYSTEM STUDY. (1) The joint legislative audit and review committee shall conduct a study of school districts' use of the first responder mapping information system under RCW 36.28A.060. The office of the superintendent of public instruction and the Washington association of sheriffs and police chiefs shall provide advice and assistance to the committee's effort to collect information from school districts, law enforcement, and emergency first responders.

(2) The study must seek to identify:

(a) Which school districts are using the system under RCW 36.28A.060;

(b) Which law enforcement, emergency first responder, and emergency management agencies have access to the system;

(c) Whether, and to what extent, law enforcement, emergency first responder, and emergency management agencies use the system when responding to actual safety or security incidents at or around schools;

(d) How school districts use the system, including whether it is used in school safety-related drills required under RCW 28A.320.125;

(e) How soon after building or remodeling a school, do school districts update the system;

(f) Whether school districts are using alternative methods consistent with the system, as allowed under RCW 28A.320.125(2), and, if so, why these districts are not using the system;

(g) What are the school districts' costs for using the system or any alternative methods;

(h) Whether the system is interoperable with other systems used by school districts and educational service districts;

(i) What training school district staff receive on using the system;

(j) Whether it would be efficient and effective to coordinate use of the system through the educational service districts; and

(k) What aspects of the system school districts, law enforcement agencies, and emergency first responder agencies find helpful and what aspects, if any, could be improved, including technology updates.

(3) By January 31, 2020, and in compliance with RCW 43.01.036, the committee must provide a report to the appropriate committees of the legislature that describes the results of the study.

(4) This section expires August 31, 2021.

**Sec.**  RCW 38.52.040 and 2015 c 274 s 17 are each amended to read as follows:

EMERGENCY MANAGEMENT COUNCIL CONSULTATION WITH EDUCATION EXPERTS.

(1) There is hereby created the emergency management council (hereinafter called the council), to consist of not more than ((~~seventeen~~)) eighteen members who shall be appointed by the adjutant general. The membership of the council shall include, but not be limited to, representatives of city and county governments, sheriffs and police chiefs, the Washington state patrol, the military department, the department of ecology, state and local fire chiefs, seismic safety experts, state and local emergency management directors, search and rescue volunteers, medical professions who have expertise in emergency medical care, building officials, ((~~and~~)) private industry; and the office of the superintendent of public instruction. The representatives of private industry shall include persons knowledgeable in emergency and hazardous materials management. The councilmembers shall elect a chair from within the council membership. The members of the council shall serve without compensation, but may be reimbursed for their travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

(2) The emergency management council shall advise the governor and the director on all matters pertaining to state and local emergency management. The council may appoint such ad hoc committees, subcommittees, and working groups as are required to develop specific recommendations for the improvement of emergency management practices, standards, policies, or procedures. The council shall ensure that the governor receives an annual assessment of statewide emergency preparedness including, but not limited to, specific progress on hazard mitigation and reduction efforts, implementation of seismic safety improvements, reduction of flood hazards, and coordination of hazardous materials planning and response activities. The council shall review administrative rules governing state and local emergency management practices and recommend necessary revisions to the director.

(3) The council or a council subcommittee shall serve and periodically convene in special session as the state emergency response commission required by the emergency planning and community right-to-know act (42 U.S.C. Sec. 11001 et seq.). The state emergency response commission shall conduct those activities specified in federal statutes and regulations and state administrative rules governing the coordination of hazardous materials policy including, but not limited to, review of local emergency planning committee emergency response plans for compliance with the planning requirements in the emergency planning and community right-to-know act (42 U.S.C. Sec. 11001 et seq.). Committees shall annually review their plans to address changed conditions, and submit their plans to the state emergency response commission for review when updated, but not less than at least once every five years. The department may employ staff to assist local emergency planning committees in the development and annual review of these emergency response plans, with an initial focus on the highest risk communities through which trains that transport oil in bulk travel. By March 1, 2018, the department shall report to the governor and legislature on progress towards compliance with planning requirements. The report must also provide budget and policy recommendations for continued support of local emergency planning.

