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CS/HB 229, Engrossed 1

2016 Legislature

1
2 An act relating to bullying and harassment policies in
3 schools; amending s. 1006.147, F.S.; requiring each
4 school district to review its 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 a short title for chapter 2010-
14 217, Laws of Florida, relating to requirements for
15 health education curricula and district school board
16 policies on teen dating violence and abuse; providing
17 an effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

20
21 Section 1. Subsection (4) of section 1006.147, Florida
22 Statutes, is amended to read:

23 1006.147 Bullying and harassment prohibited.—

24 (4) Each school district shall adopt and review at least
25 every 3 years a policy prohibiting bullying and harassment of a
26 student or employee of a public K-12 educational institution.



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27 Each school district's policy shall be in substantial conformity
28 with the Department of Education's model policy. The school
29 district bullying and harassment policy shall afford all
30 students the same protection regardless of their status under
31 the law. The school district may establish separate
32 discrimination policies that include categories of students. The
33 school district shall involve students, parents, teachers,
34 administrators, school staff, school volunteers, community
35 representatives, and local law enforcement agencies in the
36 process of adopting and reviewing the policy. The school
37 district policy must be implemented by each school principal in
38 a manner that is ongoing throughout the school year and
39 integrated with the ~~a~~ school's curriculum, bullying prevention
40 and intervention program, ~~a school's~~ discipline policies, and
41 other violence prevention efforts. The school district policy
42 must contain, at a minimum, the following components:

- 43 (a) A statement prohibiting bullying and harassment.
- 44 (b) A definition of bullying and a definition of
45 harassment that include the definitions listed in this section.
- 46 (c) A description of the type of behavior expected from
47 each student and employee of a public K-12 educational
48 institution.
- 49 (d) The consequences for a student or employee of a public
50 K-12 educational institution who commits an act of bullying or
51 harassment.
- 52 (e) The consequences for a student or employee of a public



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53 K-12 educational institution who is found to have wrongfully and
54 intentionally accused another of an act of bullying or
55 harassment.

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

61 (g) A procedure for the prompt investigation of a report
62 of bullying or harassment and the persons responsible for the
63 investigation. The investigation of a reported act of bullying
64 or harassment is deemed to be a school-related activity and
65 begins with a report of such an act. Incidents that require a
66 reasonable investigation when reported to appropriate school
67 authorities shall include alleged incidents of bullying or
68 harassment allegedly committed against a child while the child
69 is en route to school aboard a school bus or at a school bus
70 stop.

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

78 (i) A procedure for providing immediate notification to



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79 | the parents of a victim of bullying or harassment and the
80 | parents of the perpetrator of an act of bullying or harassment,
81 | as well as notification to all local agencies where criminal
82 | charges may be pursued against the perpetrator.

83 | (j) A procedure to refer victims and perpetrators of
84 | bullying or harassment for counseling.

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

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

102 | (m) A procedure for regularly reporting to a victim's
103 | parents the actions taken to protect the victim.

104 | (n) A procedure for publicizing the policy, which must



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105 | include its publication in the code of student conduct required
106 | under s. 1006.07(2) and in all employee handbooks.

107 | Section 2. Chapter 2010-217, Laws of Florida, may be cited
108 | as "Taylor's Law for Teen Dating Violence Awareness and
109 | Prevention."

110 | Section 3. This act shall take effect July 1, 2016.