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**BILL REQUEST - CODE REVISER'S OFFICE**

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BILL REQ. #: AMS-4563.1/02

ATTY/TYPIST: SCG:mos

BRIEF DESCRIPTION:

2 SHB 1444 - S COMM AMD  
3 By Committee on Education

4 ADOPTED AS AMENDED 03/06/02

5 Strike everything after the enacting clause and insert the  
6 following:

7 NEW SECTION. Sec. 1. The legislature declares that a safe and  
8 civil environment in school is necessary for students to learn and  
9 achieve high academic standards. The legislature finds that  
10 harassment, intimidation, or bullying, like other disruptive or violent  
11 behavior, is conduct that disrupts both a student's ability to learn  
12 and a school's ability to educate its students in a safe environment.

13 Furthermore, the legislature finds that students learn by example.  
14 The legislature commends school administrators, faculty, staff, and  
15 volunteers for demonstrating appropriate behavior, treating others with  
16 civility and respect, and refusing to tolerate harassment,  
17 intimidation, or bullying.

18 NEW SECTION. Sec. 2. (1) By August 1, 2003, each school district  
19 shall adopt or amend if necessary a policy, within the scope of its  
20 authority, that prohibits the harassment, intimidation, or bullying of  
21 any student. It is the responsibility of each school district to share  
22 this policy with parents or guardians, students, volunteers, and school  
23 employees.

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

29 (a) Physically harms a student or damages the student's property;  
30 or

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

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

1 (d) Has the effect of substantially disrupting the orderly  
2 operation of the school.

3 Nothing in this section requires the affected student to actually  
4 possess a characteristic that is a basis for the harassment,  
5 intimidation, or bullying.

6 (3) The policy should be adopted or amended through a process that  
7 includes representation of parents or guardians, school employees,  
8 volunteers, students, administrators, and community representatives.  
9 It is recommended that each such policy emphasize positive character  
10 traits and values, including the importance of civil and respectful  
11 speech and conduct, and the responsibility of students to comply with  
12 the district's policy prohibiting harassment, intimidation, or  
13 bullying.

14 (4) By August 1, 2002, the superintendent of public instruction, in  
15 consultation with representatives of parents, school personnel, and  
16 other interested parties, shall provide to school districts and  
17 educational service districts a model harassment, intimidation, and  
18 bullying prevention policy and training materials on the components  
19 that should be included in any district policy. Training materials  
20 shall be disseminated in a variety of ways, including workshops and  
21 other staff developmental activities, and through the office of the  
22 superintendent of public instruction's web site, with a link to the  
23 safety center web page. On the web site:

24 (a) The office of the superintendent of public instruction shall  
25 post its model policy, recommended training materials, and  
26 instructional materials;

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

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

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

37 Beginning with the 2002-03 school year, each school district shall  
38 report to the superintendent of public instruction by January 31st of

1 each year all incidents resulting in disciplinary action involving  
2 harassment, intimidation, or bullying on school premises or on  
3 transportation systems used by schools, in the year preceding the  
4 report. The superintendent shall compile the data and report it to the  
5 appropriate committees of the house of representatives and the senate.

6 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.600  
7 RCW to read as follows:

8 (1) No school employee, student, or volunteer may engage in  
9 reprisal, retaliation, or false accusation against a victim, witness,  
10 or one with reliable information about an act of harassment,  
11 intimidation, or bullying.

12 (2) A school employee, student, or volunteer who has witnessed, or  
13 has reliable information that a student has been subjected to,  
14 harassment, intimidation, or bullying, whether verbal or physical, is  
15 encouraged to report such incident to an appropriate school official.

16 (3) A school employee, student, or volunteer who promptly reports  
17 an incident of harassment, intimidation, or bullying to an appropriate  
18 school official, and who makes this report in compliance with the  
19 procedures in the district's policy prohibiting bullying, harassment,  
20 or intimidation, is immune from a cause of action for damages arising  
21 from any failure to remedy the reported incident."

22 **SHB 1444** - S COMM AMD  
23 By Committee on Education

24 ADOPTED 03/06/02

25 On page 1, line 2 of the title, after "schools;" strike the  
26 remainder of the title and insert "adding a new section to chapter  
27 28A.320 RCW; adding a new section to chapter 28A.600 RCW; and creating  
28 new sections."

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