
SENATE BILL 6439

State of Washington

63rd Legislature

2014 Regular Session

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

Read first time 01/24/14. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to preventing harassment, intimidation, and
2 bullying in public schools; and amending RCW 28A.300.285.

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

4 **Sec. 1.** RCW 28A.300.285 and 2013 c 23 s 50 are each amended to
5 read as follows:

6 (1) By August 1, 2011, each school district shall adopt or amend if
7 necessary a policy and procedure that at a minimum incorporates the
8 revised model policy and procedure provided under subsection (4) of
9 this section that prohibits the harassment, intimidation, or bullying
10 of any student. It is the responsibility of each school district to
11 share this policy with parents or guardians, students, volunteers, and
12 school employees in accordance with rules adopted by the superintendent
13 of public instruction. Each school district shall designate one person
14 in the district as the primary contact regarding the antiharassment,
15 intimidation, or bullying policy. The primary contact shall receive
16 copies of all formal and informal complaints, have responsibility for
17 assuring the implementation of the policy and procedure, and serve as
18 the primary contact on the policy and procedures between the school
19 district, the office of the education ombuds, and the office of the

1 superintendent of public instruction. The primary contact from each
2 school district shall attend at least one training class as provided in
3 subsection (6) of this section, once this training is available.

4 (2) "Harassment, intimidation, or bullying" means any intentional
5 electronic, written, verbal, or physical act, including but not limited
6 to one shown to be motivated by any characteristic in RCW 9A.36.080(3),
7 or other distinguishing characteristics, when the intentional
8 electronic, written, verbal, or physical act:

9 (a) Physically or emotionally harms a student or damages the
10 student's property; or

11 (b) Has the effect of substantially interfering with a student's
12 education; or

13 (c) Is so severe, persistent, or pervasive that it creates an
14 intimidating or threatening educational environment; or

15 (d) Has the effect of substantially disrupting the orderly
16 operation of the school.

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

20 (3) The policy and procedure should be adopted or amended through
21 a process that includes representation of parents or guardians, school
22 employees, volunteers, students, administrators, and community
23 representatives. It is recommended that each such policy emphasize
24 positive character traits and values, including the importance of civil
25 and respectful speech and conduct, and the responsibility of students
26 to comply with the district's policy prohibiting harassment,
27 intimidation, or bullying.

28 (4)(a) By August 1, 2010, the superintendent of public instruction,
29 in consultation with representatives of parents, school personnel, the
30 office of the education ombuds, the Washington state school directors'
31 association, and other interested parties, shall provide to the
32 education committees of the legislature a revised and updated model
33 harassment, intimidation, and bullying prevention policy and procedure.
34 The superintendent of public instruction shall publish on its web site,
35 with a link to the safety center web page, the revised and updated
36 model harassment, intimidation, and bullying prevention policy and
37 procedure, along with training and instructional materials on the
38 components that shall be included in any district policy and procedure.

1 The superintendent shall adopt rules regarding school districts'
2 communication of the policy and procedure to parents, students,
3 employees, and volunteers.

4 (b) The office of the superintendent of public instruction has the
5 authority to update with new technologies access to this information in
6 the safety center, to the extent resources are made available.

7 (c) Each school district shall by August 15, 2011, provide to the
8 superintendent of public instruction a brief summary of its policies,
9 procedures, programs, partnerships, vendors, and instructional and
10 training materials to be posted on the school safety center web site,
11 and shall also provide the superintendent with a link to the school
12 district's web site for further information. The district's primary
13 contact for bullying and harassment issues shall annually by August
14 15th verify posted information and links and notify the school safety
15 center of any updates or changes.

16 (5) The Washington state school directors' association, with the
17 assistance of the office of the superintendent of public instruction,
18 shall convene an advisory committee to develop a model policy
19 prohibiting acts of harassment, intimidation, or bullying that are
20 conducted via electronic means by a student while on school grounds and
21 during the school day. The policy shall include a requirement that
22 materials meant to educate parents and students about the seriousness
23 of cyberbullying be disseminated to parents or made available on the
24 school district's web site. The school directors' association and the
25 advisory committee shall develop sample materials for school districts
26 to disseminate, which shall also include information on responsible and
27 safe internet use as well as what options are available if a student is
28 being bullied via electronic means including, but not limited to,
29 reporting threats to local police and when to involve school officials,
30 the internet service provider, or phone service provider. The school
31 directors' association shall submit the model policy and sample
32 materials, along with a recommendation for local adoption, to the
33 governor and the legislature and shall post the model policy and sample
34 materials on its web site by January 1, 2008. Each school district
35 board of directors shall establish its own policy by August 1, 2008.

36 (6) By December 31, 2014, the office of the superintendent of
37 public instruction must develop a statewide training class for those
38 people in each school district who act as the primary contact regarding

1 the antiharassment, intimidation, or bullying policy as provided in
2 subsection (1) of this section. The training class must be offered on
3 an annual basis by educational service districts in collaboration with
4 the office of the superintendent of public instruction. The training
5 class must be based on the model policy as provided in subsection (4)
6 of this section and include materials related to hazing.

7 (7) As used in this section, "electronic" or "electronic means"
8 means any communication where there is the transmission of information
9 by wire, radio, optical cable, electromagnetic, or other similar means.

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