

Policy & Legal News

HELPING SCHOOL DISTRICTS TRANSLATE LAW INTO ACTION

A CRITICAL STEP IN

Standardizing Active Shooter Drills: THE ROLE OF HB 1941



PLUS:

A Community-Based Approach to Increasing Language Access
Attendance and Mental Health from the Student Point of View
Restricting Weapons at Board Meetings



JUNE 2022

WASHINGTON STATE SCHOOL
DIRECTORS' ASSOCIATION

Policy Classifications

ESSENTIAL

- Policy is required by state or federal law; or
- A specific program requires a policy in order to receive special funding.

ENCOURAGED

- While not required by law, policy is intended to reflect the spirit of existing state or federal law thus inuring districts to potential litigation;
- While not required by law, policy has potential to benefit the health, safety, and/or welfare of students, employees, directors, and/or the local community.

DISCRETIONARY

- Policy addresses an action likely deemed important by the board; or
- Policy would likely be deemed appropriate due to special circumstances of the board; or
- Policy communicates district philosophy that a board may want to promote to employees and/or the community.

Although the term “teamwork” might seem cliché or corny, teamwork is powerful.

Phil Jackson said, “The strength of the team is each individual member. The strength of each member is the team.” But working effectively as a team is as challenging as it is powerful. Somehow, individual school directors need to share their insights, be able to disagree without disrespect, and be open to revising their assumptions. Deepack Chopra offered, “Every time you are tempted to react in the same old way, ask if you want to be a prisoner of the past or a pioneer of the future.” In other words, working as a team isn’t about being right; it’s about getting it right.

My goal for *Policy & Legal News* is to help you, school directors and superintendents, function better as a team by understanding the complex issues at the basis of board policy. This edition of *Policy & Legal News* focuses on responding to recently passed legislation that impacts school districts and affects students. There is plenty of information to relay, but we hope to move beyond merely informing you of what the changes are. As leaders of your school district, we want to support you in understanding the “why” behind the changes and being pioneers for a better future.

We’re excited to bring you articles written by Washington legislators, Representative Tana Senn and Representative Emily Wicks. Both wrote articles that speak to why they sponsored the legislation that they did. We’re particularly thrilled to bring you a reflection from student leader Sarnika Ali about why she was inspired to advocate for legislative changes regarding student mental health and school attendance. We hope these stories help transform your potentially tedious board policy work into the realization that policy work matters.

We also want to support you by letting you hear information directly from experts. We asked Open Doors for Multicultural Families to help us understand the new legislative requirements for a robust language access program and why it can unite and strengthen your school community. For our cover story, we bring you Brooke Gialopsos, an associate professor at Seattle University, and Cheryl Jonson, an associate professor at Xavier University. Their research on school safety allows school districts to make evidence-based decisions. Their article will help you understand why a new law bars active shooter simulations as part of lockdown drills.

We rise by lifting others. Your board’s teamwork in lifting your school district matters, especially now. We hope that human stories about the kids and families you serve will inspire and help unite your board. Thank you, school board members, for what you do.

Abigail Westbrook, J.D.,
Editor



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★ UPDATES TO MODEL POLICY

WSSDA has developed, revised, or retired the following model policies and procedures. Subscribers can find marked-up and clean versions of these documents (as applicable) in their subscriber portal on the WSSDA website by visiting wssda.org/login.

ESSENTIAL

- **1400/1400P** – Meeting Conduct, Order of Business, and Quorum
- **1420** – Proposed Agenda and Consent Agenda
- **3122/3122P** – Excused and Unexcused Absences
- **3205P** – Sexual Harassment of Students Prohibited
- **3432/3432P** – Emergencies
- **4210** – Regulation of Dangerous Weapons
- **4218/4218P** – Language Access
- **5001** – Hiring of Retired School Employees
- **5011** – Sexual Harassment of District Staff Prohibited
- **6112** – Rental or Lease of District Real Property
- **6700/6700P** – Nutrition, Health, and Physical Education

ENCOURAGED

- **2110** – Transitional Bilingual Instruction Program
- **3116/3116P** – Students in Foster Care
- **5610** – Substitute Employment

DISCRETIONARY

- **1410** – Executive or Closed Sessions
- **5612** – Temporary Administrators

LIST OF SERIES INCLUDED IN UPDATES

- **1000 Series** – Board of Directors
- **2000 Series** – Instruction
- **3000 Series** – Students
- **4000 Series** – Community Relations
- **5000 Series** – Personnel
- **6000 Series** – Management Support



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JUNE 2022

WASHINGTON STATE SCHOOL DIRECTORS' ASSOCIATION



Governor Jay Inslee signed House Bill 1153 into law on March 23, 2022.

A Community-based Approach to Increasing Language Access

In Washington's K-12 School System

MODEL POLICY
2110
Transitional Bilingual Instruction Program

MODEL POLICY & PROCEDURE
4218
4218P
Language Access

By Emily Fungand and Joy Y. Sebe

Strong relationships are built on trust and the ability to communicate through conflict. Anyone who has attended a meeting to discuss Special Education services or to review school re-entry after a suspension understands the importance of conflict resolution in building and maintaining family-school relationships. Families of all backgrounds, including those who are immigrants and refugees and who have communication disabilities, need to be able to communicate with educators to build a relationship based on mutual respect, access information to support their student's growth, and engage in the decision-making process. Unfortunately, many families are not able to communicate with educators due to insufficient access to interpreters and translations. Educational language access is defined as meaningful

two-way communication between families and educators via quality interpretation and translations. While language access is necessary for all communications, it's critical for high-stakes meetings such as those related to Individualized Education Programs, Section 504 Plans, discipline, safety, and/or mental health. Though required by federal civil rights law, language support services are often poorly organized and underfunded, if they are offered at all. Frustrated, advocates across the state have decided to take action. Engrossed 2nd Substitute House Bill 1153, better known as HB 1153, aims to increase language access in Washington's public schools. Signed into law by Governor Jay Inslee

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“We can't understand what decisions are being made on our behalf. When things feel wrong, we are essentially silenced.”

—Spanish-speaking parent of a student with disabilities

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in March, this new legislation is an ambitious package of K-12 educational policy and professional certification standards. Proponents argue that the bill will bridge the opportunity gap facing families and students from traditionally marginalized backgrounds and forge a path for more equitable family engagement at school.

Acting on Intersectional Need

Throughout Washington state, thousands of immigrant and refugee, deaf/hard of hearing, blind/visually impaired families are not able to communicate with their children's schools. In our state, 27.9% of parents of children ages 5 years or older, and enrolled in public school, speak a language other than English (National Center for Education Statistics). According to 2019-20 data from the Office of Superintendent of Public Instruction (OSPI), in Roosevelt, Inchelium, Wapato, Wahluke, and Mount Adams school districts, 50% of students are English Language Learners. In Seattle, Kent, Federal Way, Lake Washington, Edmonds, Highline, Bellevue, Everett,

Mukilteo, and Spokane school districts, families speak more than 75 languages (2017-18).

