

FIRST REGULAR SESSION

# HOUSE BILL NO. 829

## 96TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES WETER (Sponsor), ZERR AND GRISAMORE (Co-sponsors).

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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 bullying.

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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Section A. Section 160.775, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 160.775, to read as follows: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. Bullying may consist of physical actions, including gestures, or oral, cyberbullying, electronic, or written communication, **any action which would qualify for an enhanced penalty under the criteria established in section 557.035, or any discriminatory action or environment prohibited under Sections 1681 to 1688 of Title IX of the Education Amendments of 1972**, and any threat of retaliation for reporting of such acts.
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]. Policies may include age-appropriate differences for schools based on the grade levels at the school. Each such policy shall contain a statement of the consequences of bullying.
4. Each **school** district's antibullying policy shall require district employees **and district students** to report any instance of bullying of which the employee **or student** has **observed, been involved in, or has** firsthand knowledge. The district policy shall address training of employees in the requirements of the district policy. **The policy shall be included in the student handbook. The school district administration shall notify the parents or legal**

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.

18 guardians of the individual alleged in the report to be responsible for the bullying incident  
19 and the parents or legal guardians of the target of the bullying incident.

20       **5. Any student alleging to be the target of an incident of bullying who has**  
21 **completed all procedures required by the district's reporting policy and continues to be**  
22 **subjected to bullying shall be informed by the district that he or she may seek other**  
23 **remedies. The information may include but not be limited to informing the target or the**  
24 **target's parents or legal guardians of the possibility of civil action against the individual**  
25 **alleged to be responsible for the bullying and against the parents or legal guardians of that**  
26 **individual. The target and his or her parents shall also be informed that they may request**  
27 **intervention by any other county, state, or federal agency or office that is empowered to**  
28 **act on behalf of the target.**

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