



# Memorandum

**Date:** January 7, 2019  
**To:** Senate Committee on Early Learning and K-12 Education  
**From:** Ailey Kato, Senate Committee on Early Learning and K-12 Education Staff and Margaret Douglas, Senate Committee Services Intern  
**Re:** K-12 School Safety Interim Project

As a 2018 interim project, the Early Learning and K-12 Education Senate Committee asked staff to learn how schools and educational service districts (ESDs) are addressing school safety issues. The committee asked staff to focus, at a minimum, on comprehensive plans that connect first responders, mental health and family counselors, suicide prevention, safety drills, and community resources. This memorandum provides information about:

- I. [Current Law regarding Safety Planning and Training](#)
  - II. [Recent Budget Provisos relating to School Safety](#)
  - III. [School District Survey](#)
  - IV. [Annual School Safety Summit](#)
  - V. [Mass Shooting Work Group](#)
  - VI. [Children's Mental Health Work Group](#)
  - VII. [Joint Legislative Task Force on Improving State Funding for School Construction](#)
  - VIII. [State Auditor's Office](#)
  - IX. [Federal Commission on School Safety](#)
- Appendix [PowerPoint Presentation - School Safety Interim Project Overview](#)

Please contact staff if you would like any further information.

## I. Current Law regarding Safety Planning and Training

Current law requires school districts to have safe school plans and emotional or behavioral distress plans.

Safe School Plans. Starting in 2008, school districts are required to adopt safe school plans.<sup>1</sup> The plans must:

- include required school safety policies and procedures;
- address emergency mitigation, preparedness, response, and recovery;
- include provisions for assisting and communicating with students and staff;
- use certain training guidance;

<sup>1</sup> [RCW 28A.320.125.](#)

- require the building principal to be certified on the incident command system;
- take into account the manner in which the school facilities may be used as a community asset in emergencies; and
- set guidelines for requesting certain agencies to participate in safety-related drills.

To the extent funds are available, school districts must annually review and update safe school plans in collaboration with local emergency response agencies among other activities.

Emotional or Behavioral Distress Plans. Starting in 2014, school districts are required to 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.<sup>2</sup> The plan must address:

- identification of staff training opportunities;
- how to use the expertise of staff who have been trained;
- how staff should respond to emotional or behavioral distress in students;
- identification and development of partnerships with community organizations and agencies for referral of students to certain services;
- protocols and procedures for communication with families;
- how staff should respond to a crisis situation;
- how the district will provide support to students and staff after certain incidents;
- how staff should respond when allegations of sexual contact or abuse are made; and
- how the district will provide training on the obligation to report abuse and misconduct.

School Safety Center. In the 2001-02 budget, the Legislature established a School Safety Center within the Office of the Superintendent of Public Instruction (OSPI).<sup>3</sup> The School Safety Center provides resources to districts and schools to help in the development of high-quality emergency operations and safety plans.<sup>4</sup>

ESD Emotional or Behavioral Distress Training. Current law requires ESDs to develop and maintain the capacity to offer training for educators and other school district staff on youth suicide screening and referral, and on recognition, initial screening, and response to emotional or behavioral distress in students.<sup>5</sup> 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.

Mental Health First Aid Training and Project AWARE. Subject to appropriation, DSHS must provide funds for mental health first aid training targeted at teachers and educational staff.<sup>6</sup> In 2014, OSPI received a federal Project Advancing Wellness and Resilience Education (AWARE)

---

<sup>2</sup> [RCW 28A.320.127.](#)

<sup>3</sup> [ESSB 6153, Sec. 501\(2\)\(a\) \(2001\).](#)

<sup>4</sup> OSPI School Safety Center, <http://www.k12.wa.us/SafetyCenter/default.aspx>.

<sup>5</sup> [RCW 28A.310.500.](#)

<sup>6</sup> [RCW 43.20A.765.](#)

grant. OSPI reports that Project AWARE has paid for 218 trainings for 3932 youth mental health first aiders and 105 trainers from January 2015 to September 2018.

The training curriculum covers recognizing a person in need and responding appropriately by:

- assessing for risk of suicide or harm;
- listening nonjudgmentally;
- giving reassurance and information;
- encouraging appropriate professional help; and
- encouraging self-help and other support strategies.<sup>7</sup>

Mental Health Literacy Curriculum. In 2018, the Legislature directed ESDs involved in a children's behavioral health regional pilot<sup>8</sup> to deliver a mental health literacy curriculum to one high school in each pilot site that:

- improves mental health literacy in students;
- is designed to support teachers; and
- aligns with the state health and physical education K-12 learning standards.<sup>9</sup>

OSPI reports that ESD 101 is providing training for interested school districts. They are using the Mental Health and High School Curriculum resource that was piloted by Project AWARE. That curriculum focuses on:

- reducing stigma;
- understanding mental health and mental illness;
- information on specific mental illness;
- the experience of mental illness;
- seeking help and finding support; and
- the importance of positive mental health.

