

SENATE FILE 2176
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 3109)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to bullying at school and requiring school
2 districts to adopt and annually review antibullying policies.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4

SENATE FILE 2176

S-5037

1 Amend Senate File 2176 as follows:

2 1. Page 2, line 9, by inserting after the word
3 "bullying" the following: "which shall include, but
4 not be limited to, behavior directed toward a student
5 that is injurious to the student's academic progress,
6 social relationships, or self-worth".

7 2. Page 2, by inserting after line 19, the
8 following:

9 "h. A statement providing, at a minimum, that the
10 school district will not tolerate bullying,
11 discrimination, or harassment in its educational
12 program on the basis of a person's age, color, creed,
13 national origin, race, religion, marital status, sex,
14 real or perceived sexual orientation, gender identity,
15 physical attributes, physical or mental ability or
16 disability, ancestry, political party preference,
17 socioeconomic status, or familial status."

By MIKE CONNOLLY

S-5037 FILED MARCH 8, 2004

SF 2176 EDUCATION

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1 Section 1. Section 279.8, Code 2003, is amended to read as
2 follows:

3 279.8 GENERAL RULES----~~BONDS-OF-EMPLOYEES~~ REQUIREMENTS.

4 1. GOVERNMENT -- PROPERTY. The board shall make rules for
5 its own government and that of the directors, officers,
6 employees, teachers, and pupils, and for the care of the
7 schoolhouse, grounds, and property of the school corporation,
8 and shall aid in the enforcement of the rules, and require the
9 performance of duties imposed by law and the rules.

10 2. SCHOOL BUS LOADING AND UNLOADING. The board shall
11 include in its rules provisions regulating the loading and
12 unloading of pupils from a school bus stopped on the highway
13 during a period of reduced highway visibility caused by fog,
14 snow, or other weather conditions.

15 3. SCHOOL CREDIT CARDS. The board shall have the
16 authority to include in its rules provisions allowing school
17 corporation employees to use school credit cards to pay for
18 the actual and necessary expenses incurred in the performance
19 of work-related duties.

20 4. BONDS OF EMPLOYEES. Employees of a school corporation
21 maintaining a high school who have the custody of funds
22 belonging to the corporation or funds derived from
23 extracurricular activities and other sources in the conduct of
24 their duties, shall be required to furnish suitable bond
25 indemnifying the corporation or any activity group connected
26 with the school against loss, and employees who have the
27 custody of property belonging to the corporation or any
28 activity group connected with the school may be required to
29 furnish such bond. ~~Said~~ Such bond or bonds may be in such
30 form and penalty as the board may approve and the premiums on
31 ~~same~~ the bond or bonds shall be paid from the general fund of
32 the corporation.

33 5. ANTIBULLYING POLICY. The board of directors of each
34 school district shall adopt and annually review a policy
35 prohibiting bullying of all students. The policy shall

1 reflect community standards by including local input from
2 parents, guardians, school employees, volunteers, students,
3 school administrators, and other members of the community.
4 The school board shall annually review the policy with
5 parents, guardians, school employees, volunteers, students,
6 school administrators, and other members of the community.
7 The policy shall, at a minimum, include or provide for all of
8 the following:
9 a. A definition of bullying.
10 b. Effective prevention strategies.
11 c. Monitoring and evaluation of the policy's
12 effectiveness.
13 d. Procedures for receiving and responding to complaints.
14 e. Consequences and appropriate remedial action for
15 violation of the policy, taking into account the pattern and
16 severity of particular bullying behavior.
17 f. Public notice of the policy.
18 g. Prohibition of reprisals or retaliation against any
19 person who reports bullying behavior.
20 Each school board shall develop procedures necessary to
21 implement and administer this subsection.

22 EXPLANATION

23 This bill requires school boards to adopt and annually
24 review a policy prohibiting bullying of all students. The
25 policy must reflect community standards and the review must
26 include the participation of parents, guardians, students,
27 volunteers, and school employees. The policy must include or
28 provide for a definition of bullying, effective prevention
29 strategies, monitoring and evaluation of the policy's
30 effectiveness, procedures for receiving and responding to
31 complaints, consequences and remedial action, public notice of
32 the policy, and a prohibition of reprisals or retaliation
33 against anyone who reports bullying.

