

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 827, Page 1, Section A, Line 4, by
2 inserting 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, unwanted aggressive behavior, or harassment that is
6 repetitive or is substantially likely to be repeated and causes a reasonable student to fear for his or
7 her physical safety or property; substantially interferes with the educational performance,
8 opportunities, or benefits of any student without exception; or substantially disrupts the orderly
9 operation of the school. Bullying may consist of physical actions, including gestures, or oral,
10 cyberbullying, electronic, or written communication, and any threat of retaliation for reporting of
11 such acts. Bullying of students is prohibited on school property, at any school function, or on a
12 school bus. "Cyberbullying" means bullying as defined in this subsection through the transmission
13 of a communication including, but not limited to, a message, text, sound, or image by means of an
14 electronic device including, but not limited to, a telephone, wireless telephone, or other wireless
15 communication device, computer, or pager.

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

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

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

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

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

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

Standing Action Taken _____ Date _____

Select Action Taken _____ Date _____

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

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

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

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

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

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

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

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

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

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

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

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

40 6. Each district shall review its antibullying policy and revise it as needed. The district's
 41 school board shall receive input from school personnel, students, and administrators when reviewing
 42 and revising the policy."; and

43
 44 Further amend said bill, Page 12, Section 168.520, Line 22, by inserting after all of said section and
 45 line the following:

46
 47 "170.015. 1. Any course materials and instruction relating to human sexuality and sexually
 48 transmitted diseases shall be medically and factually accurate according to evidence-based research

1 and shall:

2 (1) Present abstinence from sexual activity as the preferred choice of behavior in relation to
3 all sexual activity for unmarried pupils because it is the only method that is one hundred percent
4 effective in preventing pregnancy, sexually transmitted diseases and the emotional trauma associated
5 with adolescent sexual activity, and advise students that teenage sexual activity places them at a
6 higher risk of dropping out of school because of the consequences of sexually transmitted diseases
7 and unplanned pregnancy;

8 (2) Stress that sexually transmitted diseases are serious, possible, health hazards of sexual
9 activity. Pupils shall be provided with the latest medical information regarding exposure to human
10 immunodeficiency virus, acquired immune deficiency syndrome (AIDS), human papilloma virus,
11 hepatitis and other sexually transmitted diseases;

12 (3) Present students with the latest evidence-based, medically factual information regarding
13 both the possible side effects and health benefits of all forms of contraception, including the success
14 and failure rates for the prevention of pregnancy and sexually transmitted diseases; or shall present
15 students with information on contraceptives and pregnancy in a manner consistent with the
16 provisions of the federal abstinence education law, 42 U.S.C. Section 710;

17 (4) Include a discussion of the possible emotional and psychological consequences of
18 preadolescent and adolescent sexual activity and the consequences of adolescent pregnancy, as well
19 as the advantages of adoption, including the adoption of special needs children, and the processes
20 involved in making an adoption plan;

21 (5) Teach skills of conflict management, personal responsibility and positive self-esteem
22 through discussion and role-playing at appropriate grade levels to emphasize that the pupil has the
23 power to control personal behavior. Pupils shall be encouraged to base their actions on reasoning,
24 self-discipline, sense of responsibility, self-control, and ethical considerations, such as respect for
25 one's self and others. Pupils shall be taught not to make unwanted physical and verbal sexual
26 advances or otherwise exploit another person. Pupils shall be taught to resist unwanted sexual
27 advances and other negative peer pressure;

28 (6) Advise pupils of the laws pertaining to their financial responsibility to children born in
29 and out of wedlock and advise pupils of the provisions of chapter 566 pertaining to statutory rape;

30 (7) Teach pupils about the dangers of sexual predators, including online predators when
31 using electronic communication methods such as the internet, cell phones, text messages, chat
32 rooms, email, and instant messaging programs. Pupils shall be taught how to behave responsibly
33 and remain safe on the internet and the importance of having open communication with responsible
34 adults and reporting any inappropriate situation, activity, or abuse to a responsible adult, and
35 depending on intent and content, to local law enforcement, the Federal Bureau of Investigation, or
36 the National Center for Missing & Exploited Children's CyberTipline; and

37 (8) Teach pupils about the consequences, both personal and legal, of inappropriate text
38 messaging, even among friends.

39 2. Policies concerning referrals and parental notification regarding contraception shall be
40 determined by local school boards or charter schools, consistent with the provisions of section
41 167.611.

42 3. A school district or charter school which provides human sexuality instruction may
43 separate students according to gender for instructional purposes.

44 4. The board of a school district or charter school shall determine the specific content of the
45 district's or school's instruction in human sexuality, in accordance with subsections 1 to 3 of this
46 section, and shall ensure that all instruction in human sexuality is appropriate to the age of the
47 students receiving such instruction.

48 5. A school district or charter school shall notify the parent or legal guardian of each student

1 enrolled in the district or school of:

2 (1) The basic content of the district's or school's human sexuality instruction to be provided
3 to the student; and

4 (2) The parent's right to remove the student from any part of the district's or school's human
5 sexuality instruction.

6 6. A school district or charter school shall make all curriculum materials used in the
7 district's or school's human sexuality instruction available for public inspection pursuant to chapter
8 610 prior to the use of such materials in actual instruction.

9 7. No school district or charter school, or its personnel or agents, shall provide abortion
10 services, or permit a person or entity to offer, sponsor, or furnish in any manner any course
11 materials or instruction relating to human sexuality or sexually transmitted diseases to its students if
12 such person or entity is a provider of abortion services.

13 8. As used in this section, the following terms mean:

14 (1) "Abortion", the same meaning as such term is defined in section 188.015;

15 (2) "Abortion services":

16 (a) Performing, inducing, or assisting in the performance or inducing of an abortion which
17 is not necessary to save the life of the mother;

18 (b) Encouraging a patient to have an abortion or referring a patient for an abortion[,] which
19 is not necessary to save the life of the mother; or

20 (c) Developing or dispensing drugs, chemicals, or devices intended to be used to induce an
21 abortion which is not necessary to save the life of the mother.

22 170.047. 1. Beginning in the 2017-18 school year, any licensed educator may annually
23 complete up to two hours of training or professional development in youth suicide awareness and
24 prevention as part of the professional development hours required for state board of education
25 certification.

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

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

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

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

41 170.048. 1. By July 1, 2018, each district shall adopt a policy for youth suicide awareness
42 and prevention, including the training and education of district employees.

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

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

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

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

47 3. By July 1, 2017, the department of elementary and secondary education shall develop a
48 model policy that districts may adopt. When developing the model policy, the department shall

1 cooperate, consult with, and seek input from organizations that have expertise in youth suicide
2 awareness and prevention. By July 1, 2021, and at least every three years thereafter, the department
3 shall request information and seek feedback from districts on their experience with the policy for
4 youth suicide awareness and prevention. The department shall review this information and may use
5 it to adapt the department's model policy. The department shall post any information on its website
6 that it has received from districts that it deems relevant. The department shall not post any
7 confidential information or any information that personally identifies any student or school
8 employee."; and
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10 Further amend said bill by amending the title, enacting clause, and intersectional references
11 accordingly.
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