Mental Health Professional Collaboration Time. Beginning in the 2019-20 school year, larger school districts—2000 or more students—are required to provide a minimum of six hours of professional collaboration per year for school counselors, social workers, and psychologists. The training focuses on recognizing signs of emotional or behavioral distress in students, screening, accessing current resources, and making appropriate referrals.<sup>10</sup> The stated purpose of this collaboration is to:

- help foster a connection between school personnel and the mental health professionals in the community to whom school personnel may make referrals,
- form partnerships with qualified health, mental health, and social services agencies in the community to coordinate and improve support for youth in need, and
- support mental health first-aid training targeted at teachers and educational staff.<sup>11</sup>

---

<sup>7</sup> Mental Health First Aid, <https://www.mentalhealthfirstaid.org/take-a-course/what-you-learn/>.

<sup>8</sup> See Section VI for more information about the children's behavioral health regional pilot.

<sup>9</sup> [E2SHB 2779 \(2018\)](#).

<sup>10</sup> [2SHB 1377 \(2018\)](#), [RCW 28A.320.290](#).

<sup>11</sup> [2SHB 1377 \(2018\)](#), [RCW 28A.320.290](#).

## II. Recent Budget Provisos relating to School Safety

School Safety Training for Administrators and School Safety Personnel. The 2017-19 operating budget appropriated \$100,000 for FY 2018 and \$100,000 for FY 2019 for a school safety program.<sup>12</sup> The Criminal Justice Training Commission, in collaboration with the School Safety Center Advisory Committee, must provide the school safety training for all school administrators and school safety personnel hired after June 30, 2017.

OSPI reports that each of the nine ESDs will receive \$10,000 to provide at least two classes on school safety for administrators and safety and security personnel. One class must focus on comprehensive school safety planning and one class must focus on safety topics identified or requested by school administrators, safety and security personnel, or through a recent safety survey.

Regional Programs. The 2018 supplemental budget included \$722,000 for FY 2019 to OSPI to provide grants to ESDs and school districts to develop or expand regional safety programs to address student safety.<sup>13</sup> 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 leads and received the bulk of this funding; however, each ESD received some funding.

Additionally, OSPI and the ESDs applied for the federal STOP School Violence Act of 2018, which authorized the U.S. Department of Justice, Bureau of Justice Assistance to manage a grant program that addresses:

- training of school staff;
- development and operation of anonymous reporting systems;
- development and operation of school threat assessment and intervention teams; and
- specialized training for school officials in intervening and responding to individuals with mental health issues.<sup>14</sup>

OSPI received \$1 million in federal funding to help develop and conduct threat assessments. Ellensburg school district also received \$150,000 for threat assessments. The school districts in Ellensburg (\$150,000), Monroe (\$150,000), Quillayute Valley (\$25,000), and ESD 101 (\$49,750) also received federal grant funding for mental health training.

---

<sup>12</sup> [SSB 5883 \(2017\), Sec. 216\(5\).](#)

<sup>13</sup> [ESSB 6032 \(2018\), Sec. 501\(69\).](#)

<sup>14</sup> U.S. Department of Justice, Bureau of Justice Assistance, STOP School Violence Program, <https://www.bja.gov/Programs/STOP-School-Violence-Act.html>.

Suicide Prevention. OSPI must work with state agency and community partners to assist schools in implementing youth suicide prevention activities.<sup>15</sup> OSPI received \$150,000 for FY 2018 and \$202,000 in FY 2019 for these activities. OSPI reports that this funding will be used to:

- establish a premium subscription to the Crisis Text Line to increase data that can lead to future program development; and
- develop and launch a one-hour educator training for recognizing and responding to signs of emotional and behavioral distress in students.

The Department of Health received \$200,000 for FY 2019 to provide a grant to the Benton-Franklin Health District (BFHD) to expand its youth suicide prevention activities.<sup>16</sup> BFHD must:

- document existing resources available within the counties;
- host a summit before October 1, 2018 to determine best practices for educational materials, training, intervention practices, and promotional strategies;
- complete a plan for expanding youth suicide prevention; and
- complete a report summarizing the work and will serve as a guide for further expansion within other local health jurisdictions by June 30, 2019.

The summit was held on September 18, 2018 and had over 60 participants. BFHD worked with a consultant from the local ESD to support planning and engagement efforts. Based on the priorities identified at the summit, BFHD has created work plan of how it will expand youth suicide prevention activities.

### III. School District Survey

At the end of the 2017-18 school year, staff of the Senate Early Learning and K-12 Education Committee coordinated with the ESDs to conduct a survey of school districts on a range of topics, including school safety. Survey respondents included 64 out of 295 school districts. Below is a summary of the survey responses.

**Survey Question 1:** How does your school district support schools in developing comprehensive safety plans? Does the district integrate its work with first responders and other community resources?

School districts discussed (1) how they coordinate the development of comprehensive safety plans within schools and districts and (2) how they work with first responders and other community resources.

(1) Coordination within Schools and Districts. Respondents outlined four main areas of safety coordination:

- *District-Level Efforts:* Some districts reported having a district-level director or manager focused on school safety throughout the district, and some may have a district-wide safety

---

<sup>15</sup> [RCW 28A.300.288.](#)

<sup>16</sup> [ESSB 6032 \(2018\), Sec. 219\(44\).](#)

team or committee. Other districts reported having separate school safety teams or committees that the district oversees and coordinates. Nearly 30 respondents identified district-level efforts as a source of safety coordination.