(4)(a) The intrastate mutual aid committee is created and is a subcommittee of the emergency management council. The intrastate mutual aid committee consists of not more than five members who must be appointed by the council chair from council membership. The chair of the intrastate mutual aid committee is the military department representative appointed as a member of the council. Meetings of the intrastate mutual aid committee must be held at least annually.

(b) In support of the intrastate mutual aid system established in chapter 38.56 RCW, the intrastate mutual aid committee shall develop and update guidelines and procedures to facilitate implementation of the intrastate mutual aid system by member jurisdictions, including but not limited to the following: Projected or anticipated costs; checklists and forms for requesting and providing assistance; recordkeeping; reimbursement procedures; and other implementation issues. These guidelines and procedures are not subject to the rule-making requirements of chapter 34.05 RCW.

(5) On emergency management issues that involve early learning, kindergarten through twelfth grade, or higher education, the emergency management council must consult with representatives from the following organizations: The department of children, youth, and families; the office of the superintendent of public instruction; the state board for community and technical colleges; and an association of public baccalaureate degree granting institutions.

**Sec.**  RCW 28A.320.125 and 2017 c 165 s 1 are each amended to read as follows:

MODIFYING DRILL REQUIREMENTS.

(1) The legislature considers it to be a matter of public safety for public schools and staff to have current safe school plans and procedures in place, fully consistent with federal law. The legislature further finds and intends, by requiring safe school plans to be in place, that school districts will become eligible for federal assistance. The legislature further finds that schools are in a position to serve the community in the event of an emergency resulting from natural disasters or man-made disasters.

(2) Schools and school districts shall consider the guidance and resources provided by the ((~~superintendent of public instruction, including the comprehensive school safety checklist and the model comprehensive safe school plans that include prevention, intervention, all hazard/crisis response, and postcrisis recovery~~))state school safety center, established under section 2 of this act, and the regional school safety centers, established under section 3 of this act, when developing their own individual comprehensive safe school plans. Each school district shall adopt((~~, no later than September 1, 2008,~~)) and implement a safe school plan consistent with the school mapping information system pursuant to RCW 36.28A.060. The plan shall:

(a) Include required school safety policies and procedures;

(b) Address emergency mitigation, preparedness, response, and recovery;

(c) Include provisions for assisting and communicating with students and staff, including those with special needs or disabilities;

(d) Include a family-student reunification plan, including procedures for communicating the reunification plan to staff, students, families, and emergency responders;

(e) Use the training guidance provided by the Washington emergency management division of the state military department in collaboration with the ((~~Washington~~)) state school safety center in the office of the superintendent of public instruction ((~~school safety center~~)), established under section 2 of this act, and the school safety ((~~center~~)) and student well-being advisory committee, established under section 4 of this act;

((~~(e)~~)) (f) Require the building principal to be certified on the incident command system;

((~~(f)~~)) (g) Take into account the manner in which the school facilities may be used as a community asset in the event of a community-wide emergency; and

((~~(g)~~)) (h) Set guidelines for requesting city or county law enforcement agencies, local fire departments, emergency service providers, and county emergency management agencies to meet with school districts and participate in safety-related drills.

(3) To the extent funds are available, school districts shall annually:

(a) Review and update safe school plans in collaboration with local emergency response agencies;

(b) Conduct an inventory of all hazardous materials;

(c) Update information on the school mapping information system to reflect current staffing and updated plans, including:

(i) Identifying all staff members who are trained on the national incident management system, trained on the incident command system, or are certified on the incident command system; and

(ii) Identifying school transportation procedures for evacuation, to include bus staging areas, evacuation routes, communication systems, parent-student reunification sites, and secondary transportation agreements consistent with the school mapping information system; and

(d) Provide information to all staff on the use of emergency supplies and notification and alert procedures.

(4) To the extent funds are available, school districts shall annually record and report on the information and activities required in subsection (3) of this section to the Washington association of sheriffs and police chiefs.

(5) School districts are encouraged to work with local emergency management agencies and other emergency responders to conduct one tabletop exercise, one functional exercise, and two full-scale exercises within a four-year period.

