
Education Committee

HB 1900

Brief Description: Improving school districts' responses to complaints of discrimination, harassment, intimidation, and bullying.

Sponsors: Representatives Senn, Thai, Berry, Johnson, J., Slatter, Goodman, Orwall, Lekanoff, Davis, Macri and Pollet.

Brief Summary of Bill

- Directs the Office of the Superintendent of Public Instruction to update, and publicly post, model student handbook language to include information about policies and complaint procedures related to discrimination, including sexual harassment, and information about policies and complaint procedures related to harassment, intimidation, and bullying, as well as the overlap between the policies and complaint procedures.
- Requires that each school district to include the model student handbook language in any student, parent, employee, and volunteer handbook.
- Codifies an administrative rule requiring each school district and charter school to designate one person in the school district as the primary contact regarding compliance with state laws prohibiting discrimination in public schools.

Hearing Date: 1/27/22

Staff: Megan Wargacki

Background:

Discrimination Prohibited. Discrimination in Washington public schools on the basis of race,

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creed, religion, color, national origin, honorably discharged veteran or military status, sexual orientation including gender expression or identity, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability is prohibited. The Superintendent of Public Instruction (SPI) must develop rules and guidelines to eliminate discrimination as it applies to public school employment, counseling and guidance services to students, recreational and athletic activities for students, access to course offerings, and in textbooks and instructional materials used by students.

The rules of the SPI require each school district and charter school to:

1. annually notify students, students' parents and guardians, and employees of the discrimination complaint procedure outlined in rule;
2. include a nondiscrimination statement in publications made available to all students, parents, or employees; and
3. include information about the sexual harassment policy and complaint procedure in any publication about the standards of conduct.

The Equity and Civil Rights Office at the Office of the Superintendent of Public Instruction has developed sample language that can be included in student and staff handbooks to meet these requirements.

The SPI has the power to enforce and obtain compliance with state laws and guidelines prohibiting discrimination by, among other things, instituting corrective action, withholding state funds, or terminating the offending program.

Primary Contacts. The rules of the SPI require each school district and governing board of a charter school to designate at least one employee who is responsible for monitoring and coordinating the district's or charter school's compliance with rules and guidelines related to eliminating unlawful discrimination in public schools. The designated employee is also responsible for ensuring that all complaints of discrimination are promptly investigated and resolved.

State statute requires each school district and charter school designate a primary contact for the policy and procedure prohibiting harassment, intimidation, and bullying and a primary contact for policies and procedures relating to transgender students. These two primary contacts can be a single person. In addition to other duties required by law and the school district, these primary contacts must ensure the implementation of the relevant policies and procedures, including receiving copies of formal and informal complaints. These primary contacts must communicate with each other and with the employee responsible for monitoring and coordinating compliance with nondiscrimination requirements.

Summary of Bill:

Model Student Handbook Language. The Office of the Superintendent of Public Instruction (OSPI) must develop, and periodically update, model student handbook language that includes

information about policies and complaint procedures related to discrimination, including sexual harassment, and information about policies and complaint procedures related to harassment, intimidation, and bullying, as well as the overlap between the policies and complaint procedures. The model student handbook language must be posted publicly on the OSPI's website beginning August 1, 2022.

Beginning with the 2022-23 school year, each school district must include the model student handbook language developed by the OSPI in any student, parent, employee, and volunteer handbook that it or one of its schools publishes and on the school district's website, and any school's website, if a school or the school district maintains a website. If a school district neither publishes a handbook nor maintains a website, it must provide the model student handbook language to each student, parent, employee, and volunteer at least annually.

Primary Contact Regarding Compliance with State Laws Prohibiting Discrimination. Each school district and charter school must designate one person in the school district as the primary contact regarding school district compliance state laws prohibiting discrimination in public schools. In addition to any other duties required by law and the school district, the primary contact must: (1) ensure that complaints of discrimination communicated to the school district are promptly investigated and resolved; and (2) communicate with the primary contact regarding the school district's policy and procedure prohibiting harassment, intimidation, and bullying and the primary contact regarding the school district's policies and procedures related to transgender students.

Appropriation: None.

Fiscal Note: Requested on January 18, 2022.

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