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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO EDUCATION -- ANTI-BULLYING BILL OF RIGHTS ACT

Introduced By: Representative William W. O'Brien

Date Introduced: February 05, 2021

Referred To: House Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 16 of the General Laws entitled "EDUCATION" is hereby amended by
2 adding thereto the following chapter:

3 CHAPTER 110

4 ANTI-BULLYING BILL OF RIGHTS ACT

5 **16-110-1. Short title.**

6 This act shall be known and may be cited as the "Anti-bullying Bill of Rights Act".

7 **16-110-2. Findings and purpose.**

8 Bullying of a student creates a climate of fear and disrespect that can seriously impair the
9 student's health and negatively affect learning. Bullying undermines the safe learning environment
10 that students need to achieve their full potential. The purpose of this chapter is to ensure a consistent
11 and unified statewide approach to the prohibition of bullying at school.

12 **16-110-3. Instruction in suicide prevention for public school teaching staff.**

13 (a) The Rhode Island department of education, in consultation with Rhode Island Youth
14 Suicide Prevention Project shall, as part of the professional development requirement established
15 by the state board for public school teaching staff members, require each public school teaching
16 staff member to complete at least two (2) hours of instruction in suicide prevention, to be provided
17 by a licensed health care professional with training and experience in mental health issues, in each
18 professional development period.

19 (b) The instruction in suicide prevention shall include information on the relationship

1 between the risk of suicide and the incidents of harassment, intimidation, bullying and information
2 on reducing the risk of suicide in students who are members of communities identified as having
3 members at high risk of suicide.

4 **16-110-4. Report card information.**

5 (a) Report cards issued pursuant to this chapter shall include data identifying the number
6 and nature of all reports of harassment, intimidation, or bullying.

7 (b) The commissioner of education shall establish a uniform methodology for the reporting
8 of the data concerning administrative personnel on a full-time equivalent basis.

9 **16-110-5. Training program -- Requirements.**

10 Each newly elected or appointed school board member shall complete, during the first year
11 of the member's first term, a training program to be prepared and offered by the Rhode Island
12 department of education, in consultation with the Rhode Island Association of School
13 Superintendents, training on harassment, intimidation, and bullying in schools in consultation with
14 recognized experts in school bullying from a cross section of academia, child advocacy
15 organizations, nonprofit organizations, professional associations, and government agencies.

16 **16-110-6. Reporting of certain acts by school employees -- Report and public hearing.**

17 (a) Any school employee observing or having direct knowledge from a participant or victim
18 of an act of violence shall, in accordance with standards established by the commissioner, file a
19 report describing the incident to the school principal in a manner prescribed by the commissioner,
20 and a copy of same shall be forwarded to the district superintendent and principal.

21 (b) The principal shall notify the superintendent of the action taken regarding the incident.
22 Two (2) times each school year, between September 1 and January 1 and between January 1 and
23 June 30, at a public hearing, the school principals shall report to the superintendents all acts of
24 violence, vandalism, and harassment, intimidation, or bullying which occurred during the previous
25 reporting period. The report shall include the number of reports of harassment, intimidation, or
26 bullying, the status of all investigations, the nature of the bullying, the names of the investigators,
27 the type and nature of any discipline imposed on any student engaged in harassment, intimidation,
28 or bullying, and any other measures imposed, training conducted, or programs implemented, to
29 reduce harassment, intimidation, or bullying.

30 (c) The information shall also be reported once during each reporting period to the Rhode
31 Island department of education. The report must include data broken down by each school in the
32 district, in addition to district-wide data. It shall be a violation to improperly release any
33 confidential information not authorized by federal or state law for public release.

34 (d) The report shall be used to grade each school for the purpose of assessing its effort to

1 implement policies and programs consistent with the provisions of this chapter. The district shall
2 receive a grade by the department of education determined by averaging the grades of all the
3 schools in the district. The commissioner shall promulgate guidelines for a program to grade
4 schools for the purposes of this section.

