

SENATE BILL REPORT

SB 5317

As Reported by Senate Committee On:
Early Learning & K-12 Education, February 6, 2019
Ways & Means, February 28, 2019

Title: An act relating to nonfirearm measures to increase school safety and student well-being.

Brief Description: Concerning nonfirearm measures to increase school safety and student well-being.

Sponsors: Senators Wellman, Nguyen, Zeiger, Kuderer, Cleveland, Padden, Das, Frockt, Hunt, Saldaña and Wilson, C..

Brief History:

Committee Activity: Early Learning & K-12 Education: 1/30/19, 2/06/19 [DPS-WM].
Ways & Means: 2/20/19, 2/28/19 [DP2S].

Brief Summary of Second Substitute Bill

- Establishes a statewide network for school safety with a state center, regional centers through the educational service districts, and an advisory committee, subject to appropriations.
- Requires school districts to adopt a policy and procedure to establish school-based threat assessment programs.
- Directs the Office of the Superintendent of Public Instruction to monitor safety plans and threat assessment programs no less than once every five years.
- Tasks the Joint Legislative Audit and Review Committee with completing a study on the first responder building mapping information system.
- Changes safety drill requirements.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: That Substitute Senate Bill No. 5317 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy, Hunt, McCoy, Mullet, Padden, Pedersen, Salomon and Wagoner.

Staff: Ailey Kato (786-7434)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Second Substitute Senate Bill No. 5317 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey, Becker, Billig, Carlyle, Conway, Darneille, Hasegawa, Hunt, Keiser, Liias, Palumbo, Pedersen, Rivers, Schoesler, Van De Wege, Wagoner, Warnick and Wilson, L..

Staff: Kayla Hammer (786-7305)

Background: Required School Safety Plans. Current law requires school districts to adopt and implement safe school plans with certain components. To the extent funds are available, school districts must annually review and update these plans.

School districts must also adopt a 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, youth suicide, and sexual abuse.

School Safety Center and Advisory Committee. In the 2001-02 budget, the Legislature established a school safety center within the Office of the Superintendent of Public Instruction (OSPI) and an advisory committee. The center provides resources to districts and schools to help in the development of emergency operations and safety plans. Specific duties of the center and the advisory committee are not currently codified.

Regional School Safety Programs. Current law allows educational service districts (ESDs) to implement a regional school safety and security program subject to appropriations. The 2018 supplemental budget included funding to OSPI for providing grants to ESDs and school districts to develop or expand regional safety programs to address student safety.

Emergency Management Council. This council advises the Governor and the adjutant general on all matters pertaining to state and local emergency management. The council must provide an annual assessment of statewide emergency preparedness and review administrative rules governing state and local emergency management practice.

First Responder Building Mapping Information System. The Washington Association of Sheriffs and Police Chiefs (WASPC) must operate a statewide first responder building mapping information system when funded. The mapping system provides information to emergency first responders such as floor plans and known hazards. All state and local government-owned buildings that are occupied by state or local government employees must be mapped when funding is provided by WASPC or from other sources.

Safety Drills. Current law requires schools to conduct at least one safety-related drill per month when school is in session. These drills must teach students three basic functional drill responses and must incorporate use of the school mapping information system in at least one of the drills and a pedestrian evacuation drill for schools in mapped tsunami hazard zones. The drills may incorporate an earthquake drill.

Mass Shootings Work Group. This work group was created in the 2018 supplemental operating budget and was staffed by WASPC. The work group developed strategies for identification and intervention against potential perpetrators of mass shootings, with an emphasis on school safety, and recommendations for prevention.

Annual School Summit. In 2016, the Legislature directed the school safety advisory committee to hold annual summits. The 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. The summit's focus may also include school safety planning and implementation, training of school safety professionals, and integrating mental health and security measures.

Summary of Bill (Second Substitute): Statewide Network for School Safety. Subject to appropriations, OSPI must establish a state school safety center and each ESD must establish a regional school safety center.

The state center has specified duties including:

- serve as a clearinghouse for information regarding comprehensive school safety planning and practices;
- develop model safety policies and procedures; and
- serve as the lead and work with the regional centers to help school districts meet state school safety requirements.

The regional centers have specified duties including coordinating:

- comprehensive school safety planning;
- behavioral health services and supports;
- school-based threat assessment; and
- training and technical assistance.

A statute allowing ESDs to implement a regional school safety and security program is repealed.

School Safety and Student Well-Being Advisory Committee. This committee is established within OSPI, subject to appropriation, with the purpose of advising OSPI, regional centers, school districts, and public and private schools on all matters related to comprehensive school safety and student well-being. The committee has specified duties including:

- making recommendations on policies and strategies;
- identifying emerging issues;
- establishing priorities; and
- engaging the public.

The committee must meet at least quarterly and submit a report by November 15th every even numbered year.

Emergency Management Council. A representative from OSPI is added to this council. On emergency management issues that involve early learning, K-12, or higher education, the council must consult with Department of Children, Youth, and Families; OSPI; State Board for Community and Technical Colleges; and an association of public baccalaureate degree granting institutions.

