

House Bill 1125 (COMMITTEE SUBSTITUTE)

By: Representatives Hugley of the 113th, Hill of the 81st, Jordan of the 83rd, Dix of the 70th, Post 2, Buckner of the 109th, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
2 elementary and secondary education, so as to make certain changes relating to local school
3 board policies regarding bullying in student codes of conduct; to change the definition of
4 "bullying behavior"; to provide that policies relating to bullying behavior apply to students
5 in kindergarten through grade 12; to change the content of local school board policies; to
6 require training on bullying behavior for certain school system personnel; to provide that
7 local school systems provide information to the Department of Education on the number and
8 disposition of bullying incidents reported; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
12 secondary education, is amended by striking Code Section 20-2-751.4, relating to policies
13 prohibiting bullying, assignment to alternative school, and notice, in its entirety and inserting
14 in lieu thereof the following:

15 "20-2-751.4.

16 (a) As used in this Code section, the term 'bullying behavior' means: any pattern of written
17 or verbal expression or any physical act or gesture that is intended to ridicule, humiliate,
18 intimidate, or cause measurable physical or emotional distress upon one or more students
19 in the school, on school grounds, in school vehicles, at designated school bus stops, or at
20 school activities or sanctioned events.

21 ~~(1) Any willful attempt or threat to inflict injury on another person, when accompanied~~
22 ~~by an apparent present ability to do so; or~~

23 ~~(2) Any intentional display of force such as would give the victim reason to fear or~~
24 ~~expect immediate bodily harm.~~

25 (b) Each local board of education shall adopt policies, applicable to students in ~~grades six~~
26 kindergarten through grade 12, that prohibit bullying of a student by another behavior by

1 a student and shall require such prohibition to be included in the student code of conduct
 2 for elementary, middle, and high schools in that school system. Local board policies shall:

3 (1) Require ~~require~~ that, upon a finding that a student has committed the offense of
 4 bullying behavior for the third time in a school year, such student shall be assigned to an
 5 alternative ~~school~~ program, excluding students in kindergarten or grades one through
 6 five;

7 (2) Require that each reported incident of bullying behavior is investigated and a
 8 disposition determined;

9 (3) Include procedures for handling anonymous reporting of incidents of bullying
 10 behavior, including the protection of the identity of the alleged victim of an incident of
 11 bullying behavior;

12 (4) Include procedures for the reporting of an alleged incident of bullying behavior by
 13 a parent of a student; and

14 (5) Include disciplinary procedures and consequences to the student for the student's
 15 submission of a false report of an incident of bullying behavior.

16 Each local board of education shall ensure that students and parents of students are notified
 17 of the prohibition against bullying behavior, and the penalties for violating the prohibition,
 18 by posting such information at each elementary, middle, and high school and by including
 19 such information in student and parent handbooks.

20 (c) Each local board of education shall ensure that the local superintendent and all
 21 principals, assistant principals, school counselors, resource officers, and other appropriate
 22 staff complete a research based training program relating to bullying behavior.

23 (d) Each local board of education shall include the number of incidents of bullying
 24 behavior reported in its school system and the disposition of such incidents in the annual
 25 report required to be submitted to the Department of Education pursuant to Code Section
 26 20-2-740.

27 (e) Any school system which is not in compliance with the requirements of this Code
 28 section shall be ineligible to receive state funding pursuant to Code Sections 20-2-161 and
 29 20-2-260."

30 SECTION 2.

31 All laws and parts of laws in conflict with this Act are repealed.