5 (e) The grade received by a school and the district shall be posted on the homepage of the
6 school's website. The grade for the district and each school of the district shall be posted on the
7 homepage of the district's website. A link to the report shall be available on the district's website.
8 The information shall be posted on the websites within ten (10) days of the receipt of a grade by
9 the school and district.

10 (f) Verification of the reports on violence, vandalism, and harassment, intimidation, or
11 bullying shall be part of the state's monitoring of the school district, and the board of education
12 shall adopt regulations that impose a penalty on a school employee who knowingly falsifies the
13 report.

14 (g) The department of education shall provide ongoing staff training, in cooperation in
15 fulfilling the reporting requirements pursuant to this section. The representative of the school
16 employees shall have access monthly to the number and disposition of all reported acts of school
17 violence, vandalism, and harassment, intimidation, or bullying.

18 **16-110-7. Annual reports to legislature.**

19 The commissioner of education shall, on or before January 1 of each year, submit a report
20 to the general assembly detailing the extent of violence, vandalism, and harassment, intimidation,
21 or bullying in the public schools and making recommendations to alleviate the problem. The report
22 shall be made available annually to the public no later than June 1, and shall be posted on the
23 department's website.

24 **16-110-8. School Leader -- Training as part of professional development.**

25 (a) As used in this section, "school leader" means a school district staff member who holds
26 a position that requires the possession of a school superintendent, principal, or supervisor
27 endorsement.

28 (b) A school leader shall complete training on the prevention of harassment, intimidation,
29 and bullying. The training shall be offered through a collaborative training model as identified by
30 the commissioner of education, in consultation with the Rhode Island Association of School
31 Superintendents.

32 **16-110-9. Causes for suspension, expulsion of pupils.**

33 (a) Any pupil who is guilty of continued and willful disobedience, or of open defiance of
34 the authority of any teacher or person having authority over him or her, or of the habitual use of

1 profanity or of obscene language, or who shall cut, deface or otherwise injure any school property,
2 shall be liable to punishment and to suspension or expulsion from school.

3 (b) Conduct which shall constitute good cause for suspension or expulsion of a pupil guilty
4 of such conduct shall include, but not be limited to, any of the following:

5 (1) Continued and willful disobedience;

6 (2) Open defiance of the authority of any teacher or person, having authority over him or
7 her;

8 (3) Conduct of such character as to constitute a continuing danger to the physical well-
9 being of other pupils;

10 (4) Physical assault upon another pupil;

11 (5) Taking, or attempting to take, personal property or money from another pupil, or from
12 his or her presence, by means of force or fear;

13 (6) Willfully causing, or attempting to cause, substantial damage to school property;

14 (7) Participation in an unauthorized occupancy by any group of pupils or others of any part
15 of any school or other building owned by any school district, and failure to leave such school or
16 other facility promptly after having been directed to do so by the principal or other person then in
17 charge of such building or facility;

18 (8) Incitement which is intended to and does result in unauthorized occupation by any
19 group of pupils or others of any part of a school or other facility owned by any school district;

20 (9) Incitement which is intended to and does result in truancy by other pupils;

21 (10) Knowing possession or knowing consumption without legal authority of alcoholic
22 beverages or controlled dangerous substances on school premises, or being under the influence of
23 intoxicating liquor or controlled dangerous substances while on school premises; and

24 (11) Harassment, intimidation, or bullying.

25 **16-110-10. Harassment and bullying prevention policies -- Definitions.**

26 (a) "Electronic communication" means a communication transmitted by means of an
27 electronic device, including, but not limited to, a telephone, cellular phone, computer, or pager;

28 (b) "Harassment, intimidation or bullying" means any gesture, any written, verbal or
29 physical act, or any electronic communication, whether it be a single incident or a series of
30 incidents, that is reasonably perceived as being motivated either by any actual or perceived
31 characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation,
32 gender identity and expression, or a mental, physical or sensory disability, or by any other
33 distinguishing characteristic, that takes place on school property, at any school-sponsored function,
34 on a school bus, or off school grounds, that substantially disrupts or interferes with the orderly

1 operation of the school or the rights of other students and that:

2 (1) A reasonable person should know, under the circumstances, will have the effect of
3 physically or emotionally harming a student or damaging the student's property, or placing a student
4 in reasonable fear of physical or emotional harm to his or her person or damage to his or her
5 property;

6 (2) Has the effect of insulting or demeaning any student or group of students; or

7 (3) Creates a hostile educational environment for the student by interfering with a student's
8 education or by severely or pervasively causing physical or emotional harm to the student.