School-Based Threat Assessment Program. By January 1, 2020, the Washington State School Directors' Association, in collaboration with OSPI, must develop a model policy and procedure to establish a school-based threat assessment program. School-based threat assessment means the formal process 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. A school-based threat assessment program must contain specified components.

By the beginning of the 2020-21 school year, each school district must adopt a policy and procedure to establish a school-based threat assessment program. The policy and procedure must be consistent with the model and with other policies, procedures, and plans addressing safe and supportive learning environments.

School Safety Data Collection and Monitoring. Subject to appropriations, OSPI must monitor safety plans and threat assessment programs no less than once every five years to ensure public schools and school districts are meeting state requirements. OSPI may adopt rules to implement these requirements.

OSPI must consult with interested stakeholders to develop data collection and submission requirements for school districts. By December 1, 2020, OSPI must report the plans for data collection and monitoring and describe any implementation issues that could be fixed through legislation.

First Responder Building Mapping Information System Study. The Joint Legislative Audit and Review Committee (JLARC) must conduct a study of school districts' use of this mapping system. OSPI and WASPC must provide advice and assistance to JLARC's effort to collect information from school districts, law enforcement, and emergency first responders. The study must address a number of specified topics including who can access and who uses the system, the costs, what is helpful, and what could be improved. JLARC must submit a report by January 31, 2020.

Safety Drills. Schools must incorporate the following into safety-related drills:

- a pedestrian evacuation drill for schools in mapped lahar zones;
- an earthquake drill using the state-approved safety technique—drop, cover, and hold;
and
- a student-family reunification plan.

Conforming amendments are made to existing references to a school safety committee and state center.

EFFECT OF CHANGES MADE BY WAYS & MEANS COMMITTEE (Second Substitute):

- Adds that safe school plans must include a student-family reunification plan.
- Adds the intent of the legislature is to increase student health and well-being by requiring each school building to have a primary contact who is trained in recognizing, screening, and responding to emotional or behavioral distress in students.
- Requires each school district to have a student health and well-being primary contact.
- Makes the school safety and student well-being advisory committee subject to appropriation.
- Removes a section providing staff allocations for the state and regional school safety centers be based on certificated instructional staff allocations and include benefits using rates specified in the operating budget.

EFFECT OF CHANGES MADE BY EARLY LEARNING & K-12 EDUCATION COMMITTEE (First Substitute):

- Provides that the president of the Senate, instead of the majority and minority leaders, must appoint two members from each of the two largest caucuses, instead of the relevant caucuses, of the senate to participate in the annual school safety summit.

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 on Original Bill (Early Learning & K-12 Education): *The committee recommended a different version of the bill than what was heard.* PRO: This comprehensive approach builds a foundation of support through a statewide and regional safety network through the ESDs. This approach promotes collaboration with a number of entities. Small school districts rely on ESDs for help with addressing and coordinating school safety. School principals need support with threat assessment and more adults in the school building to help students with the many issues they face. This bill should include more preventative measures such as social emotional learning, multi-tiered systems of support, and mental health services. School safety drills should include the family reunification process. The JLARC study should include all buildings not only schools.

OTHER: Children of color and children with disabilities are disproportionately referred to the threat assessment process. Many times there is no significant threat. Data needs to track this process to ensure that the process supports students and keeps them in school. Students have little access to legal representation during this process, and sometimes this process can be misused.

Persons Testifying (Early Learning & K-12 Education): PRO: Mona Johnson, Office of the Superintendent of Public Instruction; Lucinda Young, Washington Education Association; Kaaren Heikes, Director of Policy & Partnerships, Washington State Board of Education; Jessica Vavrus, Washington State School Directors' Association; Julia Warth, League of Education Voters; Robin Zaback, Washington State PTA; Roz Thompson, Association of Washington School Principals; Greg Lynch, Olympic Educational Service District, Bremerton; Dana Rosenbach, North Mason School District; James McMahan, Washington Association of Sheriffs and Police Chiefs.

OTHER: Vanessa Hernandez, ACLU of Washington; Chris Williams, Cedar Law.

Persons Signed In To Testify But Not Testifying (Early Learning & K-12 Education): No one.

Staff Summary of Public Testimony on First Substitute (Ways & Means): *The committee recommended a different version of the bill than what was heard.* PRO: Aligns with priorities to support safety planning in schools. Will have a high impact at a low cost. The advisory committee will be helpful to keep issues fresh.

Persons Testifying (Ways & Means): PRO: Senator Lisa Wellman, Prime Sponsor; Mona Johnson, Office of the Superintendent of Public Instruction; Nancy Chamberlain, Washington State PTA; Lucinda Young, Washington Education Association; Jessica Vavrus, Washington State School Directors' Association; Greg Lynch, Superintendent, Olympic Educational Service District 114; Julia Warth, League of Education Voters; James McMahan, Washington Association of Sheriffs and Police Chiefs.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.