- *School Planning*: Nine respondents identified schools as a primary source for safety coordination in their schools. In some cases, a district may have a comprehensive emergency response plan, but each school takes a component of the plan and creates a safety plan based on the needs of the school. Additionally, schools may have their own safety teams, building subcommittees, and designated safety staff members.
- *Coordination with ESDs*: Eight respondents specifically identified ESD coordination as a source of safety planning for their schools. ESDs may have safety experts to provide guidance, may coordinate a regional network, and may help implement the threat assessment process.
- *City or County Efforts*: Four respondents identified the local city or county as a component to safety planning. These respondents describe citywide drills, site-specific plans proposed by the city, and city or county emergency teams.

The planning structure for comprehensive safety plan depends on the size of the district. Examples of these planning structures include:

- a district has a comprehensive emergency response plan, and each school takes a component of the plan.
- a district-wide safety committee has building sub-committees.
- a district with one campus has one safety team.

(2) Coordination with First Responders and Community. Over two-thirds of districts surveyed report coordination with first responders and community members. Examples of these partnerships include:

- district-level director or manager with strong relationships to first responders and law enforcement.
- representation on city or county emergency teams.
- regular interaction with first responders regarding safety plans, simulations, and tabletop drills.
- annual safety summit held by first responders, community resources, and school districts.
- community and first responders hold integral role for managing and reviewing comprehensive safety plans.

**Survey Question 2:** What types of school safety supports do schools need beyond what they are currently receiving?

For this question, school districts were given the following choices for the types of safety supports that schools may need beyond what they are currently receiving:

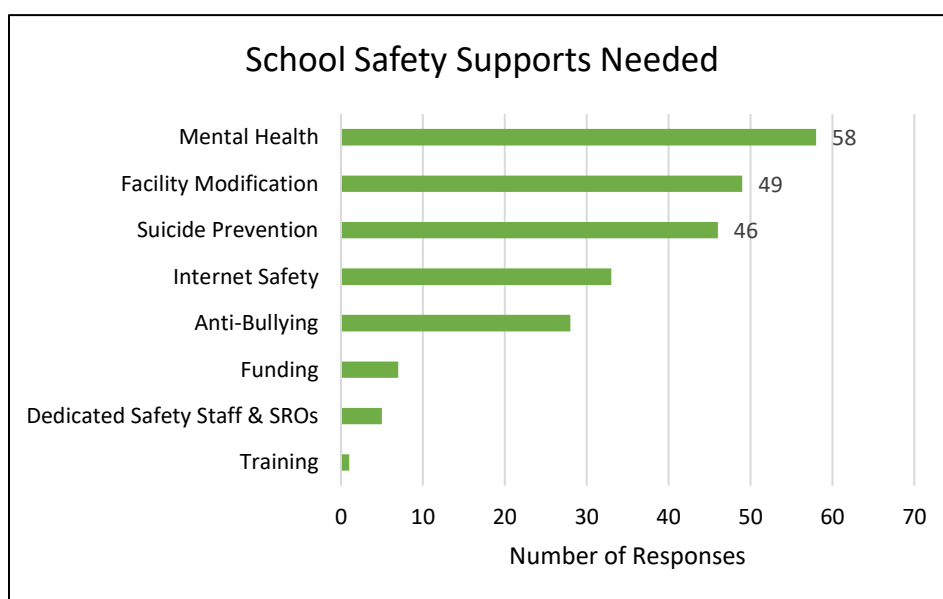
- facility modification;
- mental health counseling;
- digital or Internet safety considerations;

- anti-bullying efforts;
- suicide prevention and awareness; and
- other.

School districts could choose all that apply and explain "Other." School districts identified dedicated safety staff and SROs as well as training for the "Other" category.

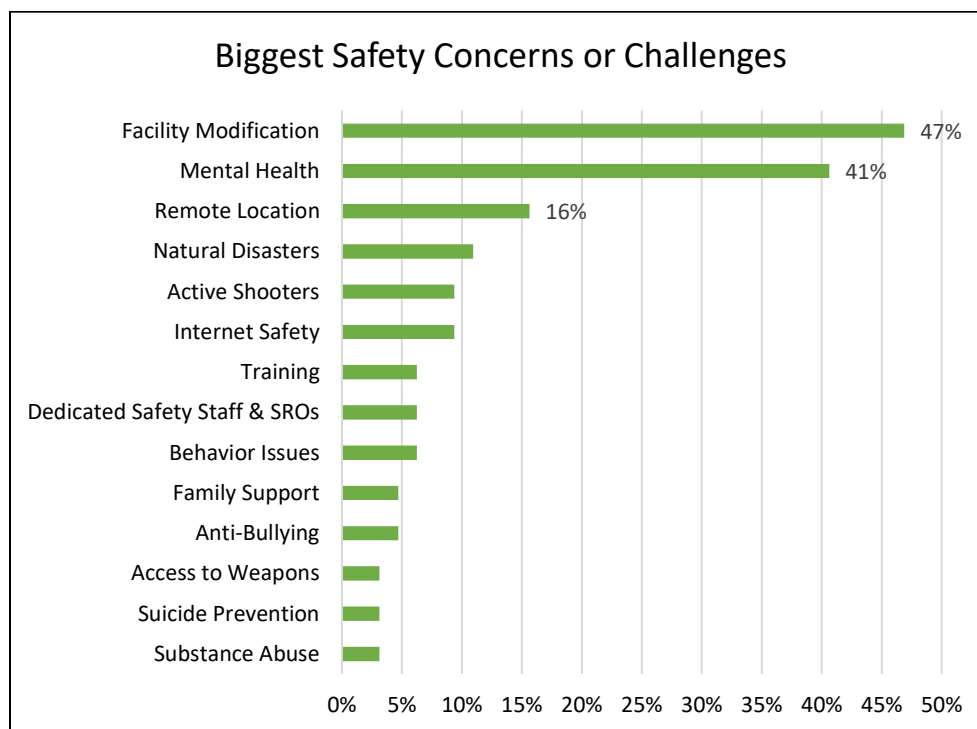
The top three selections were:

- (1) *Mental Health Counseling* – 91 percent of school districts (58 out of 64).
- (2) *Facility Modification* – 77 percent of school districts (49 out of 64).
- (3) *Suicide Prevention and Awareness* – 72 percent of school districts (46 out of 64).



