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February 19, 2018

AS AMENDED

SENATE BILL NO. 1287

By: Smalley

[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.

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

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

1 1. Health education;

2 2. Physical education and physical activity; and

3 3. Nutrition and health services.

4 D. The principal shall give consideration to recommendations of
5 the committee.

6 E. The State Board of Education shall adopt rules for
7 monitoring compliance with this section and is authorized to report
8 a school as deficient on the accreditation report for noncompliance
9 with the provisions of this section.

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

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

15 1. "Bullying" means any ~~pattern of harassment, intimidation,~~
16 ~~threatening behavior, physical acts, verbal or~~ unwanted, aggressive
17 behavior committed in person or by electronic communication directed
18 toward a student or group of students ~~that results in or is~~
19 ~~reasonably perceived as being done with the intent to cause negative~~
20 ~~educational or physical results for the targeted individual or group~~
21 ~~and is communicated in such a way as to disrupt or interfere with~~
22 ~~the school's educational mission or the education of any student~~ who
23 are not siblings or current dating partners that involves a real or
24 perceived power imbalance and is repeated or is highly likely to be

1 repeated. Bullying actions shall include but not be limited to
2 making threats, spreading rumors, attacking someone physically or
3 verbally and excluding someone from a group as a means of causing
4 harm;

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

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

11 ~~3.~~ 4. "Electronic communication" means the communication of any
12 written, verbal, pictorial information or video content by means of
13 an electronic device, including, but not limited to, a telephone, a
14 mobile or cellular telephone or other wireless telecommunication
15 device, or a computer; and

16 ~~4.~~ 5. "Threatening behavior" means any pattern of behavior or
17 isolated action, whether or not it is directed at another person,
18 that a reasonable person would believe indicates potential for
19 future harm to students, school personnel, or school property.

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

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

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

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

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

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

22 3. Professional development needs of faculty and staff to
23 recognize and implement methods to decrease student bullying; and
24

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

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

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

17 D. Each public school site shall:

18 1. Publicize the Safe School Committee meeting dates, times,
19 agendas and minutes through communication with students at school
20 and by electronic means to parents or legal guardians; and

21 2. Require at least four (4) Safe School Committee meetings
22 during each school year.

23 E. The State Department of Education shall:
24

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

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

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

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

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

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

21 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
22 February 19, 2018 - DO PASS AS AMENDED
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