

2SHB 1216 - S AMD 612
By Senator Wellman

ADOPTED 04/12/2019

1 On page 15, after line 25, insert the following:

2 "NEW SECTION. **Sec. 11.** INTENT. It is not the intent of the
3 legislature to require school resource officers to work in schools.
4 If a school district chooses to have a school resource officer
5 program, it is the intent of the legislature to create statewide
6 consistency for the minimum training requirements that school
7 resource officers must receive and ensure that there is a clear
8 agreement between the school district and local law enforcement
9 agency in order to help establish effective partnerships that protect
10 the health and safety of all students.

11 NEW SECTION. **Sec. 12.** A new section is added to chapter 28A.320
12 RCW to read as follows:

13 SCHOOL RESOURCE OFFICER PROGRAMS. (1) If a school district
14 chooses to have a school resource officer program, the school
15 district must confirm that every school resource officer has received
16 training on the following topics:

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

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

- 1 (h) Local and national disparities in the use of force and
2 arrests of children;
- 3 (i) De-escalation techniques when working with youth or groups of
4 youth;
- 5 (j) State law regarding restraint and isolation in schools,
6 including RCW 28A.600.485;
- 7 (k) Bias free policing and cultural competency, including best
8 practices for interacting with students from particular backgrounds,
9 including English learners, LGBTQ, and immigrants; and
- 10 (l) The federal family educational rights and privacy act (20
11 U.S.C. Sec. 1232g) requirements including limits on access to and
12 dissemination of student records for noneducational purposes.
- 13 (2) School districts that have a school resource officer program
14 must annually review and adopt an agreement with the local law
15 enforcement agency using a process that involves parents, students,
16 and community members. At a minimum, the agreement must incorporate
17 the following elements:
- 18 (a) A clear statement regarding school resource officer duties
19 and responsibilities related to student behavior and discipline that:
- 20 (i) Prohibits a school resource officer from becoming involved in
21 formal school discipline situations that are the responsibility of
22 school administrators;
- 23 (ii) Acknowledges the role of a school resource officer as a
24 teacher, informal counselor, and law enforcement officer; and
- 25 (iii) Recognizes that a trained school resource officer knows
26 when to informally interact with students to reinforce school rules
27 and when to enforce the law;
- 28 (b) School district policy and procedure for teachers that
29 clarify the circumstances under which teachers and school
30 administrators may ask an officer to intervene with a student;
- 31 (c) Annual collection and reporting of data regarding calls for
32 law enforcement service and the outcome of each call, including
33 student arrest and referral for prosecution, disaggregated by school,
34 offense type, race, gender, age, and students who have an
35 individualized education program or plan developed under section 504
36 of the federal rehabilitation act of 1973;
- 37 (d) A process for families to file complaints with the school and
38 local law enforcement agency related to school resource officers and
39 a process for investigating and responding to complaints; and

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

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

6 (4) For the purposes of this section, "school resource officer"
7 means a commissioned law enforcement officer in the state of
8 Washington with sworn authority to make arrests, deployed in
9 community-oriented policing, and assigned by the employing police
10 department or sheriff's office to work in schools to address crime
11 and disorder problems, gangs, and drug activities affecting or
12 occurring in or around K-12 schools. School resource officers should
13 focus on keeping students out of the criminal justice system when
14 possible and should not be used to attempt to impose criminal
15 sanctions in matters that are more appropriately handled within the
16 educational system.

17 NEW SECTION. **Sec. 13.** A new section is added to chapter 28A.300
18 RCW to read as follows:

19 SCHOOL RESOURCE OFFICER TRAINING MATERIALS AND GRANTS. (1)
20 Subject to the availability of amounts appropriated for this specific
21 purpose, by January 1, 2020, the state school safety center,
22 established in section 2 of this act, in collaboration with the
23 school safety and student well-being advisory committee, established
24 in section 4 of this act, and law enforcement entities interested in
25 providing training to school resource officers, shall identify and
26 make publicly available training materials that are consistent with
27 the requirements in section 12 of this act.

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

1 speech and search and seizure. This training may be provided by the
2 criminal justice training commission.

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

7 Renumber the remaining sections consecutively and correct any
8 internal references accordingly.

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9 On page 1, line 5 of the title, after "adding" strike "a new
10 section" and insert "new sections"

- EFFECT: (1) Defines school resource officer (SRO).
(2) Requires school districts that choose to have a SRO program to confirm that the SRO has received training on specific topics.
(3) Directs school districts with a SRO program to annually review and adopt an agreement with local law enforcement that incorporates certain elements.
(4) Creates a grant program to fund SRO training.
(5) Adds an intent section.

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