

2007 DRAFTING REQUEST

Bill

Received: 11/14/2006

Received By: pgrant

Wanted: As time permits

Identical to LRB:

For: Neal Kedzie (608) 266-2635

By/Representing: Matt Phillips

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: NO

Pre Topic:

No specific pre topic given

Topic:

School distrit policies on bullying

Instructions:

SSA 1 to 2005 SB 310

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 11/14/2006	wjackson 11/16/2006		_____			S&L
/1	pgrant 01/08/2007	wjackson 01/12/2007	rschluet 11/17/2006	_____	sbasford 11/17/2006		S&L
/2			rschluet 01/12/2007	_____	sbasford 01/12/2007	mbarman 02/12/2007	

FE Sent For: "12" @ intro.
2-15-2007

<END>

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Please jacket
for senate per
Matt Phillips
@ Kedzie's office

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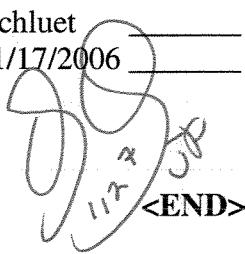
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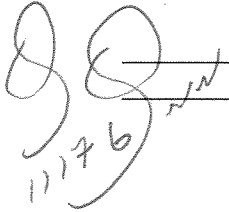
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/?	pgrant 11/14/2006	lrb_editor 11/14/16					

FE Sent For:

<END>

Grant, Peter

From: Phillips, Matt
Sent: Tuesday, November 14, 2006 1:26 PM
To: Grant, Peter
Subject: Drafting Request

Peter:

Senator Kedzie would like to reintroduce Senate Bill 310, relating to school policies on bullying in the upcoming session. Could you please redraft this proposal for him. A substitute amendment was adopted last session (LRBs0202/2), and this is the version that he would like to have drafted.

Thank you, and please call if you have any questions.

Matt Phillips
Policy Advisor
Senator Neal Kedzie
Assistant Majority Leader
11th Senate District

LRB - 0754/1
PG: wlj:

2005 SENATE BILL 310

LPS: Please
proof amended
stats. w/ folio.

August 30, 2005 - Introduced by Senators KEDZIE, COGGS, CARPENTER, A. LASEE, WIRCH, BROWN, ZIEN, ROESSLER and LASSA, cosponsored by Representatives JESKEWITZ, LOTHIAN, KERKMAN, TURNER, FIELDS, DAVIS, LEHMAN, OTT, TOWNSEND, OWENS and POPE-ROBERTS. 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. The policy must define bullying, prohibit pupils from bullying, 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. 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. ~~In addition,~~ 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:

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

with certain exceptions

by pupils

by pupils

SENATE BILL 310

SECTION 1

1 118.02 (18) Wednesday of the 4th week in September, Bullying Awareness Day.

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

3 118.164 (2) Subject to 20 USC 1415 (k) and beginning August 1, 1999, a teacher
4 may remove a pupil from the teacher's class if the pupil violates the code of classroom
5 conduct adopted under s. 120.13 (1) (a) or is dangerous, unruly or disruptive or
6 exhibits behavior that interferes with the ability of the teacher to teach effectively,
7 as specified in the code of classroom conduct. The teacher shall send the pupil to the
8 school principal or his or her designee and notify the school principal or his or her
9 designee immediately of the reasons for the removal. In addition, the teacher shall
10 provide to the principal or his or her designee within 24 hours after the pupil's
11 removal from the class a written explanation of the reasons for the removal.

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

13 **118.46 Policy on bullying. (1)** By March 1, 2006, the department shall do
14 all of the following:

15 (a) Develop a model school policy on bullying. The policy shall do all of the
16 following:

- 17 1. Define bullying to include harassment and intimidation.
- 18 2. Prohibit pupils from bullying and provide penalties for bullying.
- 19 3. Include a procedure for reporting bullying that allows reports to be made
20 anonymously.
- 21 4. Prohibit reprisals for reporting bullying and provide penalties for such
22 reprisals.
- 23 5. Include a procedure for investigating reports of bullying. The procedure
24 shall identify the school district employee in each school who is responsible for

SENATE BILL 310

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

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

5 7. Identify when and where the policy applies.

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

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

9 (2) By August 15, 2006, each school board shall adopt and include in its code
10 of conduct a policy prohibiting bullying. The school board may adopt the model policy
11 under sub. (1) (a). The school board shall provide a copy of the policy to any person
12 who requests it. Annually, the school board shall distribute the policy, separately
13 from its code of conduct, to all pupils enrolled in the school district and to their
14 parents or guardians. Upon the occurrence of a bullying incident, the school board
15 shall distribute the policy to all pupils involved in the incident and to their parents
16 or guardians.

