

By 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 policies at specified intervals; specifying that a
6 school district policy require a school to implement
7 the policy in a certain manner and integrate it with
8 the school's bullying prevention and intervention
9 program; requiring such a policy to include mandatory
10 reporting procedures and a list of authorized programs
11 that 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 and revise every 3
21 years a policy prohibiting bullying and harassment of a student
22 or employee of a public K-12 educational institution. Each
23 school district's policy shall be in substantial conformity with
24 the Department of Education's model policy. The school district
25 bullying and harassment policy shall afford all students the
26 same protection regardless of their status under the law. The
27 school district may establish separate discrimination policies
28 that include categories of students. The school district shall
29 involve students, parents, teachers, administrators, school

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30 staff, school volunteers, community representatives, and local
31 law enforcement agencies in the process of adopting and revising
32 the policy. The school district policy must require a school to
33 implement the policy ~~be implemented~~ in a manner that is ongoing
34 throughout the school year and integrated with a school's
35 curriculum, a school's bullying prevention and intervention
36 program, a school's discipline policies, and other violence
37 prevention efforts. The school district policy must contain, at
38 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 the mandatory reporting of an act of
53 bullying or harassment, including provisions that permit a
54 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

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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
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

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88 prohibited act under this section with recommendations regarding
89 such incidents. The Department of Education shall aggregate
90 information contained in the reports.

91 (l) A list of programs authorized by the school district
92 that 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, 2015.