

## HOUSE BILL No. 2628

By Representative Finney

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9 AN ACT concerning school districts; relating to bullying; amending  
10 K.S.A. 2009 Supp. 72-8256 and repealing the existing section.

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

13 Section 1. K.S.A. 2009 Supp. 72-8256 is hereby amended to read as  
14 follows: 72-8256. (a) As used in this section:

15 (1) "Bullying" means: (A) Any intentional gesture or any intentional  
16 written, verbal, electronic or physical act or threat that is sufficiently se-  
17 vere, persistent or pervasive that it creates an intimidating, threatening  
18 or abusive educational environment for a student or staff member that a  
19 reasonable person, under the circumstances, knows or should know will  
20 have the effect of:

21 (i) Harming a student or staff member, whether physically or  
22 mentally;

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

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

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

28 (B) cyberbullying; or

29 (C) any other form of intimidation or harassment prohibited by the  
30 board of education of the school district in policies concerning bullying  
31 adopted pursuant to this section or subsection (e) of K.S.A. 72-8205, and  
32 amendments thereto.

33 (2) "Cyberbullying" means bullying by use of any electronic com-  
34 munication device through means including, but not limited to, e-mail,  
35 instant messaging, text messages, blogs, mobile phones, pagers, online  
36 games and websites.

37 (3) "School vehicle" means any school bus, school van, other school  
38 vehicle and private vehicle used to transport students or staff members  
39 to and from school or any school-sponsored activity or event.

40 (4) "*Dating violence*" means a pattern of behavior where one person  
41 uses threats of, or actually uses, physical, sexual, verbal or emotional  
42 abuse to control such person's dating partner.

43 (5) "*Dating partner*" means any person, regardless of gender, in-

1 *involved in an intimate relationship with another primarily characterized*  
2 *by the expectation of affectionate involvement whether casual, serious or*  
3 *long-term.*

4 (b) (1) The board of education of each school district shall adopt a  
5 policy to prohibit bullying on or while utilizing school property, in a school  
6 vehicle or at a school-sponsored activity or event.

7 ~~(c)~~ (2) The board of education of each school district shall adopt and  
8 implement a plan to address bullying on school property, in a school  
9 vehicle or at a school-sponsored activity or event. Such plan shall include  
10 provisions for the training and education for staff members and students.

11 ~~(d)~~ (3) The board of education of each school district may adopt ad-  
12 ditional policies relating to bullying pursuant to subsection (e) of K.S.A.  
13 72-8205, and amendments thereto.

14 (c) (1) *The board of education of each school district shall adopt a*  
15 *policy to prohibit dating violence on or while utilizing school property,*  
16 *in a school vehicle or at a school-sponsored activity or event.*

17 (2) *The board of education of each school district shall adopt and*  
18 *implement a plan to address dating violence on school property, in a*  
19 *school vehicle or at a school-sponsored activity or event. Such plan shall*  
20 *include provisions for the training and education for staff members and*  
21 *students.*

22 (3) *The board of education of each school district may adopt addi-*  
23 *tional policies relating to dating violence pursuant to subsection (e) of*  
24 *K.S.A. 72-8205, and amendments thereto.*

25 Sec. 2. K.S.A. 2009 Supp. 72-8256 is hereby repealed.

26 Sec. 3. This act shall take effect and be in force from and after its  
27 publication in the statute book.