

**SENATE BILL No. 410**

By Committee on Education

2-11

Proposed Amendment for SB 410  
Senate Committee on Education  
February 19, 2020  
Strike Website Publication of Bullying Incident Reports  
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1 AN ACT concerning education; relating to school districts; requiring  
2 publication of bullying policies; report on bullying incidents at each  
3 attendance center; amending K.S.A. 72-6147 and repealing the existing  
4 section.  
5

6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 72-6147 is hereby amended to read as follows: 72-  
8 6147. (a) As used in this section:

9 (1) "Bullying" means:

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

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

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

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

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

24 (B) cyberbullying; or

25 (C) any other form of intimidation or harassment prohibited by the  
26 board of education of the school district in policies concerning bullying  
27 adopted pursuant to this section or ~~subsection (e) of K.S.A. 72-1138(e),~~  
28 and amendments thereto.

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

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

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

1 *bullying; and*  
2 *(F) training and educational requirements or materials for students*  
3 *and school staff members.*  
4 *(3) Any information published or distributed pursuant to paragraph*  
5 *(1) shall include instructions for the public on how to obtain and view any*  
6 *training and educational requirements or materials for students and*  
7 *school staff members.*  
8 *(f) (1) Each school district shall annually submit to the state board of*  
9 *education a report containing the following information for each*  
10 *attendance center within the school district for the preceding school year:*  
11 *(A) The number of unique bullying incidents reported, including, but*  
12 *not limited to, the number of unique victims, the number of unique*  
13 *perpetrators and whether or not such incidents were anonymous or in-*  
14 *person;*  
15 *(B) the types of bullying incidents reported, including, but not limited*  
16 *to, physical bullying, verbal bullying, cyberbullying or indirect bullying;*  
17 *and*  
18 *(C) the number of reported bullying incidents resolved in each of the*  
19 *following manners:*  
20 *(i) Counseling and remediation;*  
21 *(ii) in-school suspension;*  
22 *(iii) out-of-school suspension;*  
23 *(iv) expulsion;*  
24 *(v) referral to law enforcement;*  
25 *(vi) a finding of no bullying incident; and*  
26 *(vii) any other method of resolution.*  
27 ~~*(2) [Each school district shall publish the report submitted pursuant*~~  
28 ~~*to paragraph (1) on the school district's website with a link prominently*~~  
29 ~~*posted on the homepage of such website. Each attendance center that has*~~  
30 ~~*its own website shall publish the information in the report submitted*~~  
31 ~~*pursuant to paragraph (1) that is specific to such attendance center on its*~~  
32 ~~*website with a link prominently posted on the homepage of such website.*~~  
33 ~~*(3) The state board of education shall annually compile the reports*~~  
34 ~~*submitted pursuant to paragraph (1) and prepare a summary report that*~~  
35 ~~*shall be submitted to the senate committee on education and the house of*~~  
36 ~~*representatives committee on education.*~~  
37 *(g) Nothing in this section shall be construed to limit or supersede or*  
38 *in any manner affect or diminish the requirements of compliance by a staff*  
39 *member with the provisions of K.S.A. 2019 Supp. 38-2223 or 38-2226,*  
40 *and amendments thereto.*  
41 *Sec. 2. K.S.A. 72-6147 is hereby repealed.*  
42 *Sec. 3. This act shall take effect and be in force from and after its*  
43 *publication in the statute book.*