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SENATE FILE 2176

S-5077

- 1 Amend Senate File 2176 as follows:
- 2 1. Page 1, line 33, by inserting after the word
3 "ANTIBULLYING" the following: "AND ANTIHARASSMENT".
- 4 2. By striking page 1, line 35, through page 2,
5 line 1, and inserting the following: "prohibiting
6 bullying and harassment of all students based on any
7 real or perceived characteristic, including, but not
8 limited to, age, color, creed, national origin, race,
9 religion, marital status, sex, sexual orientation,
10 gender identity, physical attributes, physical or
11 mental ability or disability, ancestry, political
12 party preference, socioeconomic status, or familial
13 status. The policy shall be developed with local
14 input from".
- 15 3. Page 2, by striking lines 9 through 19 and
16 inserting the following:
- 17 "a. A definition of bullying and harassment which
18 shall be construed to mean the same and defined to
19 mean any conduct toward a student that is based on any
20 real or perceived characteristic, including, but not
21 limited to, age, color, creed, national origin, race,
22 religion, marital status, sex, sexual orientation,
23 gender identity, physical attributes, physical or
24 mental ability or disability, ancestry, political
25 party preference, socioeconomic status, or familial
26 status, and that creates an objectively hostile school
27 environment which meets any of the following
28 conditions:
- 29 (1) Places the student in reasonable fear of harm
30 to the student's person or property.
- 31 (2) Has a substantially detrimental effect on the
32 student's physical or mental health.
- 33 (3) Has the effect of substantially interfering
34 with a student's academic performance.
- 35 (4) Has the effect of substantially interfering
36 with the student's ability to participate in or
37 benefit from the services, activities, or privileges
38 provided by a school.
- 39 b. Effective prevention strategies and
40 professional development for teachers and
41 administrators.
- 42 c. Monitoring and evaluation of the policy's
43 effectiveness and inclusion in the comprehensive
44 school improvement plan filed with the department of
45 education in accordance with section 256.7, subsection
46 21.
- 47 d. Procedures for receiving and responding to
48 complaints.
- 49 e. Consequences and appropriate remedial action
50 for violation of the policy, taking into account the

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Page 2

1 pattern and severity of particular bullying and
2 harassing behavior.

3 f. Public notice of the policy.

4 g. Prohibition of reprisals or retaliation against

5 any person who reports bullying or harassing
6 behavior."

7 4. Title page, line 1, by inserting after the
8 word "bullying" the following: "and harassment".

9 5. Title page, line 2, by inserting after the
10 word "antibullying" the following: "and
11 antiharassment".

By MATT McCOY

S-5077 FILED MARCH 10, 2004

SENATE FILE 2176**S-5079**

1 Amend Senate File 2176 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. NEW SECTION. 280.16 ANTIBULLYING
5 POLICY AND PROCEDURES REQUIREMENT.

6 1. The board of directors of a school district and
7 the authorities in charge of an accredited nonpublic
8 school shall each adopt and annually review a policy
9 prohibiting the bullying of all students. The policy
10 shall reflect community standards by including local
11 input from parents, guardians, school employees,
12 volunteers, students, school administrators, and other
13 members of the community. Each school board and the
14 authorities in charge of each nonpublic school shall
15 annually review their policy with parents, guardians,
16 school employees, volunteers, students, school
17 administrators, and other members of the community.

18 2. The antibullying policy shall, at a minimum,
19 include or provide for all of the following:

20 a. A definition of bullying.

21 b. Effective prevention strategies.

22 c. Monitoring and evaluation of the policy's
23 effectiveness.

24 d. Procedures for receiving and responding to
25 complaints.

26 e. Consequences and appropriate remedial action
27 for violation of the policy, taking into account the
28 pattern and severity of particular bullying behavior.

29 f. Public notice of the policy.

30 g. Prohibition of reprisals or retaliation against
31 any person who reports bullying behavior.

32 3. Each school board and the authorities in charge
33 of each nonpublic school shall develop procedures
34 necessary to implement and administer this section."

35 2. Title page, line 2, by inserting after the
36 word "districts" the following: "and accredited
37 nonpublic schools".

By JACK HOLVECK
KEITH A. KREIMAN

S-5079 FILED MARCH 10, 2004

Boettger
Ward
Connolly

Succeeded By

SSB#3109

HF 2176 Education

SENATE FILE _____

BY (PROPOSED COMMITTEE ON
EDUCATION BILL BY
CHAIRPERSON BOETTGER)

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

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 33 against anyone who reports bullying.