
SECOND SUBSTITUTE SENATE BILL 5141

State of Washington

66th Legislature

2019 Regular Session

By Senate Ways & Means (originally sponsored by Senators Wellman, Kuderer, Nguyen, Hunt, Das, Palumbo, Billig, Lias, Darneille, Frockt, Hasegawa, and Wilson, C.)

READ FIRST TIME 03/01/19.

1 AN ACT Relating to school resource officer mandatory training and
2 policies; adding a new section to chapter 28A.320 RCW; adding a new
3 section to chapter 28A.300 RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** It is not the intent of the legislature to
6 require school resource officers to work in schools. If a school
7 district chooses to have a school resource officer program, it is the
8 intent of the legislature to create statewide consistency for the
9 minimum training requirements that school resource officers must
10 receive and ensure that there is a clear agreement between the school
11 district and local law enforcement agency in order to help establish
12 effective partnerships that protect the health and safety of all
13 students.

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

16 (1) If a school district chooses to have a school resource
17 officer program, the school district must confirm that every school
18 resource officer has received training on the following topics:

- 1 (a) Constitutional and civil rights of children in schools,
2 including state law governing search and interrogation of youth in
3 schools;
- 4 (b) Child and adolescent development;
- 5 (c) Trauma-informed approaches to working with youth;
- 6 (d) Recognizing and responding to youth mental health issues;
- 7 (e) Educational rights of students with disabilities, the
8 relationship of disability to behavior, and best practices for
9 interacting with students with disabilities;
- 10 (f) Collateral consequences of arrest, referral for prosecution,
11 and court involvement;
- 12 (g) Resources available in the community that serve as
13 alternatives to arrest and prosecution and pathways for youth to
14 access services without court or criminal justice involvement;
- 15 (h) Local and national disparities in the use of force and
16 arrests of children;
- 17 (i) De-escalation techniques when working with youth or groups of
18 youth;
- 19 (j) State law regarding restraint and isolation in schools,
20 including RCW 28A.600.485;
- 21 (k) Bias free policing and cultural competency, including best
22 practices for interacting with students from particular backgrounds,
23 including English learners, LGBTQ, and immigrants; and
- 24 (l) The federal family educational rights and privacy act (20
25 U.S.C. Sec. 1232g) requirements including limits on access to and
26 dissemination of student records for noneducational purposes.
- 27 (2) School districts that have a school resource officer program
28 must annually review and adopt an agreement with the local law
29 enforcement agency using a process that involves parents, students,
30 and community members. At a minimum, the agreement must incorporate
31 the following elements:
- 32 (a) A clear statement that school resource officers may not be
33 involved in student discipline or enforcing school rules and a clear
34 description of the types of incidents that do not warrant school
35 resource officer action;
- 36 (b) School district policy and procedure for teachers that
37 clarify the circumstances under which teachers and school
38 administrators may ask an officer to intervene with a student;
- 39 (c) Annual collection and reporting of data regarding calls for
40 law enforcement service and the outcome of each call, including

1 student arrest and referral for prosecution, disaggregated by school,
2 offense type, race, gender, age, and students who have an
3 individualized education program or plan developed under section 504
4 of the federal rehabilitation act of 1973;

5 (d) A process for families to file complaints with the school and
6 local law enforcement agency related to school resource officers and
7 a process for investigating and responding to complaints; and

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

10 (3) School districts must meet the requirements in this section
11 by the beginning of the 2020-21 school year.

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

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

25 (1) Subject to the availability of amounts appropriated for this
26 specific purpose, the office of the superintendent of public
27 instruction must establish and implement a grant program to fund
28 training for school resource officers as described in section 2 of
29 this act. Training under this section may be developed by schools in
30 partnership with local law enforcement and organizations that have
31 expertise in topics such as juvenile brain development; restorative
32 practices or restorative justice; social-emotional learning; civil
33 rights; and student rights, including free speech and search and
34 seizure. This training may be provided by the criminal justice
35 training commission.

36 (2) By December 1st of each year the program is funded, the
37 office of the superintendent of public instruction must submit an

1 annual report to the governor and appropriate committees of the
2 legislature on the program.

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