

1 ENGROSSED SENATE
2 BILL NO. 1287

By: Smalley of the Senate

3 and

4 Baker of the House
5

6 An Act relating to schools; amending 70 O.S. 2011,
7 Section 24-100a, which relates to the Healthy and Fit
8 Kids Act of 2004; removing language allowing schools
9 to combine certain committees; amending 70 O.S. 2011,
10 Section 24-100.3, as amended by Section 2, Chapter
11 311, O.S.L. 2013 (70 O.S. Supp. 2017, Section 24-
12 100.3), which relates to the School Safety and
13 Bullying Prevention Act; modifying certain
14 definitions; amending 70 O.S. 2011, Section 24-100.5,
15 as last amended by Section 2, Chapter 246, O.S.L.
16 2015 (70 O.S. Supp. 2017, Section 24-100.5), which
17 relates to Safe School Committees; adding person to
18 committee membership; requiring public school sites
19 to publicize information about Safe School Committee;
20 requiring Safe School Committees to meet with certain
21 frequency; directing the State Board of Education to
22 promulgate certain rules; providing an effective
23 date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 24-100a, is
amended to read as follows:

Section 24-100a. A. This act shall be known and may be cited
as the "Healthy and Fit Kids Act of 2004".

B. Beginning September 1, 2004, each public school shall
establish a Healthy and Fit School Advisory Committee, to be
composed of at least six members. The Advisory Committee may be

1 composed of teachers, administrators, parents of students, health
2 care professionals and business community representatives.

3 ~~A public school may combine the Healthy and Fit School Advisory~~
4 ~~Committee with its Safe School Committee, established pursuant to~~
5 ~~Section 24-100.5 of this title.~~

6 C. Each Healthy and Fit School Advisory Committee shall study
7 and make recommendations to the school principal regarding:

- 8 1. Health education;
- 9 2. Physical education and physical activity; and
- 10 3. Nutrition and health services.

11 D. The principal shall give consideration to recommendations of
12 the committee.

13 E. The State Board of Education shall adopt rules for
14 monitoring compliance with this section and is authorized to report
15 a school as deficient on the accreditation report for noncompliance
16 with the provisions of this section.

17 SECTION 2. AMENDATORY 70 O.S. 2011, Section 24-100.3, as
18 amended by Section 2, Chapter 311, O.S.L. 2013 (70 O.S. Supp. 2017,
19 Section 24-100.3), is amended to read as follows:

20 Section 24-100.3. A. As used in the School Safety and Bullying
21 Prevention Act:

22 1. "Bullying" means any ~~pattern of harassment, intimidation,~~
23 ~~threatening behavior, physical acts, verbal or~~ unwanted, aggressive
24 behavior committed in person or by electronic communication directed

1 toward a student or group of students ~~that results in or is~~
2 ~~reasonably perceived as being done with the intent to cause negative~~
3 ~~educational or physical results for the targeted individual or group~~
4 ~~and is communicated in such a way as to disrupt or interfere with~~
5 ~~the school's educational mission or the education of any student~~
6 that involves a real or perceived power imbalance and is repeated or
7 is highly likely to be repeated. Bullying actions shall include but
8 not be limited to making threats, spreading rumors, attacking
9 someone physically or verbally and excluding someone from a group as
10 a means of causing harm;

11 2. "Power imbalance" means the attempt by a perpetrator to use
12 observed or perceived personal or situational characteristics to
13 exert control over a targeted student's behavior or limit a victim's
14 ability to respond or stop the aggression;

15 3. "At school" means on school grounds, in school vehicles, at
16 school-sponsored activities, or at school-sanctioned events;

17 ~~3.~~ 4. "Electronic communication" means the communication of any
18 written, verbal, pictorial information or video content by means of
19 an electronic device, including, but not limited to, a telephone, a
20 mobile or cellular telephone or other wireless telecommunication
21 device, or a computer; and

22 ~~4.~~ 5. "Threatening behavior" means any pattern of behavior or
23 isolated action, whether or not it is directed at another person,
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1 that a reasonable person would believe indicates potential for
2 future harm to students, school personnel, or school property.

3 B. Nothing in this act shall be construed to impose a specific
4 liability on any school district.

5 SECTION 3. AMENDATORY 70 O.S. 2011, Section 24-100.5, as
6 last amended by Section 2, Chapter 246, O.S.L. 2015 (70 O.S. Supp.
7 2017, Section 24-100.5), is amended to read as follows:

8 Section 24-100.5. A. Every year each public school site shall
9 establish a Safe School Committee to be composed of at least seven
10 (7) members. The Safe School Committee shall be composed of
11 teachers, parents of enrolled students, students, ~~and~~ a school
12 official who participates in the investigation of reports of
13 bullying as required by subsection A of Section 24-100.4 of this
14 title and a person not employed by the school district. The
15 Committee may include administrators, school staff, school
16 volunteers, community representatives, and local law enforcement
17 agencies. The Committee shall assist the school board in promoting
18 a positive school climate through planning, implementing and
19 evaluating effective prevention, readiness and response strategies,
20 including the policy required by Section 24-100.4 of this title.

21 B. The Safe School Committee shall study and make
22 recommendations to the principal regarding:

23 1. Unsafe conditions, possible strategies for students, faculty
24 and staff to avoid physical and emotional harm at school, student

1 victimization, crime prevention, school violence, and other issues
2 which prohibit the maintenance of a safe school;

3 2. Student bullying as defined in Section 24-100.3 of this
4 title;

5 3. Professional development needs of faculty and staff to
6 recognize and implement methods to decrease student bullying; and

7 4. Methods to encourage the involvement of the community and
8 students, the development of individual relationships between
9 students and school staff, and use of problem-solving teams and
10 resources that include counselors and other behavioral health and
11 suicide prevention resources within or outside the school system.

12 In its considerations, the Safe School Committee shall review
13 the district policy for the prevention of bullying and the list of
14 research-based programs appropriate for the prevention of bullying
15 of students at school compiled by the State Department of Education.
16 In addition, the Committee may review traditional and accepted
17 bullying prevention programs utilized by other states, state
18 agencies, or school districts.

19 C. The Safe School Committee may study and make recommendations
20 to the school district board of education regarding the development
21 of a rape or sexual assault response program that may be implemented
22 at the school site.

23 D. Each public school site shall:
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1 1. Publicize information about the Safe School Committee
2 including, but not limited to, meeting dates and times; and

3 2. Require the Safe School Committee to meet at least once each
4 semester.

5 E. The State Department of Education shall:

6 1. Develop a model policy and deliver training materials to all
7 school districts on the components that should be included in a
8 school district policy for the prevention of bullying; and

9 2. Compile and distribute to each public school site,
10 prominently display on the State Department of Education website and
11 annually publicize in print media a list of research-based programs
12 appropriate for the prevention of bullying of students. If a school
13 district implements a commercial bullying prevention program, it
14 shall use a program listed by the State Department of Education.

15 F. The State Board of Education shall adopt rules for
16 monitoring compliance with this section and is authorized to report
17 a school as deficient on the accreditation report for noncompliance
18 with the provisions of this section.

19 ~~E.~~ G. The provisions of this section shall not apply to
20 technology center schools.

21 SECTION 4. This act shall become effective July 1, 2018.

22 SECTION 5. It being immediately necessary for the preservation
23 of the public peace, health or safety, an emergency is hereby
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1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

3 Passed the Senate the 12th day of March, 2018.

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5 _____
6 Presiding Officer of the Senate

7 Passed the House of Representatives the ____ day of _____,
8 2018.

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11 Presiding Officer of the House
12 of Representatives
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