Inadequate language access hinders communication between schools and families and leaves students having to navigate a complex and historically hostile education system on their own. The devastating impact on students of color with or without disabilities is evident whether you look at national, state, or local data across a range of indicators:

- **Restraint and Isolation:** According to 2019-2020 OSPI data, K-5 students with disabilities are 15x more likely to be restrained or isolated than their peers without disabilities. While students with disabilities make up 14.4% of total enrolment, they make up 85.6% of students who are restrained or isolated. Low-income students are more than 3x more likely and Black/African American students are twice as likely relative to their enrollment.
- **Least Restrictive Environment:** OSPI also reports that while 56.6% of students with disabilities are placed in general education for 80-100% of the day, this percentage falls to 49% for students of color.
- **Mental Health:** Students with disabilities are 2.4x more likely to feel sad and hopeless than students without disabilities (2021 Healthy Youth Survey).

For most students, establishing a strong communication plan among the student, family, and educators from the very beginning prevents small mishaps from snowballing into significant and costly challenges. Given inadequate opportunities for communication, it is no surprise that youth of color with disabilities are the least engaged in postsecondary opportunities, such as employment and higher education, which leads to long-term and costly employment and health outcomes.

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From left: Open Doors Executive Director Ginger Kwan, Representative Tina Orwall (33), Senator Claire Wilson (30) and Open Doors Assistant Director Joy Sebe

“Language access is a lifeline for families like mine. English is not my first language. My son has a disability. He has higher needs than most children, and I have more challenges in engaging in his care and education.”

—Spanish-speaking parent of a student with disabilities

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And for families, communication is all about access to information:

“My daughter is deaf/hard of hearing, her principal and athletic director decided without parent consent that my daughter and her parents don’t need interpreters for volleyball and special events. They assumed that because we speak ok, we don’t need an interpreter. It’s not about how we speak, it’s about why we don’t have full access to communication.”

For more family stories, please see our [2021 Family Feedback Report on Language Access in Schools](#).

Journey to Olympia

HB 1153 is an example of community-led change that has grown into a state-wide movement. For years, Open Doors for Multicultural Families has heard from families from different cultural backgrounds that they were having trouble communicating with their children’s schools.

Our journey for legislative change began in 2015 when Open Doors gathered families in our Kent Office to meet with Representative Tina Orwall. While “language access” is a common phrase now, it took time to educate the rest of the Legislature and advocate on the issue. Even education experts conflated language access with English Language Learner services or dismissed the matter by saying, “we’ve already solved this issue. It’s required by state and federal law.”

In 2019, working with Rep. Orwall, we passed HB 1130, which required the Office of Superintendent for Public Instruction (OSPI) and the Office of Education Ombuds (OEO) to convene a group of experts, called the Language Access Workgroup, to make policy recommendations to the Legislature. Most of the time, workgroups convene for several months and agonize over recommendations, then their report is shelved. Our workgroup was a convening of passionate activists dedicated to change. We knew we had gotten our foot in the door and were ready to pry it open. After 18 months of Workgroup meetings, we were confident that the recommendations were sound and that now we needed the strategy to get them through the Legislature.

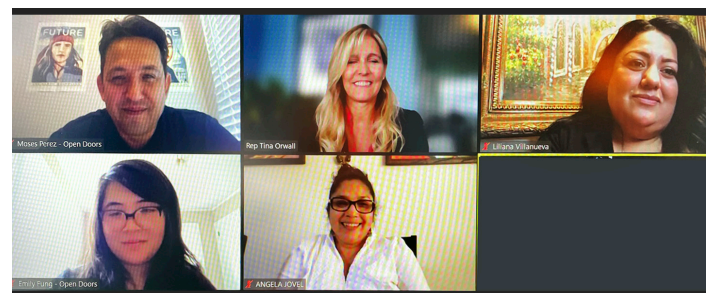
At Open Doors, we mapped out our strategy: build and

“My daughter is deaf/hard of hearing, her principal and athletic director decided without parent consent that my daughter and her parents don’t need interpreters for volleyball and special events. They assumed that because we speak ok, we don’t need an interpreter. It’s not about how we speak, it’s about why we don’t have full access to communication.”

– American Sign Language deaf family



Above: House Speaker Pro Tempore and HB 1153 Bill Champion Tina Orwall (33) speaks about the importance of language access at the House Floor Debate on February 8, 2022.



Open Doors staff, Multicultural Family Leadership Training graduates and Rep. Tina Orwall (33) appear on Rep. Orwall’s “Tina Talk” YouTube channel, in a segment discussing the need for language access in public schools.

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strengthen relationships with Legislators, mobilize families and youth, secure media attention, and determine a communication plan to get the word out. What follows, are several of the steps we took to implement our strategy.

We worked for two years to build our Multicultural Family Leadership Training Program and are grateful to the Family Leaders who met with legislators, testified at public hearings, and ensured that the proposed legislation would help families. We joined forces with OneAmerica to ensure that we heard from youth and leveraged their knowledge and connections. The Developmental Disabilities Council connected us to legislators. The League of Education Voters hosted webinars and pushed

out calls to action. Everyone pitched in. Educators came to testify in support. Interpreters and interpreters unions expressed support for the legislation as a tool that would bolster their industry and workforce. Seven plus years later, the bill has been signed into law. But we know the work has just begun.

Bill Overview

HB 1153 envisions family-centered solutions with specially designated funding. Bill language stipulates a number of policy changes for districts and schools, as well as increased professional training and credentialing for interpreters and translators in education settings.

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Left: Moses Perez, Advocacy and Civic Engagement Manager at Open Doors for Multicultural Families. Right: Emily Fung, Advocacy and Civic Engagement Coordinator at Open Doors for Multicultural Families.

“For parents like me, quality language access and interpretation is the only way to feel confident about leaving our children in the school’s care.”

– Cantonese-speaking parent of a student with disabilities

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Overview of HB 1153 Policy Changes to Improve Language Access



TECHNICAL
ASSISTANCE AND
COORDINATION



INTERPRETER
TRAINING AND
CREDENTIALING



DATA COLLECTION
FOR FAMILIES



COMMUNITY
ADVISORY COMMITTEE

Technical Assistance and Coordination

OSPI must implement a language access technical assistance program that supports school district language access programs across Washington. OSPI is also responsible for monitoring compliance on issues related to language access needs and services.

Beginning in the 2023-2024 school year, school districts with at least 50% English-learner enrollment or greater than 75 languages used by students or families must hire a full-time language access coordinator. Alternatively, districts may also report the total number of hours school district staff spend performing the language access coordination activities.

Interpreter Training and Credentialing

Standards, testing, and credentialing in education-related terminology will be provided at no cost to interpreters; the hope is to build a qualified workforce of specialized interpreting professionals, capable of accurately representing families in general and special education settings. This will ensure families are able to effectively understand and participate in their student's education, especially in interactions where there are legal stakes and/or other significant impacts on their student's education.

OSPI and the Washington Professional Educator Standards Board (PESB) will collaborate to establish credentialing guidelines and create a mandatory professional code of conduct to minimize historic miscommunications between families, interpreters, and school staff.

Data Collection for Families

To better forecast future need and projected growth for newly implemented language access programs, the bill also stipulates that school districts collect more comprehensive data surrounding families' spoken language preferences and support requirements. Work is already underway to improve and standardize the existing Home Language Survey to include information from parents, guardians, and caregivers.

School districts and charter schools must also perform a more comprehensive review of language access support requirements and implement, beginning with the 2023-2024 school year, language access programs that reflect these findings.

