

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for House Bill No. 717, Page 2, Section 1.250, Line 11, by inserting  
2 after all of said section and line the following:

3  
4 "160.775. 1. Every district shall adopt an antibullying policy by September 1, 2007.

5 2. "Bullying" means intimidation or harassment that causes a reasonable student to fear for his or her  
6 physical safety or property; substantially interferes with the educational performance, opportunities, or  
7 benefits of any student without exception; or substantially disrupts the orderly operation of the school.  
8 Bullying may consist of but is not limited to physical actions, including gestures, or oral, cyberbullying,  
9 electronic, or written communication, and any threat of retaliation for reporting of such acts. Bullying is  
10 prohibited by students on school property, at any school function, or on a school bus. "Cyberbullying" is  
11 bullying as defined in this subsection through the transmission of a communication, including, but not limited  
12 to, a message, text, sound, or image by means of an electronic device, including, but not limited to, a  
13 telephone, wireless telephone, or other wireless communication device, computer, or pager.

14 3. Each district's antibullying policy shall be founded on the assumption that all students need a safe  
15 learning environment. Policies shall treat all students equally and shall not contain specific lists of protected  
16 classes of students who are to receive special treatment. Policies may include age-appropriate differences for  
17 schools based on the grade levels at the school. Each such policy shall contain a statement of the  
18 consequences of bullying.

19 4. Each district's antibullying policy shall require, at a minimum, the following components:

20 (1) A statement prohibiting bullying, defined no less inclusive than that in subsection 1 of this  
21 section;

22 (2) A statement requiring district employees to report any instance of bullying of which the employee  
23 has firsthand knowledge[. The district policy shall address training of employees in the requirements of the  
24 district policy.], has reasonable cause to suspect that a student has been subject to bullying, or has received a  
25 report of bullying from a student. The policy shall be included in the student handbook. The school district  
26 administration shall notify the parents or legal guardians of the individual alleged in the report to be  
27 responsible for the bullying incident and the parents or legal guardians of the target of the bullying incident;

28 (3) A procedure for reporting an act of bullying, including a provision that permits a person to report  
29 an act of harassment, intimidation, or bullying anonymously. However, this shall not be construed to permit  
30 formal disciplinary action solely on the basis of an anonymous report;

31 (4) A procedure for prompt investigation of reports of serious violations and complaints, identifying  
32 either the principal or the principal's certified staff designee as the person responsible for the investigation;

33 (5) The range of ways in which a school will respond once an incident of bullying is confirmed;

34 (6) A statement that prohibits reprisal or retaliation against any person who reports an act of bullying  
35 and the consequence and appropriate remedial action for a person who engages in reprisal or retaliation;

36 (7) A statement of how the policy is to be publicized;

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1           (8) A process for discussing the district's antibullying policy with students and training school  
2 employees and volunteers who have significant contact with students in the requirements of the policy,  
3 including at a minimum the following statements:

4           (a) The policy shall be conspicuously posted throughout each school building in areas accessible to  
5 students and staff members;

6           (b) The school district annually shall provide information and any appropriate training to the school  
7 district staff regarding the policy;

8           (c) The school district shall give annual notice of the policy to students, parents or guardians, and  
9 staff;

10           (d) The school district shall provide education and information to students regarding bullying,  
11 including information regarding the school district policy prohibiting bullying, the harmful effects of  
12 bullying, and other applicable initiatives to prevent bullying;

13           (e) The administration of the school district shall implement programs and other initiatives to prevent  
14 bullying, to respond to such conduct in a manner that does not stigmatize the victim, and to make resources or  
15 referrals available to victims of bullying;

16           (f) The policy shall be reviewed at least annually for compliance with state and federal law.

17           5. Any student alleging to be the target of an incident of bullying who has completed all procedures  
18 required by the district's reporting policy and continues to be subjected to bullying shall be informed by the  
19 district that he or she may seek other remedies. The information may include but not be limited to informing  
20 the target or the target's parents or legal guardians of the possibility of civil action against the individual  
21 alleged to be responsible for the bullying and against the parents or legal guardians of that individual. The  
22 target and his or her parents shall also be informed that they may request intervention by any other county,  
23 state, or federal agency or office that is empowered to act on behalf of the target.

24           6. The state board of education is authorized to promulgate rules and regulations to implement this  
25 section and shall develop model policies to assist local school districts in developing policies for the  
26 prevention of bullying no later than September 1, 2014. Any rule or portion of a rule, as that term is defined  
27 in section 536.010, that is created under the authority delegated in this section shall become effective only if it  
28 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This  
29 section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant  
30 to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held  
31 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28,  
32 2013, shall be invalid and void."; and

33  
34 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.