9 **16-110-11. Harassment and bullying prevention policies.**

10 (a) Each school district shall adopt a policy prohibiting harassment, intimidation or
11 bullying on school property, at a school-sponsored function or on a school bus. The school district
12 shall adopt the policy through a process that includes representation of parents or guardians, school
13 employees, volunteers, students, administrators, and community representatives.

14 (b) A school district shall have local control over the content of the policy, except that the
15 policy shall contain, at a minimum, the following components:

16 (1) A statement prohibiting harassment, intimidation or bullying of a student;

17 (2) A definition of harassment, intimidation or bullying;

18 (3) A description of the type of behavior expected from each student;

19 (4) Consequences and appropriate remedial action for a person who commits an act of
20 harassment, intimidation or bullying;

21 (5) A procedure for reporting an act of harassment, intimidation or bullying, including a
22 provision that permits a person to report an act of harassment, intimidation or bullying
23 anonymously; however, this shall not be construed to permit formal disciplinary action solely on
24 the basis of an anonymous report;

25 (i) All acts of harassment, intimidation, or bullying shall be reported verbally to the school
26 principal on the same day when the school employee or contracted service provider witnessed or
27 received reliable information regarding any such incident. The principal shall inform the parents or
28 guardians of all students involved in the alleged incident, and may discuss, as appropriate, the
29 availability of counseling and other intervention services. All acts of harassment, intimidation, or
30 bullying shall be reported in writing to the school principal within two (2) school days of when the
31 school employee or contracted service provider witnessed or received reliable information that a
32 student had been subject to harassment, intimidation, or bullying.

33 (6) A procedure for prompt investigation of reports of violations and complaints, which
34 procedure shall at a minimum provide that:

1 (i) The investigation shall be initiated by the principal or the principal’s designee within
2 one school day of the report of the incident and shall be conducted by a school anti-bullying
3 specialist. The principal may appoint additional personnel who are not school anti-bullying
4 specialists to assist in the investigation. The investigation shall be completed as soon as possible,
5 but not later than ten (10) school days from the date of the written report of the incident of
6 harassment, intimidation, or bullying. In the event that there is information relative to the
7 investigation that is anticipated but not yet received by the end of the ten (10) day period, the school
8 anti-bullying specialist may amend the original report of the results of the investigation to reflect
9 the information;

10 (ii) The results of the investigation shall be reported to the superintendent of schools within
11 two (2) school days of the completion of the investigation, and the superintendent may decide to
12 provide intervention services, establish training programs to reduce harassment, intimidation, or
13 bullying and enhance school climate, impose discipline, order counseling as a result of the findings
14 of the investigation, or take or recommend other appropriate action;

15 (iii) The results of each investigation shall be reported to the board of education no later
16 than the date of the board of education meeting next following the completion of the investigation,
17 along with information on any services provided, training established, discipline imposed, or other
18 action taken or recommended by the superintendent;

19 (iv) Parents or guardians of the students who are parties to the investigation shall be entitled
20 to receive information about the investigation, in accordance with federal and state law and
21 regulation, including the nature of the investigation, whether the district found evidence of
22 harassment, intimidation, or bullying, or whether discipline was imposed or services provided to
23 address the incident of harassment, intimidation, or bullying. This information shall be provided in
24 writing within five (5) school days after the results of the investigation are reported to the board. A
25 parent or guardian may request a hearing before the board after receiving the information, and the
26 hearing shall be held within ten (10) days of the request. The board shall meet in executive session
27 for the hearing to protect the confidentiality of the students. At the hearing the board may hear from
28 the school anti-bullying specialist about the incident, recommendations for discipline or services,
29 and any programs instituted to reduce such incidents;