Community Advisory Committee

An advisory committee will be convened to monitor and report on language access program milestones and offer guidance to oversight entities like OSPI and PESB. Comprised of educators, service providers and impacted families, the advisory committee will provide necessary and regular evaluation to ensure community voice remains centered during the bill's implementation phase.

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The Future of Language Access

The road ahead for language access is long, but not altogether uncertain. Each school district in Washington must adopt language access policy and procedures by October 1, 2022, and WSSDA must issue a model policy by the end of the summer. Further changes and full-time language access coordinator hiring will begin in the 2023-2024 school year.

Down the line, bill-watchers are eager to see how language access is addressed with more precision. Experts acknowledge that rural areas of the state will require a targeted approach to support their success and may not be fully addressed in the current legislation. Funding sources for HB 1153, which currently come from the state budget, will also need to be increased as changes roll out over the coming school years.

Yet for advocates, it is time to celebrate. “We can’t

let perfect get in the way of good,” said Moses Perez, Advocacy & Civic Engagement manager at Open Doors. “I am thrilled to see community feedback becoming a bill... and now, Washington State law. It makes me feel proud to live in a state where bipartisan support is still possible in crucial spaces like our public schools.” Thousands of families and students across Washington are rejoicing at the thought of no longer shouldering the burden of accommodation. There is relief, but also a hope for a more equitable future.

Emily Fung is an Advocacy Program Coordinator and Joy Y. Sebe, Ph.D. is Assistant Director, Director of Community Parent Resource Center for Open Doors for Multicultural Families, which provides culturally and linguistically relevant information, services, and programming to culturally and linguistically diverse families of persons with developmental and intellectual disabilities.

“Having access to language within my school district has helped me feel part of this community—but most of all it has helped me to be a better mom.”

—Spanish-speaking parent of a student with disabilities

Based on House Bill 1153 – Public Schools – Language Access Provisions, WSSDA has made non-substantive revisions to **2110 – Transitional Bilingual Instruction Program**, which is an Encouraged policy. These limited revisions include cross-references to other policies and do not need board approval. In addition, WSSDA has made substantive revisions to policy and procedure **4218/4218P – Language Access**, which, based on provisions in House Bill 1153, is now an Essential Policy. Approval by your own local school board is necessary for these revisions.

Attendance AND Mental Health

A STUDENT'S PERSPECTIVE

MODEL POLICY
& PROCEDURE
3122
3122P
Excused and
Unexcused
Absences

By Sarnika Ali

It would be false to say that mental health is widely discussed or accepted in many locations. Even though several bills regarding mental and behavioral health in students were brought to the Legislature, this remains a highly stigmatized issue.

Suicide is one of the leading causes of death in teenagers. Yet, the issue of not reaching out to students with enough mental health supports continues to worsen. I want to contribute to society and work to develop and implement a new system that reduces the stigma around mental health so students

can be safer and feel more accepted in the educational environment where they spend so much time.

Suicide and student mental health issues are the hidden pandemics facing students state-wide. I started thinking about how students need increased access to mental health services and support and realized that schools are often a second home for most students. Outside of the virtual learning circumstances caused by COVID-19 the last two years, most students spend the majority of their time in school if not at home. As such, students become attached to their school and

the adults within the school who provide a safe environment.

Statute allows school districts to consistently excuse student absences for a variety of reasons like doctor appointments, physical illness, and more. However, absences due to mental health is not one of them. When a place as impactful as school does not acknowledge students' growing mental health crisis by excusing absences related to mental health while allowing them for physical illness, it contributes to the de-legitimization or stigmatization of mental health issues, which students may then internalize. This

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“It is so unfortunate that our future leaders of tomorrow cannot even admit to taking time for themselves without receiving a consequence from school.”

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internalization of stigma only increases the challenges facing the affected students.

Over the past two years, I have integrated myself into working with mental health advocacy and awareness and youth suicide prevention through many different outlets and organizations. These experiences have allowed me to meet more students and youth and learn about more experiences relating to mental health in educational institutions. I have consistently

noticed several peers calling in “sick” days when in reality, they needed a mental health day. And it is so unfortunate to live in a society where young adults must claim they are sick in order to receive an excused absence because admitting they care about their mental health will result in an unexcused absence. It is so unfortunate that our future leaders of tomorrow cannot even admit to taking time for themselves without receiving a consequence from school. This can lead to students developing negative feelings towards discussing mental health or resentment towards pursuing education.

That led to my initial spark in the composition of House Bill (HB) 1834. As someone who was fortunate enough to find my safe space inside the walls of my school and have faculty and peers I could confide in, I wanted to make that a reality for more students. I believe that school can be a truly special place where we learn to make connections and friendships, learn skills, and actually enjoy attending every day. Sadly, for many individuals, that experience is far from the world in which they live.

HB 1834 states that the rules defining student absence must categorize an absence for a mental health reason as an excused absence. Although the bill makes only slight changes to the words of the statute for attendance, it goes a long way to support students. Mental health is not unique to just a few individuals. Mental health is important and significant to every individual. The new language not only acknowledges that mental health is part of health, it also aids in the effort to destigmatize mental health in more settings. Finding a silver lining in COVID-19, it helped society realize and accept the extent to which mental health can affect someone in large and small ways.

Mental health matters. When students are not mentally healthy, everything else is at risk—their physical health, relationships, friendships, and connection to

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society. Representative Callan's tireless work on this bill resulted in a notable improvement in the fight to destigmatize mental health. By putting her time and effort into a bill that deals with mental and behavioral health issues, Representative Callan demonstrated that mental health is important.

I worked on composing and advocating for HB 1834 because I truly believe that small changes can eventually lead to dismantling the societal norms that continue to pressure students to stay quiet about mental health issues. Many mental health services are inequitable in their nature, but HB 1834 de-stigmatizes mental health equitably. Additionally, I personally felt that including mental health as an excused absence will allow all students to act on behalf of their mental health without also needing access to other outside factors. HB 1834 also increases the likelihood of classroom discussions with faculty relating to mental health. When school districts classify mental health absences as excused, it sends a message to students, parents, teachers, and administrators that mental health is accepted and matters. It also sends a message that people can talk about mental health inside schools without extra judgment or shame.

HB 1834 was a huge accomplishment and success. For this bill to pass unanimously through both the House of Representatives and the Senate displays changes in our society and in our feelings towards mental health. While it may only be a small ripple in the battle to destigmatize mental health, HB 1834

will lead the way for many future bills that support the integration of mental health into education.

I hope my work on composing and testifying for this bill will inspire other students to share their voices and support mental health in a broader sense. It all starts with one individual who thinks they can make a difference. And I hope the passage of this bill shows every student out there: your voice and opinions matter, so work towards creating the future you want our society to have. HB 1834 is a prime example of taking your goals and making them a reality. While any individual mental health bill might not make the largest difference, they will continue to accumulate and reduce the stigma around mental health until one day that stigma is completely eliminated. I look forward to continuing to work on behalf of students in Washington, fighting for mental health integration into education, and spreading these ideals throughout our state and nation.



Sarnika works with various organizations and universities on research for youth mental health/illness and suicide prevention. During the 2022 legislative session, Sarnika worked on the composition of HB 1834 and testified on its behalf.

