

PRELIMINARY DRAFT – NOT READY FOR INTRODUCTION

1     **AN ACT** *to amend* 119.04 (1); and *to create* 118.02 (9t) and 118.46 of the statutes;  
2             **relating to:** school policies on bullying.

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***Analysis by the Legislative Reference Bureau***

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

3             **SECTION 1.** 118.02 (9t) of the statutes is created to read:  
4             118.02 (9t) Wednesday of the 4th week in September, Bullying Awareness Day.

5             **SECTION 2.** 118.46 of the statutes is created to read:

6             **118.46 Policy on bullying. (1)** By March 1, 2010, the department shall do  
7 all of the following:

8             (a) Develop a model school policy on bullying by pupils. The policy shall include  
9 all of the following:

1           1. A definition of bullying.

2           2. A prohibition on bullying.

3           3. A procedure for reporting bullying that allows reports to be made  
4 confidentially.

5           4. A prohibition against a pupil retaliating against another pupil for reporting  
6 an incident of bullying.

7           5. A procedure for investigating reports of bullying. The procedure shall  
8 identify the school district employee in each school who is responsible for conducting  
9 the investigation and require that the parent or guardian of each pupil involved in  
10 a bullying incident be notified.

11           6. A requirement that school district officials and employees report incidents  
12 of bullying and identify the persons to whom the reports must be made.

13           7. A list of disciplinary alternatives for pupils that engage in bullying or who  
14 retaliate against a pupil who reports an incident of bullying.

15           8. An identification of the school-related events at which the policy applies.

16           9. An identification of the property owned, leased, or used by the school district  
17 on which the policy applies.

18           10. An identification of the vehicles used for pupil transportation on which the  
19 policy applies.

20           (b) Develop a model education and awareness program on bullying.

21           (c) Post the model policy under par. (a) and the model program under par. (b)  
22 on its Internet site.

23           **(2)** By August 15, 2010, each school board shall adopt a policy prohibiting  
24 bullying by pupils. The school board may adopt the model policy under sub. (1) (a).  
25 The school board shall provide a copy of the policy to any person who requests it.

1       Annually, the school board shall distribute the policy to all pupils enrolled in the  
2       school district and to their parents or guardians.

3               **SECTION 3.** 119.04 (1) of the statutes is amended to read:

4               119.04 **(1)** Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),  
5       66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,  
6       115.345, 115.361, 115.365 (3), 115.38 (2), 115.445, ~~115.445~~, 115.45, 118.001 to 118.04,  
7       118.045, 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15,  
8       118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.24 (1), (2) (c)  
9       to (f), (6) and (8), 118.245, 118.255, 118.258, 118.291, 118.30 to 118.43, 118.46, 118.51,  
10       118.52, 118.55, 120.12 (5) and (15) to (26), 120.125, 120.13 (1), (2) (b) to (g), (3), (14),  
11       (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.14, 120.21 (3), and 120.25 are  
12       applicable to a 1st class city school district and board.

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**(END)**