

**2007 DRAFTING REQUEST****Senate Substitute Amendment (SSA-SB42)**Received: **09/18/2007**Received By: **pgrant**Wanted: **As time permits**

Identical to LRB:

For: **Neal Kedzie (608) 266-2635**By/Representing: **Matt**This file may be shown to any legislator: **NO**Drafter: **pgrant**

May Contact:

Addl. Drafters:

Subject: **Education - school boards  
Education - state superintendent**Extra Copies: **TKK**Submit via email: **YES**Requester's email: **Sen.Kedzie@legis.wisconsin.gov**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Policy on bullying

---

**Instructions:**

See Attached

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pgrant 09/18/2007	wjackson 09/18/2007		_____			
/1			jfrantze 09/19/2007	_____	mbarman 09/19/2007	mbarman 09/19/2007	

FE Sent For:

&lt;END&gt;

**2007 DRAFTING REQUEST**

**Senate Substitute Amendment (SSA-SB42)**

Received: 09/18/2007

Received By: pgrant

Wanted: As time permits

Identical to LRB:

For: Neal Kedzie (608) 266-2635

By/Representing: Matt

This file may be shown to any legislator: NO

Drafter: pgrant

May Contact:

Addl. Drafters:

Subject: **Education - school boards**  
**Education - state superintendent**

Extra Copies: **TKK**

Submit via email: YES

Requester's email: **Sen.Kedzie@legis.wisconsin.gov**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Policy on bullying

---

**Instructions:**

See Attached

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pgrant	1 wlj 9/18					

FE Sent For:

<END>



math

Kedzie  
SB 42

draft  
sub

have policy @

no mention of code of conduct

del. 153-2-4

p. 3 l. 15 del "will"

l. 19 del "sup for of c"

l. 20 del last 2 sentences  
beg w/ "upon"

SOON

LRB 50138/1

PG:Wlj:

SEN. SUBST. AMDT. -  
TO 2007 SENATE BILL 42

February 15, 2007 - Introduced by Senators KEDZIE, COGGS, CARPENTER, LASSA, ROESSLER, DARLING, LEHMAN, SCHULTZ, HANSEN, SULLIVAN and A. LASEE, cosponsored by Representatives JESKEWITZ, LOTHIAN, YOUNG, SHERIDAN, FIELDS, TURNER, HINES, ALBERS, BERCEAU, A. OTT, BALLWEG, KRUSICK, CULLEN and OWENS. Referred to Committee on Education.

regen.

1 AN ACT *to amend* 118.164 (2) and 120.13 (1) (a) (intro.); and *to create* 118.02 (18)  
2 and 118.46 of the statutes; **relating to:** school policies on bullying.

***Analysis by the Legislative Reference Bureau***

This bill directs the Department of Public Instruction (DPI) to develop a model school policy on bullying by pupils. The policy must define bullying, prohibit pupils from bullying, describe where and the circumstances in which the prohibition applies, and provide penalties for bullying. The policy must also include procedures for reporting bullying and for investigating such reports. The bill also directs DPI to develop a model education and awareness program on bullying.

The bill directs each school board to adopt a policy prohibiting bullying by pupils. The school board may adopt DPI's model policy. Once each year, the school board must distribute the policy to all pupils enrolled in the school district and to their parents. With certain exceptions, upon the occurrence of a bullying incident, the school board must distribute the policy to all pupils involved in the incident and to their parents.

Finally, this bill adds Wednesday of the fourth week in September, Bullying Awareness Day, to the list of special observance days for schools.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

**SENATE BILL 42****SECTION 1**

1           **SECTION 1.** 118.02 (18) of the statutes is created to read:

2           118.02 (18) Wednesday of the 4th week in September, Bullying Awareness Day.

3           ~~**SECTION 2.** 118.164 (2) of the statutes is amended to read:~~

4           ~~118.164 (2) Subject to 20 USC 1415 (k) and beginning August 1, 1999, a teacher~~  
5           ~~may remove a pupil from the teacher's class if the pupil violates the code of classroom~~  
6           ~~conduct adopted under s. 120.13 (1) (a) or is dangerous, unruly or disruptive or~~  
7           ~~exhibits behavior that interferes with the ability of the teacher to teach effectively,~~  
8           ~~as specified in the code of classroom conduct. The teacher shall send the pupil to the~~  
9           ~~school principal or his or her designee and notify the school principal or his or her~~  
10           ~~designee immediately of the reasons for the removal. In addition, the teacher shall~~  
11           ~~provide to the principal or his or her designee within 24 hours after the pupil's~~  
12           ~~removal from the class a written explanation of the reasons for the removal.~~

13           **SECTION 3.** 118.46 of the statutes is created to read:

14           **118.46 Policy on bullying. (1)** By March 1, 2008, the department shall do  
15           all of the following:

16           (a) Develop a model school policy on bullying by pupils. The policy shall include  
17           all of the following:

18           1. A definition of bullying.

19           2. A prohibition on bullying.

20           3. A procedure for reporting bullying that allows reports to be made  
21           confidentially.

22           4. A prohibition against a pupil retaliating against another pupil for reporting  
23           an incident of bullying.

24           5. A procedure for investigating reports of bullying. The procedure shall  
25           identify the school district employee in each school who is responsible for conducting

**SENATE BILL 42**

1 the investigation and require that the parent or guardian of each pupil involved in  
2 a bullying incident be notified.

3 6. A requirement that school district officials and employees report incidents  
4 of bullying and identify the persons to whom the reports must be made.

5 7. A list of disciplinary alternatives for pupils that engage in bullying or who  
6 retaliate against a pupil who reports an incident of bullying.

7 8. An identification of the school-related events at which the policy applies.

8 9. An identification of the property owned, leased, or used by the school district  
9 on which the policy applies.

10 10. An identification of the vehicles used for pupil transportation on which the  
11 policy applies.

12 (b) Develop a model education and awareness program on bullying.

13 (c) Post the model policy under par. (a) and the model program under par. (b)  
14 on its Internet site.

15 (2) By August 15, 2008, each school board shall adopt ~~and include in its code~~  
16 ~~of conduct~~ a policy prohibiting bullying by pupils. The school board may adopt the  
17 model policy under sub. (1) (a). The school board shall provide a copy of the policy  
18 to any person who requests it. Annually, the school board shall distribute the policy  
19 ~~separately from its code of conduct~~ to all pupils enrolled in the school district and  
20 to their parents or guardians. ~~Upon the occurrence of a bullying incident, the school~~  
21 ~~board shall distribute the policy to each pupil involved in the incident and to his or~~  
22 ~~her parent or guardian unless the pupil was involved in a bullying incident during~~  
23 ~~the current semester and the pupil and his or her parent or guardian received a copy~~  
24 ~~of the policy then.~~

25 ~~SECTION 4.~~ 120.13 (1) (a) (intro.) of the statutes is amended to read:

