

2 **SSB 5543** - H COMM AMD **Adopted 3-6-02**  
3 By Committee on Education

4

5 Strike everything after the enacting clause and insert the  
6 following:

7 NEW SECTION. **Sec. 1.** Following the tragic events of September  
8 11, 2001, the government's primary role in protecting the health,  
9 safety, and well-being of its citizens has been underscored. The  
10 legislature recognizes that there is a need to focus on the development  
11 and implementation of comprehensive safe school plans for each public  
12 school. The legislature recognizes that comprehensive safe school  
13 plans for each public school are an integral part of rebuilding public  
14 confidence. In developing these plans, the legislature finds that a  
15 coordinated effort is essential to ensure the most effective response  
16 to any type of emergency. Further, the legislature recognizes that  
17 comprehensive safe school plans for each public school are of paramount  
18 importance and will help to assure students, parents, guardians, school  
19 employees, and school administrators that our schools provide the  
20 safest possible learning environment.

21 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.320  
22 RCW to read as follows:

23 (1) By June 1, 2002, within existing resources, the superintendent  
24 of public instruction, in consultation with representatives from the  
25 emergency management division of the state military department,  
26 educators, classified staff, principals, superintendents,  
27 administrators, the American society for industrial security, the state  
28 criminal justice training commission, the Washington association of  
29 sheriffs and police chiefs, and others as determined by the  
30 superintendent, shall provide guidance to school districts in  
31 developing comprehensive safe school plans for each school. This  
32 guidance shall include, but shall not be limited to, a comprehensive  
33 school safety checklist to use as a tool when developing their own  
34 individual comprehensive safe school plans, and successful models of

1 comprehensive safe school plans that include prevention, intervention,  
2 all-hazards/crisis response, and postcrisis recovery.

3 (2) Schools and school districts shall consider the guidance,  
4 including the comprehensive school safety checklist and the model  
5 comprehensive safe school plans, when developing their own individual  
6 comprehensive safe school plans.

7 (3) The superintendent of public instruction, in consultation with  
8 school district superintendents, shall establish timelines for school  
9 districts to develop individual comprehensive safe school plans. The  
10 superintendent of public instruction shall require school districts to  
11 periodically report progress on their comprehensive safe school plans.

12 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.300  
13 RCW to read as follows:

14 (1) The superintendent of public instruction, in consultation with  
15 the fire protection bureau of the Washington state patrol and the  
16 emergency management division of the state military department, shall  
17 adopt rules that are applicable to public schools so that in case of  
18 emergency, students and staff shall be able to take appropriate action  
19 as the emergency demands. The rules shall be published and distributed  
20 to certificated and classified personnel throughout the state.

21 (2) The rules in subsection (1) of this section may establish the  
22 type and frequency of drills that school districts shall conduct.

23 **Sec. 4.** RCW 28A.305.130 and 1997 c 13 s 5 are each amended to read  
24 as follows:

25 In addition to any other powers and duties as provided by law, the  
26 state board of education shall:

27 (1) Approve or disapprove the program of courses leading to  
28 teacher, school administrator, and school specialized personnel  
29 certification offered by all institutions of higher education within  
30 the state which may be accredited and whose graduates may become  
31 entitled to receive such certification.

32 (2) Conduct every five years a review of the program approval  
33 standards, including the minimum standards for teachers,  
34 administrators, and educational staff associates, to reflect research  
35 findings and assure continued improvement of preparation programs for  
36 teachers, administrators, and educational staff associates.

1 (3) Investigate the character of the work required to be performed  
2 as a condition of entrance to and graduation from any institution of  
3 higher education in this state relative to such certification as  
4 provided for in subsection (1) (~~above~~) of this section, and prepare  
5 a list of accredited institutions of higher education of this and other  
6 states whose graduates may be awarded such certificates.

7 (4)(a) The state board of education shall adopt rules to allow a  
8 teacher certification candidate to fulfill, in part, teacher  
9 preparation program requirements through work experience as a  
10 classified teacher's aide in a public school or private school meeting  
11 the requirements of RCW 28A.195.010. The rules shall include, but are  
12 not limited to, limitations based upon the recency of the teacher  
13 preparation candidate's teacher aide work experience, and limitations  
14 based on the amount of work experience that may apply toward teacher  
15 preparation program requirements under this chapter.

