

SENATE BILL REPORT

SB 6439

As of February 3, 2014

Title: An act relating to preventing harassment, intimidation, and bullying in public schools.

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

Sponsors: Senators Lias, Litzow, McAuliffe, Billig, Kohl-Welles, Keiser, Pedersen, Mullet, Rolfes, Cleveland, Fraser and Frockt.

Brief History:

Committee Activity: Early Learning & K-12 Education: 2/03/14.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Staff: Katherine Taylor (786-7434)

Background: Each school district must designate one person in the school district as the primary contact regarding the antiharassment, intimidation, or bullying policy. The primary contact must receive copies of all formal and informal complaints, have responsibility for assuring the implementation of the policy and procedure, and serve as the primary contact on the policy and procedures between the school district and the Office of the Education Ombuds, and the Office of Superintendent of Public Instruction (OSPI).

OSPI is the primary agency charged with overseeing K-12 public education in Washington State. OSPI works with the state's 295 school districts.

Currently harassment, intimidation, or bullying is defined in statute as any intentional electronic, written, verbal, or physical act, including but not limited to one shown to be motivated by a certain characteristic or other distinguishing characteristics, when the intentional electronic, written, verbal, or physical act:

- 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.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

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

A Health Impact Review of this bill has been requested and will be available at <http://sboh.wa.gov/OurWork/HealthImpactReviews.aspx>.

Summary of Bill: The primary contact for antiharassment, intimidation, or bullying policy from each school district must attend at least one training class, once the training is available.

The definition of harassment, intimidation, or bullying is amended to include emotional harm of a student.

By December 31, 2014, OSPI must develop a statewide training class for those people in each school district who act as the primary contact regarding the antiharassment, intimidation, or bullying policy. The training class must be offered on an annual basis by educational service districts in collaboration with OSPI. The training class must be based on a certain harassment, intimidation, and bullying prevention policy and procedure and include materials related to hazing.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: CON: I do not have an objection to the training component. I am concerned with freedom of speech issues involved in expanding the definition of bullying to include emotional harm. Emotional harm is subjective.

Persons Testifying: CON: Rebecca Faust, citizen.