**Survey Question 3:** What are the biggest safety concerns for schools in your district? Are the concerns or challenges the same for each school, or are there differences based on size or location of the school that require different types of supports?

School districts self-identified the biggest safety concerns or challenges in response to these open-ended questions. The following table shows the frequency that topics were discussed:



The three topics that were most frequently discussed were: (1) facility modification, (2) mental health, and (3) remote location and geographical considerations.

(1) Facility Modification – 48 percent of school district respondents (31 out of 64) mentioned this topic. Responses included the following:

- older buildings were designed without security as a priority (e.g., multiple buildings, open campuses);
- controlling access for multiple points of entry;
- lack of safety technology (e.g., cameras, electronic locks, fences);
- balancing school community environment while enforcing student safety precautions; and
- inability to pass construction bond.

(2) Mental Health – 41 percent of school districts (26 out of 64) discussed this topic. Responses included the following:

- limited access to mental health services;
- support for students and families;
- lack of staff (e.g., counselors, nurses, mental/behavioral health therapists) to support students with mental health needs; and
- effects of social media on students' mental health.

(3) Remote Location and Geographical Considerations – 16 percent of school district respondents (10 out of 64) discussed this topic. A number of school districts discussed the delayed response time of emergency responders for rural and remote schools.



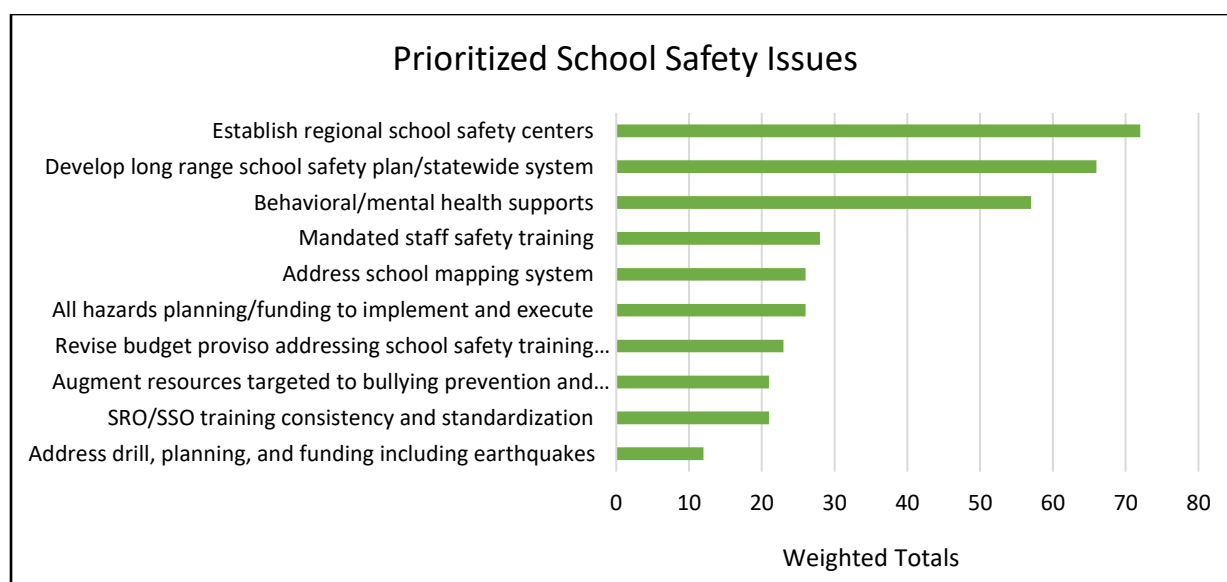
#### IV. Annual School Safety Summit

In the 2001-02 operating budget, the School Safety Advisory Committee was first established.<sup>17</sup> According to OSPI, the Committee advises the School Safety Center and OSPI on issues relevant to school safety.<sup>18</sup>

In 2016, the Legislature directed the Committee to hold an Annual School Safety Summit (Summit) with certain participants including four appointed House members and four appointed Senate members.<sup>19</sup>

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.

This year's summit was on August 6, 2018. Summit participants identified a number of issues or initiatives shown in the order of priority in the chart below.<sup>20</sup>



<sup>17</sup> [ESSB 6153, Sec. 501\(2\)\(a\) \(2001\)](#).

<sup>18</sup> OSPI School Safety Advisory Committee, <http://www.k12.wa.us/SafetyCenter/AdvisoryMeetings.aspx>.

<sup>19</sup> [ESB 6620 \(2016\)](#).