16 (b) The state board of education shall require that at the time of  
17 the individual's enrollment in a teacher preparation program, the  
18 supervising teacher and the building principal shall jointly provide to  
19 the teacher preparation program of the higher education institution at  
20 which the teacher candidate is enrolled, a written assessment of the  
21 performance of the teacher candidate. The assessment shall contain  
22 such information as determined by the state board of education and  
23 shall include: Evidence that at least fifty percent of the candidate's  
24 work as a classified teacher's aide was involved in instructional  
25 activities with children under the supervision of a certificated  
26 teacher and that the candidate worked a minimum of six hundred thirty  
27 hours for one school year; the type of work performed by the candidate;  
28 and a recommendation of whether the candidate's work experience as a  
29 classified teacher's aide should be substituted for teacher preparation  
30 program requirements. In compliance with such rules as may be  
31 established by the state board of education under this section, the  
32 teacher preparation programs of the higher education institution where  
33 the candidate is enrolled shall make the final determination as to what  
34 teacher preparation program requirements may be fulfilled by teacher  
35 aide work experience.

36 (5) Supervise the issuance of such certificates as provided for in  
37 subsection (1) (~~above~~) of this section and specify the types and  
38 kinds of certificates necessary for the several departments of the

1 common schools by rule or regulation in accordance with RCW  
2 28A.410.010.

3 (6) Accredite, subject to such accreditation standards and  
4 procedures as may be established by the state board of education, all  
5 schools that apply for accreditation, and approve, subject to the  
6 provisions of RCW 28A.195.010, private schools carrying out a program  
7 for any or all of the grades kindergarten through twelve: PROVIDED,  
8 That no private school may be approved that operates a kindergarten  
9 program only: PROVIDED FURTHER, That no public or private schools  
10 shall be placed upon the list of accredited schools so long as secret  
11 societies are knowingly allowed to exist among its students by school  
12 officials: PROVIDED FURTHER, That the state board may elect to require  
13 all or certain classifications of the public schools to conduct and  
14 participate in such preaccreditation examination and evaluation  
15 processes as may now or hereafter be established by the board.

16 (7) Make rules and regulations governing the establishment in any  
17 existing nonhigh school district of any secondary program or any new  
18 grades in grades nine through twelve. Before any such program or any  
19 new grades are established the district must obtain prior approval of  
20 the state board.

21 (8) Prepare such outline of study for the common schools as the  
22 board shall deem necessary, and prescribe such rules for the general  
23 government of the common schools, as shall seek to secure regularity of  
24 attendance, prevent truancy, secure efficiency, and promote the true  
25 interest of the common schools.

26 (9) Continuously reevaluate courses and adopt and enforce  
27 regulations within the common schools so as to meet the educational  
28 needs of students and articulate with the institutions of higher  
29 education and unify the work of the public school system.

30 (10) Carry out board powers and duties relating to the organization  
31 and reorganization of school districts under RCW 28A.315.010 through  
32 28A.315.680 and 28A.315.900.

33 ~~(11) ((By rule or regulation promulgated upon the advice of the  
34 chief of the Washington state patrol, through the director of fire  
35 protection, provide for instruction of pupils in the public and private  
36 schools carrying out a K through 12 program, or any part thereof, so  
37 that in case of sudden emergency they shall be able to leave their  
38 particular school building in the shortest possible time or take such  
39 other steps as the particular emergency demands, and without confusion~~

1 ~~or panic; such rules and regulations shall be published and distributed~~  
2 ~~to certificated personnel throughout the state whose duties shall~~  
3 ~~include a familiarization therewith as well as the means of~~  
4 ~~implementation thereof at their particular school.~~

5 (12)) Hear and decide appeals as otherwise provided by law.

6 The state board of education is given the authority to promulgate  
7 information and rules dealing with the prevention of child abuse for  
8 purposes of curriculum use in the common schools.

