
SENATE BILL 5526

State of Washington

64th Legislature

2015 Regular Session

By Senators Lias, Litzow, Pedersen, Fain, McAuliffe, Rolfes,
Darneille, Kohl-Welles, Mullet, and Chase

Read first time 01/23/15. Referred to Committee on Early Learning &
K-12 Education.

1 AN ACT Relating to preventing harassment, intimidation, and
2 bullying in public schools; and amending RCW 28A.300.285.

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

4 **Sec. 1.** RCW 28A.300.285 and 2013 c 23 s 50 are each amended to
5 read as follows:

6 (1) By August 1, 2011, each school district shall adopt or amend
7 if necessary a policy and procedure that at a minimum incorporates
8 the revised model policy and procedure provided under subsection (4)
9 of this section that prohibits the harassment, intimidation, or
10 bullying of any student. It is the responsibility of each school
11 district to share this policy with parents or guardians, students,
12 volunteers, and school employees in accordance with rules adopted by
13 the superintendent of public instruction. Each school district shall
14 designate one person in the district as the primary contact regarding
15 the antiharassment, intimidation, or bullying policy. The primary
16 contact shall receive copies of all formal and informal complaints,
17 have responsibility for (~~assuring~~) ensuring the implementation of
18 the policy and procedure, and serve as the primary contact on the
19 policy and procedures between the school district, the office of the
20 education ombuds, and the office of the superintendent of public
21 instruction. The primary contact from each school district shall

1 attend at least one training class as provided in subsection (8) of
2 this section, once this training is available.

3 (2) "Harassment, intimidation, or bullying" means any intentional
4 electronic, written, verbal, or physical act, including but not
5 limited to one shown to be motivated by any characteristic in RCW
6 9A.36.080(3), or other distinguishing characteristics, when the
7 intentional electronic, written, verbal, or physical act:

8 (a) Physically harms a student or damages the student's property;
9 or

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

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

14 (d) Has the effect of substantially disrupting the orderly
15 operation of the school.

16 Nothing in this section requires the affected student to actually
17 possess a characteristic that is a basis for the harassment,
18 intimidation, or bullying.

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

27 (4)(a) By August 1, 2010, the superintendent of public
28 instruction, in consultation with representatives of parents, school
29 personnel, the office of the education ombuds, the Washington state
30 school directors' association, and other interested parties, shall
31 provide to the education committees of the legislature a revised and
32 updated model harassment, intimidation, and bullying prevention
33 policy and procedure. The superintendent of public instruction shall
34 publish on its web site, with a link to the safety center web page,
35 the revised and updated model harassment, intimidation, and bullying
36 prevention policy and procedure, along with training and
37 instructional materials on the components that shall be included in
38 any district policy and procedure. The superintendent shall adopt
39 rules regarding school districts' communication of the policy and
40 procedure to parents, students, employees, and volunteers.

1 (b) The office of the superintendent of public instruction has
2 the authority to update with new technologies access to this
3 information in the safety center, to the extent resources are made
4 available.

5 (c) Each school district shall by August 15, 2011, provide to the
6 superintendent of public instruction a brief summary of its policies,
7 procedures, programs, partnerships, vendors, and instructional and
8 training materials to be posted on the school safety center web site,
9 and shall also provide the superintendent with a link to the school
10 district's web site for further information. The district's primary
11 contact for bullying and harassment issues shall annually by August
12 15th verify posted information and links and notify the school safety
13 center of any updates or changes.

14 (5) The Washington state school directors' association, with the
15 assistance of the office of the superintendent of public instruction,
16 shall convene an advisory committee to develop a model policy
17 prohibiting acts of harassment, intimidation, or bullying that are
18 conducted via electronic means by a student while on school grounds
19 and during the school day. The policy shall include a requirement
20 that materials meant to educate parents and students about the
21 seriousness of cyberbullying be disseminated to parents or made
22 available on the school district's web site. The school directors'
23 association and the advisory committee shall develop sample materials
24 for school districts to disseminate, which shall also include
25 information on responsible and safe internet use as well as what
26 options are available if a student is being bullied via electronic
27 means including, but not limited to, reporting threats to local
28 police and when to involve school officials, the internet service
29 provider, or phone service provider. The school directors'
30 association shall submit the model policy and sample materials, along
31 with a recommendation for local adoption, to the governor and the
32 legislature and shall post the model policy and sample materials on
33 its web site by January 1, 2008. Each school district board of
34 directors shall establish its own policy by August 1, 2008.

35 (6) By August 1, 2016, each school district shall adopt or amend
36 if necessary a transgender student policy and procedure that at a
37 minimum incorporates the model transgender student policy and
38 procedure created by the Washington state school directors'
39 association. It is the responsibility of each school district to
40 share this policy with parents or guardians, students, volunteers,

1 and school employees in accordance with rules adopted by the
2 superintendent of public instruction. Each school district shall
3 designate one person in the district as the primary contact regarding
4 the transgender student policy. The primary contact shall receive
5 copies of all formal and informal complaints, have responsibility for
6 ensuring the implementation of the policy and procedure, and serve as
7 the primary contact on the policy and procedures between the school
8 district, the office of the education ombuds, and the office of the
9 superintendent of public instruction. The primary contact from each
10 school district shall attend at least one training class as provided
11 in subsection (8) of this section, once this training is available.

12 (7) Each school district shall by August 15, 2016, provide to the
13 superintendent of public instruction a brief summary of its policies,
14 procedures, programs, partnerships, vendors, and instructional and
15 training materials relating to transgender students to be posted on
16 the school safety center web site, and shall also provide the
17 superintendent with a link to the school district's web site for
18 further information. The district's primary contact for transgender
19 student issues shall annually by August 15th verify posted
20 information and links and notify the school safety center of any
21 updates or changes.

22 (8) By December 31, 2016, the office of the superintendent of
23 public instruction must develop a statewide training class for those
24 people in each school district who act as the primary contact
25 regarding the antiharassment, intimidation, or bullying policy as
26 provided in subsection (1) of this section and the transgender
27 student policy as provided in subsection (6) of this section. The
28 training class must be offered on an annual basis by educational
29 service districts in collaboration with the office of the
30 superintendent of public instruction. The training class must be
31 based on the model policies as provided in subsections (4) and (6) of
32 this section and include materials related to hazing.

33 (9) The office of the superintendent of public instruction, in
34 collaboration with the department of health and the department of
35 social and health services, shall review and align the questions in
36 the healthy youth survey with the model transgender student policy
37 and procedure created by the Washington state school directors'
38 association the next time that these questions are reviewed.

39 (10) As used in this section, "electronic" or "electronic means"
40 means any communication where there is the transmission of

1 information by wire, radio, optical cable, electromagnetic, or other
2 similar means.

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