

# SENATE BILL REPORT

## SB 5216

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As of February 5, 2019

**Title:** An act relating to multistage threat assessments to increase safety in K-12 schools and institutions of higher education.

**Brief Description:** Developing multistage threat assessments to increase safety in K-12 schools and institutions of higher education.

**Sponsors:** Senators O'Ban and Frockt.

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education: 1/30/19.

**Brief Summary of Bill**

- Defines threat assessment as a multistage structured team process that is used to evaluate the risk posed by individuals or groups, typically as a response to an actual or perceived threat or concerning behavior.
- Requires school districts and institutions of higher education to develop and implement a multistage threat assessment process by December 31, 2019.
- Directs educational service districts to develop and maintain the capacity to offer training, coordination, and evaluation on the multistage threat assessment process.
- Provides that reengagement plans for long-term suspended or expelled students should be communicated with law enforcement and service providers as appropriate.

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Staff:** Ailey Kato (786-7434)

**Background:** Mass Shootings Work Group. This work group was created in the 2018 supplemental operating budget and was staffed by the Washington Association of Sheriffs and Police Chiefs. The work group was tasked with developing strategies for identification

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and intervention against potential perpetrators of mass shootings, with an emphasis on school safety, and recommendations for prevention.

The work group adopted 25 recommendations. Five of these recommendations addressed the multi-stage threat assessment process.

Educational Service Districts Regional Safety Programs. The 2018 supplemental budget included \$722,000 for fiscal year 2019 to the Office of the Superintendent of Public Instruction (OSPI) to provide grants to educational service districts (ESDs) and school districts to develop or expand regional safety programs to address student safety. At a minimum, programs must:

- implement a multi-tier threat assessment system;
- develop a process for notifying schools, including private schools, of safety emergencies; and
- make recommendations or implement appropriate safety technology consistent with regional need.

ESD 105 (Yakima) and ESD 114 (Bremerton) are the lead ESDs and received the bulk of this funding; however, each ESD received some funding.

In 2018, OSPI and the ESDs applied for the federal STOP School Violence Act of 2018, which authorized the United States Department of Justice, Bureau of Justice Assistance to manage a grant program that addresses certain elements of school safety. OSPI and the Ellensburg School District received federal funding to help develop and conduct threat assessments.

Reengagement Plans. State law requires school districts to convene a meeting with a student and the student's parent or guardian after a long-term suspension or expulsion to discuss a plan to reengage the student. The reengagement plan must be tailored to the student's circumstances.

**Summary of Bill:** Threat Assessments in K-12 Schools and Institutions of Higher Education. A threat assessment is a multistage structured team process that is used to evaluate the risk posed by a student or another person, typically as a response to an actual or perceived threat or concerning behavior. If the threat assessment indicates that there is a risk of violence in a specific situation, the team conducting the threat assessment must collaborate with others including the appropriate law enforcement agencies to develop and implement a plan to manage or reduce the threat posed by the student or another person.

By December 31, 2019, school districts and institutions of higher education must develop and implement a multistage threat assessment process that meets local safety needs and aligns with an evidence-based model. At a minimum, the multistage threat assessment process must include the following essential components:

- based on behaviors, not characteristics of individuals;
- incorporated into the school district's broader system of student supports;
- include engagement with families whenever possible and within the limits of state and federal law; and
- address the needs of students with disabilities.

Institutions of higher education must involve coordination with school districts for students enrolled in the Running Start program.

Educational Service District Training, Coordination, and Evaluation. Each ESD must develop and maintain the capacity to offer training, coordination, and evaluation on the multistage threat assessment process. An ESD may demonstrate capacity by employing staff with sufficient expertise to offer the training or by contracting with individuals or organizations to offer the training. Training may be offered on a fee-for-service basis, or at no cost to school districts or educators if funds are appropriated specifically for this purpose or made available through grants or other sources.

Reengagement Plans. Reengagement plans for long-term suspended or expelled students should be communicated with law enforcement and service providers as appropriate.

**Appropriation:** The bill contains a section or sections to limit implementation to the availability of amounts appropriated for that specific purpose.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: A team approach to threat assessment helps schools work collaboratively and connect the dots to find out when there is an issue that needs to be addressed. The threat assessment process will help prevent violence, enhance school safety, and help students who are struggling. Threat assessment combats the school-to-prison pipeline. Threat assessment should be part of a comprehensive approach to school safety. Special education teachers, school psychologists, counselors, social workers, and nurses should help develop the threat assessment process. SROs can be an important part of the threat assessment team. Reengagement plans for students who have been expelled or long-term suspended should be shared with teachers, and teachers should help create the plan. The timeline for implementing threat assessment is too tight.

**Persons Testifying:** PRO: Senator Steve O'Ban, Prime Sponsor; Mona Johnson, Office of the Superintendent of Public Instruction; Lucinda Young, Washington Education Association; Jeff DeVere, Washington Council of Police and Sheriffs; Jessica Vavrus, Washington State School Directors' Association; Melissa Gombosky, Association of Educational Service Districts; Adam Scattergood, ESD 112; Ruhi Tufts, CCDA; James McMahan, Washington Association Sheriffs and Police Chiefs.

**Persons Signed In To Testify But Not Testifying:** No one.