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**HOUSE BILL 1310**

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**State of Washington 65th Legislature 2017 Regular Session**

**By** Representatives Manweller, Bergquist, Hayes, Riccelli, Klippert, Smith, Muri, and Jinkins

AN ACT Relating to creating a program to provide students and the community with the means to report anonymously concerning unsafe or violent activities, or the threat of these activities; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.320 RCW; creating a new section; and prescribing penalties.

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

NEW SECTION. **Sec.**  The legislature finds that violence in schools is a serious concern. The legislature intends to limit violence in schools by providing students and the community with a mechanism to report anonymously information about potentially dangerous situations.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.300 RCW to read as follows:

(1) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Personally identifiable information" means the name of the reporting party; the address, phone number, email address, user name, or social media profile of the reporting party; personal indirect identifiers of the reporting party, such as social security number, student number, date of birth, mother's maiden name; or other information that, alone or in combination with other information, could be used to determine the identity of the reporting party.

(b) "Program" means the students protecting students program.

(2) The students protecting students program is established within the office of the superintendent of public instruction. The primary purpose of the statewide program is to provide students and the community with the means to relay information anonymously concerning unsafe, potentially harmful, dangerous, violent, or criminal activities, or the threat of these activities, to the appropriate schools or, if necessary, appropriate law enforcement agencies.

(3) The students protecting students program must:

(a) Establish procedures for anonymous reporting concerning unsafe, potentially harmful, dangerous, violent, or criminal activities, or the threat of these activities, where reporting can be accomplished by a variety of means including, at a minimum, phone, text message, and email;

(b) Establish procedures, consistent with the federal health insurance portability and accountability act of 1966 and the federal family educational rights and privacy act of 1974, so that the personally identifiable information of the reporting party remains unknown to persons and entities, including employees or persons operating the program, law enforcement agencies, and schools;

(c) Establish procedures so that the personally identifiable information of a reporting party who becomes known to employees or persons operating the program through any means other than voluntary disclosure is not further disclosed; and

(d) Promptly forward information, other than personally identifiable information, collected by the program to the appropriate law enforcement agencies or schools.

(4) The office of the superintendent of public instruction must contract with an existing organization to provide the program described in this section. The organization must have the ability to receive anonymous reporting from students and the community twenty-four hours per day, seven days per week, and the ability to promptly forward the information as required in this section. The office may contract with the organization for a term not to exceed three years, and must review the performance of the organization with respect to the duties required under this section before renewing the contract.

(5)(a) Except as provided in (b) of this subsection, personally identifiable information collected and maintained by the program is confidential.

(b) The program must release personally identifiable information to a school district, charter school, or state-tribal compact school only after approval by the superintendent of public instruction, or the superintendent's designee, supported by an affidavit from the district superintendent, charter school administrator, or state-tribal compact school administrator establishing reasonable suspicion that the reporting party knowingly filed a fraudulent report.

(c) An employee or person operating the program who knowingly discloses personally identifiable information in violation of the provisions of this section commits a misdemeanor punishable under chapter 9A.20 RCW.

(6) Reporting information to the program does not satisfy a requirement to report child abuse or neglect under chapter 26.44 RCW.

(7)(a) A party who, in good faith, reports to the program concerning unsafe, potentially harmful, dangerous, violent, or criminal activities, or the threat of these activities is immune from liability arising out of such reporting.

(b) A party who knowingly makes a false or misleading material statement to the program is guilty of a gross misdemeanor under RCW 9A.76.175. For the purpose of RCW 9A.76.175, employees or persons operating the program are public servants.

(8) This section creates no cause of action against the employees or persons operating the program, the program, the organization operating the program, nor the office of the superintendent of public instruction or its employees.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.320 RCW to read as follows:

(1) Beginning in the 2017-18 school year, school districts must annually make available to students at least one age-appropriate educational program, class, or activity designed to teach students about the students protecting students program established in section 2 of this act. Such a program, class, or activity must include information about how to report anonymously concerning unsafe, potentially harmful, dangerous, violent, or criminal activities, or the threat of these activities, to appropriate law enforcement agencies and schools.

(2) Beginning in the 2017-18 school year, school districts must annually disseminate information about the students protecting students program established in section 2 of this act, including the contact information for anonymous reporting, to students and families through any normal means of existing communication.

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