

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H1/19/07

A Bill

HOUSE BILL 1072

5 By: Representatives Walters, Abernathy, Cook, R. Green
6 By: Senators Wilkinson, Altes
7

For An Act To Be Entitled

10 AN ACT TO DEFINE BULLYING; TO INCLUDE
11 CYBERBULLYING IN PUBLIC SCHOOL DISTRICT
12 ANTIBULLYING POLICIES; AND FOR OTHER PURPOSES.
13

Subtitle

14 AN ACT TO DEFINE BULLYING AND TO INCLUDE
15 CYBERBULLYING IN PUBLIC SCHOOL DISTRICT
16 ANTIBULLYING POLICIES.
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20 WHEREAS, bullying creates an intolerable and sometimes dangerous
21 educational environment for a student or public school employee who is the
22 target of bullying or who is close to the target; and

23 WHEREAS, the definition of bullying varies widely among public school
24 districts in the state and the General Assembly finds that public school
25 districts and the Department of Education would benefit from legislative
26 guidance for defining bullying; and

27 WHEREAS, cyberbullying, or the use of computers, websites, the
28 Internet, cell phones, text messaging, chat rooms, and instant messaging to
29 ridicule, harass, intimidate, humiliate, or otherwise bully another student,
30 is a growing problem for public school students due to the increased use of
31 such electronic devices by children both on and off of public school
32 premises; and

33 WHEREAS, cyberbullies feel protected by anonymity and by the knowledge
34 that children who are targeted do not want to report cyber assaults because
35 they fear losing their access to electronic devices or having the situation
36 aggravated by adult interference; and



1 WHEREAS, because cyberbullying has the potential for instantaneous
2 distribution to a wide audience, it can impact the educational environment by
3 rapidly reaching a large number of students and public school employees, and
4 creating an environment of fear and intimidation that materially or
5 substantially disrupts class work and discipline in a public school,

6
7 NOW THEREFORE,

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

9
10 SECTION 1. Arkansas Code § 6-18-514(a) and (b)(1) and (2) regarding
11 public school district antibullying policies, are amended to read as follows:

12 (a)(1) The school board of directors in every public school district
13 shall adopt policies to prevent pupil harassment, also known as bullying.

14 (2) As used in this subchapter:

15 (A) "Bullying" means the intentional harassment,
16 intimidation, humiliation, ridicule, defamation, or threat or incitement of
17 violence against a student or public school employee by a written, verbal,
18 electronic, or physical act that causes or seriously threatens to cause:

19 (i) Physical harm to a public school employee or
20 student or damage to the public school employee's or student's property;

21 (ii) Substantial interference with a student's
22 education or with a public school employee's role in education;

23 (iii) An intimidating or threatening educational
24 environment for one (1) or more students or public school employees due to
25 the severity, persistence, or pervasiveness of the act; or

26 (iv) Substantial disruption of the orderly operation
27 of the school or educational environment;

28 (B) "Electronic act" means without limitation a
29 communication or image transmitted by means of an electronic device,
30 including without limitation a telephone, wireless phone or other wireless
31 communications device, computer, or pager; and

32 (C) "Substantial disruption" means without limitation that any
33 one or more of the following occur as a result of the bullying:

34 (i) Cessation of instruction or educational activities;

35 (ii) Interruption of classroom instruction or educational
36 activities by educational staff for purposes of discussing or handling issues

1 related to the bullying;

2 (iii) Inability of students or educational staff to focus
3 on learning or function as an educational unit because of feeling fearful or
4 threatened;

5 (iv) Severe or repetitive disciplinary measures are needed
6 in the classroom or during educational activities; or

7 (v) Exhibition of other behaviors by students or
8 educational staff that are increasingly disruptive to the learning
9 environment.

10 (b) The policies shall:

11 (1)(A) Clearly define conduct that constitutes bullying.

12 (B) The definition shall include without limitation
13 the definition contained in subsection (a) of this section;

14 (2) Prohibit bullying:

15 (A) while While in school, on school equipment or
16 property, in school vehicles, on school buses, at designated school bus
17 stops, at school-sponsored activities, ~~or~~ at school-sanctioned events; or

18 (B) By an electronic act, wherever originated, that
19 results in the substantial disruption of the orderly operation of the school
20 or educational environment;

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22 /s/ Walters
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