

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 997, Page 1, in the title, Line 3, by
2 deleting the word "higher" on said line; and

3
4 Further amend said bill, Page 2, Section 105.1445, Line 15, by inserting after all of said section and
5 line the following:

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7 "160.775. 1. Every district shall adopt an antibullying policy by September 1, 2007.

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

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

24 4. Each district's antibullying policy shall be included in the student handbook and shall
25 require, at a minimum, the following components:

26 (1) A statement prohibiting bullying, defined no less inclusively than in subsection 2 of this
27 section;

28 (2) A statement requiring district employees to report any instance of bullying of which the
29 employee has firsthand knowledge[. The district policy shall address training of employees in the
30 requirements of the district policy]. The policy shall require a district employee who witnesses an
31 incident of bullying to report the incident to the district's designated individual at the school within
32 two school days of the employee witnessing the incident;

33 (3) A procedure for reporting an act of bullying. The policy shall also include a statement
34 requiring that the district designate an individual at each school in the district to receive reports of
35 incidents of bullying. Such individual shall be a district employee who is teacher level staff or
36 above;

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1 (4) A procedure for prompt investigation of reports of violations and complaints,
2 identifying one or more employees responsible for the investigation including, at a minimum, the
3 following requirements:

4 (a) Within two school days of a report of an incident of bullying being received, the school
5 principal, or his or her designee, shall initiate an investigation of the incident;

6 (b) The school principal may appoint other school staff to assist with the investigation; and

7 (c) The investigation shall be completed within ten school days from the date of the written
8 report unless good cause exists to extend the investigation;

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

12 (6) A statement of how the policy is to be publicized; and

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

16 (a) The school district shall provide information and appropriate training to the school
17 district staff who have significant contact with students regarding the policy;

18 (b) The school district shall give annual notice of the policy to students, parents or
19 guardians, and staff;

20 (c) The school district shall provide education and information to students regarding
21 bullying, including information regarding the school district policy prohibiting bullying, the harmful
22 effects of bullying, and other applicable initiatives to address bullying, including student peer-to-
23 peer initiatives to provide accountability and policy enforcement for those found to have engaged in
24 bullying, reprisal, or retaliation against any person who reports an act of bullying;

25 (d) The administration of the school district shall instruct its school counselors, school
26 social workers, licensed social workers, mental health professionals, and school psychologists to
27 educate students who are victims of bullying on techniques for students to overcome bullying's
28 negative effects. Such techniques shall include, but not be limited to, cultivating the student's self-
29 worth and self-esteem; teaching the student to defend himself or herself assertively and effectively;
30 helping the student develop social skills; or encouraging the student to develop an internal locus of
31 control. The provisions of this paragraph shall not be construed to contradict or limit any other
32 provision of this section; and

33 (e) The administration of the school district shall implement programs and other initiatives
34 to address bullying, to respond to such conduct in a manner that does not stigmatize the victim, and
35 to make resources or referrals available to victims of bullying.

36 5. Notwithstanding any other provision of law to the contrary, any school district shall have
37 jurisdiction to prohibit cyberbullying that originates on a school's campus or at a district activity if
38 the electronic communication was made using the school's technological resources, if there is a
39 sufficient nexus to the educational environment, or if the electronic communication was made on
40 the school's campus or at a district activity using the student's own personal technological resources.
41 The school district may discipline any student for such cyberbullying to the greatest extent allowed
42 by law.

43 6. Each district shall review its antibullying policy and revise it as needed. The district's
44 school board shall receive input from school personnel, students, and administrators when reviewing
45 and revising the policy.

46 170.047. 1. Beginning in the 2017-18 school year, any licensed educator may annually
47 complete up to two hours of training or professional development in youth suicide awareness and
48 prevention as part of the professional development hours required for state board of education

1 certification.

2 2. The department of elementary and secondary education shall develop guidelines suitable
3 for training or professional development in youth suicide awareness and prevention. The
4 department shall develop materials that may be used for such training or professional development.

5 3. For purposes of this section, the term "licensed educator" means any teacher with a
6 certificate of license to teach issued by the state board of education or any other educator or
7 administrator required to maintain a professional license issued by the state board of education.

8 4. The department of elementary and secondary education may promulgate rules and
9 regulations to implement this section.

10 5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
11 under the authority delegated in this section shall become effective only if it complies with and is
12 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
13 chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to
14 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
15 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
16 August 28, 2016, shall be invalid and void.

17 170.048. 1. By July 1, 2018, each district shall adopt a policy for youth suicide awareness
18 and prevention, including the training and education of district employees.

19 2. Each district's policy shall address, but need not be limited to, the following:

20 (1) Strategies that can help identify students who are at possible risk of suicide;

21 (2) Strategies and protocols for helping students at possible risk of suicide; and

22 (3) Protocols for responding to a suicide death.

23 3. By July 1, 2017, the department of elementary and secondary education shall develop a
24 model policy that districts may adopt. When developing the model policy, the department shall
25 cooperate, consult with, and seek input from organizations that have expertise in youth suicide
26 awareness and prevention. By July 1, 2021, and at least every three years thereafter, the department
27 shall request information and seek feedback from districts on their experience with the policy for
28 youth suicide awareness and prevention. The department shall review this information and may use
29 it to adapt the department's model policy. The department shall post any information on its website
30 that it has received from districts that it deems relevant. The department shall not post any
31 confidential information or any information that personally identifies any student or school
32 employee."; and

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