

HOUSE BILL No. 2222

By Committee on Education

2-5

Proposed Amendments for HB 2222

For Committee on Education

February 26, 2013

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Office of Revisor of Statutes

underline is new language; strikethrough is stricken language

1 AN ACT concerning school districts; relating to policies against bullying;
2 amending K.S.A. 2012 Supp. 72-8256 and repealing the existing
3 section.
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2012 Supp. 72-8256 is hereby amended to read as
7 follows: 72-8256. (a) As used in this section:

8 (1) "Bullying" means: (A) Any intentional gesture or any intentional
9 written, verbal, electronic or physical act or threat *either by any student or*
10 *staff member towards a student or by any student towards a staff member*
11 *that is sufficiently severe, persistent or pervasive that—if such gesture, act*
12 *or threat creates an intimidating, threatening or abusive educational*
13 *environment for a student or staff member that a reasonable person, under*
14 *the circumstances, knows or should know will have the effect of:*

15 (i) Harming a student or staff member, whether physically or
16 mentally;

17 (ii) damaging a student's or staff member's property;

18 (iii) placing a student or staff member in reasonable fear of harm to
19 the student or staff member; or

20 (iv) placing a student or staff member in reasonable fear of damage to
21 the student's or staff member's property;

22 (B) cyberbullying; or

23 (C) any other form of intimidation or harassment prohibited by the
24 board of education of the school district in policies concerning bullying
25 adopted pursuant to this section or subsection (e) of K.S.A. 72-8205, and
26 amendments thereto.

27 (2) "Cyberbullying" means bullying by use of any electronic
28 communication device through means including, but not limited to, e-mail,
29 instant messaging, text messages, blogs, mobile phones, pagers, online
30 games and websites.

31 (3) "School district" or "district" means any unified school district
32 organized and operating under the laws of this state.

33 (4) "School vehicle" means any school bus, school van, other
34 school vehicle and private vehicle used to transport students or staff
35 members to and from school or any school-sponsored activity or event.

36 (5) "Staff member" means any person employed by a school district.

Insert: .

Insert: or parent

Insert: . staff member or parent

Insert: (3) "Parent" includes a guardian, custodian or other person with authority to act on behalf of the child. ; and by renumbering remaining paragraphs accordingly.

1 (b) The board of education of each school district shall adopt a policy
 2 to prohibit bullying either by any student or staff member towards a
 3 student or by a student towards a staff member on or while utilizing school
 4 property, in a school vehicle or at a school-sponsored activity or event.
 5 (c) The board of education of each school district shall adopt and
 6 implement a plan to address bullying either by any student or staff member
 7 towards a student or by a student towards a staff member on school
 8 property, in a school vehicle or at a school-sponsored activity or event.
 9 Such plan shall include provisions for the training and education for staff
 10 members and students.

11 (d) The board of education of each school district may adopt
 12 additional policies relating to bullying pursuant to subsection (e) of K.S.A.
 13 72-8205, and amendments thereto.

14 (e) *Nothing in this section shall be construed to limit or supersede or*
 15 *in any manner affect or diminish the requirements of compliance by a staff*
 16 *member with the provisions of K.S.A. 2012 Supp. 38-2223 or 38-2226, and*
 17 *amendments thereto.*

18 Sec. 2. K.S.A. 2012 Supp. 72-8256 is hereby repealed.

19 Sec. 3. This act shall take effect and be in force from and after its
 20 publication in the statute book.

Insert: ,

Insert: or parent

Insert: , staff member or parent

Insert: ,

Insert: or parent

Insert: , staff member or parent