STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

HOUSE BILL HB2215 By: Cox

AS INTRODUCED

An Act relating to schools; enacting the Bully Prevention Act; stating purpose; defining term; amending 70 O.S. 2001, Section 24-100, which relates to safe school committees; requiring recommendations on bullying prevention measures; amending 70 O.S. 2001, Section 6-114, which relates to school board policy on control and discipline of children; modifying policy to require prevention of and education about bullying; requiring certain component in discipline policy; providing for codification; providing for recodification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 24-100.5 of Title 70, unless there is created a duplication in numbering, reads as follows:

Sections 1 through 4 of this act shall be known and may be cited as the "Bully Prevention Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 24-100.6 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. It is the purpose of the Bully Prevention Act to address the reduction of disruptive behavior and violence in the public schools through the curtailment and prevention of bullying.

B. As used in the Bully Prevention Act, "bullying" means any written or verbal expression, or physical act or gesture, or a pattern thereof, that is intended to cause distress upon one or more students in the school, on school grounds, in school vehicles, at a

designated school bus stop, or at school activities or sanctioned events.

SECTION 3. AMENDATORY 70 O.S. 2001, Section 24-100, is amended to read as follows:

Section 24-100. A. Due to the growing concern of safety and the ever constant threat of violence in ~~our children's~~ the public schools, it is the intent of the Legislature that local schools and families ~~must~~ work together to combat this rising problem. ~~Therefore, no later than~~ Beginning October 1, 1996, and every year thereafter, each public school site shall establish a Safe School Committee to be composed of at least six (6) members. The Safe School Committee shall be composed of an equal number of teachers, parents of the children affected and students. The Safe School Committee shall study and make recommendations to the principal regarding: unsafe conditions, possible strategies for students to avoid harm at school, student victimization, crime prevention, school violence, and other issues which prohibit the maintenance of a safe school. The Safe School Committee shall give special attention to issues involving bullying, including, but not limited to, incidents of unwanted physical or verbal aggression and sexual harassment. The recommendations shall encourage the involvement of the community and students, the development of one-on-one student/staff relationships, and use of problem-solving teams with counselors and/or school psychologists. In its considerations, the Safe School Committee shall review traditional and accepted bullying prevention programs such as those utilized by other states, state agencies, or school districts.

B. The provisions of this section shall not apply to technology center schools.

SECTION 4. AMENDATORY 70 O.S. 2001, Section 6-114, is amended to read as follows:

Section 6-114. A. Each district board of education shall adopt a policy for the control and discipline of all children attending public school in that district. Such policy shall provide options for the methods of control and discipline of the students and shall define standards of conduct to which students are expected to conform. The policy shall also specifically address prevention of and education about bullying. The policy shall include a reasonable balance between the pattern and the severity of such bullying behavior. In developing the policy, the district board of education shall make an effort to involve the teachers, parents, and students affected. The students, teachers, and parents or guardian of every child residing within a school district shall be notified by the district board of education of its adoption of the policy and shall receive a copy upon request. Provided, the teacher of a child attending a public school shall have the same right as a parent or guardian to control and discipline such child according to local policies during the time the child is in attendance or in transit to or from the school or any other school function authorized by the school district or classroom presided over by the teacher.

B. Except concerning students on individualized education plans (IEP) pursuant to the Individuals with Disabilities Education Act (IDEA), P.L. No. 101-476, the State Board of Education shall not have authority to prescribe student disciplinary policies for school districts or to proscribe corporal punishment in the public schools. The State Board of Education shall not have authority to require school districts to file student disciplinary action reports more often than once each year and shall not use disciplinary action reports in determining a school district's or school site's eligibility for program assistance including competitive grants.

C. The board of education of each school district in this state shall have the option of adopting a dress code for students enrolled in the school district. The board of education of a school district

shall also have the option of adopting a dress code which includes school uniforms.

SECTION 5. RECODIFICATION 70 O.S. 2001, Section 24-100, as amended by Section 3 of this act, shall be recodified as Section 24-100.7 of Title 70 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 6. RECODIFICATION 70 O.S. 2001, Section 6-114, as amended by Section 4 of this act, shall be recodified as Section 24-100.8 of Title 70 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 7. This act shall become effective January 1, 2003.

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