<sup>20</sup> 2018 School Safety Summary Report, <http://www.k12.wa.us/SafetyCenter/AdvisoryMeetings.aspx>.

Detail for the top three recommendations were included in the summit report.

### **Annual School Safety Summit's Top Three Recommendations<sup>21</sup>**

1. **Establishment of a regional safety center system.** A regional school safety center system has long been a goal. With the 9 ESDs as regional hubs, localized technical assistance and training would be more easily accessible to all 295 school districts. In addition, that training and technical assistance would be adapted to the specific needs of the districts, schools and regions served. It would also facilitate regional collaboration and coordination with first responders, law enforcement and other agencies supporting schools.
2. **Development of a long-range, statewide school safety plan.** Relating back to the mandate of RCW 28A.300.273, this recommendation involves the development of a long-range, statewide comprehensive school safety plan. Within that context, the functions of OSPI, the ESDs, and each school district and school would be enumerated. The plan would address statewide leadership, adequate and consistent funding, a review of existing school safety-related law, data reporting processes, and overall safety accountability. Such a plan would also spell out the connection and coordination of school safety from pre-K through higher education.
3. **Establishing behavioral/mental health supports.** There is a recognized need for behavioral and mental health supports for youth. Prevention efforts and individualized supports should be available for students who struggle with behavior issues. A system of emotional safety and security needs to be established and adequately funded.

### **V. Mass Shooting Work Group**

The Mass Shooting Work Group was created in the 2018 supplemental operating budget and was staffed by the Washington Association of Sheriffs & Police Chiefs (WASPC).<sup>22</sup> The Work Group was tasked with developing strategies for identification and intervention against potential perpetrators of mass shootings, with an emphasis on school safety, and recommendations for prevention.

The Work Group adopted 25 recommendations unanimously except for the first recommendation below, which received one vote against the recommendation.<sup>23</sup>

---

<sup>21</sup> 2018 School Safety Summary Report, <http://www.k12.wa.us/SafetyCenter/AdvisoryMeetings.aspx>.

<sup>22</sup> [ESSB 6032 \(2018\)](#).

<sup>23</sup> Washington Mass Shooting Work Group, Report, December 3, 2018.

## Mass Shooting Work Group's Recommendations<sup>24</sup>

### School Resource Officers (K-12)

1. State funding should be made available for additional school resource officers in K-12 schools.
2. The role of sworn law enforcement in Washington K-12 schools should be defined in the law. Agreements to place school resource officers in schools should reflect this definition. (*Look at the National Association of School Resource Officers (NASRO) Best Practices and Strategies for Youth best practice as options*)
3. K-12 school resource officers should focus on keeping students out of the criminal justice system when possible, and should not be used to attempt to impose criminal sanctions for matters that are more appropriately handled within the educational system.
4. Standardized training should be required for K-12 school resource officers. The training should be made readily available and based on best practices. Such training ought to include education about implicit bias and interacting with students with disabilities.
5. Policies and training should be made available to K-12 school personnel on best practices to be used in interacting with school resource officers.
6. A model agreement should be developed for use by K-12 schools and law enforcement agencies for school resource officer positions. Schools should be required to adopt agreements consistent with that model.

### Multi-Stage Threat Assessment Process

7. The Legislature should mandate a standardized multi-stage threat assessment process in all Washington schools (K-12 and higher ed).
8. There is no need to define any specific model, though it may be valuable to identify components of a threat assessment.
  - a. The assessment model should determine threat based on behaviors, not characteristics of [an] individual.
  - b. The assessment model should be evidence-based, and implementation of the model should adhere to model fidelity.
9. Adequate training, coordination and evaluation on the threat assessment model needs to be provided to schools (K-12 and higher ed), districts and ESDs, and other entities involved in the threat assessment process.
10. Schools (K-12 and higher ed), districts and ESDs, and OSPI need to have sufficient resources to provide follow up services based on the recommendations of the threat assessment process, and incorporating the recommendation of the threat assessment process into the school's broader system of student supports.
  - a. Whenever possible, the threat assessment process should specifically include engagement with the student's parents/family.

<sup>24</sup> Washington Mass Shooting Work Group, Findings and Recommendations, December 3, 2018.

- b. Special attention and consideration should be given to threat assessments involving students with Individual Education Programs, disabilities, or other special needs.
11. A student's return to K-12 school after a suspension or expulsion for violent or threatening behavior pursuant to re-engagement plan should be communicated with law enforcement and service providers as appropriate.

#### **Extreme Risk Protection Orders [ERPOs]**

12. The availability of ERPOs to both law enforcement and the public should be promoted and additional funding should be provided to law enforcement to ensure proper and efficient service of the orders when granted.
13. A person's second conviction for violation of ERPO should forfeit the individual's right to bear arms.
14. There appears to be a legitimate question of whether or not ERPOs can be sought against a juvenile, who does not have the legal right to own firearms under Washington law, but does have the right to access and possess firearms under certain circumstances. The Legislature should modify the ERPO statute to make it clear that ERPOs can be sought against a juvenile, and ERPOs should not unnecessarily publicly label a juvenile in a way that will impact them for the rest of their lives.
15. The statute regarding ERPOs should be clarified to address access to a firearm legally owned by a person other than the ERPO respondent, and how to effectively prohibit access to that firearm by the respondent (particularly juveniles) while preserving the firearm owner's individual firearms rights.

