
SUBSTITUTE SENATE BILL 6439

State of Washington

63rd Legislature

2014 Regular Session

By Senate Early Learning & K-12 Education (originally sponsored by Senators Liiias, Litzow, McAuliffe, Billig, Kohl-Welles, Keiser, Pedersen, Mullet, Rolfes, Cleveland, Fraser, and Frockt)

READ FIRST TIME 02/07/14.

1 AN ACT Relating to preventing harassment, intimidation, and
2 bullying in public schools; and amending RCW 28A.300.285.

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

4 **Sec. 1.** RCW 28A.300.285 and 2013 c 23 s 50 are each amended to
5 read as follows:

6 (1) (~~By August 1, 2011,~~) Each school district (~~shall adopt or~~
7 ~~amend if necessary~~) must have a policy and procedure that at a minimum
8 incorporates the revised model policy and procedure provided under
9 subsection (4) of this section that prohibits the harassment,
10 intimidation, or bullying of any student. It is the responsibility of
11 each school district to share this policy with parents or guardians,
12 students, volunteers, and school employees in accordance with rules
13 adopted by the superintendent of public instruction. Each school
14 district shall designate one person in the district as the primary
15 contact regarding the antiharassment, intimidation, cyberbullying, or
16 bullying policy. The primary contact shall receive copies of all
17 formal and informal complaints, have responsibility for assuring the
18 implementation of the policy and procedure, and serve as the primary
19 contact on the policy and procedures between the school district, the

1 office of the education ombuds, and the office of the superintendent of
2 public instruction. The primary contact from each school district
3 shall attend at least one training class as provided in subsection (6)
4 of this section, once this training is available.

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

10 (a) Physically or emotionally harms a student or damages the
11 student's property; 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 Nothing in this section requires the affected student to actually
19 possess a characteristic that is a basis for the harassment,
20 intimidation, or bullying.

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

29 (4)(a) (~~(By August 1, 2010, the superintendent of public~~
30 ~~instruction, in consultation with representatives of parents, school~~
31 ~~personnel, the office of the education ombuds, the Washington state~~
32 ~~school directors' association, and other interested parties, shall~~
33 ~~provide to the education committees of the legislature a revised and~~
34 ~~updated model harassment, intimidation, and bullying prevention policy~~
35 ~~and procedure.)) The superintendent of public instruction shall
36 publish on its web site, with a link to the safety center web page,
37 (~~the revised and updated~~) a model harassment, intimidation, and
38 bullying prevention policy and procedure, along with training and~~

1 instructional materials on the components that shall be included in any
2 district policy and procedure. The superintendent shall adopt rules
3 regarding school districts' communication of the policy and procedure
4 to parents, students, employees, and volunteers.

5 (b) The office of the superintendent of public instruction has the
6 authority to update with new technologies access to this information in
7 the safety center, to the extent resources are made available.

8 (c) Each school district shall by August 15, 2011, provide to the
9 superintendent of public instruction a brief summary of its policies,
10 procedures, programs, partnerships, vendors, and instructional and
11 training materials to be posted on the school safety center web site,
12 and shall also provide the superintendent with a link to the school
13 district's web site for further information. The district's primary
14 contact for bullying and harassment issues shall annually by August
15 15th verify posted information and links and notify the school safety
16 center of any updates or changes.

17 (5) The Washington state school directors' association(~~(, with the~~
18 ~~assistance of the office of the superintendent of public instruction,~~
19 ~~shall convene an advisory committee to develop a)), in consultation
20 with the office of education ombuds and other organizations with
21 expertise on the civil liberties of students, shall update its model
22 policy prohibiting acts of harassment, intimidation, or bullying that
23 are conducted via electronic means, also known as cyberbullying, by a
24 student while on school grounds and during the school day. The updated
25 model policy shall provide guidance to school districts on how to
26 enforce cyberbullying policies without violating the privacy, free
27 speech, and other rights of students. The policy shall include a
28 requirement that materials meant to educate parents and students about
29 the seriousness of cyberbullying be disseminated to parents or made
30 available on the school district's web site. The most up-to-date model
31 policy must be made available in all school districts' student
32 handbooks. The school directors' association (~~(and the advisory~~
33 ~~committee shall develop)) shall update sample materials for school~~
34 districts to disseminate, which shall also include information on
35 responsible and safe internet use as well as what options are available
36 if a student is being bullied via electronic means including, but not
37 limited to, reporting threats to local police and when to involve
38 school officials, the internet service provider, or phone service~~

1 provider. The school directors' association shall submit the model
2 policy and sample materials, along with a recommendation for local
3 adoption, to the governor and the legislature and shall post the model
4 policy and sample materials on its web site by January 1, ((2008))
5 2015. Each school district board of directors shall ((~~establish~~)
6 update its own policy by August 1, ((2008)) 2015.

7 (6) By December 31, 2014, educational service districts must
8 develop a training class for those people in their school districts who
9 act as the primary contact regarding the antiharassment, intimidation,
10 cyberbullying, or bullying policy as provided in subsection (1) of this
11 section. The training class must be offered on an annual basis by
12 educational service districts. The training class must be based on the
13 model policy as provided in subsection (4) of this section; as well as
14 preexisting resources, trainings, and videos provided on the office of
15 the superintendent of public instruction's web site; and include
16 materials related to hazing.

17 (7) As used in this section, "electronic" or "electronic means"
18 means any communication where there is the transmission of information
19 by wire, radio, optical cable, electromagnetic, or other similar means.

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