

# SENATE BILL REPORT

## SB 5272

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As of January 30, 2025

**Title:** An act relating to improving school safety by extending penalties for interference by, or intimidation by threat of, force or violence at schools and extracurricular activities and requiring schools to notify the public of such penalties.

**Brief Description:** Improving school safety by extending penalties for interference by, or intimidation by threat of, force or violence at schools and extracurricular activities and requiring schools to notify the public of such penalties.

**Sponsors:** Senators Lovick, Krishnadasan and Saldaña.

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education: 1/30/25.

**Brief Summary of Bill**

- Expands the school-related crimes of Interference by Force or Violence and Intimidation by Threat of Force or Violence, and increases the penalties for Interference by Force or Violence.
- Requires standard signage notifying the public of these offenses and possible penalties to be displayed at public school gymnasiums, auditoriums, and public school athletic fields.

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

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

**Background:** Interference or Intimidation by Force or Violence. It is a gross misdemeanor for any person to interfere by force or violence with any administrator, teacher, classified employee, person under contract with the school or school district, or student of any common school who is in the peaceful discharge or conduct of his or her duties or studies.

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

It is also a gross misdemeanor for any person to intimidate by threat of force or violence. The penalty for both gross misdemeanors is a fine up to \$500, imprisonment for not more than six months, or both a fine and imprisonment.

Any such interference by force or violence committed by a student is grounds for immediate suspension or expulsion of the student.

Emergency Removal. In 2023, the Office of the Superintendent of Public Instruction (OSPI) was directed to notify school districts and public schools that the term emergency removal must be used instead of the term emergency expulsion in the context of student discipline.

OSPI rule defines emergency removal to mean the removal of a student from school because the student's presence poses an immediate and continuing danger to other students or school personnel, or an immediate and continuing threat of material and substantial disruption of the educational process.

State law requires emergency removals to end or be converted to another form of corrective action within ten school days from the date of the emergency removal. Notice and due process rights must be provided when an emergency removal is converted to another form of corrective action.

**Summary of Bill:** Interference or Intimidation by Force or Violence. The offenses of Interference by Force or Violence and Intimidation by Threat of Force or Violence are expanded to include an employee or contractor of a public or private elementary or secondary school, an elementary or secondary student, or an official or volunteer acting as an official for extracurricular athletic activities of elementary or secondary students while that person is in the peaceful discharge or conduct of his or her duties.

A public school student's Interference by Force or Violence is grounds for the student's emergency removal. If a public school student interferes during extracurricular athletic activities, the student may be excluded from participating in or attending that activity for up to 12 months.

The penalty for Interference by Force or Violence is a fine up to \$1,000, instead of \$500, imprisonment for not more than 365 days, instead of six months, or both a fine and imprisonment. Upon conviction, a person, other than a student, must be excluded from entering the school where the crime was committed or from attending the extracurricular athletic activities in which the crime was committed for a period of no less than 12 months and no more than 18 months.

The penalty for Intimidation by Threat of Force or Violence is not changed.

Signage. OSPI must develop a standard signage form notifying the public of these offenses

and possible penalties. The signage must be prominently displayed at any entrance to a public school gymnasium or auditorium and wherever other public notices are placed at public school athletic fields.

**Appropriation:** None.

**Fiscal Note:** Requested on January 21, 2025.

**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: This bill will make sure all participants in school sports, including students, coaches, and officials, can engage in the game with respect and without fear. Many sports officials experience fear and are threatened, and they feel sportsmanship is getting worse. It is difficult to recruit officials and they often quit officiating because of their negative experiences. This bill is not about putting people into jail or preventing disagreements, but it will act as a deterrent for anyone thinking about crossing the line. Referees should have support and safety at all times.

CON: Extracurricular activities can change the lives of young people. Sports are highly competitive and create moments of excitement and heated interactions. Young people's brains are not fully developed until they are 25, which means they struggle with regulating their reactions in these moments. Penalizing youth for these interactions can be incredibly harmful, especially when sports are sometimes the only motivation to stay on a positive path. The vague language in this bill could lead to inconsistent enforcement and contradicts the state's equity goals.

OTHER: Incidents of violence at sporting events has increased in recent years. This bill would serve as an important deterrent for this type of behavior. Principals often have to attend these events at home and away to help manage, and they want to continue to have the authority to determine consequences for their students. It is not clear who will pay for new signage. There are questions about who will enforce this law and report incidents, and whether this will apply to all extracurricular activities. The bill should include private schools, charter schools, and tribal schools.

**Persons Testifying:** PRO: Senator John Lovick, Prime Sponsor; Robert West; Ricardo Pineda-Lomeli, Latino Community Fund Washington; Daryl Eygabroad, Western Washington Wrestling Officials Association.

CON: Porsche Phelps, TeamChild.

OTHER: Roz Thompson, Association of Washington School Principals.

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