30 (v) At the next board of education meeting following its receipt of the report, the board
31 shall issue a decision, in writing, to affirm, reject, or modify the superintendent’s decision. The
32 board’s decision may be appealed to the commissioner of education, in accordance with the
33 procedures set forth in law and regulation, no later than ninety (90) days after the issuance of the
34 board’s decision; and

1 (7) The range of ways in which a school will respond once an incident of harassment,
2 intimidation or bullying is identified, which shall be defined by the principal in conjunction with
3 the school anti-bullying specialist, but shall include an appropriate combination of counseling,
4 support services, intervention services, and other programs, as defined by the commissioner;

5 (8) A statement that prohibits reprisal or retaliation against any person who reports an act
6 of harassment, intimidation or bullying and the consequence and appropriate remedial action for a
7 person who engages in reprisal or retaliation;

8 (9) Consequences and appropriate remedial action for a person found to have falsely
9 accused another as a means of retaliation or as a means of harassment, intimidation or bullying;

10 (10) A statement of how the policy is to be publicized, including notice that the policy
11 applies to participation in school-sponsored functions;

12 (11) A requirement that a link to the policy be prominently posted on the home page of the
13 school district's website and distributed annually to parents and guardians who have children
14 enrolled in a school in the school district; and

15 (12) A requirement that the name, school phone number, school address and school email
16 address of the district anti-bullying coordinator be listed on the home page of the school district's
17 website and that on the home page of each school's website the name, school phone number, school
18 address and school email address of the school anti-bullying specialist and the district anti-bullying
19 coordinator be listed. The information concerning the district anti-bullying coordinator and the
20 school anti-bullying specialists shall also be maintained on the department's website.

21 (c) A school district shall adopt a policy and transmit a copy of its policy to each school
22 district superintendent. A school district shall annually conduct a re-evaluation, reassessment, and
23 review of its policy, making any necessary revisions and additions. The board shall include input
24 from the school anti-bullying specialists in conducting its re-evaluation, reassessment, and review.
25 The district shall transmit a copy of the revised policy to the department of education within thirty
26 (30) school days of the revision.

27 (d) To assist school districts in developing policies for the prevention of harassment,
28 intimidation, or bullying, the commissioner of education shall develop a model policy applicable
29 to grades kindergarten through twelve (K-12). This model policy shall be issued no later than
30 January 1, 2021.

31 (e) The commissioner shall adopt amendments to the model policy no later than ninety (90)
32 days after the effective date of that act and shall subsequently update the model policy as the
33 commissioner deems necessary.

34 (f) Notice of the school district's policy shall appear in any publication of the school district

1 that sets forth the comprehensive rules, procedures and standards of conduct for schools within the
2 school district, and in any student handbook.

3 (g) Nothing in this section shall prohibit a school district from adopting a policy that
4 includes components that are more stringent than the components set forth in this section.

5 **16-110-12. Reprisal, retaliation, false accusation prohibited.**

6 (a) A member of a board of education, school employee, student or volunteer shall not
7 engage in reprisal, retaliation or false accusation against a victim, witness or one with reliable
8 information about an act of harassment, intimidation or bullying.

9 (b) A member of a board of education, school employee, contracted service provider,
10 student or volunteer who has witnessed, or has reliable information that a student has been subject
11 to, harassment, intimidation or bullying shall report the incident to the appropriate school official
12 designated by the school district's policy, or to any school administrator or safe schools resource
13 officer, who shall immediately initiate the school district's procedures concerning school bullying.

14 (c) A member of a board of education or a school employee who promptly reports an
15 incident of harassment, intimidation or bullying, to the appropriate school official designated by
16 the school district's policy, or to any school administrator or safe schools resource officer, and who
17 makes this report in compliance with the procedures in the district's policy, is immune from a cause
18 of action for damages arising from any failure to remedy the reported incident.

