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HOUSE BILL 1310

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State of Washington

65th Legislature

2017 Regular Session

By Representatives Manweller, Bergquist, Hayes, Riccelli, Klippert, Smith, Muri, and Jenkins

Read first time 01/17/17. Referred to Committee on Education.

1 AN ACT Relating to creating a program to provide students and the  
2 community with the means to report anonymously concerning unsafe or  
3 violent activities, or the threat of these activities; adding a new  
4 section to chapter 28A.300 RCW; adding a new section to chapter  
5 28A.320 RCW; creating a new section; and prescribing penalties.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that violence in  
8 schools is a serious concern. The legislature intends to limit  
9 violence in schools by providing students and the community with a  
10 mechanism to report anonymously information about potentially  
11 dangerous situations.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.300  
13 RCW to read as follows:

14 (1) The definitions in this subsection apply throughout this  
15 section unless the context clearly requires otherwise.

16 (a) "Personally identifiable information" means the name of the  
17 reporting party; the address, phone number, email address, user name,  
18 or social media profile of the reporting party; personal indirect  
19 identifiers of the reporting party, such as social security number,  
20 student number, date of birth, mother's maiden name; or other

1 information that, alone or in combination with other information,  
2 could be used to determine the identity of the reporting party.

3 (b) "Program" means the students protecting students program.

4 (2) The students protecting students program is established  
5 within the office of the superintendent of public instruction. The  
6 primary purpose of the statewide program is to provide students and  
7 the community with the means to relay information anonymously  
8 concerning unsafe, potentially harmful, dangerous, violent, or  
9 criminal activities, or the threat of these activities, to the  
10 appropriate schools or, if necessary, appropriate law enforcement  
11 agencies.

12 (3) The students protecting students program must:

13 (a) Establish procedures for anonymous reporting concerning  
14 unsafe, potentially harmful, dangerous, violent, or criminal  
15 activities, or the threat of these activities, where reporting can be  
16 accomplished by a variety of means including, at a minimum, phone,  
17 text message, and email;

18 (b) Establish procedures, consistent with the federal health  
19 insurance portability and accountability act of 1966 and the federal  
20 family educational rights and privacy act of 1974, so that the  
21 personally identifiable information of the reporting party remains  
22 unknown to persons and entities, including employees or persons  
23 operating the program, law enforcement agencies, and schools;

24 (c) Establish procedures so that the personally identifiable  
25 information of a reporting party who becomes known to employees or  
26 persons operating the program through any means other than voluntary  
27 disclosure is not further disclosed; and

28 (d) Promptly forward information, other than personally  
29 identifiable information, collected by the program to the appropriate  
30 law enforcement agencies or schools.

31 (4) The office of the superintendent of public instruction must  
32 contract with an existing organization to provide the program  
33 described in this section. The organization must have the ability to  
34 receive anonymous reporting from students and the community twenty-  
35 four hours per day, seven days per week, and the ability to promptly  
36 forward the information as required in this section. The office may  
37 contract with the organization for a term not to exceed three years,  
38 and must review the performance of the organization with respect to  
39 the duties required under this section before renewing the contract.

1 (5)(a) Except as provided in (b) of this subsection, personally  
2 identifiable information collected and maintained by the program is  
3 confidential.

4 (b) The program must release personally identifiable information  
5 to a school district, charter school, or state-tribal compact school  
6 only after approval by the superintendent of public instruction, or  
7 the superintendent's designee, supported by an affidavit from the  
8 district superintendent, charter school administrator, or state-  
9 tribal compact school administrator establishing reasonable suspicion  
10 that the reporting party knowingly filed a fraudulent report.

11 (c) An employee or person operating the program who knowingly  
12 discloses personally identifiable information in violation of the  
13 provisions of this section commits a misdemeanor punishable under  
14 chapter 9A.20 RCW.

15 (6) Reporting information to the program does not satisfy a  
16 requirement to report child abuse or neglect under chapter 26.44 RCW.

17 (7)(a) A party who, in good faith, reports to the program  
18 concerning unsafe, potentially harmful, dangerous, violent, or  
19 criminal activities, or the threat of these activities is immune from  
20 liability arising out of such reporting.

21 (b) A party who knowingly makes a false or misleading material  
22 statement to the program is guilty of a gross misdemeanor under RCW  
23 9A.76.175. For the purpose of RCW 9A.76.175, employees or persons  
24 operating the program are public servants.

25 (8) This section creates no cause of action against the employees  
26 or persons operating the program, the program, the organization  
27 operating the program, nor the office of the superintendent of public  
28 instruction or its employees.

29 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.320  
30 RCW to read as follows:

31 (1) Beginning in the 2017-18 school year, school districts must  
32 annually make available to students at least one age-appropriate  
33 educational program, class, or activity designed to teach students  
34 about the students protecting students program established in section  
35 2 of this act. Such a program, class, or activity must include  
36 information about how to report anonymously concerning unsafe,  
37 potentially harmful, dangerous, violent, or criminal activities, or  
38 the threat of these activities, to appropriate law enforcement  
39 agencies and schools.

1           (2) Beginning in the 2017-18 school year, school districts must  
2 annually disseminate information about the students protecting  
3 students program established in section 2 of this act, including the  
4 contact information for anonymous reporting, to students and families  
5 through any normal means of existing communication.

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