9 **Sec. 5.** RCW 42.17.310 and 2001 c 278 s 1, 2001 c 98 s 2, and 2001  
10 c 70 s 1 are each reenacted and amended to read as follows:

11 (1) The following are exempt from public inspection and copying:

12 (a) Personal information in any files maintained for students in  
13 public schools, patients or clients of public institutions or public  
14 health agencies, or welfare recipients.

15 (b) Personal information in files maintained for employees,  
16 appointees, or elected officials of any public agency to the extent  
17 that disclosure would violate their right to privacy.

18 (c) Information required of any taxpayer in connection with the  
19 assessment or collection of any tax if the disclosure of the  
20 information to other persons would (i) be prohibited to such persons by  
21 RCW 84.08.210, 82.32.330, 84.40.020, or 84.40.340 or (ii) violate the  
22 taxpayer's right to privacy or result in unfair competitive  
23 disadvantage to the taxpayer.

24 (d) Specific intelligence information and specific investigative  
25 records compiled by investigative, law enforcement, and penology  
26 agencies, and state agencies vested with the responsibility to  
27 discipline members of any profession, the nondisclosure of which is  
28 essential to effective law enforcement or for the protection of any  
29 person's right to privacy.

30 (e) Information revealing the identity of persons who are witnesses  
31 to or victims of crime or who file complaints with investigative, law  
32 enforcement, or penology agencies, other than the public disclosure  
33 commission, if disclosure would endanger any person's life, physical  
34 safety, or property. If at the time a complaint is filed the  
35 complainant, victim or witness indicates a desire for disclosure or  
36 nondisclosure, such desire shall govern. However, all complaints filed  
37 with the public disclosure commission about any elected official or

1 candidate for public office must be made in writing and signed by the  
2 complainant under oath.

3 (f) Test questions, scoring keys, and other examination data used  
4 to administer a license, employment, or academic examination.

5 (g) Except as provided by chapter 8.26 RCW, the contents of real  
6 estate appraisals, made for or by any agency relative to the  
7 acquisition or sale of property, until the project or prospective sale  
8 is abandoned or until such time as all of the property has been  
9 acquired or the property to which the sale appraisal relates is sold,  
10 but in no event shall disclosure be denied for more than three years  
11 after the appraisal.

12 (h) Valuable formulae, designs, drawings, computer source code or  
13 object code, and research data obtained by any agency within five years  
14 of the request for disclosure when disclosure would produce private  
15 gain and public loss.

16 (i) Preliminary drafts, notes, recommendations, and intra-agency  
17 memorandums in which opinions are expressed or policies formulated or  
18 recommended except that a specific record shall not be exempt when  
19 publicly cited by an agency in connection with any agency action.

20 (j) Records which are relevant to a controversy to which an agency  
21 is a party but which records would not be available to another party  
22 under the rules of pretrial discovery for causes pending in the  
23 superior courts.

24 (k) Records, maps, or other information identifying the location of  
25 archaeological sites in order to avoid the looting or depredation of  
26 such sites.

27 (l) Any library record, the primary purpose of which is to maintain  
28 control of library materials, or to gain access to information, which  
29 discloses or could be used to disclose the identity of a library user.

30 (m) Financial information supplied by or on behalf of a person,  
31 firm, or corporation for the purpose of qualifying to submit a bid or  
32 proposal for (i) a ferry system construction or repair contract as  
33 required by RCW 47.60.680 through 47.60.750 or (ii) highway  
34 construction or improvement as required by RCW 47.28.070.

35 (n) Railroad company contracts filed prior to July 28, 1991, with  
36 the utilities and transportation commission under RCW 81.34.070, except  
37 that the summaries of the contracts are open to public inspection and  
38 copying as otherwise provided by this chapter.

1 (o) Financial and commercial information and records supplied by  
2 private persons pertaining to export services provided pursuant to  
3 chapter 43.163 RCW and chapter 53.31 RCW, and by persons pertaining to  
4 export projects pursuant to RCW 43.23.035.

5 (p) Financial disclosures filed by private vocational schools under  
6 chapters 28B.85 and 28C.10 RCW.

7 (q) Records filed with the utilities and transportation commission  
8 or attorney general under RCW 80.04.095 that a court has determined are  
9 confidential under RCW 80.04.095.

