

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Bill No. 2575, Page 1, In the Title, Lines 2-3, by deleting the words "teacher  
2 training on trauma informed approach" and inserting in lieu thereof the words "student safety"; and  
3  
4 Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line  
5 the following:

6  
7 "160.775. 1. Every district shall adopt an antibullying policy by September 1, 2007.

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

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

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

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

27 (2) A statement requiring district employees to report any instance of bullying of which the  
28 employee has firsthand knowledge[. The district policy shall address training of employees in the  
29 requirements of the district policy.], has reasonable cause to suspect that a student has been subject  
30 to bullying, or has received a report of bullying from a student. The policy shall require a district  
31 employee who witnesses an incident of bullying or has received reliable information that an incident  
32 of bullying has occurred to report the incident to the district's designated individual at the school  
33 within two days of the employee witnessing or receiving the reliable information regarding the  
34 incident. The policy shall require that the district maintain records of all incidents of bullying and  
35 their resolution;

36 (3) A procedure for reporting an act of bullying. The policy shall also include a statement

Standing Action Taken \_\_\_\_\_ Date \_\_\_\_\_

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1 requiring that the district designate an individual at each school in the district to receive reports of  
2 incidents of bullying. Such individual shall be a district employee who is a school principal, school  
3 administrator, or school supervisor;

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

7 (a) Within one school day of a report of an incident of bullying being received, the school  
8 principal, or his or her designee, shall initiate an investigation of the incident;

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

10 (c) The investigation shall be completed within ten school days from the date of the written  
11 report;

12 (5) The range of ways in which a school will respond once an incident of bullying is  
13 confirmed with disciplinary action ranging from a minimum of counseling for the student to a  
14 maximum of expulsion of the student based on the establishment of reasonable criteria related to the  
15 severity of the actions;

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

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

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

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

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

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

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

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

42 5. Notwithstanding any other provision of law to the contrary, any school district may  
43 subject any student to discipline for cyberbullying. A school district may discipline any student for  
44 cyberbullying to the greatest extent allowed by law. The district shall have jurisdiction to prohibit  
45 cyberbullying that originates on a school's campus or at a district activity if the electronic  
46 communication was made using the school's technological resources, if there is a sufficient nexus to  
47 the educational environment, or if the electronic communication was made on the school's campus  
48 or at a district activity using the student's own personal technological resources. The district shall

1 have jurisdiction to prohibit cyberbullying that originates off the school's campus if:

2 (1) It was reasonably foreseeable that the electronic communication would reach the  
3 school's campus; or

4 (2) There is a sufficient nexus between the electronic communication and the school that  
5 includes, but is not limited to, speech that is directed at a school-specific audience, or the speech  
6 was brought onto or accessed on the school campus, even if it was not the student in question who  
7 did so. The district may also prohibit cyberbullying that occurs outside of the district to the greatest  
8 extent allowed by law including, but not limited to, situations in which the cyberbullying negatively  
9 impacts the educational environment or constitutes a true threat. Even in situations where the  
10 district does not have legal authority to discipline a student, the district may contact law  
11 enforcement and take other appropriate actions to protect students and clarify district expectations.

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

15 7. Each district shall develop a method to keep track of any correspondence between  
16 individuals and the district or any school in the district regarding an incident of bullying. Such  
17 correspondence shall be a closed record under chapter 610.

18 8. Each district shall annually report to the department of elementary and secondary  
19 education the number of confirmed reported bullying incidents in the district at the school level and  
20 the district level and any action taken in response to an incident of bullying including, but not  
21 limited to, expulsions and suspensions for each school in the district. No district shall release any  
22 confidential information not authorized by state or federal law for public release. The department  
23 of elementary and secondary education shall post this information on its internet website within  
24 thirty days of receiving it but shall ensure that no personally identifiable information is posted.

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

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

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

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

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

44 170.048. 1. By July 1, 2018, each district shall adopt a policy for youth suicide awareness  
45 and prevention, including the training and education of district employees.

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

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

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

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

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

12  
13 Further amend said bill by amending the title, enacting clause, and intersectional references  
14 accordingly.