

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5288

Chapter 407, Laws of 2007

60th Legislature
2007 Regular Session

CYBERBULLYING

EFFECTIVE DATE: 07/22/07

Passed by the Senate April 20, 2007
YEAS 40 NAYS 8

BRAD OWEN

President of the Senate

Passed by the House April 18, 2007
YEAS 75 NAYS 20

FRANK CHOPP

Speaker of the House of Representatives

Approved May 9, 2007, 3:22 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5288** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

May 11, 2007

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5288

AS AMENDED BY THE HOUSE

Passed Legislature - 2007 Regular Session

State of Washington 60th Legislature 2007 Regular Session

By Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Kohl-Welles, Murray, McAuliffe, Weinstein, Shin and Rasmussen)

READ FIRST TIME 02/12/07.

1 AN ACT Relating to including cyberbullying in school district
2 harassment prevention policies; 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 2002 c 207 s 2 are each amended to
5 read as follows:

6 (1) By August 1, 2003, each school district shall adopt or amend if
7 necessary a policy, within the scope of its authority, that prohibits
8 the harassment, intimidation, or bullying of any student. It is the
9 responsibility of each school district to share this policy with
10 parents or guardians, students, volunteers, and school employees.

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

16 (a) Physically harms a student or damages the student's property;
17 or

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

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

3 (d) Has the effect of substantially disrupting the orderly
4 operation of the school.

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

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

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

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

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

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

37 (5) The Washington state school directors association, with the
38 assistance of the office of the superintendent of public instruction,

1 shall convene an advisory committee to develop a model policy
2 prohibiting acts of harassment, intimidation, or bullying that are
3 conducted via electronic means by a student while on school grounds and
4 during the school day. The policy shall include a requirement that
5 materials meant to educate parents and students about the seriousness
6 of cyberbullying be disseminated to parents or made available on the
7 school district's web site. The school directors association and the
8 advisory committee shall develop sample materials for school districts
9 to disseminate, which shall also include information on responsible and
10 safe internet use as well as what options are available if a student is
11 being bullied via electronic means, including but not limited to,
12 reporting threats to local police and when to involve school officials,
13 the internet service provider, or phone service provider. The school
14 directors association shall submit the model policy and sample
15 materials, along with a recommendation for local adoption, to the
16 governor and the legislature and shall post the model policy and sample
17 materials on its web site by January 1, 2008. Each school district
18 board of directors shall establish its own policy by August 1, 2008.

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

Passed by the Senate April 20, 2007.

Passed by the House April 18, 2007.

Approved by the Governor May 9, 2007.

Filed in Office of Secretary of State May 11, 2007.