

SENATE BILL No. 69

By Committee on Education

1-27

1 AN ACT concerning school districts; relating to bullying and dating
2 violence; amending K.S.A. 2010 Supp. 72-8256 and repealing the
3 existing section.

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

6 Section 1. K.S.A. 2010 Supp. 72-8256 is hereby amended to read as
7 follows: 72-8256. (a) As used in this section:

8 (1) "Bullying" means: (A) Any intentional gesture or any intentional
9 written, verbal, electronic or physical act or threat that is sufficiently
10 severe, persistent or pervasive that it creates an intimidating, threatening or
11 abusive educational environment for a student or staff member that a
12 reasonable person, under the circumstances, knows or should know will
13 have the effect of:

14 (i) Harming a student or staff member, whether physically or
15 mentally;

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

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

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

21 (B) cyberbullying; or

22 (C) any other form of intimidation or harassment prohibited by the
23 board of education of the school district in policies concerning bullying
24 adopted pursuant to this section or subsection (e) of K.S.A. 72-8205, and
25 amendments thereto.

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

30 ~~(3) "Dating partner" means any person involved in an intimate~~
31 ~~relationship with another primarily characterized by the expectation of~~
32 ~~affectionate involvement whether casual, serious or long term.~~

33 ~~(4) "Dating violence" means a pattern of behavior where one person~~
34 ~~uses threats of, or actually uses, physical, sexual, verbal or emotional~~
35 ~~abuse to control such person's dating partner.~~

36 (3) ~~(5)~~ (3) "School vehicle" means any school bus, school van, other

1 school vehicle and private vehicle used to transport students or staff
2 members to and from school or any school-sponsored activity or event.

3 (b) (1) The board of education of each school district shall adopt a
4 policy to prohibit bullying ~~and dating violence~~ on or while utilizing school
5 property, in a school vehicle or at a school-sponsored activity or event.

6 (e) (2) The board of education of each school district shall adopt and
7 implement a plan to address bullying ~~and dating violence~~ on school
8 property, in a school vehicle or at a school-sponsored activity or event.

9 ***The board of education shall adopt such plan through a process that***
10 ***includes representation of parents, school employees, school***
11 ***administrators and the community through the school site councils,***
12 ***established pursuant to K.S.A. 72-6439, and amendments thereto.*** Such
13 plan shall include provisions for the training and education for staff
14 members and students. ***Such plan shall be published on the school***
15 ***district's website with a link prominently posted on the home page of***
16 ***such website, and distributed annually to parents and guardians who***
17 ***have children enrolled in a school in the school district. The plan also***
18 ***shall be submitted to the department of education and shall be kept on file***
19 ***with the department.***

20 (d) (3) The board of education of each school district may adopt
21 additional policies relating to bullying ~~and dating violence~~ pursuant to
22 subsection (e) of K.S.A. 72-8205, and amendments thereto.

23 Sec. 2. K.S.A. 2010 Supp. 72-8256 is hereby repealed.

24 Sec. 3. This act shall take effect and be in force from and after its
25 publication in the statute book.

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