

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 those
26 that are reasonably perceived as being motivated either by any actual
27 or perceived characteristic in RCW 9A.36.080(3), or other
28 distinguishing characteristics, when the intentional written, verbal,
29 or physical act:

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

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

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

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

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

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

21 (a) The office of the superintendent of public instruction shall
22 post its model policy, recommended training materials, and
23 instructional materials;

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

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

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

34 Beginning with the 2002-03 school year, each school district shall
35 report to the superintendent of public instruction by January 31st of
36 each year all incidents involving harassment, intimidation, or
37 bullying, that result in a short or long-term suspension or expulsion,
38 on school premises or on transportation systems used by schools, in the

1 year preceding the report. The superintendent shall compile the data
2 and report it to the appropriate committees of the house of
3 representatives and the senate.

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

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

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

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

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

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