

HCS HB 134 -- BULLYING IN SCHOOLS (Allen)

COMMITTEE OF ORIGIN: Committee on Elementary and Secondary Education

This substitute changes the laws regarding bullying in schools. In its main provisions, the substitute:

(1) Prohibits bullying on school property, at any school function, and on a school bus. The substitute specifies that "cyberbullying" is the transmission of a bullying communication including, but not limited to, a message, text, sound, or image by means of an electronic device;

(2) Requires a school district's antibullying policy to include:

(a) A statement prohibiting bullying;

(b) A statement requiring district employees to report any instance of bullying reported to them by a student or of which they have first-hand knowledge or reasonable cause to believe occurred. A procedure for the notification of the parents of the individual alleged to be responsible for the bullying incident and the parents of the target of the bullying is required. An anonymous report cannot be the sole basis of disciplinary action;

(c) A procedure for the prompt investigation of reports that identifies the principal or the principal's designee as the person responsible for the investigation;

(d) A description of the ways in which a school will respond once an incident of bullying is confirmed;

(e) A statement prohibiting reprisal or retaliation against a person reporting an act of bullying and the consequence and action for a person who engages in reprisal or retaliation; and

(f) A statement of how the policy will be publicized and a process for discussing the policy with students and training employees and volunteers in the requirements of the policy;

(3) Specifies that a targeted student who has completed all required procedures for reporting be informed of other remedies available, including civil action or intervention by any other county, state, or federal agency or office that is empowered to act on behalf of the target; and

(4) Requires the State Board of Education within the Department of Elementary and Secondary Education to develop model policies by

September 1, 2014.