

September 29, 2022

Dear Superintendent Reykdal:

We the undersigned organizations are writing today with concerns about the Office of Superintendent of Public Instruction's proposed rules implementing HB1664.

The historic investment in student mental health in [House Bill 1664](#), was intended to address the mental health crisis affecting young people across the state by hiring additional school psychologists, social workers, counselors, nurses, and support personnel in order to meet student needs in school. HB 1664 is a much needed improvement in resourcing the social, emotional, and physical health needs of students, but two areas of concern have come to light in the proposed rules OSPI has developed.

Proposed Rules Expand the school-to-prison pipeline:

Although these new funds are intended to support student wellness, the proposed rules allow districts to use this money to fund the support and expansion of school security personnel identified in the draft rules as job class under Activity 25 – Pupil Management and Safety, also known as school resource officers (SROs). Not only is this expansion counter to the intent of the bill, but the presence of SROs in schools is associated with higher rates of discipline, harm, and perpetuation of the school-to-prison pipeline, especially for black students and students with disabilities. At a time when students are struggling with their mental health and wellness, we need to take steps to create safe and supportive environments that build more welcoming school climates, not take steps that can push more students out of school and into our criminal legal system.

We request you remove Activity 25 – Pupil Management and Safety from the allowable job class outlined in rules.

Proposed rules lack flexibility for districts facing staffing challenges

As all 295 districts are navigating continued staffing challenges, many districts will struggle to hire candidates for these positions. Moreover, there are plenty of other mental health and wellness support options that would greatly benefit students. Students themselves have been asking for more investments in culturally relevant practices across schools, which would directly support their social-emotional learning. Schools could also choose to use these funds to help implement new MTSS plans or other frameworks for meeting holistic student needs. We need to build additional flexibility into the use of these funds when districts are unable to hire for a position needed to implement their plan to support student wellness. We must ensure that all of these options are made valuable and available to districts as they work to meet the diversity of student wellness needs.

In light of continuing workforce issues in both behavioral health and education, during the 2022 legislative session advocates asked for this flexibility to be included in the language of HB1664 and were assured this flexibility would be addressed in the rule-making process. We write today to request you stand by the statements that OSPI made to advocates and include that flexibility in the final rules.

Our limited resources should be dedicated to supporting the social, emotional, and physical well-being of students in ways that affirmatively support student well-being and center what works best for each child, especially those who are historically and systemically marginalized within our current system. We respectfully ask that you make these changes to your proposed administrative rules on HB 1664 to reflect the intent and goal of the legislation. Thank you.

Sincerely,

ACLU of Washington
Anti-Hunger & Nutrition Coalition
Committee for Children
Communities In Schools of Washington State
Equity in education coalition
League of Education Voters
Multi-Service Center
NAMI WA
National Association of Social Workers - WA Chapter
Northwest Harvest
OneAmerica
Partners for Our Children
Roots of Inclusion/ SEL for Washington
Solid Ground
Statewide Poverty Action Network
The Education Trust in Washington
United Way of King County
University of Washington
WA Chapter of the American Academy of Pediatrics
WA Partners for Social Change
Washington Association for Marriage and Family Therapy (WAMFT)
Washington State Psychological Association