#### **General**

16. Increased investment should be made to ensure sufficient and effective K-12 school counselors, psychologists, mental health professionals, family engagement coordinators, school social workers, and other investments in positive school climate, including restorative discipline. These resources should be required to be spent for their intended purpose.
17. Accessible and effective mental health services can be an effective means of intervening against a potential perpetrator of mass shootings. Resources should be provided to improve the overall mental health system in Washington.
18. The use of systems for students (K-12 and higher ed) to report suspicious/threatening behavior should be encouraged.
19. Schools (K-12 and higher ed) should be encouraged to provide education to students about the conditions that should trigger the reporting of a 'see something say something' type of event.
20. The Legislature should fund an active, public campaign to promote 'see something say something.'
21. Pursuant to RCW 28A.335.010, K-12 school districts should design and remodel school facilities with security and mitigation/minimization of mass shooting events in mind. These considerations could include the physical design of the buildings, the number and location of entrances and exits, the ability to lock individual rooms, etc.

22. School (K-12 and higher ed) students and staff should be trained on what to do in the instance of an active shooter.
  - a. Such drills need to be carefully carried out so as to not frighten students or staff.
  - b. Such drills need to be carefully crafted to be appropriate for the school (high school v elementary school).
23. Steps should be taken to ensure that ample resources and support (counseling, etc) are provided to school students and staff (K-12 and higher ed), law enforcement, and families of each following incidents of mass shooting.
24. Suicide and bullying prevention outreach and education efforts should be supported and modernized.
25. State funding should be made available for community and technical colleges to fund a law enforcement presence on campus.

## VI. Children's Mental Health Work Group

In 2016, the Legislature created the Children's Mental Health Work Group.<sup>25</sup> In 2018, the Work Group was directed to continue its work through the year 2020.<sup>26</sup> The work group must:

- monitor the implementation of enacted legislation, programs, and policies related to children's mental health, including provider payment for depression screenings for youth and new mothers, consultation services for child care providers caring for children with symptoms of trauma, home visiting services, and streamlining agency rules for providers of behavioral health services;
- consider system strategies to improve coordination and remove barriers between the early learning, K-12 education, and health care systems; and
- identify opportunities to remove barriers to treatment and strengthen mental health service delivery for children and youth.

Children's Behavioral Health Regional Pilot. One of the Work Group's recommendation was to create a behavioral health regional pilot. In 2017, OSPI was directed to establish a competitive application process to designate two ESDs to pilot one lead staff person for children's mental health and substance abuse disorder services.<sup>27</sup> ESD 101 (Spokane) and ESD 113 (Tumwater) were selected to participate in the pilot.

The lead staff person must have responsibilities such as coordinating Medicaid billing, facilitating partnerships, sharing service models, seeking public and private grant funding, and ensuring adequacy of other system level supports. OSPI refers to this staff person as a Behavioral Health Systems Navigator (BHSN).

---

<sup>25</sup> [E2SHB 2439 \(2016\)](#).

<sup>26</sup> [E2SHB 2779 \(2018\)](#).

<sup>27</sup> [E2SHB 1713 \(2017\)](#).

**Recommendations.** The Work Group is required to submit a report by December 1, 2020. The Work Group decided to adopt recommendations for the 2019 legislative session. At its December 7, 2018 meeting, the Work Group adopted the following recommendations related to K-12 schools and will consider additional recommendations in January 2019.

**Children's Mental Health Work Group 2019 Recommendations<sup>28</sup>**

1. Expand the children's behavioral health regional pilot to all nine ESDs, which aligns with OSPI's decision package titled "Supports for School Safety and Mental Health."<sup>29</sup>
2. Support the establishment of a pool of funding, so schools can build capacity and increase access to mental health service for all students, regardless of their insurance plan. Provide resources to schools to ensure that staff and students receive appropriate mental health first aid, suicide prevention, anti-bullying, and trauma-informed care training.

**VII. Joint Legislative Task Force on Improving State Funding for School Construction**

The 2018 capital budget created the Joint Legislative Task Force on Improving State Funding for School Construction.<sup>30</sup> The Task Force adopted seven top priorities and also made additional recommendations for the Legislature to consider. One of the additional recommendations is to promote and expand health and safety in schools with the following details.

**Joint Legislative Task Force on Improving State Funding for School Construction's Recommendations related to Promoting and Expanding Health and Safety in Schools<sup>31</sup>**

1. Increase investments in imminent health and safety issues for the near term; such as lead-contaminated fixture replacements, unsafe building systems, insecure points of entry, etc.;
2. Increase investments in health and safety for the long term; such as perimeter security control systems or other physical safety systems, adequate kitchen and nutrition facilities, as well as facilities that encourage physical activity; and
3. Encourage school districts to:
  - a. continue working with law enforcement in developing emergency response systems per RCW 28A.320.126;
  - b. conduct health and safety assessments in pre-planning efforts of school construction projects; and

<sup>28</sup> Children's Mental Health Work Group, December 7, 2018 Meeting.

<sup>29</sup> OSPI's 2019 Decision Package, "Supports for School Safety and Mental Health," <http://www.k12.wa.us/LegisGov/2019documents/PL-Mental-Health-and-Safety.pdf>.

<sup>30</sup> [SSB 6090 \(2018\)](#); [ESSB 6095 \(2018\)](#).

