

By the Committee on Fiscal Policy; and Senator Ring

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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 each school
6 principal to implement the bullying and harassment
7 policy in a certain manner and integrate it with the
8 school's bullying prevention and intervention program;
9 requiring the policy to include a procedure for
10 receiving reports of alleged acts of bullying and a
11 list of authorized programs that provide bullying and
12 harassment identification, prevention, and response
13 instruction; providing an effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

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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 and revise at least
21 every 3 years 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
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

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33 policy must be implemented by each school principal in a manner
34 that is ongoing throughout the school year and integrated with a
35 school's curriculum, a school's bullying prevention and
36 intervention program, a school's discipline policies, and other
37 violence prevention efforts. The school district policy must
38 contain, at a minimum, the following components:

39 (a) A statement prohibiting bullying and harassment.

40 (b) A definition of bullying and a definition of harassment
41 that include the definitions listed in this section.

42 (c) A description of the type of behavior expected from
43 each student and employee of a public K-12 educational
44 institution.

45 (d) The consequences for a student or employee of a public
46 K-12 educational institution who commits an act of bullying or
47 harassment.

48 (e) The consequences for a student or employee of a public
49 K-12 educational institution who is found to have wrongfully and
50 intentionally accused another of an act of bullying or
51 harassment.

52 (f) A procedure for receiving reports of ~~reporting~~ an
53 alleged act of bullying or harassment, including provisions that
54 permit a person to anonymously report such an act. However, this
55 paragraph does not permit formal disciplinary action to be based
56 solely on an anonymous report.

57 (g) A procedure for the prompt investigation of a report of
58 bullying or harassment and the persons responsible for the
59 investigation. The investigation of a reported act of bullying
60 or harassment is deemed to be a school-related activity and
61 begins with a report of such an act. Incidents that require a

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62 reasonable investigation when reported to appropriate school
63 authorities shall include alleged incidents of bullying or
64 harassment allegedly committed against a child while the child
65 is en route to school aboard a school bus or at a school bus
66 stop.

67 (h) A process to investigate whether a reported act of
68 bullying or harassment is within the scope of the district
69 school system and, if not, a process for referral of such an act
70 to the appropriate jurisdiction. Computers without web-filtering
71 software or computers with web-filtering software that is
72 disabled shall be used when complaints of cyberbullying are
73 investigated.

74 (i) A procedure for providing immediate notification to the
75 parents of a victim of bullying or harassment and the parents of
76 the perpetrator of an act of bullying or harassment, as well as
77 notification to all local agencies where criminal charges may be
78 pursued against the perpetrator.

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

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

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

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

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

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