19 (d) A school administrator who receives a report of harassment, intimidation, or bullying
20 from a district employee, and fails to initiate or conduct an investigation, or who should have known
21 of an incident of harassment, intimidation, or bullying and fails to take sufficient action to minimize
22 or eliminate the harassment, intimidation, or bullying, may be subject to disciplinary action.

23 **16-110-13. Establishment of bullying prevention programs or approaches.**

24 (a) Schools and school districts shall annually establish, implement, document, and assess
25 bullying prevention programs or approaches, and other initiatives involving school staff, students,
26 administrators, volunteers, parents, law enforcement and community members. The programs or
27 approaches shall be designed to create school-wide conditions to prevent and address harassment,
28 intimidation, and bullying.

29 (b) A school district may apply to the department of education for a grant to be used for
30 programs or approaches established pursuant to this subsection, to the extent funds are appropriated
31 for these purposes or funds are made available.

32 (c) A school district shall:

33 (1) Provide training on the school district's harassment, intimidation, or bullying policies
34 to school employees and volunteers who have significant contact with students;

1 (2) Ensure that the training includes instruction on preventing bullying on the basis of
2 protected categories and other distinguishing characteristics that may incite incidents of
3 discrimination, harassment, intimidation, or bullying; and

4 (3) Develop a process for discussing the district's harassment, intimidation or bullying
5 policy with students.

6 (d) Information regarding the school district policy against harassment, intimidation or
7 bullying shall be incorporated into a school's employee training program and shall be provided to
8 full-time and part-time staff, volunteers who have significant contact with students, and those
9 persons contracted by the district to provide services to students.

10 **16-110-14. Training course for safe schools resource officers, liaisons to law**
11 **enforcement.**

12 (a) The department of education, in collaboration with the attorney general and state police,
13 shall develop a training course for safe schools resource officers and public school employees
14 assigned by a board of education to serve as a school liaison to law enforcement. The department
15 of education, in collaboration with the attorney general and state police, shall ensure that the
16 training course is developed within one hundred eighty (180) days of the effective date of this act.
17 The course shall at a minimum provide comprehensive and consistent training in current school
18 resource officer practices and concepts. The course shall include training in the protection of
19 students from harassment, intimidation, and bullying, including incidents which occur through
20 electronic communication. The course shall be made available to:

21 (1) Any law enforcement officer or public school employee referred by the board of
22 education of the public school to which assignment as a safe schools resource officer or school
23 liaison to law enforcement is sought; and

24 (2) Any safe schools resource officer or school liaison to law enforcement assigned to a
25 public school.

26 (b) The training course developed by the commission pursuant to subsection (a) of this
27 section shall be offered at each school approved by the department of education to provide police
28 training courses. The department of education, in consultation with the attorney general and state
29 police shall ensure that an individual assigned to instruct the course is proficient and experienced
30 in current school resource officer practices and concepts.

31 (c) The department of education shall award a certificate to each individual who
32 successfully completes the course.

33 **16-110-15. Policy to include certain incidents occurring off school grounds.**

34 The policy adopted by each school district shall include provisions for appropriate

1 responses to harassment, intimidation, or bullying that occurs off school grounds, in cases in which
2 a school employee is made aware of such actions. The responses to harassment, intimidation, or
3 bullying that occurs off school grounds shall be consistent with the department of education's code
4 of student conduct and other provisions of the board's policy on harassment, intimidation, or
5 bullying.

6 **16-110-16. Appointment of school anti-bullying specialists, coordinator.**

7 (a) The principal in each school in a school district shall appoint a school anti-bullying
8 specialist. When a school guidance counselor, school psychologist, or another individual similarly
9 trained is currently employed in the school, the principal shall appoint that individual to be the
10 school anti-bullying specialist. If no individual meeting this criteria is currently employed in the
11 school, the principal shall appoint a school anti-bullying specialist from currently employed school
12 personnel. The school anti-bullying specialist shall:

13 (1) Create and chair the school safety team;

14 (2) Lead the investigation of incidents of harassment, intimidation, and bullying in the
15 school; and

16 (3) Act as the primary school official responsible for preventing, identifying, and
17 addressing incidents of harassment, intimidation, and bullying in the school.

