
SUBSTITUTE HOUSE BILL 1444

State of Washington

57th Legislature

2002 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Murray, Ballasiotes, Mitchell, Quall, Dickerson, Haigh, McIntire, Linville, Simpson, Reardon, Kenney, Hunt, Fisher, Conway, Hurst, Tokuda, Fromhold, Poulsen, Santos, Romero, Rockefeller, Dunshee, Gombosky, Darneille, Edwards, Skinner, O'Brien, Lantz, Wood, Miloscia, Grant, Kessler, Kirby, Jackley, Kagi, Keiser, Sommers, Ogden, Cody, Edmonds, Morris, Lovick, McDermott, Woods, Jarrett, Mastin, Cooper, Schual-Berke and Ruderman; by request of Governor Locke, Attorney General and Superintendent of Public Instruction)

Read first time 01/31/2002. Referred to Committee on .

1 AN ACT Relating to preventing harassment, intimidation, or bullying
2 in schools; adding a new section to chapter 28A.600 RCW; and creating
3 new sections.

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

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

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

16 NEW SECTION. **Sec. 2.** (1) By August 1, 2003, each school district
17 shall adopt or amend if necessary a policy, within the scope of its
18 authority, that prohibits the harassment, intimidation, or bullying of

1 any student. It is the responsibility of each school district to share
2 this policy with parents or guardians, students, volunteers, and school
3 employees.

4 (2) "Harassment, intimidation, or bullying" means any intentional
5 written, verbal, or physical act, including, but not limited to those
6 that are reasonably perceived as being motivated either by any actual
7 or perceived characteristic in RCW 9A.36.080(3), or other
8 distinguishing characteristics, when the intentional written, verbal,
9 or physical act:

10 (a) Physically harms a student or damages the student's property;
11 or

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

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

16 (d) Has the effect of substantially disrupting the orderly
17 operation of the school.

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

26 (4) By August 1, 2002, the superintendent of public instruction, in
27 consultation with representatives of parents, school personnel, and
28 other interested parties, shall provide to school districts and
29 educational service districts a model harassment, intimidation, and
30 bullying prevention policy and training materials on the components
31 that should be included in any district policy. Training materials
32 shall be disseminated in a variety of ways, including workshops and
33 other staff developmental activities, and through the office of the
34 superintendent of public instruction's web site, with a link to the
35 safety center web page. On the web site:

36 (a) The office of the superintendent of public instruction shall
37 post its model policy, recommended training materials, and
38 instructional materials;

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

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

9 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.600
10 RCW to read as follows:

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

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

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

--- END ---