

SECOND REGULAR SESSION

HOUSE BILL NO. 1751

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LAMPE (Sponsor), TALBOY, ROORDA, OXFORD,
DARROUGH AND SCHIEFFER (Co-sponsors).

Read 1st time January 22, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

3872L.01I

AN ACT

To repeal section 160.775, RSMo, and to enact in lieu thereof one new section relating to school safety.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 160.775, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 160.775, to read as follows:

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

2. "Bullying" means **discrimination**, intimidation, or harassment that causes a reasonable student to fear for his or her physical safety or property; **substantially interferes with a student's educational performance, opportunities, or benefits; or substantially disrupts the orderly operation of the school.** Bullying may consist of physical actions, including gestures, or oral or written communication, and any threat of retaliation for reporting of such acts. **Bullying is prohibited by school employees or students on school property, at any school function, or on a school bus.**

3. Each district's antibullying policy shall be founded on the assumption that all students need a safe learning environment. [Policies shall treat students equally and shall not contain specific lists of protected classes of students who are to receive special treatment.] **Bullying that is reasonably perceived as being motivated by actual or perceived race, color, religion, ancestry, national origin, gender, sexual orientation as defined in section 557.035, RSMo, intellectual ability, physical appearance, or a mental, physical or sensory disability or**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 **disorder; or on the basis of association with others identified by these categories; is**
16 **prohibited.** Policies may include age appropriate differences for schools based on the grade
17 levels at the school. Each such policy shall contain a statement of the consequences of bullying.

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

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

22 (2) **A statement requiring** district employees to report any instance of bullying of which
23 the employee has **reliable information or** firsthand knowledge[. The district policy shall
24 address training of employees in the requirements of the district policy.];

25 (3) **A procedure for reporting an act of bullying;**

26 (4) **A procedure for prompt investigation of reports of serious violations and**
27 **complaints, identifying either the principal or the principal's designee as the person**
28 **responsible for the investigation;**

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

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

34 (7) **A statement of how the policy is to be publicized; and**

35 (8) **A process for discussing the district's antibullying policy with students and**
36 **training school employees and volunteers who have significant contact with students in the**
37 **requirements of the policy.**

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39 **Notice of each district's policy shall appear in any school district publication that sets forth**
40 **the comprehensive rules, procedures, and standards of conduct for schools within the**
41 **school district, and in any student or school employee handbook.**

42 5. **The state board of education shall develop model policies to assist local school**
43 **districts in developing policies for the prevention of bullying no later than September 1,**
44 **2009.**

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