
SUBSTITUTE HOUSE BILL 2015

State of Washington

61st Legislature

2009 Regular Session

By House Education (originally sponsored by Representatives Lias, 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)

READ FIRST TIME 02/20/09.

1 AN ACT Relating to enhancing antiharassment strategies in public
2 schools; amending RCW 28A.300.285; adding a new section to chapter
3 43.06B RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that despite a
6 recognized law prohibiting harassment, intimidation, and bullying of
7 students in public schools and despite widespread adoption of
8 antiharassment policies by school districts, harassment of students
9 continues and has not declined since the law was enacted. Furthermore,
10 students and parents continue to seek assistance against harassment,
11 and schools need to disseminate more widely their antiharassment
12 policies and procedures. The legislature intends to expand the tools,
13 information, and strategies that can be used to combat harassment,
14 intimidation, and bullying of students, and increase awareness of the
15 need for respectful learning communities in all public schools.

16 **Sec. 2.** RCW 28A.300.285 and 2007 c 407 s 1 are each amended to
17 read as follows:

18 (1) By August 1, ((2003)) 2010, each school district shall adopt or

1 amend if necessary a policy(~~(, within the scope of its authority,)~~) and
2 procedure that at a minimum incorporates the revised model policy and
3 procedure provided under subsection (4) of this section that prohibits
4 the harassment, intimidation, or bullying of any student. It is the
5 responsibility of each school district to share this policy with
6 parents or guardians, students, volunteers, and school employees in
7 accordance with rules adopted by the superintendent of public
8 instruction.

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

14 (a) Physically harms a student or damages the student's property;
15 or

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

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

20 (d) Has the effect of substantially disrupting the orderly
21 operation of the school.

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

25 (3) The policy and procedure should be adopted or amended through
26 a process that includes representation of parents or guardians, school
27 employees, volunteers, students, administrators, and community
28 representatives. It is recommended that each such policy emphasize
29 positive character traits and values, including the importance of civil
30 and respectful speech and conduct, and the responsibility of students
31 to comply with the district's policy prohibiting harassment,
32 intimidation, or bullying.

33 (4) By August 1, (~~2002~~) 2009, the superintendent of public
34 instruction, in consultation with representatives of parents, school
35 personnel, the office of the education ombudsman, and other interested
36 parties, shall provide to the education committees of the legislature
37 a revised and updated model harassment, intimidation, and bullying
38 prevention policy and procedure. If the legislature takes no action

1 during the 2010 legislative session regarding the policy and procedure,
2 the superintendent of public instruction shall provide to school
3 districts and educational service districts ((a)) the revised and
4 updated model harassment, intimidation, and bullying prevention policy
5 and procedure, along with training materials on the components that
6 should be included in any district policy and procedure. The
7 superintendent shall adopt rules regarding school districts'
8 communication of the policy and procedure to parents, students,
9 employees, and volunteers. Training materials shall be disseminated in
10 a variety of ways, including workshops and other staff developmental
11 activities, and through the office of the superintendent of public
12 instruction's web site, with a link to the safety center web page. On
13 the web site:

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

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

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

25 (5) The Washington state school directors association, with the
26 assistance of the office of the superintendent of public instruction,
27 shall convene an advisory committee to develop a model policy
28 prohibiting acts of harassment, intimidation, or bullying that are
29 conducted via electronic means by a student while on school grounds and
30 during the school day. The policy shall include a requirement that
31 materials meant to educate parents and students about the seriousness
32 of cyberbullying be disseminated to parents or made available on the
33 school district's web site. The school directors association and the
34 advisory committee shall develop sample materials for school districts
35 to disseminate, which shall also include information on responsible and
36 safe internet use as well as what options are available if a student is
37 being bullied via electronic means, including but not limited to,
38 reporting threats to local police and when to involve school officials,

1 the internet service provider, or phone service provider. The school
2 directors association shall submit the model policy and sample
3 materials, along with a recommendation for local adoption, to the
4 governor and the legislature and shall post the model policy and sample
5 materials on its web site by January 1, 2008. Each school district
6 board of directors shall establish its own policy by August 1, 2008.

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

10 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.06B RCW
11 to read as follows:

12 (1) In addition to duties assigned under RCW 43.06B.020, the office
13 of the education ombudsman shall serve as the lead agency to provide
14 resources and tools to parents and families about public school
15 antiharassment policies and strategies.

16 (2) The office of the education ombudsman and the office of the
17 superintendent of public instruction shall convene an ongoing
18 antiharassment work group to develop, recommend, and implement
19 strategies to improve school climate and create respectful learning
20 environments in all public schools in Washington. The work group must
21 include one member each of the house of representatives and the senate
22 and representatives from the state board of education, school
23 directors, school administrators, principals, teachers, classified
24 school staff, youth, community organizations, and parents. The work
25 group shall submit a biennial progress and status report to the
26 governor and the education committees of the legislature, beginning
27 December 1, 2010.

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