

**SENATE CHAMBER**  
**STATE OF OKLAHOMA**

DISPOSITION

☐ FLOOR AMENDMENT

No. \_\_\_\_\_

\_\_\_\_\_

☐ COMMITTEE AMENDMENT

\_\_\_\_\_  
(Date)

Mr./Madame President:

I move to amend Senate Bill No. 1287, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

\_\_\_\_\_  
Senator Smalley

Smalley-EB-FS-Req#3488  
3/8/2018 10:51 AM

(Floor Amendments Only)    Date and Time Filed: \_\_\_\_\_

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

FLOOR SUBSTITUTE

FOR

SENATE BILL NO. 1287

By: Smalley

FLOOR SUBSTITUTE

[ schools - Healthy and Fit Kids Act of 2004 -  
combine certain committees - School Safety and  
Bullying Prevention Act - definitions - Safe School  
Committees - membership - Safe School Committee  
meetings - ~~effective date~~ -

~~emergency~~ ]

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

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

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

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

9 D. The principal shall give consideration to recommendations of  
10 the committee.

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

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

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

20 1. "Bullying" means any ~~pattern of harassment, intimidation,~~  
21 ~~threatening behavior, physical acts, verbal or unwanted, aggressive~~  
22 behavior committed in person or by electronic communication directed  
23 toward a student or group of students ~~that results in or is~~  
24 ~~reasonably perceived as being done with the intent to cause negative~~

~~educational or physical results for the targeted individual or group~~  
~~and is communicated in such a way as to disrupt or interfere with~~  
~~the school's educational mission or the education of any student~~  
that involves a real or perceived power imbalance and is repeated or  
is highly likely to be repeated. Bullying actions shall include but  
not be limited to making threats, spreading rumors, attacking  
someone physically or verbally and excluding someone from a group as  
a means of causing harm;

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

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

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

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

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

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

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

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

21 1. Unsafe conditions, possible strategies for students, faculty  
22 and staff to avoid physical and emotional harm at school, student  
23 victimization, crime prevention, school violence, and other issues  
24 which prohibit the maintenance of a safe school;

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

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

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

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

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

21       D. Each public school site shall:

22        1. Publicize information about the Safe School Committee  
23 including, but not limited to, meeting dates and times; and  
24

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

3        E. The State Department of Education shall:

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

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

13        F. 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        ~~E.~~ G. The provisions of this section shall not apply to  
18 technology center schools.

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

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

24        56-2-3488            EB            3/8/2018 10:51:10 AM