10 (r) Financial and commercial information and records supplied by  
11 businesses or individuals during application for loans or program  
12 services provided by chapters 43.163, 43.160, 43.330, and 43.168 RCW,  
13 or during application for economic development loans or program  
14 services provided by any local agency.

15 (s) Membership lists or lists of members or owners of interests of  
16 units in timeshare projects, subdivisions, camping resorts,  
17 condominiums, land developments, or common-interest communities  
18 affiliated with such projects, regulated by the department of  
19 licensing, in the files or possession of the department.

20 (t) All applications for public employment, including the names of  
21 applicants, resumes, and other related materials submitted with respect  
22 to an applicant.

23 (u) The residential addresses or residential telephone numbers of  
24 employees or volunteers of a public agency which are held by any public  
25 agency in personnel records, public employment related records, or  
26 volunteer rosters, or are included in any mailing list of employees or  
27 volunteers of any public agency.

28 (v) The residential addresses and residential telephone numbers of  
29 the customers of a public utility contained in the records or lists  
30 held by the public utility of which they are customers, except that  
31 this information may be released to the division of child support or  
32 the agency or firm providing child support enforcement for another  
33 state under Title IV-D of the federal social security act, for the  
34 establishment, enforcement, or modification of a support order.

35 (w)(i) The federal social security number of individuals governed  
36 under chapter 18.130 RCW maintained in the files of the department of  
37 health, except this exemption does not apply to requests made directly  
38 to the department from federal, state, and local agencies of  
39 government, and national and state licensing, credentialing,

1 investigatory, disciplinary, and examination organizations; (ii) the  
2 current residential address and current residential telephone number of  
3 a health care provider governed under chapter 18.130 RCW maintained in  
4 the files of the department, if the provider requests that this  
5 information be withheld from public inspection and copying, and  
6 provides to the department an accurate alternate or business address  
7 and business telephone number. On or after January 1, 1995, the  
8 current residential address and residential telephone number of a  
9 health care provider governed under RCW 18.130.040 maintained in the  
10 files of the department shall automatically be withheld from public  
11 inspection and copying unless the provider specifically requests the  
12 information be released, and except as provided for under RCW  
13 42.17.260(9).

14 (x) Information obtained by the board of pharmacy as provided in  
15 RCW 69.45.090.

16 (y) Information obtained by the board of pharmacy or the department  
17 of health and its representatives as provided in RCW 69.41.044,  
18 69.41.280, and 18.64.420.

19 (z) Financial information, business plans, examination reports, and  
20 any information produced or obtained in evaluating or examining a  
21 business and industrial development corporation organized or seeking  
22 certification under chapter 31.24 RCW.

23 (aa) Financial and commercial information supplied to the state  
24 investment board by any person when the information relates to the  
25 investment of public trust or retirement funds and when disclosure  
26 would result in loss to such funds or in private loss to the providers  
27 of this information.

28 (bb) Financial and valuable trade information under RCW 51.36.120.

29 (cc) Client records maintained by an agency that is a domestic  
30 violence program as defined in RCW 70.123.020 or 70.123.075 or a rape  
31 crisis center as defined in RCW 70.125.030.

32 (dd) Information that identifies a person who, while an agency  
33 employee: (i) Seeks advice, under an informal process established by  
34 the employing agency, in order to ascertain his or her rights in  
35 connection with a possible unfair practice under chapter 49.60 RCW  
36 against the person; and (ii) requests his or her identity or any  
37 identifying information not be disclosed.

38 (ee) Investigative records compiled by an employing agency  
39 conducting a current investigation of a possible unfair practice under



1 chapter 49.60 RCW or of a possible violation of other federal, state,  
2 or local laws prohibiting discrimination in employment.

3 (ff) Business related information protected from public inspection  
4 and copying under RCW 15.86.110.

5 (gg) Financial, commercial, operations, and technical and research  
6 information and data submitted to or obtained by the clean Washington  
7 center in applications for, or delivery of, program services under  
8 chapter 70.95H RCW.