Based on House Bill 1834 – Student Excused Absences – Mental Health, WSSDA has revised model policy and procedure **3122/3122P – Excused and Unexcused Absences**. This is an Essential policy.

A CRITICAL STEP IN Standardizing Active Shooter Drills: THE ROLE OF HB 1941



**MODEL POLICY
& PROCEDURE
3432
3432P
Emergencies**

By Cheryl Lero Jonson and Brooke Miller Gialopsos

House Bill (HB) 1941—Prohibiting Active Shooter Scenarios for School Safety-Related Drills will go into effect on June 9, 2022. With schools charged with the safety and security of those within their walls, HB 1941 is an important step in equipping Washington State’s students, teachers, and staff with the knowledge and skills to respond to active shooter situations in a manner that does not result in undue psychological harm. However, active shooter training is an often-misunderstood facet of school safety that frequently leads to contentious debate. Thus, having a clear understanding of the policies and procedures surrounding active shooter training—including the role of HB 1941—is imperative to ensure the safety of all within Washington State’s schoolhouses.

To begin, the importance of preventing and preparing for active shooter situations in schools must be stressed. Each year, children across the state prepare and train for a variety of emergency or crisis events. For example, students will undergo numerous fire

drills during their K-12 educational experience. These drills occur despite no fire in a K-12 setting resulting in 10 or more deaths in nearly six decades. In contrast, the last six decades have seen four mass school shootings that took the lives of more than 10 individuals, with three of the four shootings occurring within the last decade. To put these numbers in more perspective, from 2014-2018, one life was taken by a fire compared to 31 people killed due to a mass shooting occurring in a K-12 setting.

Despite the rarity of these crisis situations, we teach students and educators how to keep themselves safe in an emergency. This training provides lifesaving knowledge about how to respond to a crisis at school and can also translate to responding to emergencies that occur in the home or larger community (e.g., supermarkets, movie theaters, festivals). Thus, emergency response training taught in the schoolhouse

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provides students, teachers, and staff with lifelong skills for responding to both natural and human-made disasters that one may encounter during their life course.

To keep Washington State's schools as safe as possible from an active shooter, a layered approach is needed. The first layer involves prevention. The goal of prevention is to avert a threat or to have measures in place to recognize and address the warning signs before tragedy strikes. Washington State has invested many resources for prevention, including but not limited to threat assessment/crisis response teams, anonymous tip lines, mental health resources, access control and physical security measures (e.g., locking entry points, screening visitors, installing surveillance cameras), school safety and security staff, and school resource officers. In an ideal world, these prevention measures would be failsafe. However, we know from previous mass school shootings that these prevention measures are insufficient. Thus, the second layer is mitigation.

The main focus of mitigation is to reduce harm and save as many lives as possible when prevention measures fail. Mitigation involves training students, teachers, and staff on how to respond when they are in an active shooter situation. When examining active shooter trainings, two questions must be asked. First, what is the content of the training? In other words, what skills/knowledge are provided to students, teachers, and staff to respond to an active shooter in their school? Second, how is the training implemented? This question seeks to uncover exactly how people are taught the content, which is precisely where HB 1941 comes into play. While HB 1941 does not alter the content of what students, teachers, and staff are taught to do, it does provide guidance on how they are



learning the emergency preparedness material. Our peer-reviewed scientific research indicates that active shooter training—done in an age and developmentally appropriate manner—results in a reduction of levels of reported fear, worry, and confusion while simultaneously increasing feelings of safety, confidence, and empowerment for the vast majority of students and teachers.

Content

Content for active shooter training falls into three categories: single-option, dual-option, and multi-option responses. A single-option response—also known as traditional lockdown—trains individuals to lock doors, turn out lights, remain quiet, get low to the ground,

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Our peer-reviewed scientific research indicates that active shooter training—done in an age and developmentally appropriate manner—results in a reduction of levels of reported fear, worry, and confusion while simultaneously increasing feelings of safety, confidence, and empowerment for the vast majority of students and teachers.



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and hide in a corner. All individuals regardless of proximity to the threat are instructed to respond in this manner. Thus, it is often referred to as a one-size-fits-all approach.

The second category—dual-option response—provides individuals with two options to survive an active shooter incident. Just like a single-option approach, the dual-option approach includes turning off the lights, locking the doors, remaining quiet, and hiding in a corner. However, this category recognizes there may be instances when students, teachers, and staff are unable to get behind a locked door. In this case, individuals are then instructed to self-evacuate or flee the scene.

The third and final category—multi-option response—encompasses the options included in both the single- and dual-option responses with an important caveat about locking down the room. Not only do these approaches endorse locking the door, but they also explicitly promote the use of environmental objects (e.g., desks, chairs, tables, furniture) to barricade doors and other less obvious points of entry (e.g., a floor-to-ceiling window). These approaches also support fleeing the scene if one can do so in a safe manner. However, most misunderstood is the inclusion of active resistance as a response if students and educators find themselves

face-to-face with an intruder. Active resistance can include swarming the shooter, but more frequently includes throwing environmental objects (e.g., books, water bottles, notebooks, computers) to distract and disrupt the shooter, providing an opportunity to escape. This option will be used by the least amount of people as most will not come into contact with the shooter. Examples of multi-option responses—Run. Hide. Fight. and ALICE (Alert, Lockdown, Inform, Counter, Evacuate)—can be found on the Washington Office of Superintendent of Public Instruction's website.

It is important to note that multi-option responses do not mandate students or teachers to do any of these actions, but rather provide various options to choose from depending on their proximity to the shooter. Much like fire safety where students can evacuate, get low to the ground, or Stop, Drop, and Roll, multi-option responses account for how close the person is to the threat. Furthermore, the actions in dual-option and multi-option responses are not linear. Individuals have the ability to choose between each of the available options depending on the fluidity of the situation. Providing individuals with more than one option to respond to an active assailant is endorsed by the

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federal government and The National Child Traumatic Stress Network.

Implementation

With an understanding of the content of active assailant training, the focus then shifts to how the training content is taught and implemented. Concerning implementation, according to the Federal Emergency Management Agency (FEMA) and the Readiness and Emergency Management for Schools Technical Assistance (REMS TA) Center, two categories are dominant: discussion-based exercises and operations-based exercises. Discussion-based exercises simply involve talking to individuals, providing opportunities to verbally rehearse what to do in a crisis. This can be done through briefings, classroom lessons, and tabletop exercises. Discussion-based exercises have long been used to teach children how to respond to dangerous or emergency situations (e.g., Stranger Danger, getting lost, suicide prevention, drug education).

Operations-based exercises allow people to actually move and practice their response. The simplest level of operations-based exercises is a drill. Drills test how well students, teachers, and staff respond to emergencies and allow them to practice the discussion-based exercises that they have been taught. Drills have a long history of use within school settings (e.g., fire drills, earthquake drills). On the other hand, functional exercises simulate an actual emergency and include trained people acting out their roles, but do not often include multiple agencies, and the realistic recreation of a situation. Full-scale exercises involve multiple agencies and jurisdictions practicing “boots on the ground responses,” as well as props and actors to simulate the reality of an emergency situation.

