
Education Committee

SSB 6439

Brief Description: Concerning preventing harassment, intimidation, and bullying in public schools.

Sponsors: Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Lias, Litzow, McAuliffe, Billig, Kohl-Welles, Keiser, Pedersen, Mullet, Rolfes, Cleveland, Fraser and Frockt).

Brief Summary of Substitute Bill

- Expands the definition of harassment, intimidation, or bullying (HIB) of a student to include acts that emotionally harm a student.
- Requires Educational Service Districts to develop and offer annual training for the school districts' primary contacts on the HIB policies and requires the primary contact from each school district to attend at least one such training class once it is available.
- Directs the Washington State School Directors' Association to update the model policy on prohibiting the HIB conducted through electronic means, or cyberbullying, by January 1, 2015, and requires school districts to update their policies by August 1, 2015.
- Requires the most up-to-date model policy on cyberbullying to be made available in all school districts' student handbooks.

Hearing Date: 2/20/14

Staff: Barbara McLain (786-7383).

Background:

Since 2003 school districts have been required to adopt a policy prohibiting the harassment, intimidation, or bullying (HIB) of any student. The HIB was originally defined as any intentional written, verbal, or physical act when the act:

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- physically harms a student or damages the student's property;
- has the effect of substantially interfering with a student's education;
- is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
- has the effect of substantially disrupting the orderly operation of the school.

The Superintendent of Public Instruction (SPI) provided a model HIB policy for school districts to use for this purpose, along with training materials and other resources made available through workshops and the SPI's website.

In 2007 the definition of the HIB was amended to include "electronic" acts, and the Washington State School Directors' Association (WSSDA) was directed to convene an advisory committee to develop a model policy prohibiting acts of the HIB conducted via electronic means by a student while on school grounds and during the school day, as well as sample materials with information on responsible and safe internet use and options available for students being bullied via electronic means. Rather than establish a separate policy, the model policy developed under the law modified the regular HIB model policy to include references to bullying via electronic means. School districts were required to establish their own policy by August 1, 2008.

In 2010 the SPI, in consultation with the Office of the Education Ombuds (OEO), the WSSDA, and other interested parties, was directed to revise and update the model HIB policy and procedure. School districts were required to adopt or amend an HIB policy and procedure that, at a minimum, incorporated the model policy and procedure by August 1, 2011. The 2010 law also required each school district to designate one person in the district as the primary contact for the HIB policy, whose responsibilities include receiving copies of all complaints, assuring implementation of the policy and procedures, and serving as the primary contact between the school district, the OEO, and the SPI.

Summary of Bill:

The definition of the HIB is amended to include acts that emotionally harm a student.

By December 31, 2014, Educational Service Districts (ESDs) must develop a training class to be offered annually for the people in their school districts who serve as the primary contact for the HIB policy. The class must be based on the model HIB policy as well as existing resources, trainings, and videos provided on the SPI's website. The class must also include materials related to hazing. The primary contact from each school district is required to attend at least one training class offered by an ESD, once the training is available.

The term "cyberbullying" is included in the description of an HIB policy. The WSSDA, in consultation with the OEO and other organizations with expertise on the civil liberties of students, must update the model policy on prohibiting the HIB conducted through cyberbullying and must also update associated sample materials. The updated policy and materials must be submitted to the Governor and the Legislature and posted on the WSSDA website by January 1, 2015. The updated policy must provide guidance to school districts on how to enforce cyberbullying policies without violating the privacy, free speech, and other rights of students. Each school district must update its policy on cyberbullying by August 1, 2015. The most up-to-date model policy must be made available in all school districts' student handbooks.

Appropriation: None.

Fiscal Note: New fiscal note requested from WSSDA on February 18, 2014.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.