

SECOND REGULAR SESSION

# HOUSE BILL NO. 2232

## 97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES ALLEN (Sponsor), FLANIGAN, LICHTENEGGER,  
MORRIS AND ZERR (Co-sponsors).

6484L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

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

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*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Section A. Section 160.775, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 160.775, to read as follows: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 intimidation or harassment that causes a reasonable student to fear for his or her physical safety or property; **substantially interferes with the educational performance, opportunities, or benefits of any student without exception; or substantially disrupts the orderly operation of the school.** Bullying may consist of **but is not limited to** physical actions, including gestures, or oral, cyberbullying, electronic, or written communication, and any threat of retaliation for reporting of such acts. **Bullying is prohibited by students on school property, at any school function, or on a school bus. "Cyberbullying" is bullying as defined in this subsection through the transmission of a communication, including, but not limited to, a message, text, sound, or image by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager.**

3. Each district's antibullying policy shall be founded on the assumption that all students need a safe learning environment. Policies shall treat **all** students equally and shall not contain specific lists of protected classes of students who are to receive special treatment. Policies may

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.

16 include age-appropriate differences for schools based on the grade levels at the school. Each  
17 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 firsthand knowledge[, The district policy shall address training of employees  
24 in the requirements of the district policy.], **has reasonable cause to suspect that a student has**  
25 **been subject to bullying, or has received a report of bullying from a student. The policy**  
26 **shall be included in the student handbook;**

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

28 (4) **A procedure for prompt investigation of reports of violations and complaints,**  
29 **identifying one or more employees responsible for the investigation;**

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

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

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

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

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

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

43 (c) **The school district shall provide education and information to students**  
44 **regarding bullying, including information regarding the school district policy prohibiting**  
45 **bullying, the harmful effects of bullying, and other applicable initiatives to prevent**  
46 **bullying;**

47 (d) **The administration of the school district shall instruct its school counselors to**  
48 **educate students who are victims of bullying on techniques for students to overcome**  
49 **bullying's negative effects. Such techniques shall include, but not be limited to: cultivating**  
50 **the student's self-worth and self-esteem; teaching the student to defend himself or herself**  
51 **assertively and effectively; helping the student develop social skills; and encouraging the**

52 student to develop an internal locus of control. The provisions of this paragraph shall not  
53 be construed to contradict or limit any other provision of this section;

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

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