With operations-based exercises, it is easy to see why there could be situations where active shooter training could morph into something more harmful than useful. Unfortunately, there have been cases where schools have conducted an active shooter training that was unannounced with a mock active intruder, crisis actors, fake blood, and simulated gunfire. This form of training should never be done with K-12 students as it can result in trauma and fear among students, teachers, staff, and parents. The Legislature passed HB 1941 to ensure this type of training never occurs in Washington state schools. The bill explicitly mandates

Unfortunately, there have been cases where schools have conducted an active shooter training that was unannounced with a mock active intruder, crisis actors, fake blood, and simulated gunfire. This form of training should never be done with K-12 students.

that “lockdown drills may not include live simulations of or reenactments of active shooter scenarios that are not trauma-informed and age and developmentally appropriate.” To be clear, the bill does not prohibit these from occurring in schools altogether. The bill mandates that if they do occur, they must be done in a way that prevents traumatizing or re-traumatizing students and in a manner that is understandable for all students based on their cognitive and developmental age and stage.

So, what is meant by “trauma-informed” active shooter training? At its core, trauma-informed active shooter training involves what the Substance Abuse and Mental Health Services Administration (SAMSHA) labels as the “Four R’s:” to realize, recognize, respond, and resist re-traumatization. Realization refers to understanding that trauma has wide impacts on individuals that permeate all aspects of their lives. Recognition involves people knowing and acknowledging the signs and symptoms of trauma displayed by others. Responding denotes the use of trauma-informed practices that take into consideration prior experiences of individuals. This can involve changing language and providing a psychologically and physically safe environment. Finally, resisting re-traumatization includes taking steps to not create stressful environments that could harm the individual.

The National Child Traumatic Stress Network provides

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guidelines for ensuring trauma-informed active shooter drills. First, all drills should be announced through multiple modalities (e.g., PA announcements, text, email, phone) and explicitly be stated as a drill so there is no confusion that the exercise could be a real threat. Parents/guardians should also be included in receiving the announcements so they are notified in advance when a drill is going to occur. This inclusive, multi-modal approach to communication reduces panic and fear among all involved and removes ambiguity. Additionally, announced drills avoid a dangerous desensitization problem. If students and educators continually go through unannounced drills, they may become complacent and not take them seriously, even when the threat is real.

Second, all drills should be developmentally and age appropriate. Although the content will remain the same, the implementation of the training will vary depending on the grade level and ability of the student. Thus, training done with high school students will be different than that done with elementary students. Furthermore, it may be necessary to offer the training through multiple modes (e.g., visual, auditory, reading, writing) to take into account various student learning styles and abilities. This approach will enable students to comprehend, retain, and process the material (i.e., solidify the content) and ensure the material is taught in accordance with students' accommodations in IEPs and 504 plans.

Third, drills should not recreate or simulate a shooting. Just as we do not fill hallways with fake smoke for fire

drills, active shooter drills should not involve the sound of simulated gunfire or people role-playing an assailant or victim. Although this type of simulation—or full-scale exercise—is useful for first responder (e.g., law

Additionally, announced drills avoid a dangerous desensitization problem. If students and educators continually go through unannounced drills, they may become complacent and not take them seriously, even when the threat is real.

enforcement, fire, EMT) training, it has no place in the schoolhouse and will result in psychological harm.

Fourth, after a drill, students, teachers, and staff should debrief. During this time, individuals can discuss the training, address any questions that may have arisen, and process feelings and emotions from the drill. Additionally, teachers and staff can monitor reactions by actively looking for signs of anxiety or distress and provide individuals with immediate support and resources. This attention is particularly critical for students, teachers, and staff with histories of trauma, loss, and/or certain behavioral or learning considerations. Having mental health professionals and staff present during and after drills is ideal.

Fifth, teach calming and coping strategies as part of any emergency preparedness training. This can include a variety of behaviors, including but not limited to, deep breathing, picturing a happy place, and the “54321” technique to ground the person. Giving participants the chance to hone and practice those coping and stabilization techniques during a mock emergency will help them be ready to use the techniques when they are needed most, despite feeling nervous or scared.

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Sixth, be aware of students, teachers, and staff who have experienced recent trauma or loss. Provide access to appropriate mental health resources and services. Additionally, continue to teach and remind individuals to use various calming and coping strategies. This step's crucial component is not re-traumatizing individuals with the training.

School safety is a critical issue facing all Washington State schools. To ensure safety, schools try to prevent and address threats in order to avert tragedy. For fire, this includes the use of flame-retardant materials, policies on the storing of flammable materials, events with fire departments, and fire safety activities to educate individuals on how to prevent fires (e.g., discussions on lighter and match safety). For active shooters, prevention may involve providing outlets for people to report concerning behavior, training/hiring school safety and security staff, school resource officers, and access to mental health professionals (e.g., school counselors). However, we know that in both cases—fire and active shooter—prevention can fail. As a result, school safety also involves preparing students, teachers, and staff on how to respond when a crisis happens at school. Just as it would put individuals in danger if they did not regularly practice how to respond to a fire at school (e.g., fire drills), it would also endanger the lives of students, teachers, and staff if they did not practice how to respond to an active shooter situation. Thus, in addition to having the knowledge and skills, training for when prevention fails is imperative.

Although fire drills have become standardized over the course of many decades, the same cannot be said concerning active shooter training. There is much variation in both the content and implementation of active shooter training across the country. Luckily, the passage of HB 1941 allows for a critical first step in standardizing active shooter training across Washington State. Specifically, HB 1941 mandates that students, teachers, and staff should continue to be provided with the content taught in active shooter training. However, this content is now required to be implemented in a “trauma-informed and age and developmentally appropriate” manner. As HB 1941 goes into effect, Washington State has created an environment for all students, teachers, and staff to learn potentially lifesaving knowledge, without causing undue stress or psychological harm.

Authors: Cheryl Lero Jonson (Xavier University, Associate Professor, Department of Criminal Justice) and Brooke Miller Gialopsos (Seattle University, Assistant Professor, Department of Criminal Justice, Criminology & Forensics)

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WSSDA has updated Model Policy and Procedure **3432/3432P – Emergencies** to reflect HB 1941. This is an Essential Policy.

The Making of HB 1630 and Safer School Board Meetings

By Representative Tana Senn

It was a regular afternoon near the end of the 2020 legislative session with citizens, including school groups, disabilities advocates, and other citizen lobbyists walking the halls of our state capital. Seemingly in a blink of an eye, dozens of people bearing rifles and wearing camouflage and body armor were moving through the halls and rotunda of the capital.

I immediately thought:

- We have spent so much time training our school children to hide, flee, or fight when they are faced with an active shooter incident, what are kids to make of the armed people walking toward them?
- How do our legislative staff feel as armed citizens approach their desks?
- What sort of chilling effect is there on access to democracy and willingness to express political opinions when guns are everywhere?
- Will qualified candidates want to run for office knowing they could be confronted by armed citizens in the course of their daily duties?

Even though the legislative session was nearing completion, I introduced legislation to ban the open carry of weapons at the capitol. Ultimately signed into law by the governor in 2021, the legislation became a critical tool for the safety of citizens, staff, and democracy itself—at the state capitol.

Expanding protections locally

Countless news stories detailing city council or school board meetings where angry constituents made threats against local elected officials spurred me to develop policy to protect communities and access to democracy locally, as well as the state capitol. This year, I introduced House Bill (HB) 1630 to do just that.

