



## 2009 SENATE BILL 202

May 14, 2009 – Introduced by Senators KEDZIE, COGGS, SULLIVAN, CARPENTER and SCHULTZ, cosponsored by Representatives YOUNG, BERCEAU, RICHARDS, BIES, LOTHIAN, STASKUNAS, SPANBAUER and SMITH. Referred to Committee on Education.

1     **AN ACT** *to amend* 119.04 (1); and *to create* 118.02 (9w) and 118.46 of the  
2             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.

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:*

3             **SECTION 1.** 118.02 (9w) of the statutes is created to read:

**SENATE BILL 202****SECTION 1**

1           118.02 **(9w)** Wednesday of the 4th week in September, Bullying Awareness  
2 Day.

3           **SECTION 2.** 118.46 of the statutes is created to read:

4           **118.46 Policy on bullying. (1)** By March 1, 2010, 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.

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

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