(6)(a) Due to geographic location, schools have unique safety challenges. It is the responsibility of school principals and administrators to assess the threats and hazards most likely to impact their school, and to practice three basic functional drills, shelter-in-place, lockdown, and evacuation, as these drills relate to those threats and hazards. Some threats or hazards may require the use of more than one basic functional drill.

(b) Schools shall conduct at least one safety-related drill per month, including summer months when school is in session with students. These drills must teach students three basic functional drill responses:

(i) "Shelter-in-place," used to limit the exposure of students and staff to hazardous materials, such as chemical, biological, or radiological contaminants, released into the environment by isolating the inside environment from the outside;

(ii) "Lockdown," used to isolate students and staff from threats of violence, such as suspicious trespassers or armed intruders, that may occur in a school or in the vicinity of a school; and

(iii) "Evacuation," used to move students and staff away from threats, such as fires, oil train spills, lahars, or tsunamis.

(c) The drills described in (b) of this subsection must incorporate the following requirements:

(i) Use of the school mapping information system in at least one of the safety-related drills; ((~~and~~))

(ii) A pedestrian evacuation drill for schools in mapped lahars or tsunami hazard zones((~~.~~)); and

((~~(d) The drills described in (b) of this subsection may incorporate~~)) (iii) An earthquake drill using the state-approved earthquake safety technique "drop, cover, and hold."

((~~(e)~~)) (d) Schools shall document the date, time, and type (shelter-in-place, lockdown, or evacuate) of each drill required under this subsection (6), and maintain the documentation in the school office.

((~~(f)~~)) (e) This subsection (6) is intended to satisfy all federal requirements for comprehensive school emergency drills and evacuations.

(7) Educational service districts are encouraged to apply for federal emergency response and crisis management grants with the assistance of the superintendent of public instruction and the Washington emergency management division of the state military department.

(8) The superintendent of public instruction may adopt rules to implement provisions of this section. These rules may include, but are not limited to, provisions for evacuations, lockdowns, or other components of a comprehensive safe school plan.

NEW SECTION. **Sec.**  INTENT. It is not the intent of the legislature to require school resource officers to work in schools. If a school district chooses to have a school resource officer program, it is the intent of the legislature to create statewide consistency for the minimum training requirements that school resource officers must receive and ensure that there is a clear agreement between the school district and local law enforcement agency in order to help establish effective partnerships that protect the health and safety of all students.

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

SCHOOL RESOURCE OFFICER PROGRAMS.

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

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

(b) Child and adolescent development;

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

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

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

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

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

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

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

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

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

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

(2) School districts that have a school resource officer program must annually review and adopt an agreement with the local law enforcement agency using a process that involves parents, students, and community members. At a minimum, the agreement must incorporate the following elements:

(a) A clear statement regarding school resource officer duties and responsibilities related to student behavior and discipline that:

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

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

(iii) Recognizes that a trained school resource officer knows when to informally interact with students to reinforce school rules and when to enforce the law;

(b) School district policy and procedure for teachers that clarify the circumstances under which teachers and school administrators may ask an officer to intervene with a student;

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

(d) A process for families to file complaints with the school and local law enforcement agency related to school resource officers and a process for investigating and responding to complaints; and

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

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

(4) For the purposes of this section, "school resource officer" means 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 schools to address crime and disorder problems, gangs, and drug activities affecting or occurring in or around K-12 schools. School resource officers 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 that are more appropriately handled within the educational system.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.300 RCW to read as follows:

SCHOOL RESOURCE OFFICER TRAINING MATERIALS AND GRANTS.

(1) Subject to the availability of amounts appropriated for this specific purpose, by January 1, 2020, the state school safety center, established in section 2 of this act, in collaboration with the school safety and student well-being advisory committee, established in section 4 of this act, and law enforcement entities interested in providing training to school resource officers, shall identify and make publicly available training materials that are consistent with the requirements in section 12 of this act.