18 (b) The superintendent of schools shall appoint a district anti-bullying coordinator. The
19 superintendent shall make every effort to appoint an employee of the school district to this position.
20 The district anti-bullying coordinator shall:

21 (1) Be responsible for coordinating and strengthening the school district's policies to
22 prevent, identify, and address harassment, intimidation, and bullying of students;

23 (2) Collaborate with school anti-bullying specialists in the district, the board of education,
24 and the superintendent of schools to prevent, identify, and respond to harassment, intimidation, and
25 bullying of students in the district;

26 (3) Provide data, in collaboration with the superintendent of schools, to the department of
27 education regarding harassment, intimidation, and bullying of students; and

28 (4) Execute such other duties related to school harassment, intimidation, and bullying as
29 requested by the superintendent of schools.

30 (c) The district anti-bullying coordinator shall meet at least twice a school year with the
31 school anti-bullying specialists in the district to discuss and strengthen procedures and policies to
32 prevent, identify, and address harassment, intimidation, and bullying in the district.

33 **16-110-17. School safety teams.**

34 (a) A school district shall form a school safety team in each school in the district to develop,

1 foster, and maintain a positive school climate by focusing on the on-going, systemic process and
2 practices in the school and to address school climate issues such as harassment, intimidation, or
3 bullying. A school safety team shall meet at least two (2) times per school year.

4 (b) A school safety team shall consist of the principal or his designee who, if possible, shall
5 be a senior administrator in the school and the following appointees of the principal: a teacher in
6 the school; a school anti-bullying specialist; a parent of a student in the school; and other members
7 to be determined by the principal. The school anti-bullying specialist shall serve as the chair of the
8 school safety team.

9 (c) The school safety team shall:

10 (1) Receive any complaints of harassment, intimidation, or bullying of students that have
11 been reported to the principal;

12 (2) Receive copies of any report prepared after an investigation of an incident of
13 harassment, intimidation, or bullying;

14 (3) Identify and address patterns of harassment, intimidation, or bullying of students in the
15 school;

16 (4) Review and strengthen school climate and the policies of the school in order to prevent
17 and address harassment, intimidation, or bullying of students;

18 (5) Educate the community, including students, teachers, administrative staff, and parents,
19 to prevent and address harassment, intimidation, or bullying of students;

20 (6) Participate in the training which the principal or the district anti-bullying coordinator
21 may request;

22 (7) Collaborate with the district anti-bullying coordinator in the collection of district-wide
23 data and in the development of district policies to prevent and address harassment, intimidation, or
24 bullying of students; and

25 (8) Execute such other duties related to harassment, intimidation, and bullying as requested
26 by the principal or district anti-bullying coordinator.

27 (d) The members of a school safety team shall be provided professional development
28 opportunities that address effective practices of successful school climate programs or approaches.

29 (e) Notwithstanding any provision of this section to the contrary, a parent who is a member
30 of the school safety team shall not participate in the activities of the team set forth in subsection
31 (c)(1), (c)(2), or (c)(3) of this section or any other activities of the team which may compromise
32 the confidentiality of a student.

33 **16-110-18. Program required for teaching certification.**

34 (a) Beginning with the 2021-2022 school year, all new candidates for teaching certification

1 who have completed a teacher preparation program at a regionally-accredited institution of higher
2 education shall have satisfactorily completed a program on harassment, intimidation, and bullying
3 prevention.

4 (b) Beginning with the 2021-2022 school year, any person seeking certification through
5 the alternate route shall, within one year of being employed, satisfactorily complete a program on
6 harassment, intimidation, and bullying prevention approved by the department of education.