Washingtonians deserve safe access to civic engagement without intimidation and fear—at all levels of government.

As a former city council member, a recent report from the National League of Cities found that more than 80% of local elected officials have experienced harassment, threats, and violence—with incidents getting worse since the start of the pandemic—sadly didn't surprise me.

The testimony from local elected officials across Washington State in support of my bill was devastating. The testimony included accounts of mayors who sit behind bulletproof glass; a gun being dropped at a school board meeting sending children, parents, and teachers

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MODEL POLICY & PROCEDURE
1400
1400P
Conduct, Order of Business, and Quorum

MODEL POLICY
4210
Regulation of Dangerous Weapons on School Premises

MODEL POLICY
6112
Rental or Lease of District Property



Representative Tana Senn speaks at a student rally at Mercer Island High School around gun violence.

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scrambling for the door; and election officials struggling to find volunteers to help count ballots because of threats of violence!

What does HB 1630 Do?

With the passage of HB 1630, the open carry of guns and other weapons at city and county council meetings, election sites, and off-campus school board meetings are also prohibited. Guns and other weapons are completely banned from ballot counting locations and on-campus school board meetings. However, on-duty law enforcement, security, and military are still allowed to carry weapons.

Through the legislation, we added to existing Gun Free Zone laws that no guns are allowed at on-campus school board meetings. We also banned guns at ballot counting facilities, thanks to the work of Rep. April Berg! Furthermore, at city and county council meetings, election sites, and off-campus school board meetings, the open carry of weapons is banned too.

Debate, not violence, is what democracy is all about

HB 1630 is about public safety and access to democracy. Guns do not belong at school board meetings, ballot-counting locations, or local government meetings. Local officials and election workers deserve to feel safe when

servicing their communities. And our constituents deserve an environment free of intimidation in order to advocate and participate in our democracy. It is words and debate, not threats and intimidation, that make our democracy strong.



Representative Tana Senn speaks on the house floor.

A Personal Note

This issue is personal to me. I was on the board of the Jewish Federation of Greater Seattle in 2006 when a gunman killed one of my friends and gravely injured five other women. The impact of this one shooting has had ripple effects that continue today.

When I hear concerns from youth about school shootings, my heart breaks. Losing a friend or loved one so violently is life-changing. And the mental health toll that a shooting can have on those directly and indirectly impacted by one event—the loss, the fear, the grief, the pain—is seemingly never-ending. “Active shooter” trainings, online threats of violence, learning of another and another school shooting adds yet an additional layer of mental health and trauma to which we are subjecting our kids.

While we can’t shield youth from offensive remarks, strong disagreements of opinion, and life’s struggles, we should do everything in our power to ensure the impacts of gun violence never reach their door. Schools, as well as school board meetings, should be safe places for everyone!

Representative Tana Senn represents the 41st Legislative District. She chairs the Children, Youth, and Families Committee and is also a member of both the Local Government Committee and the Appropriations Committee. She currently serves as co-president of the National Association of Jewish Legislators, as well as on the board of Hopelink and the advisory board of the UW Master’s in Applied Child and Adolescent Psychology program. She previously served as one of the first co-chairs of the Oversight Board for the Department of Children, Youth and Families and of the Children’s Mental Health Workgroup. She also previously served on the Mercer Island City Council.

Based on House Bill 1630 – Possession of Weapons – Certain Locations, WSSDA has revised model policy and procedure **1400/1400P – Meeting Conduct, Order of Business, and Quorum**, which is an Essential policy; and model policy **4210 – Regulation of Dangerous Weapons on School Premises**. In addition to revisions based on HB 1630, WSSDA has revised **6112 – Rental or Lease of District Real Property**, which is an Essential Policy and **4210 – Regulation of Dangerous Weapons on School Premises** for clarity. Given these revisions, WSSDA has retired the alternative version of 4210, **4210A – Regulation of Dangerous Weapons on School Premises**. The optional more restrictive language that formerly was in 4210A is now incorporated into **4210 – Regulation of Dangerous Weapons on School Premises** with the optional language clearly identified.

Access & Participation at Board Meetings

By Representative Emily Wicks

This year, school boards will be implementing the requirements within House Bill 1329, which concern public meeting accessibility and participation. The legislation goes beyond educational entities to include every public agency covered by the Open Public Meetings Act (OPMA). Yet, the bill was born from my experience and learnings at school board meetings.

In the years when a global pandemic was hardly on our radar, I chaired my school district's local bond campaign. The work led to a job as the district's communications and community relations coordinator.

There was certainly a learning curve coming into this role, as I was coming from outside the educational space. However, I was serving the community I grew up in, and brought an essential and different asset, having worked in various industries, non-profits, and government entities.

During my time with the district, it became clear that the world of public education could be a bit insular and closed off on the administrative side. Those on the path to becoming a principal, director, or superintendent have come up through the same ranks and rarely experience industries outside the educational space. Because of this, it can be difficult to shift mindsets and approaches to working with the public. Specifically, there are some

simple changes we can make at board meetings. There needs to be better dialogue, more clarity, and increased accessibility.

The first problem is that (before the pandemic) very few people show up. Each year, there will be some parents and community members on a mission, and they come to nearly every meeting. We must embrace these individuals. They bring the energy needed to better a child's educational experience, our schools, and our greater community. Our boards and administration should be asking every one of these people passionate enough to come and testify to get more involved. We should take what motivates them, bring them into the fold, and make it easy for them to get the resources needed to help.

Second, the few folks who do show up to board meetings are often subject to presentations on budgets, educational plans, and updates filled with acronyms and buzzwords. I would struggle to interpret goals, strategies, and decision-making processes. And I wasn't alone.

I would look out at the painfully small crowd and see them looking confused. Anyone can get lost if an acronym they don't know is used. That experience can be frustrating, and that frustration understandably turns to anger and

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**MODEL POLICY
& PROCEDURE
1400
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Meeting Conduct, Order of
Business, and Quorum**

**MODEL POLICY
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Executive or Closed Sessions**

**MODEL POLICY
1420
Proposed Agenda and
Consent Agenda**



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distrust. Core information can often become hidden in jargon, and how information gets presented matters greatly. Educators know that more than anyone.

We should be treating board meetings as more than an opportunity to handle governing, business, or patting ourselves on the back. We should be thinking through how we communicate our goals. We should avoid assuming that everyone in our community is up-to-date on the newest educational data and tools. Our clients are the children and families we serve. That's who needs to understand our plans and the reasoning behind them.

Lastly, people must have access to these meetings, even if they cannot be there in person. At the time, our technology director shared we didn't have the dollars to upgrade the infrastructure or pay staff to stream the meetings. Funny how that argument quickly flew out the window with a global pandemic.

With few options at the time, I put the board meetings on Facebook Live. It was not a great solution, but we received many comments from parents and community members about how they appreciated the online meeting option. We needed to do a better job bringing the information to our community rather than expecting our community to come to us for the information we wanted them to have.

House Bill 1329 encourages public entities to provide increased public access and participation in meetings through real-time telephone, internet, or other readily available means of remote access to the meeting. Essentially, it solidifies everything we've done to adapt during the pandemic.

