
HOUSE BILL 1310

State of Washington

65th Legislature

2017 Regular Session

By Representatives Manweller, Bergquist, Hayes, Riccelli, and Klippert

1 AN ACT Relating to creating a program to provide students and the
2 community with the means to report anonymously concerning unsafe or
3 violent activities, or the threat of these activities; adding a new
4 section to chapter 28A.300 RCW; adding a new section to chapter
5 28A.320 RCW; creating a new section; and prescribing penalties.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that violence in
8 schools is a serious concern. The legislature intends to limit
9 violence in schools by providing students and the community with a
10 mechanism to report anonymously information about potentially
11 dangerous situations.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.300
13 RCW to read as follows:

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

16 (a) "Personally identifiable information" means the name of the
17 reporting party; the address, phone number, email address, user name,
18 or social media profile of the reporting party; personal indirect
19 identifiers of the reporting party, such as social security number,
20 student number, date of birth, mother's maiden name; or other

1 information that, alone or in combination with other information,
2 could be used to determine the identity of the reporting party.

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

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

12 (3) The students protecting students program must:

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

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

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

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

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

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

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

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

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

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

21 (b) A party who knowingly makes a false or misleading material
22 statement to the program is guilty of a gross misdemeanor under RCW
23 9A.76.175. For the purpose of RCW 9A.76.175, employees or persons
24 operating the program are public servants.

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

29 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.320
30 RCW to read as follows:

31 (1) Beginning in the 2017-18 school year, school districts must
32 annually make available to students at least one age-appropriate
33 educational program, class, or activity designed to teach students
34 about the students protecting students program established in section
35 2 of this act. Such a program, class, or activity must include
36 information about how to report anonymously concerning unsafe,
37 potentially harmful, dangerous, violent, or criminal activities, or
38 the threat of these activities, to appropriate law enforcement
39 agencies and schools.

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

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