

HOUSE BILL REPORT

ESSB 5849

As Reported by House Committee On:
Education

Title: An act relating to including cyberbullying in school district harassment prevention policies.

Brief Description: Requiring cyberbullying to be included in school district harassment prevention policies.

Sponsors: Senate Committee on Early Learning, K-12 & Higher Education (originally sponsored by Senators Kohl-Welles, Schmidt, Pridemore and Shin).

Brief History:

Committee Activity:

Education: 2/16/06, 2/23/06 [DP].

Brief Summary of Engrossed Substitute Bill

- Expands the definition of "harassment, intimidation, or bullying" to include intentional electronic acts, such as using e-mail or text messaging.
- By August 1, 2007, requires all school districts to add to their bullying, intimidation, and harassment prevention policies information regarding bullying, harassment, or intimidation by electronic means.

HOUSE COMMITTEE ON EDUCATION

Majority Report: Do pass. Signed by 10 members: Representatives Quall, Chair; P. Sullivan, Vice Chair; Talcott, Ranking Minority Member; Haigh, Hunter, McDermott, Santos, Shabro, Tom and Wallace.

Minority Report: Without recommendation. Signed by 2 members: Representatives Anderson, Assistant Ranking Minority Member and Curtis.

Staff: Sarah Ream (786-7303).

Background:

Washington law regarding bullying in public schools

Legislation enacted in 2002 required school districts to adopt a policy prohibiting the harassment, intimidation, or bullying of any student by August 1, 2003. The Office of the

Superintendent of Public Instruction (OSPI), provided school districts and educational service districts with a model policy and training materials regarding harassment, intimidation, and bullying prevention. The current definition of bullying, intimidation, or harassment includes intentional written, verbal, or physical acts that have a negative impact on the student or the educational environment.

"Cyberbullying"

Bullying by electronic means ("cyberbullying") has increasingly become an issue for schools, students, and parents with the growth of e-mail and internet use. The U.S. Department of Health (USDH) has a website devoted to bullying prevention, and includes information regarding cyberbullying. According to USDH statistics, 18 percent of students in grades six through eight report they had been cyberbullied at least once in the last few months; 6 percent said it had happened to them two or more times. Eleven percent of students in grades six through eight said they had cyberbullied another person at least once in the last couple of months, and 2 percent said they had done it two or more times. Of regular internet users between the ages of 10 and 17, 19 percent reported being involved in online aggression; 15 percent had been aggressors; while 7 percent had been targets. Three percent reported being both an aggressor and a target.

Summary of Bill:

Electronic acts are added to the current definition of bullying, intimidation, and harassment. School districts are required to amend their current anti-bullying policies by August 1, 2007, to include a section addressing acts of bullying, harassment, or intimidation conducted via electronic means. The policies must include a requirement that parents be given information or that information be made available via the district's website regarding the seriousness of cyberbullying and what options are available if a student is being bullied via electronic means.

If a school district already has an internet use policy, the act of internet-based bullying, harassing, or intimidating another student must be included as a prohibited act and be subject to disciplinary action. The type of disciplinary action is left to the school district to decide.

The terms "electronic" and "electronic means" are defined to mean any communication where there is the transmission of information by wire, radio, optical cable, electromagnetic, or other similar means.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Children are becoming increasingly savvy with respect to technology. But with this increased sophistication there is a growing phenomenon of harassment over the internet, by e-mail, and by text messaging. A related problem is students posing as other students and then sending hurtful messages to fellow classmates.

Due to the cloak of anonymity provided by computers, students seem to feel more freedom to engage in bullying or harassing behavior. The bullying and harassment ranges from mild teasing to death threats. In some instances, the behavior is so bad that parents are forced to get protective orders for their children. Bullied students have had to move out of their neighborhoods to attend different schools, and cyberbullying has led to students' suicide attempts and actual suicides.

Currently schools must have a policy regarding harassment, intimidation and bullying. And, while schools cannot regulate what student's do in their own homes, the state can require schools to give parents and students information regarding electronic bullying and harassment. Requiring schools to give information regarding cyberbullying sends a message that this is a problem and an important issue.

Testimony Against: None.

Persons Testifying: (In support) Don and Sarah Carlson, Public School Employees; and Isabel Munoz-Colon, Office of the Superintendent of Public Instruction.

Persons Signed In To Testify But Not Testifying: None.