<sup>31</sup> Joint Legislative Task Force on Improving State Funding for School Construction, Report to the Legislature, December 15, 2018, <http://leg.wa.gov/JointCommittees/K12CTF/Pages/default.aspx>.

- c. incorporate school safety and health into planning and design, while allowing for local customization for the long term;
4. Restore school mapping funding to update the database of school building maps and infrastructure.

### VIII. State Auditor's Office

The State Auditor's Office (SAO) has conducted and is working on recent performance audits related to school safety.

School Responses to Notifications of Criminal Offenses. This two-part performance audit related to notification of criminal offenses committed by students. The first part focused on whether state agencies, courts, and sheriffs notified K-12 schools of offenses committed by students as required by law.<sup>32</sup> The second part examined school responses when a principal received notification and whether they were providing this information to every teacher of the student.<sup>33</sup>

The second part of the audit found that few principals interviewed routinely shared criminal history information as extensively as required by state law, primarily because most did not understand their legal obligations.<sup>34</sup> The performance audit made recommendations to the Legislature, the Washington State School Directors' Association (WSSDA), OSPI, and school districts.

#### **SAO Recommendations to the Legislature on School Responses to Notification of Criminal Offenses Committed by Students<sup>35</sup>**

1. Address the apparent conflict between RCW 9A.44.138, RCW 13.04.155 and RCW 28A.225.330(6) regarding notification for Level I sex offenders by amending one or more of the statutes. In addition, revise RCW 28A.320.128 as needed to align with the other statutes.
2. Direct the work group to address the following issues:
  - a. Establish clear instructions that courts, state agencies and sheriffs must include with each notification, to inform principals of their statutory requirements to provide information to teachers and subsequent schools. This addresses the needs of new principals and principals who rarely receive notifications for consistent guidance.
  - b. Determine the best way to include information about student criminal offenses received from courts or law enforcement agencies in the state's

<sup>32</sup> SAO Performance Audit, "Ensuring Notification to Schools and Districts of Student Criminal Offenses," May 7, 2018, <http://portal.sao.wa.gov/ReportSearch/Home/ViewReportFile?arn=1021306&isFinding=false&sp=false>.

<sup>33</sup> SAO Performance Audit, "Evaluating School Responses to Notifications of Student Criminal Offenses," November 5, 2018, <http://portal.sao.wa.gov/ReportSearch/Home/ViewReportFile?arn=1022545&isFinding=false&sp=false>.

<sup>34</sup> SAO Performance Audit, "Evaluating School Responses to Notifications of Student Criminal Offenses," November 5, 2018, <http://portal.sao.wa.gov/ReportSearch/Home/ViewReportFile?arn=1022545&isFinding=false&sp=false>.

<sup>35</sup> The recommendations to WSSDA, OSPI, and school districts can be found on page 22 of the report.

record retention schedules. This addresses the need for consistent guidance for records specialists.

- c. Consider limiting the transfer of information between schools to active diversion agreements, adjudications and convictions, to limit the number of notifications that must be communicated to teachers and subsequent schools. Once a student has completed the terms of a diversion agreement, principals would not need to notify subsequent schools.
- d. Establish mechanisms to inform principals when students have successfully completed diversion agreements.
- e. Consider limiting required notification to all of a student's teachers to only those offenses the work group determines are relevant to teachers' ability to maintain a safe and supportive learning environment, to limit the number of notifications that must be communicated to teachers.

Leading Practices in School Safety. This performance audit will review school safety planning efforts in Washington's K-12 schools, a topic developed by working with stakeholders from OSPI's School Safety Center and WSSDA.<sup>36</sup>

This audit seeks to answer the following question: What leading practices and other opportunities exist to address known gaps in K-12 school safety planning? The audit is set to be released at the beginning of 2019.

### **IX. Federal Commission on School Safety**

In March 2018, the President appointed the U.S. Secretary of Education to lead the Federal Commission on School Safety.<sup>37</sup> The Commission was charged with providing meaningful and actionable recommendations to keep students safe at school. The Commission held a series of meetings, field visits, and listening sessions.

On December 18, 2018, the Commissioners presented their final report to the President with 93 best practices and policy recommendations. The executive summary is included below and the full report can be found on the U.S. Department of Education's website.<sup>38</sup>

---

<sup>36</sup> SAO Performance Audit, "Sharing School Safety Leading Practices," Scope and Objectives, [http://www.sao.wa.gov/state/Documents/PA\\_overview\\_School-Safety\\_Planning.pdf](http://www.sao.wa.gov/state/Documents/PA_overview_School-Safety_Planning.pdf).

<sup>37</sup> U.S. Department of Education, <https://www.ed.gov/school-safety>.

<sup>38</sup> Federal Commission on School Safety Report, <https://www2.ed.gov/documents/school-safety/school-safety-report.pdf>.



## Federal Commission on School Safety Executive Summary<sup>39</sup>

As set forth in the pages that follow, the work of the Commission falls into three broad categories:

- (a) **Prevent**—preventing school violence;
- (b) **Protect and Mitigate**—protecting students and teachers and mitigating the effects of violence; and
- (c) **Respond and Recover**—responding to and recovering from attacks.

The Commission’s work is summarized below.