(2)(a) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction must establish and implement a grant program to fund training for school resource officers as described in section 12 of this act. Eligible grantees include school districts, educational service districts, law enforcement agencies, and law enforcement training organizations. Training under this section may be developed by schools in partnership with local law enforcement and organizations that have expertise in topics such as juvenile brain development; restorative practices or restorative justice; social-emotional learning; civil rights; and student rights, including free speech and search and seizure. This training may be provided by the criminal justice training commission.

(b) By December 1st of each year the program is funded, the office of the superintendent of public instruction must submit an annual report to the governor and appropriate committees of the legislature on the program.

**Sec.**  RCW 28A.300.273 and 2016 c 240 s 3 are each amended to read as follows:

CONFORMING AMENDMENTS.

(1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction and the school safety and student well-being advisory committee shall hold annual school safety summits. Each annual 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. Other areas of focus may include planning and implementation of school safety planning efforts, training of school safety professionals, and integrating mental health and security measures.

(2) Summit participants must be appointed no later than August 1, 2016.

(a) ((~~The majority and minority leaders of the senate shall appoint two members from each of the relevant~~)) The president of the senate shall appoint two members from each of the two largest caucuses of the senate.

(b) The speaker of the house of representatives shall appoint two members from each of the two largest caucuses of the house of representatives.

(c) The governor shall appoint one representative.

(3) Other summit participants may include representatives from the office of the superintendent of public instruction, the department of health, educational service districts, educational associations, emergency management, law enforcement, fire departments, parent organizations, and student organizations.

(4) Staff support for the annual summit shall be provided by the office of the superintendent of public instruction ((~~and the school safety advisory committee~~)).

(5) Legislative members of the summit are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

**Sec.**  RCW 28A.300.490 and 2007 c 406 s 2 are each amended to read as follows:

CONFORMING AMENDMENTS.

(1) A task force on gangs in schools is created to examine current adult and youth gang activities that are affecting school safety. The task force shall work under the guidance of the office of the superintendent of public instruction's school safety center, the school safety ((~~center~~)) and student well-being advisory committee established in section 4 of this act, and the Washington association of sheriffs and police chiefs.

(2) The task force shall be comprised of representatives, selected by the superintendent of public instruction, who possess expertise relevant to gang activity in schools. The task force shall outline methods for preventing new gangs, eliminating existing gangs, gathering intelligence, and sharing information about gang activities.

(3) Beginning December 1, 2007, the task force shall annually report its findings and recommendations to the education committees of the legislature.

**Sec.**  RCW 28A.320.126 and 2013 c 233 s 1 are each amended to read as follows:

CONFORMING AMENDMENTS.

School districts must work collaboratively with local law enforcement agencies and school security personnel to develop an emergency response system using evolving technology to expedite the response and arrival of law enforcement in the event of a threat or emergency at a school. School districts are encouraged to use the model policies developed by the school safety ((~~[center] advisory committee of~~)) center in the office of the superintendent of public instruction as a resource. Each school district must submit a progress report on its implementation of an emergency response system as required under this section to the office of the superintendent of public instruction by December 1, 2014.

**Sec.**  RCW 28A.320.1271 and 2013 c 197 s 5 are each amended to read as follows:

CONFORMING AMENDMENTS.

The office of the superintendent of public instruction's ((~~and the~~)) school safety ((~~[center] advisory committee~~)) center, established in section 2 of this act, shall develop a model school district 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, and youth suicide. The model plan must incorporate research-based best practices, including practices and protocols used in schools and school districts in other states. The model plan must be posted by February 1, 2014, on the school safety center web site, along with relevant resources and information to support school districts in developing and implementing the plan required under RCW 28A.320.127.

NEW SECTION. **Sec.**  REPEALER. RCW 28A.310.505 (Regional school safety and security programs) and 2016 c 240 s 6 are each repealed.

NEW SECTION. **Sec.**  If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2019, in the omnibus appropriations act, this act is null and void.

**--- END ---**

Passed by the House April 23, 2019.

Passed by the Senate April 12, 2019.

Approved by the Governor May 9, 2019.

Filed in Office of Secretary of State May 13, 2019.