Cyberbullying/Electronic Bullying

This Act generally defines cyberbullying as bullying by using an electronic communication device. It incorporates cyberbullying into a general definition of bullying, and it directs local school boards to adopt plans to prohibit and address bullying on school grounds and in school vehicles.

Submitted as:
Kansas
Chapter 77 of 2008

Suggested State Legislation

(Title, enacting clause, etc.)

Section 1. [Short Title.] This Act shall be cited as “An Act to Address Bullying and Cyberbullying.”

Section 2. [Definitions.] As used in this Act:
(1) “Bullying” means any intentional gesture or any intentional written, verbal, electronic or physical act or threat that is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for a student or staff member that a reasonable person, under the circumstances, knows or should know will have the effect of harming a student or staff member, whether physically or mentally; damaging a student’s or staff member’s property; placing a student or staff member in reasonable fear of harm to the student or staff member; placing a student or staff member in reasonable fear of damage to the student’s or staff member’s property; cyberbullying; or any other form of intimidation or harassment prohibited by the board of education of the school district in policies concerning bullying adopted pursuant to [insert citation].
(2) “Cyberbullying” means bullying by use of any electronic communication device through means including, but not limited to, e-mail, instant messaging, text messages, blogs, mobile phones, pagers, online games and websites.
(3) “School district” means any public school district organized and operating under the laws of this state.
(4) “School vehicle” means any school bus, school van, other school vehicle and private vehicle used to transport students or staff members to and from school or any school-sponsored activity or event.

Section 3. [Local School Boards to Adopt Policy to Prohibit Bullying.]
(a) The board of education of each school district shall adopt a policy to prohibit bullying on or while using school property, in a school vehicle, or at a school-sponsored activity or event.
(b) The board of education of each school district shall adopt and implement a plan to address bullying on school property, in a school vehicle, or at a school-sponsored activity or event. Such plan shall include provisions to train and educate staff members and students about bullying.
(c) The board of education of each school district may adopt additional policies relating to bullying pursuant to [insert citation].
Section 4. [Severability.] [Insert severability clause.]

Section 5. [Repealer.] [Insert repealer clause.]

Section 6. [Effective Date.] [Insert effective date.]