The new law requires governing bodies to provide an opportunity for public comment before action is taken. It also ensures that anyone requesting an opportunity to provide oral comment at a meeting remotely because of disability, limited mobility, or another reason that makes physical attendance at a meeting challenging to be provided the opportunity to comment virtually.

During my speech on the House floor, I shared that the pandemic has shown us how hard it can be for people to comment and learn about public policy when they can't physically attend meetings. This includes low-income

people with unreliable access to transportation, the elderly and people with disabilities, and residents in rural areas where travel time is a hindrance. It also includes every parent and family trying to juggle work, getting food into kids' bellies, traveling to after-school functions, and managing bedtimes.

Another reason this legislation is so important to me is that my district has not passed a bond in nearly 15 years, and their last four replacement levy votes failed. We cannot easily change minds, and we cannot expect people to come to us to get their minds changed. What we can do is bring as much information and knowledge to those we serve, allow every opportunity for questions and inquiries (and respond), and present the information in a way that brings people into the decisions and the work.

It's been a hard two and half years for anyone in public office. Heck, it's been a hard two and half years for everyone, everywhere. But distrust and dwindling support result from negativity, incongruence, self-centeredness, and protectionism. Building trust takes time. An improved commitment to dialogue, clarity of our words, and accessibility is a constant work in progress and a moving target. You can never take anything for granted.

Having a growth mindset is just as necessary for educators as the kids they serve. It will take meeting our families where they are and doing everything in our power to give them the resources and insights to support their schools and community.

Better informed people are more involved and make better decisions. And that's good for everyone in the great state of Washington.

Representative Emily Wicks was born and raised in the Legislative District she now represents – the 38th Legislative



District. In 2019, she founded BOSSY LLC with the goal of creating a co-working, retail and membership organization that prioritizes the needs of working women and their families. She serves as President of the National Women's Political Caucus of Washington and also serves on the board of the Marysville YMCA and the Marysville School District Foundation.

Based on House Bill 1329 – Open Public Meetings – Various Provisions, WSSDA has revised the following model policy and procedures **1400/1400P – Meeting Conduct, Order of Business, and Quorum**, which is an Essential policy; **1410 – Executive or Closed Sessions**, which is a Discretionary Policy; and **1420 – Proposed Agenda and Consent Agenda**, which is an Essential Policy.

Updates to OPMA Effective June 2022

Disclaimer: This document is for the purpose of legal information and awareness. Please consult with your own district attorney for all legal advice.

Since 2020, the operation of school board meetings in Washington has been impacted by the 20-28 series of the Governor's Emergency Proclamations.¹ Proclamation 20-28.14 required that meetings subject to the Open Public Meetings Act (OPMA) have a remote option for participation and attendance (for school directors as well as for the public).

On April 29, 2022, Governor Inslee terminated and rescinded Proclamation 20-28.14, with the termination effective 12:01 AM on June 1, 2022. However, when that happens, the laws governing Washington's OPMA do not revert to their pre-pandemic version. Instead, there will be a few changes based on the passage of House Bill (HB) 1329, which will become the controlling law after the proclamation terminates. Please note that sections 5 through 11 of HB 1329 take effect June 9, 2022, but the remaining sections will be effective immediately on June 1, 2022.

Although HB 1329 revises the OPMA, none of these changes will be onerous to implement. Many of the provisions in HB 1329 merely codify existing practice. Some of the provisions are more accurately described as clarifications rather than changes, and other provisions are recommended, but not required.

Some Noteworthy Changes

Physical Location

As revised by HB 1329, meetings subject to the OPMA must have a physical location where the public can attend the meeting, with two exceptions. The first exception is when a local, state, or federal emergency has been declared,² and your school board determines it cannot hold an in-person meeting. Depending on the specifics of the emergency, your school board can either limit or

fully prohibit in-person public attendance at the meeting. If an emergency creates a limitation or prohibition on the public's in-person attendance, the school district must provide a cost-free option for the public to attend in real-time, either by telephone or another readily available alternative. Additionally, if your school board determines to limit or prohibit in-person attendance based on a declared emergency, be sure to document your reasoning.

The second exception to the requirement that meetings have a physical location where the public can attend is if your school district held some of its regular meetings remotely prior to March 1, 2020. Please note that this date precedes Proclamation 20-28, meaning that your district must have been holding remote meetings before the pandemic required you to do so. If this exception applies, your district may continue to hold these meetings remotely (even though there is no declared emergency) so long as the public may also attend remotely.

Unless one of these two exceptions limits public in-person attendance, the OPMA encourages but does not require an option for the public to attend remotely. However, please see the information below about public comment when someone has difficulty attending in person.

The codified requirement for a physical location for the meeting does not mean that some or all the school directors must attend the board meeting in person. The OPMA now specifically permits members of the governing body to attend the meeting by phone or other electronic means that allows for real-time verbal communication.

Public Comment

Previously, the OPMA did not require public comment periods, yet most school boards allotted time for public comment to hear from their community and for legal reasons other than the OPMA. Effective June 9, 2022, Washington's OPMA requires an opportunity for public comment at regular board meetings where final action is taken.

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¹The original Proclamation 20-28 was issued on March 24, 2020. Proclamation 20-28.14 was extended by Proclamation 20-28.15. Proclamation 20-28.16 rescinds the series of proclamations.

²Governor's Emergency Proclamation 20-05 declared all Washington counties in a state of emergency. As of May 10, 2022, Emergency Proclamation 20-05 is still in effect.

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School boards can meet this requirement by permitting members of the public to comment verbally at the meeting or by submitting written comment before the meeting. However, if an individual who has difficulty³ attending an in-person meeting requests an opportunity to provide verbal comment remotely, your school board must provide this opportunity when feasible. The OPMA does not define “feasible.” Your school district will need to review your technology and meeting spaces and consider whether a reasonable person would conclude that it was or was not feasible for you to provide a remote option for verbal comment when requested. Written public comment must be distributed to the board. The board may set a reasonable deadline for submission of written comments before the meeting. During the pandemic, some boards implemented a practice of reading written public comment aloud at the meeting for a set time. Nothing in the OPMA, previously or as revised by HB 1329, requires this practice. HB 1329 does not require public comment period in emergency situations or at special meetings, even when final action is taken.

Remember, the OPMA is not the only legal consideration connected to public comment periods. Public comment periods have First Amendment protections. Additionally, HB 1329 does not alter RCW 28A.320.015, which states that opportunity for public comment—both oral and written—is required before the board adopts or amends a policy that is not expressly or by implication authorized under state or federal law, but which will promote the education of K-12 students, or will promote the effective, efficient, or safe management and operation of the district.

Purpose of Executive Sessions

Effective June 9, 2022, the OPMA requires the announced purpose of the executive session be entered into the meeting minutes.

Recording Meetings

Effective June 9, 2022, the OPMA encourages, but does not require, agencies to make an audio or video recording of the regular meetings and make those recordings available online for a minimum of six months.

Online Posting of Regular Meeting Agendas

Generally, public agencies must post their regular meeting agendas online no later than 24 hours in advance of the governing body’s meeting. Previously, the OPMA allowed a public agency that did not have a website or had fewer than 10 full-time employees an exception to

this requirement. With the passage of HB 1329, this exception is more limited. Specifically, the exemption to 24 hours’ notice of the agenda is available only to a “special purpose” district, city, or town that has an aggregate valuation of the property subject to taxation of less than \$400,000,000; has a population of under 3,000; and provides confirmation to the state auditor that the cost of posting notices on its website or a shared website would exceed one-tenth of 1% of the local government’s budget.