7 (c) The department of education shall establish the appropriate requirements of the program
8 on harassment, intimidation, and bullying prevention.

9 (d) The department of education shall, as part of the professional development requirement
10 established by the state board for public school teachers, require each public school teacher to
11 complete at least two (2) hours of instruction on harassment, intimidation, or bullying prevention
12 in each professional development period.

13 **16-110-19. Program required for administrative and supervisory certification.**

14 Beginning with the 2021-2022 school year, all candidates for administrative and
15 supervisory certification shall have satisfactorily completed a program on harassment, intimidation,
16 and bullying prevention.

17 **16-110-20. Development of guidance document.**

18 (a) The department of education, in consultation with the attorney general and state police,
19 shall develop a guidance document for use by parents or guardians, students, and school districts
20 to assist in resolving complaints concerning student harassment, intimidation, or bullying behaviors
21 by school districts. The document shall include:

22 (1) A school district's obligations to prevent bullying;

23 (2) Best practices for the prevention, intervention, and remediation of harassment,
24 intimidation, or bullying in schools, including methods to identify and assist student populations at
25 high risk for harassment, intimidation, or bullying;

26 (3) A clear explanation of the procedures for petitioning the commissioner of education; or
27 designee, to hear and decide disputes; and

28 (4) A clear explanation of the process for appealing final agency determinations to the
29 superior court.

30 (b) The guidance document shall be available on the department of education, attorney
31 general and state police website and on every school district's website site at an easily accessible
32 location.

33 **16-110-21. Establishment of formal protocol for investigating a complaint.**

34 (a) The commissioner of education shall establish a formal protocol pursuant to which the

1 department of education shall investigate a complaint that documents an allegation of bullying by
2 a school district located within the district, when the complaint has not been adequately addressed
3 on the local level. The department of education shall report its findings, and if appropriate, issue an
4 order for the school district to develop and implement corrective actions that are specific to the
5 facts of the case.

6 (b) The commissioner shall ensure that the personnel of the office of the superintendent of
7 schools who are responsible for conducting the investigations receive training and technical support
8 on the use of the complaint investigation protocol.

9 **16-110-22. In-service workshops, training programs.**

10 (a) The commissioner of education, in consultation with the attorney general, state police
11 and recognized experts in school bullying from a cross section of academia, child advocacy
12 organizations, nonprofit organizations, professional associations, and government agencies, shall
13 establish in-service workshops and training programs to train selected public school employees to
14 act as district anti-bullying coordinators and school anti-bullying specialists. The commissioner
15 shall seek to make the workshops and training programs available and administered online through
16 the department's website or other existing online resources. The commissioner shall evaluate the
17 effectiveness of the consulting group on an annual basis. The in-service training programs may
18 utilize the offices of the superintendent of schools, or such other institutions, agencies, or persons
19 as the commissioner deems appropriate. The board of education shall provide time for the in-service
20 training during the usual school schedule in order to ensure that appropriate personnel are prepared
21 to act in the district as district anti-bullying coordinators and school anti-bullying specialists.

22 (b) Upon completion of the initial in-service training program, the commissioner shall
23 ensure that programs and workshops that reflect the most current information on harassment,
24 intimidation, and bullying in schools are prepared and made available to district anti-bullying
25 coordinators and school anti-bullying specialists at regular intervals.

26 **16-110-23. Development of online tutorial, test.**

27 The commissioner of education shall develop and make available on the department of
28 education's website, an online tutorial on harassment, intimidation, and bullying. The online
29 tutorial shall, at a minimum, include best practices in the prevention of harassment, intimidation,
30 and bullying, applicable laws, and such other information that the commissioner determines to be
31 appropriate. The online tutorial shall be accompanied by a test to assess a person's understanding
32 of the information provided in the tutorial.

33 **16-110-24. Bullying prevention fund.**

34 (a) There is created a special fund in the department of education, which shall be designated

1 the "bullying prevention fund." The fund shall be maintained in a separate account and administered
2 by the commissioner to carry out the provisions of this chapter. The fund shall consist of:

3 (1) Any monies appropriated by the state for the purposes of the fund;

4 (2) Any monies donated for the purposes of the fund; and

5 (3) All interest and investment earnings received on monies in the fund.