### Prevent

**Character education and creation of a positive school climate:** Character education and a positive school climate can help students feel connected to, rather than isolated from, teachers and fellow students. They can also help combat cyberbullying, an area where states, districts, and schools are developing and evaluating promising new approaches. Student-led efforts are critical to addressing cyberbullying. Firm and prompt responses to cyberbullying by staff are necessary as well as having suitable systems for the reporting of incidents.

**Mental health:** Improving access to school-based mental health and counseling for young people is an important aspect of prevention. So, too, is community involvement and support, including the faith community. Prescribing psychotropic medications for complex mental health needs should only be part of a broader treatment plan.

Integrating mental health, substance misuse, and other supportive services into school and pediatric settings can help early identification of needs and access to treatment. Testimony and information gathered from Commission listening sessions, site visits, and meetings noted a lack of school-based or easily accessible mental health professionals. Telephonic and telepsychiatry consultations have the potential to dramatically expand and enhance care.

**Threat assessment:** Beyond the school building and campus, informed and alert communities play a critical role in keeping our schools safe. Prior to most attacks, other students had concerns about the attacker, yet most did not report what they knew to a parent or other responsible adult. Outreach campaigns such as “If You See Something, Say Something®” and similar state-specific programs are essential to encouraging and facilitating the reporting of suspicious activities or other concerning behaviors. There are significant opportunities to customize or expand such efforts.

Suspicious activity reporting programs must incorporate appropriate privacy protections to ensure compliance with the Family Educational Rights and Privacy Act (FERPA) and the

---

<sup>39</sup> Federal Commission on School Safety Report, <https://www2.ed.gov/documents/school-safety/school-safety-report.pdf>.

Health Insurance Portability and Accountability Act (HIPAA). However, confusion remains in some localities about whether and when student records can legally be shared during a health or safety emergency. Reducing this confusion can lead to greater compliance and appropriate reporting of threats to the safety of students and schools.

**Press coverage:** For optimal engagement with the media after a school safety incident, state and local authorities should develop a media plan as part of their broader crisis preparedness, response, and recovery plan. The “No Notoriety Campaign” (i.e., not using shooters’ names or photos, but instead focusing on facts and victims) is a policy that media outlets and communities across the country should consider.

**Violent entertainment and rating systems:** The role of the family is central to controlling violent entertainment. State and local educational agencies should collaborate with parents to strengthen internet safety measures to curb access to inappropriate content.

In addition, the entertainment industry should ensure its rating systems provide parents with the full complement of information needed to make informed decisions about entertainment for their children.

**School discipline:** Maintaining order in the classroom is a key to keeping schools safe. Teachers are best positioned to identify and address disorderly conduct. However, guidance issued by the prior Administration advocated a federal solution that undercut the ability of local officials to address the impact of disciplinary matters on school safety. The guidance also relies on a dubious reading of federal law. The guidance should be rescinded and information about resources and best practices for improving school climate and learning outcomes should be developed for schools and school districts.

**Law enforcement:** The available research does not support the conclusion that age restrictions for firearms purchases are effective in reducing homicides, suicides, or unintentional deaths. Most school shooters obtain their weapons from family members or friends rather than by purchasing them. States should consider offering training or other resources to promote safe storage of firearms.

Other recommendations include encouraging states to adopt laws permitting “extreme risk protection orders” (ERPOs), which can prevent individuals who pose a threat to themselves or others from possessing or purchasing firearms. The Federal Bureau of Investigation’s Public Access Line—a critical component of the FBI’s efforts to keep Americans safe—has undergone changes to improve the process for receiving and evaluating tips from the public.

### **Protect and Mitigate**

**Training:** All school personnel play a role in school safety and should take part in school safety training. Those best positioned to respond to acts of violence are those with specialized training such as school resource officers (SROs) who are generally sworn law enforcement

officers. With respect to training and other related aspects of school safety, states and local policies and approaches should reflect their own unique circumstances and needs.

When a school shooting occurs, law enforcement officers are the ones who rush to the scene, neutralize the shooter, assist victims, and secure the site. The federal government provides a wide array of emergency and crisis training resources to state, local, and tribal law enforcement agencies to help prevent, plan for, and respond to such incidents.

**Troops to Teachers:** Military veterans and retired law enforcement officers often possess the leadership, experience, and essential training to help ensure the safety and security of our nation's schools. As the Troops to Teachers program attests, veterans and retired law enforcement officers can also serve as highly effective educators where there are reduced barriers to certification and appropriate incentives are in place.

**Building and campus security:** Every school in America is different, and the appropriate protective measures will vary based on the characteristics of the site, location, resources, and personnel available. A risk assessment can identify vulnerabilities and enable the development of a strategy to address any security gaps.

Effective security plans use a layered approach across all three areas of a school: entry points, the building envelope (e.g., walls, roofs, windows, doors), and the classroom. An effective security plan can be especially valuable in rural areas, where law enforcement response times may be significantly longer than in more urban jurisdictions.

### **Respond and Recover**

**Active shooter preparedness:** Reports prepared in the aftermath of school shootings have universally recognized the value of preparing for a potential active shooter incident through training, planning, and related strategies. According to some reports, total casualties could have been higher in Parkland, FL, had the school not provided active shooter preparedness training to staff (the latest training coming just six weeks before the shooting incident).

### **Appendix: PowerPoint Presentation - School Safety Interim Project Overview**

The attached PowerPoint was created for a work session during committee assembly on November 14, 2018. It provides a brief overview of the contents of this memorandum.

---