

## SENATE BILL No. 137

By Committee on Education

2-6

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1 AN ACT concerning school districts; relating to bullying; amending  
2 K.S.A. 2012 Supp. 72-8256 and repealing the existing section.

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

5 Section 1. K.S.A. 2012 Supp. 72-8256 is hereby amended to read as  
6 follows: 72-8256. (a) As used in this section:

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

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

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

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

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

20 (B) cyberbullying; or

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

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

29 (3) "School vehicle" means any school bus, school van, other school  
30 vehicle and private vehicle used to transport students or staff members to  
31 and from school or any school-sponsored activity or event.

32 (b) (1) The board of education of each school district shall adopt a  
33 policy to prohibit bullying on or while utilizing school property, in a  
34 school vehicle or at a school-sponsored activity or event.

35 (e) (2) The board of education of each school district shall adopt and  
36 implement a plan to address bullying on school property, in a school

1 vehicle or at a school-sponsored activity or event. *The board of education*  
2 *shall adopt such plan through a process that includes representation of*  
3 *parents, school employees, school administrators and the community*  
4 *through the school site councils, established pursuant to K.S.A. 72-6439,*  
5 *and amendments thereto.* Such plan shall include provisions for the  
6 training and education for staff members and students. *Such plan shall be*  
7 *published on the school district's website with a link prominently posted*  
8 *on the home page of such website, and distributed annually to parents and*  
9 *guardians who have children enrolled in a school in the school district.*  
10 *The plan also shall be submitted to the department of education and shall*  
11 *be kept on file with the department.*

12 ~~(d)~~ (3) The board of education of each school district may adopt  
13 additional policies relating to bullying pursuant to subsection (e) of K.S.A.  
14 72-8205, and amendments thereto.

15 Sec. 2. K.S.A. 2012 Supp. 72-8256 is hereby repealed.

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