3-16

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

18 120.13 (1) (a) (intro.) Make rules for the organization, gradation and
19 government of the schools of the school district, including rules pertaining to conduct
20 and dress of pupils in order to maintain good decorum and a favorable academic
21 atmosphere, which shall take effect when approved by a majority of the school board
22 and filed with the school district clerk. Subject to 20 USC 1415 (k), the school board
23 shall adopt a code to govern pupils' classroom conduct beginning in the 1999-2000
24 school year. The code shall be developed in consultation with a committee of school
25 district residents that consists of parents, pupils, members of the school board, school

SENATE BILL 310

SECTION 4

1 administrators, teachers, pupil services professionals and other residents of the
2 school district who are appointed to the committee by the school board. The code of
3 classroom conduct may provide different standards of conduct for different schools
4 and may provide additional placement options under s. 118.164 (3). The code shall
5 include all of the following:

6 (END)

3-16:1

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.

3-16:2

8

1

(2) By August 15, 2006, each school board shall adopt and include in its code of conduct a policy prohibiting bullying by pupils. The school board may adopt the model policy under sub. (1) (a). The school board shall provide a copy of the policy to any person who requests it. Annually, the school board shall distribute the policy, separately from its code of conduct, to all pupils enrolled in the school district and to their parents or guardians. Upon the occurrence of a bullying incident, the school board shall distribute the policy to each pupil involved in the incident and to his or her parent or guardian unless the pupil was involved in a bullying incident during the current semester and the pupil and his or her parent or guardian received a copy of the policy then.

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

120.13 (1) (a) (intro.) Make rules for the organization, gradation and government of the schools of the school district, including rules pertaining to conduct and dress of pupils in order to maintain good decorum and a favorable academic atmosphere, which shall take effect when approved by a majority of the school board and filed with the school district clerk. Subject to 20 USC 1415 (k), the school board shall adopt a code to govern pupils' classroom conduct beginning in the 1999-2000 school year. The code shall be developed in consultation with a committee of school district residents that consists of parents, pupils, members of the school board, school administrators, teachers, pupil services professionals and other residents of the school district who are appointed to the committee by the school board. The code of classroom conduct may provide different standards of conduct for different schools and may provide additional placement options under s. 118.164 (3). The code shall include all of the following:

(END)

Grant, Peter

From: Phillips, Matt
Sent: Monday, January 08, 2007 2:47 PM
To: Grant, Peter
Subject: RE: LRB-0754

Peter:

Last session, LRB a2034/1 was adopted to the Senate Sub to SB 310. Could you please redraft LRB 07-0754 to incorporate the provisions of this amendment.

Thank you

Matt Phillips
Policy Advisor
Senator Neal Kedzie
11th Senate District

From: Grant, Peter
Sent: Monday, December 18, 2006 11:45 AM
To: Phillips, Matt
Subject: LRB-0754

Matt, here's a copy of the bullying draft. If you need anything else, please let me know.

<< File: 07-0754/1 >>

Peter Grant, Managing Attorney
Wisconsin Legislative Reference Bureau
608-267-3362
peter.grant@legis.wisconsin.gov

↑
stays

2007 BILL

Other

Regen

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2 and 118.46 of the statutes; relating to: school policies on bullying.

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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:

describe where and the circumstances in which the prohibition applies

BILL**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:

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5 may remove a pupil from the teacher's class if the pupil violates the code of classroom
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7 exhibits behavior that interferes with the ability of the teacher to teach effectively,
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9 school principal or his or her designee and notify the school principal or his or her
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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 ~~that includes harassment and intimidation~~

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

BILL

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. A description of when and where the policy applies.~~

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

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

11 (2) By August 15, 2008, each school board shall adopt and include in its code
12 of conduct a policy prohibiting bullying by pupils. The school board may adopt the
13 model policy under sub. (1) (a). The school board shall provide a copy of the policy
14 to any person who requests it. Annually, the school board shall distribute the policy,
15 separately from its code of conduct, to all pupils enrolled in the school district and
16 to their parents or guardians. Upon the occurrence of a bullying incident, the school
17 board shall distribute the policy to each pupil involved in the incident and to his or
18 her parent or guardian unless the pupil was involved in a bullying incident during
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25 atmosphere, which shall take effect when approved by a majority of the school board

BILL

1 and filed with the school district clerk. Subject to 20 USC 1415 (k), the school board
2 shall adopt a code to govern pupils' ~~classroom~~ conduct ~~beginning in the 1999-2000~~
3 ~~school year~~. The code shall be developed in consultation with a committee of school
4 district residents that consists of parents, pupils, members of the school board, school
5 administrators, teachers, pupil services professionals and other residents of the
6 school district who are appointed to the committee by the school board. The code of
7 ~~classroom~~ conduct may provide different standards of conduct for different schools
8 and may provide additional placement options under s. 118.164 (3). The code shall
9 include all of the following:

10 (END)

3-7

**ASSEMBLY AMENDMENT 3,
TO 2005 SENATE BILL 310**

January 6, 2006 - Offered by Representative JESKEWITZ.

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At the locations indicated, amend the bill, as shown by senate substitute amendment 1, as follows:

1. Page 2, line 8: delete "that includes harassment and intimidation".

2. Page 2, line 22: delete that line and substitute:

- "8. An identification of the school-related events at which the policy applies.
- 9. An identification of the property owned, leased, or used by the school district on which the policy applies.
- 10. An identification of the vehicles used for pupil transportation on which the policy applies."

(END)