

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 56th Legislature (2018)

4 ENGROSSED SENATE
5 BILL NO. 1287

By: Smalley of the Senate

and

Baker of the House

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

1 B. Beginning September 1, 2004, each public school shall
2 establish a Healthy and Fit School Advisory Committee, to be
3 composed of at least six members. The Advisory Committee may be
4 composed of teachers, administrators, parents of students, health
5 care professionals and business community representatives.

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

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

- 11 1. Health education;
- 12 2. Physical education and physical activity; and
- 13 3. Nutrition and health services.

14 D. The principal shall give consideration to recommendations of
15 the committee.

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

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

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

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

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

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

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

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

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

7 SECTION 3. AMENDATORY 70 O.S. 2011, Section 24-100.5, as
8 last amended by Section 2, Chapter 246, O.S.L. 2015 (70 O.S. Supp.
9 2017, Section 24-100.5), is amended to read as follows:

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

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

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

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

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

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

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

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

1 D. Each public school site shall:

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

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

6 E. The State Department of Education shall:

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

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

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

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

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

23 SECTION 5. It being immediately necessary for the preservation
24 of the public peace, health or safety, an emergency is hereby

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

4 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 04/16/2018
5 - DO PASS.
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24