

**SENATE BILL No. 410**

By Committee on Education

2-11

1 AN ACT concerning education; relating to school districts; requiring  
2 publication of bullying policies; report on bullying incidents at each  
3 attendance center; amending K.S.A. 72-6147 and repealing the existing  
4 section.

5

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

7 Section 1. K.S.A. 72-6147 is hereby amended to read as follows: 72-  
8 6147. (a) As used in this section:

9 (1) "Bullying" means:

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

17 (i) Harming a student or staff member, whether physically or  
18 mentally;

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

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

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

24 (B) cyberbullying; or

25 (C) any other form of intimidation or harassment prohibited by the  
26 board of education of the school district in policies concerning bullying  
27 adopted pursuant to this section or ~~subsection (e)~~ of K.S.A. 72-1138(e),  
28 and amendments thereto.

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

33 (3) "Parent" includes a guardian, custodian or other person with  
34 authority to act on behalf of the child.

35 (4) "School district" or "district" means any unified school district  
36 organized and operating under the laws of this state.

1 (5) "School vehicle" means any school bus, school van, other school  
2 vehicle and private vehicle used to transport students or staff members to  
3 and from school or any school-sponsored activity or event.

4 (6) "Staff member" means any person employed by a school district.

5 (b) The board of education of each school district shall adopt a policy  
6 to prohibit bullying either by any student, staff member or parent towards  
7 a student or by a student, staff member or parent towards a staff member  
8 on or while utilizing school property, in a school vehicle or at a school-  
9 sponsored activity or event.

10 (c) The board of education of each school district shall adopt and  
11 implement a plan to address bullying either by any student, staff member  
12 or parent towards a student or by a student, staff member or parent towards  
13 a staff member on school property, in a school vehicle or at a school-  
14 sponsored activity or event. Such plan shall include *a bullying reporting  
15 and resolution process* and provisions for the training and education for  
16 staff members and students.

17 (d) The board of education of each school district may adopt  
18 additional policies relating to bullying pursuant to ~~subsection (e)~~ of K.S.A.  
19 72-1138(e), and amendments thereto.

20 (e) (1) *Any policy to prohibit bullying, any plan to address bullying  
21 and any bullying reporting and resolution process adopted by a school  
22 district shall be:*

23 (A) *Published on the school district's website with a link prominently  
24 posted on the homepage of each such website;*

25 (B) *published on the website of any attendance center that has its  
26 own website with a link prominently posted on the homepage of such  
27 website. If an attendance center has its own bullying policy, plan or  
28 reporting and resolution process, such policy, plan or reporting and  
29 resolution process shall also be published on the attendance center's  
30 website;*

31 (C) *distributed annually to parents and guardians upon enrollment of  
32 a student in such school district;*

33 (D) *included in any school district or school handbook; and*

34 (E) *included in any staff training materials.*

35 (2) *As used in this subsection, "bullying reporting and resolution  
36 process" includes:*

37 (A) *Reporting procedures, including anonymous reporting  
38 procedures;*

39 (B) *reporting forms;*

40 (C) *names of school district and attendance center personnel to  
41 whom reports are made or delivered;*

42 (D) *a timeline for resolving bullying incidents;*

43 (E) *interventions and consequences for victims and perpetrators of*

1 *bullying; and*

2 *(F) training and educational requirements or materials for students*  
3 *and school staff members.*

4 *(3) Any information published or distributed pursuant to paragraph*  
5 *(1) shall include instructions for the public on how to obtain and view any*  
6 *training and educational requirements or materials for students and*  
7 *school staff members.*

8 *(f) (1) Each school district shall annually submit to the state board of*  
9 *education a report containing the following information for each*  
10 *attendance center within the school district for the preceding school year:*

11 *(A) The number of unique bullying incidents reported, including, but*  
12 *not limited to, the number of unique victims, the number of unique*  
13 *perpetrators and whether or not such incidents were anonymous or in-*  
14 *person;*

15 *(B) the types of bullying incidents reported, including, but not limited*  
16 *to, physical bullying, verbal bullying, cyberbullying or indirect bullying;*  
17 *and*

18 *(C) the number of reported bullying incidents resolved in each of the*  
19 *following manners:*

20 *(i) Counseling and remediation;*

21 *(ii) in-school suspension;*

22 *(iii) out-of-school suspension;*

23 *(iv) expulsion;*

24 *(v) referral to law enforcement;*

25 *(vi) a finding of no bullying incident; and*

26 *(vii) any other method of resolution.*

27 *(2) Each school district shall publish the report submitted pursuant*  
28 *to paragraph (1) on the school district's website with a link prominently*  
29 *posted on the homepage of such website. Each attendance center that has*  
30 *its own website shall publish the information in the report submitted*  
31 *pursuant to paragraph (1) that is specific to such attendance center on its*  
32 *website with a link prominently posted on the homepage of such website.*

33 *(3) The state board of education shall annually compile the reports*  
34 *submitted pursuant to paragraph (1) and prepare a summary report that*  
35 *shall be submitted to the senate committee on education and the house of*  
36 *representatives committee on education.*

37 *(g) Nothing in this section shall be construed to limit or supersede or*  
38 *in any manner affect or diminish the requirements of compliance by a staff*  
39 *member with the provisions of K.S.A. 2019 Supp. 38-2223 or 38-2226,*  
40 *and amendments thereto.*

41 *Sec. 2. K.S.A. 72-6147 is hereby repealed.*

42 *Sec. 3. This act shall take effect and be in force from and after its*  
43 *publication in the statute book.*