

EHB 2215

THE STATE SENATE
Monday, April 8, 2002

ENGROSSED

House Bill No. 2215

As Amended

ENGROSSED HOUSE BILL NO. 2215 - By: COX, LINDLEY, WILSON, LIOTTA, ADAIR and DAVIS of the House and LITTLEFIELD and ROZELL of the Senate.

[schools - Bully Prevention Act - codification - recodification - 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

1 students in the school, on school grounds, in school vehicles, at a
2 designated school bus stop, or at school activities or sanctioned
3 events.

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

6 Section 24-100. A. Due to the growing concern of safety and
7 the ever constant threat of violence in ~~our children's~~ the public
8 schools, it is the intent of the Legislature that local schools and
9 families ~~must~~ work together to combat this rising problem.
10 ~~Therefore, no later than~~ Beginning October 1, 1996, and every year
11 thereafter, each public school site shall establish a Safe School
12 Committee to be composed of at least ~~six (6)~~ twelve (12) members.
13 The Safe School Committee shall be composed of the superintendent
14 and the principal of the school site and an equal number of
15 teachers, parents of the children affected and students. The Safe
16 School Committee shall study and make recommendations to the
17 principal regarding: unsafe conditions, possible strategies for
18 students to avoid harm at school, student victimization, crime
19 prevention, school violence, and other issues which prohibit the
20 maintenance of a safe school. The Safe School Committee shall give
21 special attention to issues involving bullying, including, but not
22 limited to, incidents of unwanted physical or verbal aggression and
23 sexual harassment. The recommendations shall encourage the

1 involvement of the community and students, the development of one-
2 on-one student/staff relationships, and use of problem-solving teams
3 with counselors and/or school psychologists. In its considerations,
4 the Safe School Committee shall review traditional and accepted
5 bullying prevention programs such as those utilized by other states,
6 state agencies, or school districts.

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

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

11 Section 6-114. A. Each district board of education shall adopt
12 a policy for the control and discipline of all children attending
13 public school in that district. Such policy shall provide options
14 for the methods of control and discipline of the students and shall
15 define standards of conduct to which students are expected to
16 conform. The policy shall also specifically address prevention of
17 and education about bullying. The policy shall include a reasonable
18 balance between the pattern and the severity of such bullying
19 behavior. In developing the policy, the district board of education
20 shall make an effort to involve the teachers, parents, and students
21 affected. The students, teachers, and parents or guardian of every
22 child residing within a school district shall be notified by the
23 district board of education of its adoption of the policy and shall

1 receive a copy upon request. Provided, the teacher of a child
2 attending a public school shall have the same right as a parent or
3 guardian to control and discipline such child according to local
4 policies during the time the child is in attendance or in transit to
5 or from the school or any other school function authorized by the
6 school district or classroom presided over by the teacher.

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

17 C. The board of education of each school district in this state
18 shall have the option of adopting a dress code for students enrolled
19 in the school district. The board of education of a school district
20 shall also have the option of adopting a dress code which includes
21 school uniforms.

22 SECTION 5. RECODIFICATION 70 O.S. 2001, Section 24-100,
23 as amended by Section 3 of this act, shall be recodified as Section

1 24-100.7 of Title 70 of the Oklahoma Statutes, unless there is
2 created a duplication in numbering.

3 SECTION 6. RECODIFICATION 70 O.S. 2001, Section 6-114,
4 as amended by Section 4 of this act, shall be recodified as Section
5 24-100.8 of Title 70 of the Oklahoma Statutes, unless there is
6 created a duplication in numbering.

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

8 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION, dated 4-1-02 - DO PASS,
9 As Amended and Coauthored.