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## Education Committee

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### HB 2015

**Brief Description:** Enhancing antiharassment strategies in public schools.

**Sponsors:** Representatives Liias, Upthegrove, Haler, Pedersen, Walsh, Maxwell, Nelson, Ormsby, Rolfes, Kagi, Carlyle, Probst, Orwall, Hasegawa, Morrell, Kenney, Quall, Moeller, Hunt, Sells, Williams, Sullivan, Dickerson, Van De Wege, Darneille, Santos, Chase, White and Kessler.

#### Brief Summary of Bill

- Directs the Office of the Superintendent of Public Instruction (OSPI), in consultation with others, to revise and update the model harassment, intimidation, and bullying prevention policy and procedure.
- Requires the OSPI to provide the updated policy and procedure to the Legislature by August 1, 2009 and, in the event that the Legislature takes no action during the 2010 session, to provide the policy, procedure, and training materials to school districts and educational service districts (ESDs).
- Directs school districts to adopt or amend policy and procedure incorporating the OSPI's revised and updated policy and procedure.
- Tasks the OSPI with adopting rules regarding school district communication of the policy and procedure to parents, students, employees, and volunteers.
- Establishes the Office of the Education Ombudsman as the lead agency to provide resources and tools regarding antiharassment policies and strategies to parents and families.
- Creates a work group to develop, recommend, and implement strategies to improve school climate and create respectful learning environments in Washington public schools.
- Requires the work group to submit biennial progress and status reports.

**Hearing Date:** 2/10/09

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Staff:** Cece Clynch (786-7195)

**Background:**

By August 1, 2003, each school district was required to adopt a policy prohibiting harassment, intimidation, or bullying of any student. "Harassment, intimidation, or bullying" was originally defined to include any intentional "written, verbal, or physical act" that: (a) physically harms a student or damages a student's property; (b) has the effect of substantially interfering with a student's education; (c) is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or (d) has the effect of substantially disrupting the orderly operation of the school. Drawing from the definition of "malicious harassment" in Washington's criminal code, such acts include, but are not limited to, those motivated by perceptions concerning the victim's race, color, religion, ancestry, national origin, gender, sexual orientation, or mental, physical, or sensory handicap. The original legislation in 2002 required the Office of the Superintendent of Public Instruction (OSPI) to develop a model prevention policy and training materials to assist school districts and make these available in a variety of ways.

Subsequently, in 2007, the definition of "harassment, intimidation, or bullying" was expanded to include "electronic" acts and the Washington state school directors association (WSSDA) was directed to develop a model policy and sample materials prohibiting acts of harassment, intimidation, or bullying conducted via electronic means by a student "while on school grounds and during the school day" The policy was to incorporate a requirement that educational materials be disseminated to parents or made available on the school district's web site. The WSSDA was tasked with providing the policy to the Legislature and posting the policy and sample materials on its website in January 2008. School district boards of directors were directed to establish such policy by August 1, 2008.

A September 2008 report by Washington State University's Social and Economic Sciences Research Center (SESRC) entitled "Bullying in Washington Schools: Update 2008" found that, although districts have responded to the statutory requirement to have anti-bullying policies, bullying has not declined significantly in Washington public schools since 2002. The SESRC also found that districts do not address the problem uniformly and students and parents continue to seek assistance against bullying.

**Summary of Bill:**

The OSPI, in consultation with the Office of the Education Ombudsman (OEO) and other interested parties, must revise and update model harassment, intimidation, and bullying prevention policy and procedure. These must be provided to the education committees of the Legislature by August 1, 2009. If the Legislature takes no action, the OSPI is directed to provide the updated model policy and procedure, together with training materials, to school districts and ESDs. By August 1, 2010, school districts shall adopt or amend their policies to incorporate the OSPI's model policy and procedure. The OSPI is also tasked with adopting rules regarding communication of the policy and procedure by school districts to parents, students, employees, and volunteers.

The OEO is directed to serve as the lead agency to provide resources and tools to parents and families about antiharassment policy and procedure.

The OSPI and the OEO are tasked with convening an ongoing antiharassment work group to develop, recommend, and implement strategies to improve school climate and create respectful learning environments in Washington public schools. Biennial reports to the governor and the education committees of the Legislature are required, beginning December 1, 2010. The work group must include one member each from the House of Representatives and the Senate and representatives from the following:

- State Board of Education
- School directors
- School administrators
- Principals
- Teachers
- Classified school staff
- Community organizations
- Parents

**Appropriation:** None.

**Fiscal Note:** Requested on 2/9/2009.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.