HOUSE DOCKET, NO. 03904 FILED ON: 06/30/2011

HOUSE . . . . . No. 03584

The Commonwealth of Massachusetts

PRESENTED BY:

[Primary Sponsor]

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

relative to bullying in schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:

HOUSE . . . . . No. 03584

Report of the special commission established (pursuant to Section 18 of Chapter 92 of the Acts of 2010) relative to implementation of the school bullying law [copies of said report forwarded to the House committee on Ways and Means and the joint committees on Education and the Judiciary].

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

relative to bullying in schools.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 37O of chapter 71 of the general laws, as added by section 5 of chapter 92 of the acts of 2010, is hereby amended in subsection (d) by striking the third paragraph and inserting in place thereof the following paragraph:-

Each plan shall include a statement recognizing that certain students may be more vulnerable to becoming targets of bullying, harassment, or teasing based on actual or perceived differentiating characteristics, including but not limited to race, color, religion, ancestry, national origin, sex, socioeconomic status, academic status, gender identity or expression, physical appearance, sexual orientation, or mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics. The plan shall include specific steps the district will take to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with the skills,

knowledge, and strategies to prevent or respond to bullying, harassment, or teasing. A school district, charter school, non-public school, approved private day or residential school or collaborative school may establish separate discrimination or harassment policies that include these or other categories of students. Nothing in this section shall alter the obligations of a school district, charter school, non-public school, approved private day or residential school or collaborative school to remediate any discrimination or harassment based on a person's membership in a legally protected category under local, state or federal law.

SECTION 2. Said section 37O of chapter 71, as so appearing, is hereby amended by adding the following section:-

(k) The department, after consultation with the attorney general, shall develop and implement a mechanism for the collection and analysis of data regarding bullying. School districts, charter schools, approved private day or reisdential schools and collaborative schools shall annually report said data regarding bullying incidents to the department. The department shall compile an annual report regarding current levels and the nature of bullying in schools and file the same with the attorney general and with the clerks of the senate and the house of representatives who shall forward the same to the chairs of the joint committee on education, the chairs of the joint committee on the judiciary, and the chairs of the house and senate committees on ways and means.

SECTION 3. Said chapter 92 of the acts of 2010 is hereby further amended in section 18 by adding the following:-

The commission shall continue to review the implementation of this act through June 30, 2013 and shall file an annual report with the clerks of the senate and the house of representatives who

shall forward the same to the chairs of the joint committee on education, the chairs of the joint committee on the judiciary, and the chairs of the house and senate committees on ways and means on or before June 30 of each year.