6 (b) The fund shall be used to offer grants to school districts to provide training on
7 harassment, intimidation, and bullying prevention and on the effective creation of positive school
8 climates.

9 **16-110-25. Week of respect.**

10 The week beginning with the first Monday in October of each year is designated as a "Week
11 of Respect" in Rhode Island. School districts, in order to recognize the importance of character
12 education, shall observe the week by providing age-appropriate instruction focusing on preventing
13 harassment, intimidation, or bullying. Throughout the school year the school district shall provide
14 ongoing age-appropriate instruction on preventing harassment, intimidation, and bullying in
15 accordance with the core curriculum content standards.

16 **16-110-26. Adopting of policy by public institutions of higher education.**

17 (a) A public institution of higher education shall adopt a policy to be included in its student
18 code of conduct prohibiting harassment, intimidation, or bullying. The policy shall contain, at a
19 minimum:

20 (1) A statement prohibiting harassment, intimidation, or bullying;

21 (2) Disciplinary actions which may result if a student commits an act of harassment,
22 intimidation, or bullying; and

23 (3) A definition of harassment, intimidation, or bullying that at a minimum includes any
24 gesture, any written, verbal or physical act, or any electronic communication, whether it be a single
25 incident or a series of incidents, that is reasonably perceived as being motivated either by any actual
26 or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual
27 orientation, gender identity and expression, or a mental, physical or sensory disability, or by any
28 other distinguishing characteristic, that takes place on the property of the institution of higher
29 education or at any function sponsored by the institution of higher education, that substantially
30 disrupts or interferes with the orderly operation of the institution or the rights of other students and
31 that:

32 (i) A reasonable person should know, under the circumstances, will have the effect of
33 physically or emotionally harming a student or damaging the student's property, or placing a student
34 in reasonable fear of physical or emotional harm to his or her person or damage to his or her

1 property:

2 (ii) Has the effect of insulting or demeaning any student or group of students; or

3 (iii) Creates a hostile educational environment for the student by interfering with a
4 student's education or by severely or pervasively causing physical or emotional harm to the student.

5 (b) The institution shall distribute the policy by email to each student within seven (7) days
6 of the start of each semester and shall post the policy on its website.

7 **16-110-27. Compliance by nonpublic schools encouraged.**

8 (a) Nonpublic schools are encouraged to comply with the provisions of this chapter.

9 (b) In the case of a faith-based nonpublic school, no provision in this chapter shall be
10 interpreted to prohibit or abridge the legitimate statement, expression or free exercise of the beliefs
11 or tenets of that faith by the religious organization operating the school or by the school's faculty,
12 staff, or student body.

13 **16-110-28. Inapplicability to certain situations.**

14 Nothing contained in this chapter shall alter or reduce the rights of a student with a
15 disability with regard to disciplinary actions or to general or special educational services and
16 supports.

17 **16-110-29. Construction.**

18 Nothing contained in this chapter shall be construed as affecting the provisions of any
19 collective bargaining agreement or individual contract of employment in effect on the effective
20 date of this chapter.

21 **16-110-29. Severability.**

22 If any provision of this chapter shall be declared unconstitutional or invalid, the
23 unconstitutionality or invalidity shall in no way affect the validity of any other portion thereof
24 which can be given reasonable effect without the part so declared unconstitutional or invalid.

25 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO EDUCATION -- ANTI-BULLYING BILL OF RIGHTS ACT

1 This act would create the anti-bullying bill of rights act which would strengthen protection
2 for students in schools who are victims of bullying. It would require more enhanced teacher and
3 administrator training to better understand and combat the effects of bullying. It would provide for
4 collaboration between the department of education, attorney general and state police to establish
5 strict policies and procedures on how to handle a reported situation of bullying.

6 This act would take effect upon passage.

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