9 (hh) Information and documents created specifically for, and  
10 collected and maintained by a quality improvement committee pursuant to  
11 RCW 43.70.510 or 70.41.200, or by a peer review committee under RCW  
12 4.24.250, regardless of which agency is in possession of the  
13 information and documents.

14 (ii) Personal information in files maintained in a data base  
15 created under RCW 43.07.360.

16 (jj) Financial and commercial information requested by the public  
17 stadium authority from any person or organization that leases or uses  
18 the stadium and exhibition center as defined in RCW 36.102.010.

19 (kk) Names of individuals residing in emergency or transitional  
20 housing that are furnished to the department of revenue or a county  
21 assessor in order to substantiate a claim for property tax exemption  
22 under RCW 84.36.043.

23 (ll) The names, residential addresses, residential telephone  
24 numbers, and other individually identifiable records held by an agency  
25 in relation to a vanpool, carpool, or other ride-sharing program or  
26 service. However, these records may be disclosed to other persons who  
27 apply for ride-matching services and who need that information in order  
28 to identify potential riders or drivers with whom to share rides.

29 (mm) The personally identifying information of current or former  
30 participants or applicants in a paratransit or other transit service  
31 operated for the benefit of persons with disabilities or elderly  
32 persons.

33 (nn) The personally identifying information of persons who acquire  
34 and use transit passes and other fare payment media including, but not  
35 limited to, stored value smart cards and magnetic strip cards, except  
36 that an agency may disclose this information to a person, employer,  
37 educational institution, or other entity that is responsible, in whole  
38 or in part, for payment of the cost of acquiring or using a transit  
39 pass or other fare payment media, or to the news media when reporting

1 on public transportation or public safety. This information may also  
2 be disclosed at the agency's discretion to governmental agencies or  
3 groups concerned with public transportation or public safety.

4 (oo) Proprietary financial and commercial information that the  
5 submitting entity, with review by the department of health,  
6 specifically identifies at the time it is submitted and that is  
7 provided to or obtained by the department of health in connection with  
8 an application for, or the supervision of, an antitrust exemption  
9 sought by the submitting entity under RCW 43.72.310. If a request for  
10 such information is received, the submitting entity must be notified of  
11 the request. Within ten business days of receipt of the notice, the  
12 submitting entity shall provide a written statement of the continuing  
13 need for confidentiality, which shall be provided to the requester.  
14 Upon receipt of such notice, the department of health shall continue to  
15 treat information designated under this section as exempt from  
16 disclosure. If the requester initiates an action to compel disclosure  
17 under this chapter, the submitting entity must be joined as a party to  
18 demonstrate the continuing need for confidentiality.

19 (pp) Records maintained by the board of industrial insurance  
20 appeals that are related to appeals of crime victims' compensation  
21 claims filed with the board under RCW 7.68.110.

22 (qq) Financial and commercial information supplied by or on behalf  
23 of a person, firm, corporation, or entity under chapter 28B.95 RCW  
24 relating to the purchase or sale of tuition units and contracts for the  
25 purchase of multiple tuition units.

26 (rr) Any records of investigative reports prepared by any state,  
27 county, municipal, or other law enforcement agency pertaining to sex  
28 offenses contained in chapter 9A.44 RCW or sexually violent offenses as  
29 defined in RCW 71.09.020, which have been transferred to the Washington  
30 association of sheriffs and police chiefs for permanent electronic  
31 retention and retrieval pursuant to RCW 40.14.070(2)(b).

32 (ss) Credit card numbers, debit card numbers, electronic check  
33 numbers, card expiration dates, or bank or other financial account  
34 numbers supplied to an agency for the purpose of electronic transfer of  
35 funds, except when disclosure is expressly required by law.

36 (tt) Financial information, including but not limited to account  
37 numbers and values, and other identification numbers supplied by or on  
38 behalf of a person, firm, corporation, limited liability company,

1 partnership, or other entity related to an application for a liquor  
2 license, gambling license, or lottery retail license.

3 (uu) Records maintained by the employment security department and  
4 subject to chapter 50.13 RCW if provided to another individual or  
5 organization for operational, research, or evaluation purposes.

6 (vv) Individually identifiable information received by the work  
7 force training and education coordinating board for research or  
8 evaluation purposes.