Posting of Special Meeting Notice

Special meetings include any school board meeting that is not a regular meeting. The notice requirements for special meetings have changed slightly. As revised, special meeting notice is not required for a special meeting called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage when time requirements of such notice would make notice impractical and increase the likelihood of such injury or damage; or when the notice cannot be posted or displayed with reasonable safety.

However special meeting notice is required to be posted on the agency website for any special meetings that are being held remotely due to a declared emergency or where public attendance must be restricted, regardless of the number of employees or whether the agency employs personnel whose duty it is to update or maintain the website.

Updates to WSSDA’s Open Public Meetings Guide

WSSDA’s 2016 Open Public Meetings Guide provides more comprehensive information about the OPMA than this document. However, HB 1329 impacts the information in the Open Public Meetings Guide, so WSSDA will be updating and revising it soon. Until then, please use this document as a companion to that guide and contact your school district’s attorney with legal questions specific to your district.

Published May 10, 2022

³ The statute states, “[...] any individual who will have difficulty attending a meeting of the governing body of a public agency by reason of disability, limited mobility, or for any other reason that makes physical attendance at a meeting difficult [...]”

OTHER UPDATES

Policy and Procedure 3116/3116P – Students in Foster Care

Category: **ENCOURAGED**

WSSDA has revised this policy and procedure to reflect House Bill (HB) 1955–Dependency Proceedings. For students subject to dependency proceedings, this legislation changes requirements connected to the transmission of education records, reviews of unexpected or excessive absences, educational continuity along with the associated student transportation, and on-time grade level progression and graduation.

Policy 5001 – Hiring of Retired School Employees

Category: the associated policy is **ESSENTIAL**

Policy 5610 – Substitute Employment

Category: the associated policy is **ENCOURAGED**

Policy 5612 – Temporary Administrators

Category: the associated policy is **DISCRETIONARY**



WSSDA revised these three policies based on HB 1699–School district employees–Retired Individuals–Pension. This legislation permits school districts to hire retired school district employees for up to 1,040 hours per school year without disruption to the retired employee’s pension benefits through July 1, 2025. These provisions provide a way for school districts to hire experienced and highly qualified bus drivers, paraeducators, teachers, and other professionals to return work after their jobs were eliminated by the school closures and canceled bus routes as necessitated in response to COVID-19.

Procedure 3205P – Sexual Harassment of Students Prohibited

Policy and Procedure 5011/5011P – Sexual Harassment of District Staff Prohibited

Category: **ESSENTIAL**

WSSDA provides two model policies regarding the prohibition of sexual harassment—one for students

(3205) and one for staff (5011). WSSDA has revised 3205P to provide school districts with greater flexibility for selecting the decision-maker for a Level Two Appeal.

Federal and state regulations require that the decision-maker on appeal was not involved in the initial complaint or investigation. The regulations further require that the decision-maker on appeal has completed specific requisite training. However, the regulations provide flexibility regarding whether the decision maker on appeal was selected from an outside source, such as a law firm, or the school board. The revisions remove specific language so that school districts can make use of this flexibility. This flexibility is important because school directors may not have time to complete the training required, particularly when school directors must complete training in other areas. Additionally, in some communities, school directors are likely to be too close to the circumstances surrounding the initial complaint to be sufficiently neutral to act as decision-makers on appeal.

WSSDA has revised 5011/5011P to clarify that when responding to formal complaints involving staff, school districts must follow the detailed Title IX investigation process set out in Model Policy 3205/3205P–Sexual Harassment Prohibited.

Policy and Procedure 6700/6700P – Nutrition, Health, and Physical Education

Category: **ESSENTIAL**

WSSDA has revised this policy and procedure to reflect the provisions in HB 1878–School Meals. This legislation requires public school districts to group their schools (to the extent practicable) in a manner that maximizes the Community Eligibility Provision in the National School Lunch Program. The Community Eligibility Provision offers an alternative to the traditional method of individual families applying for free or reduced-price meals via the household application. Instead of household applications, a school, group of schools, or school district can use the Community Eligibility Provision to provide free meals to all students. To be eligible, at least 40 percent of students need to be identified as eligible for free meals through means other than the household application. Examples of alternatives for identifying eligibility include: students directly certified through the Supplemental Nutrition Assistance Program or Temporary Assistance for Needy Families, and foster, homeless, and migrant students. Please note that this legislation expressly includes charter schools and state-trial education compact schools.

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VISION

All Washington School Directors effectively govern to ensure each and every student has what they need to be successful within our state's public education system.

MISSION

WSSDA builds leaders by empowering its members with tools, knowledge and skills to govern with excellence and advocate for public education.

BELIEFS

WSSDA believes:

- Public education is the foundation to the creation of our citizenry, and locally elected school boards are the foundation to the success of public education.
- High-functioning, locally elected school boards are essential to create the foundation for successfully impacting the learning, development and achievement of each and every student.
- Ethical, effective and knowledgeable school directors are essential for quality public schools.
- Focusing on and addressing educational equity is paramount to assure the achievement of each and every student.
- Public school directors are best served through an innovative, responsive and flexible organization which provides exceptional leadership, professional learning and services in governance, policy, and advocacy.

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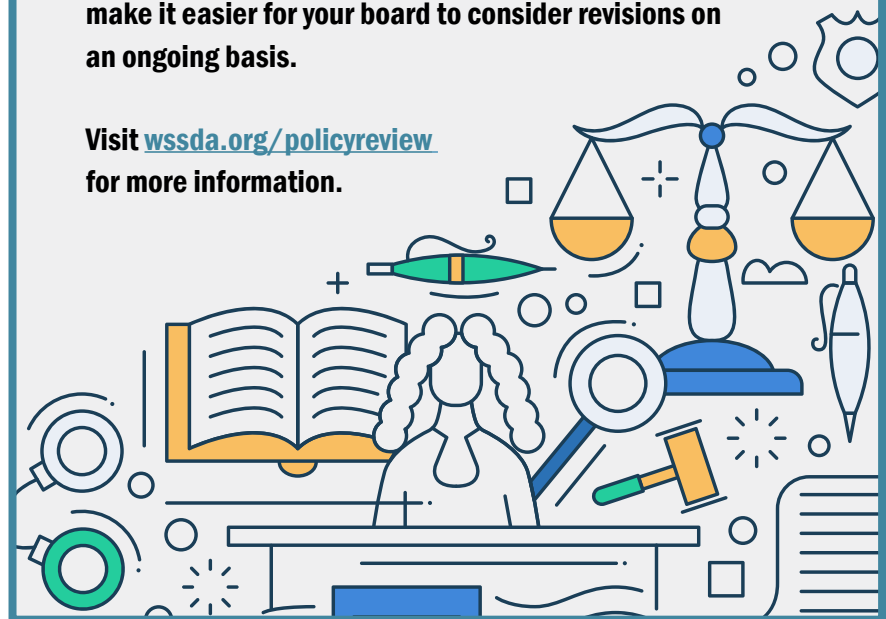
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