

SENATE BILL REPORT

SB 5526

As of February 11, 2015

Title: An act relating to preventing harassment, intimidation, and bullying in public schools.

Brief Description: Preventing harassment, intimidation, and bullying in public schools.

Sponsors: Senators Lias, Litzow, Pedersen, Fain, McAuliffe, Rolfes, Darneille, Kohl-Welles, Mullet and Chase.

Brief History:

Committee Activity: Early Learning & K-12 Education: 2/05/15.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Staff: Ailey Kato (786-7434)

Background: Anti-Harassment, Intimidation, or Bullying Policy. Current law requires each school district to adopt or amend if necessary a policy and procedure that at a minimum incorporates the revised model anti-harassment, intimidation, or bullying policy and procedure created by representatives from a number of groups. School districts must share this policy with parents or guardians, students, volunteers, and school employees.

Current law also requires school districts to designate a primary contact regarding the anti-harassment, intimidation, or bullying policy. Each year the primary contact must verify that information posted on the Office of Superintendent of Public Instruction's (OSPI's) and school districts' websites regarding harassment, intimidation, and bullying is updated.

Washington State School Directors' Association (WSSDA). This state agency is comprised of all 1477 school board members from Washington's 295 public school districts. WSSDA is authorized by the Legislature to be self-governed and self-funded through a president and board of directors elected from school boards throughout the state. WSSDA provides materials and educational services to its members, including model policies and procedures. In 2014 WSSDA revised its model transgender student policy and procedure.

Healthy Youth Survey. The Healthy Youth Survey is a collaborative effort of OSPI, the Department of Health (DOH), and the Department of Social and Health Service (DSHS). The survey is conducted every two years.

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.

The survey measures health risk behaviors of youth in the state. These behaviors include alcohol, tobacco, and other drug use, behaviors that result in unintentional and intentional injuries – e.g. violence, dietary behaviors, physical activity, and related risk and protective factors. The survey results are a source of needs-assessment data for school districts, community-based organizations, local health and human service agencies, and state agencies.

Summary of Bill: Transgender Student Policy. By August 1, 2016, each school district must adopt or amend if necessary a transgender student policy and procedure that at a minimum incorporates the model transgender student policy and procedure created by WSSDA. Each school district must share this policy with parents or guardians, students, volunteers, and school employees in accordance with rules adopted by the Superintendent of Public Instruction (SPI).

Each school district must designate one person in the district as the primary contact regarding the policy. The primary contact must receive copies of all formal and informal complaints, have responsibility for ensuring the implementation of the policy and procedure, and serve as the primary contact on the policy and procedures between the school district, the Office of the Education Ombuds, and OSPI.

By August 15, 2016, each school district must provide to the SPI a brief summary of its policies, procedures, programs, partnerships, vendors, and instructional and training materials relating to transgender students to be posted on the School Safety Center website. Districts must also provide the SPI with a link to the school district's website for further information. Each year, by August 15, the district's primary contact for transgender student issues must annually verify posted information and links and notify the School Safety Center of any updates or changes.

Training. The primary contacts for the anti-harassment, intimidation, or bullying policy and the transgender student policy must attend at least one training class when the training is available.

By December 31, 2016, OSPI must develop a statewide training class for the school district primary contacts. The training class must be offered on an annual basis by educational service districts in collaboration with OSPI. The training class must be based on the model policies and include materials related to hazing.

Healthy Youth Survey. OSPI, in collaboration with DOH and DSHS, must review and align the questions in the Healthy Youth Survey with the model transgender student policy and procedure created by WSSDA. This review will occur the next time that these questions are reviewed.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: By preventing bullying, students are able to focus on the important matters at school such as obtaining a high school diploma. Unfortunately, some students are not able to focus on their academics because school is unsafe for them. In particular, many transgender students report verbal and physical abuse at school. The suicide attempt rate for transgender students are high. Transgender students have lower attendance rates. This bill would make schools safer because it requires schools to adopt a model policy addressing transgender students. The Healthy Youth Survey questions are outdated. There is a question about sexual orientation that is too limited. Updating the survey would help get more accurate demographics. Some schools are already including transgender students in their bullying policies.

Persons Testifying: PRO: Senator Liias, prime sponsor; Olivia Verrill, Snohomish High School Student; Carey Morris, Equal Rights WA.