9 (ww) Those portions of records containing specific and unique  
10 vulnerability assessments or specific and unique response plans, either  
11 of which is intended to prevent or mitigate criminal terrorist acts as  
12 defined in RCW 70.74.285, the public disclosure of which would have a  
13 substantial likelihood of threatening public safety.

14 (xx) Commercial fishing catch data from logbooks required to be  
15 provided to the department of fish and wildlife under RCW 77.12.047,  
16 when the data identifies specific catch location, timing, or  
17 methodology and the release of which would result in unfair competitive  
18 disadvantage to the commercial fisher providing the catch data.  
19 However, this information may be released to government agencies  
20 concerned with the management of fish and wildlife resources.

21 (yy) Sensitive wildlife data obtained by the department of fish and  
22 wildlife. However, sensitive wildlife data may be released to  
23 government agencies concerned with the management of fish and wildlife  
24 resources. Sensitive wildlife data includes:

25 (i) The nesting sites or specific locations of endangered species  
26 designated under RCW 77.12.020, or threatened or sensitive species  
27 classified by rule of the department of fish and wildlife;

28 (ii) Radio frequencies used in, or locational data generated by,  
29 telemetry studies; or

30 (iii) Other location data that could compromise the viability of a  
31 specific fish or wildlife population, and where at least one of the  
32 following criteria are met:

33 (A) The species has a known commercial or black market value;

34 (B) There is a history of malicious take of that species; or

35 (C) There is a known demand to visit, take, or disturb, and the  
36 species behavior or ecology renders it especially vulnerable or the  
37 species has an extremely limited distribution and concentration.

38 (zz) The personally identifying information of persons who acquire  
39 recreational licenses under RCW 77.32.010 or commercial licenses under

1 chapter 77.65 or 77.70 RCW, except name, address of contact used by the  
2 department, and type of license, endorsement, or tag. However, the  
3 department of fish and wildlife may disclose personally identifying  
4 information to:

5 (i) Government agencies concerned with the management of fish and  
6 wildlife resources;

7 (ii) The department of social and health services, child support  
8 division, and to the department of licensing in order to implement RCW  
9 77.32.014 and 46.20.291; and

10 (iii) Law enforcement agencies for the purpose of firearm  
11 possession enforcement under RCW 9.41.040.

12 (aaa) Information included within the development of the  
13 comprehensive safe school plans developed according to section 2 of  
14 this act, and school safety risk assessments to the extent that they  
15 identify specific vulnerabilities of school districts and each  
16 individual school.

17 (2) Except for information described in subsection (1)(c)(i) of  
18 this section and confidential income data exempted from public  
19 inspection pursuant to RCW 84.40.020, the exemptions of this section  
20 are inapplicable to the extent that information, the disclosure of  
21 which would violate personal privacy or vital governmental interests,  
22 can be deleted from the specific records sought. No exemption may be  
23 construed to permit the nondisclosure of statistical information not  
24 descriptive of any readily identifiable person or persons.

25 (3) Inspection or copying of any specific records exempt under the  
26 provisions of this section may be permitted if the superior court in  
27 the county in which the record is maintained finds, after a hearing  
28 with notice thereof to every person in interest and the agency, that  
29 the exemption of such records is clearly unnecessary to protect any  
30 individual's right of privacy or any vital governmental function.

31 (4) Agency responses refusing, in whole or in part, inspection of  
32 any public record shall include a statement of the specific exemption  
33 authorizing the withholding of the record (or part) and a brief  
34 explanation of how the exemption applies to the record withheld.

35 NEW SECTION. **Sec. 6.** If any provision of this act or its  
36 application to any person or circumstance is held invalid, the  
37 remainder of the act or the application of the provision to other  
38 persons or circumstances is not affected.

1        NEW SECTION.    **Sec. 7.**    (1) Sections 2 and 5 of this act are  
2 necessary for the immediate preservation of the public peace, health,  
3 or safety, or support of the state government and its existing public  
4 institutions, and take effect immediately.

5        (2) Sections 3 and 4 of this act take effect September 1, 2002."

6        Correct the title.

--- END ---