

SENATE BILL REPORT

ESSB 5849

As Passed Senate, February 3, 2006

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: Early Learning, K-12 & Higher Education: 2/23/05, 3/2/05 [DPS, DNP, w/oRec].

Passed Senate: 2/3/06, 32-15.

SENATE COMMITTEE ON EARLY LEARNING, K-12 & HIGHER EDUCATION

Majority Report: That Substitute Senate Bill No. 5849 be substituted therefor, and the substitute bill do pass.

Signed by Senators McAuliffe, Chair; Pridemore, Vice Chair; Weinstein, Vice Chair; Schmidt, Ranking Minority Member; Berkey, Delvin, Eide, Kohl-Welles, Rasmussen, Rockefeller and Shin.

Minority Report: Do not pass.

Signed by Senators Carrell and Pflug.

Minority Report: That it be referred without recommendation.

Signed by Senators Mulliken and Schoesler.

Staff: Ingrid Mungia (786-7423)

Background: Under current law, school districts are required to adopt a policy prohibiting the harassment, intimidation, or bullying of any student by 2003. The current definition of bullying, intimidation, or harassment includes written, verbal, or physical acts and the act must have a negative impact on the student or the education environment.

Summary of Amended Bill: Electronic acts are added to the current definition of bullying, intimidation, and harassment. School districts are required to amend current policies by August 1, 2006, to include a section addressing acts of bullying, harassment, or intimidation conducted via electronic means. The policy 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. The terms "electronic" and "electronic means" are defined.

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.

Amended Bill Compared to Original Bill: The deadline each school district must amend to their harassment, intimidation, and bullying prevention policy is changed from August 1, 2006, to August 1, 2007.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Testimony For: This is an important issue for us to address. I would predict that we will see more and more of this type of bullying as the use of internet increases amongst younger and younger children. This is a problem that is occurring in Washington and even two of the pages working here at the Legislature have actually had experiences relevant to this legislation. Young people can be very vulnerable to their peer group and students can be very brutal to each other, especially on-line because it is very impersonal. Many students admit to participating in cyberbullying and we must address the issue. While this is definitely a serious problem that merits dealing with, there are some concerns over the activities that occur off-campus and whether the school has the legal authority to regulate that behavior.

Testimony Against: None.

Who Testified: PRO: Senator Kohl-Welles, prime sponsor; Rainer House, AWSP.