

**SENATE 2283:**

**AN ACT RELATIVE TO BULLYING IN SCHOOLS**

*(Summary reflects text as redrafted)*

**SPONSORS:**

Senator O'Leary; Representative Walz

**LEGISLATIVE HISTORY:**

02/24/10      Reported from the Joint Committee on Education  
02/24/10      New draft of S209, S228, S233, S242, S243, S281, S290,  
H364, H378, H428, H440, H455, H483, H524, H3433 and  
H3804  
02/24/10      Bill reported favorably by Committee and referred to the  
Senate Committee on Ways & Means

**EXISTING LAWS AFFECTED:**

Ch. 69 §1D; Ch. 71 §37H; Ch. 71B §3; Ch. 272 §98C

**PROPOSED LEGISLATION:**

- This legislation creates a new section in the General Laws prohibiting bullying, including cyber-bullying, at school; at all school facilities; at school sponsored functions; on school buses and bus stops; through the use of technology if owned by a school; and in non-school related situations if the bullying affects the school environment.
- This legislation defines “bullying” and requires each school district, charter school and non-public school to develop a bullying prevention and intervention plan by December 31, 2010 and to include this plan in the student code of conduct. The principal will be responsible for implementing the plan.
- Each plan must contain certain provisions including procedures for responding to and investigating reports of bullying; strategies for protecting those who report bullying; notice to the parents/guardians of students involved in bullying; and taking appropriate disciplinary action.
- Requires ongoing professional development regarding bullying prevention and intervention and the adoption of response procedures.
- Requires each school to designate a school official who is responsible for implementing and enforcing the bullying prevention plan.
- Requires the school principal to report incidents of bullying to local law enforcement if the school principal believes that criminal charges may be pursued.

- This legislation requires the Department of Elementary and Secondary Education to develop a model bullying prevention and intervention plan and to compile a list of resources.
- This legislation requires the IEPs of children on the autistic spectrum to contain provisions to help autistic children avoid and respond to bullying.
- This legislation applies to all school districts, commonwealth charter schools and non-public schools.
- This legislation ensures that a private right of action is not created for enforcement of this section against any public school, school district or the commonwealth.

**AGENCY  
COMMENTS:**

None

**ESTIMATED  
COST:**

This legislation will result in no cost to the Commonwealth.

(LG)