1   A bill to be entitled
2   An act relating to bullying and harassment policies in
3   schools; amending s. 1006.147, F.S.; requiring school
4   districts to revise their bullying and harassment
5   policy at specified intervals; requiring schools to
6   implement the bullying and harassment policy in a
7   certain manner and integrate it with the school's
8   bullying prevention and intervention program;
9   requiring the policy to include mandatory reporting
10   procedures and a list of authorized programs that
11   provide bullying and harassment identification,
12   prevention, and response instruction; providing an
13   effective date.
14
15   Be It Enacted by the Legislature of the State of Florida:
16
17   Section 1. Subsection (4) of section 1006.147, Florida
18   Statutes, is amended to read:
19   1006.147 Bullying and harassment prohibited.—
20   (4) Each school district shall adopt <u>and revise at least</u>
21   <u>every 3 years</u> a policy prohibiting bullying and harassment of a
22   student or employee of a public K-12 educational institution.
23   Each school district's policy shall be in substantial conformity
24   with the Department of Education's model policy. The school
25   district bullying and harassment policy shall afford all
26   students the same protection regardless of their status under

hb0229-00

27 the law. The school district may establish separate
28 discrimination policies that include categories of students. The
29 school district shall involve students, parents, teachers,
30 administrators, school staff, school volunteers, community
31 representatives, and local law enforcement agencies in the
32 process of adopting and revising the policy. The school district
33 policy must require a school to implement the policy be
34 implemented in a manner that is ongoing throughout the school
35 year and integrated with a school's curriculum, a school's
36 bullying prevention and intervention program, a school's
37 discipline policies, and other violence prevention efforts. The
38 school district policy must contain, at a minimum, the following
39 components:
40   (a) A statement prohibiting bullying and harassment.
41   (b) A definition of bullying and a definition of
42 harassment that include the definitions listed in this section.
43   (c) A description of the type of behavior expected from
44 each student and employee of a public K-12 educational
45 institution.
46   (d) The consequences for a student or employee of a public
47 K-12 educational institution who commits an act of bullying or
48 harassment.
49   (e) The consequences for a student or employee of a public
50 K-12 educational institution who is found to have wrongfully and
51 intentionally accused another of an act of bullying or
52 harassment.

53   (f) A procedure for the mandatory reporting of an act of
54   bullying or harassment, including provisions that permit a
55   person to anonymously report such an act. However, this
56   paragraph does not permit formal disciplinary action to be based
57   solely on an anonymous report.
58   (g) A procedure for the prompt investigation of a report
59   of bullying or harassment and the persons responsible for the
60   investigation. The investigation of a reported act of bullying
61   or harassment is deemed to be a school-related activity and
62   begins with a report of such an act. Incidents that require a
63   reasonable investigation when reported to appropriate school
64   authorities shall include alleged incidents of bullying or
65   harassment allegedly committed against a child while the child
66   is en route to school aboard a school bus or at a school bus
67   stop.
68   (h) A process to investigate whether a reported act of
69   bullying or harassment is within the scope of the district
70   school system and, if not, a process for referral of such an act
71   to the appropriate jurisdiction. Computers without web-filtering
72   software or computers with web-filtering software that is
73   disabled shall be used when complaints of cyberbullying are
74   investigated.
75   (i) A procedure for providing immediate notification to
76   the parents of a victim of bullying or harassment and the
77   parents of the perpetrator of an act of bullying or harassment,
78   as well as notification to all local agencies where criminal

79 charges may be pursued against the perpetrator.

80   (j) A procedure to refer victims and perpetrators of
81 bullying or harassment for counseling.

82   (k) A procedure for including incidents of bullying or
83 harassment in the school's report of data concerning school
84 safety and discipline required under s. 1006.09(6). The report
85 must include each incident of bullying or harassment and the
86 resulting consequences, including discipline and referrals. The
87 report must include in a separate section each reported incident
88 of bullying or harassment that does not meet the criteria of a
89 prohibited act under this section with recommendations regarding
90 such incidents. The Department of Education shall aggregate
91 information contained in the reports.

92   (l) A list of programs authorized by the school district
93 that provide ~~procedure for providing~~ instruction to students,
94 parents, teachers, school administrators, counseling staff, and
95 school volunteers on identifying, preventing, and responding to
96 bullying or harassment, including instruction on recognizing
97 behaviors that lead to bullying and harassment and taking
98 appropriate preventive action based on those observations.

99   (m) A procedure for regularly reporting to a victim's
100 parents the actions taken to protect the victim.

101   (n) A procedure for publicizing the policy, which must
102 include its publication in the code of student conduct required
103 under s. 1006.07(2) and in all employee handbooks.

104   Section 2. This act shall take effect July 1, 2016.