



State of Wisconsin
2005 - 2006 LEGISLATURE

LRBs0202/2
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**SENATE SUBSTITUTE AMENDMENT 1,
TO 2005 SENATE BILL 310**

September 14, 2005 - Offered by Senators KEDZIE and COGGS.

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.

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

3 **SECTION 1.** 118.02 (18) of the statutes is created to read:
4 118.02 (18) Wednesday of the 4th week in September, Bullying Awareness Day.

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

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

1 provide to the principal or his or her designee within 24 hours after the pupil's
2 removal from the class a written explanation of the reasons for the removal.

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

4 **118.46 Policy on bullying. (1)** By March 1, 2006, the department shall do
5 all of the following:

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

8 1. A definition of bullying that includes harassment and intimidation.

9 2. A prohibition on bullying.

10 3. A procedure for reporting bullying that allows reports to be made
11 confidentially.

12 4. A prohibition against a pupil retaliating against another pupil for reporting
13 an incident of bullying.

14 5. A procedure for investigating reports of bullying. The procedure shall
15 identify the school district employee in each school who is responsible for conducting
16 the investigation and require that the parent or guardian of each pupil involved in
17 a bullying incident be notified.

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

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

22 8. A description of when and where the policy applies.

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

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

