

As Amended by House Committee

Session of 2013

HOUSE BILL No. 2222

By Committee on Education

2-5

1 AN ACT concerning school districts; relating to policies against bullying;
2 amending K.S.A. 2012 Supp. 72-8256 and repealing the existing
3 section.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2012 Supp. 72-8256 is hereby amended to read as
7 follows: 72-8256. (a) As used in this section:

8 (1) "Bullying" means: (A) Any intentional gesture or any intentional
9 written, verbal, electronic or physical act or threat *either by any student or,*
10 *staff member or parent towards a student or by any student, staff*
11 **member or parent towards a staff member** that is sufficiently severe,
12 persistent or pervasive that—~~it~~ *such gesture, act or threat* creates an
13 intimidating, threatening or abusive educational environment ~~for a student~~
14 ~~or staff member~~ that a reasonable person, under the circumstances, knows
15 or should know will have the effect of:

16 (i) Harming a student or staff member, whether physically or
17 mentally;

18 (ii) damaging a student's or staff member's property;

19 (iii) placing a student or staff member in reasonable fear of harm to
20 the student or staff member; or

21 (iv) placing a student or staff member in reasonable fear of damage to
22 the student's or staff member's property;

23 (B) cyberbullying; or

24 (C) any other form of intimidation or harassment prohibited by the
25 board of education of the school district in policies concerning bullying
26 adopted pursuant to this section or subsection (e) of K.S.A. 72-8205, and
27 amendments thereto.

28 (2) "Cyberbullying" means bullying by use of any electronic
29 communication device through means including, but not limited to, e-mail,
30 instant messaging, text messages, blogs, mobile phones, pagers, online
31 games and websites.

32 (3) **"Parent" includes a guardian, custodian or other person with**
33 **authority to act on behalf of the child.**

34 ~~(4)~~ (4) "School district" or "district" means any unified school
35 district organized and operating under the laws of this state.

36 ~~(5)~~ (5) "School vehicle" means any school bus, school van, other

1 school vehicle and private vehicle used to transport students or staff
2 members to and from school or any school-sponsored activity or event.

3 ~~(5)~~ **(6)** *"Staff member" means any person employed by a school*
4 *district.*

5 (b) The board of education of each school district shall adopt a policy
6 to prohibit bullying *either by any student—~~or~~, staff member or parent*
7 *towards a student or by a student, **staff member or parent** towards a staff*
8 *member on or while utilizing school property, in a school vehicle or at a*
9 *school-sponsored activity or event.*

10 (c) The board of education of each school district shall adopt and
11 implement a plan to address bullying *either by any student—~~or~~, staff*
12 *member or **parent** towards a student or by a student, **staff member or***
13 ***parent** towards a staff member on school property, in a school vehicle or*
14 *at a school-sponsored activity or event. Such plan shall include provisions*
15 *for the training and education for staff members and students.*

16 (d) The board of education of each school district may adopt
17 additional policies relating to bullying pursuant to subsection (e) of K.S.A.
18 72-8205, and amendments thereto.

19 (e) *Nothing in this section shall be construed to limit or supersede or*
20 *in any manner affect or diminish the requirements of compliance by a staff*
21 *member with the provisions of K.S.A. 2012 Supp. 38-2223 or 38-2226, and*
22 *amendments thereto.*

23 Sec. 2. K.S.A. 2012 Supp. 72-8256 is hereby repealed.

24 Sec. 3. This act shall take effect and be in force from and after its
25 publication in the statute book.