

SSB 5288 - H AMD 881
By Representative Santos

ADOPTED 4/18/2007

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 28A.300.285 and 2002 c 207 s 2 are each amended
4 to read as follows:

5 (1) By August 1, 2003, each school district shall adopt or
6 amend if necessary a policy, within the scope of its authority,
7 that prohibits the harassment, intimidation, or bullying of any
8 student. It is the responsibility of each school district to share
9 this policy with parents or guardians, students, volunteers, and
10 school employees.

11 (2) "Harassment, intimidation, or bullying" means any
12 intentional electronic, written, verbal, or physical act, including
13 but not limited to one shown to be motivated by any characteristic
14 in RCW 9A.36.080(3), or other distinguishing characteristics, when
15 the intentional electronic, written, verbal, or physical act:

16 (a) Physically harms a student or damages the student's
17 property; or

18 (b) Has the effect of substantially interfering with a
19 student's education; or

20 (c) Is so severe, persistent, or pervasive that it creates an
21 intimidating or threatening educational environment; or

22 (d) Has the effect of substantially disrupting the orderly
23 operation of the school.

24 Nothing in this section requires the affected student to
25 actually possess a characteristic that is a basis for the
26 harassment, intimidation, or bullying.

27 (3) The policy should be adopted or amended through a process
28 that includes representation of parents or guardians, school
29 employees, volunteers, students, administrators, and community
30 representatives. It is recommended that each such policy emphasize

1 positive character traits and values, including the importance of
2 civil and respectful speech and conduct, and the responsibility of
3 students to comply with the district's policy prohibiting
4 harassment, intimidation, or bullying.

5 (4) By August 1, 2002, the superintendent of public
6 instruction, in consultation with representatives of parents,
7 school personnel, and other interested parties, shall provide to
8 school districts and educational service districts a model
9 harassment, intimidation, and bullying prevention policy and
10 training materials on the components that should be included in any
11 district policy. Training materials shall be disseminated in a
12 variety of ways, including workshops and other staff developmental
13 activities, and through the office of the superintendent of public
14 instruction's web site, with a link to the safety center web page.
15 On the web site:

16 (a) The office of the superintendent of public instruction
17 shall post its model policy, recommended training materials, and
18 instructional materials;

19 (b) The office of the superintendent of public instruction has
20 the authority to update with new technologies access to this
21 information in the safety center, to the extent resources are made
22 available; and

23 (c) Individual school districts shall have direct access to the
24 safety center web site to post a brief summary of their policies,
25 programs, partnerships, vendors, and instructional and training
26 materials, and to provide a link to the school district's web site
27 for further information.

28 (5) The Washington state school directors association, with the
29 assistance of the office of the superintendent of public
30 instruction, shall convene an advisory committee to develop a model
31 policy prohibiting acts of harassment, intimidation, or bullying
32 that are conducted via electronic means by a student while on
33 school grounds and during the school day. The policy shall include
34 a requirement that materials meant to educate parents and students
35 about the seriousness of cyberbullying be disseminated to parents
36 or made available on the school district's web site. The school
37 directors association and the advisory committee shall develop
38 sample materials for school districts to disseminate, which shall
39 also include information on responsible and safe internet use as

1 well as what options are available if a student is being bullied
2 via electronic means, including but not limited to, reporting
3 threats to local police and when to involve school officials, the
4 internet service provider, or phone service provider. The school
5 directors association shall submit the model policy and sample
6 materials, along with a recommendation for local adoption, to the
7 governor and the legislature and shall post the model policy and
8 sample materials on its web site by January 1, 2008. Each school
9 district board of directors shall establish its own policy by
10 August 1, 2008.

11 (6) As used in this section, "electronic" or "electronic means"
12 means any communication where there is the transmission of
13 information by wire, radio, optical cable, electromagnetic, or
14 other similar means."

EFFECT: Requires WSSDA, in cooperation with OSPI, to convene an advisory group to develop a model policy regarding cyberbullying. The policy is submitted to the Governor and Legislature and posted on the web by January 1, 2008. Each district must adopt its own policy by August 1, 2008. WSSDA and the advisory group also develop sample educational materials regarding cyberbullying for districts to disseminate to parents.