2	(By Senators Sypolt, Barnes, Boley, Green, Kirkendoll, Nohe and
3	K. Facemyer)
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5	[Introduced February 10, 2012; referred to the Committee on
6	Education; and then to the Committee on the Judiciary.]
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11	A BILL to amend and reenact \$18-2C-3 of the Code of West Virginia,
12	1931, as amended, relating to removing the requirement that
13	schools input data into the West Virginia Education
14	Information System; and stylistic changes.
15	Be it enacted by the Legislature of West Virginia:
16	That §18-2C-3 of the Code of West Virginia, 1931, as amended,
17	be amended and reenacted to read as follows:
18	ARTICLE 2C. HARASSMENT, INTIMIDATION OR BULLYING PROHIBITION.
19	§18-2C-3. Policy prohibiting harassment, intimidation or bullying.
20	(a) Each county board shall establish a policy prohibiting
21	harassment, intimidation or bullying. Each county board has
22	control over the content of its policy as long as the policy
23	contains, at a minimum, the requirements of subdivision (b) of this

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- 1 section. The policy shall be adopted through a process that
- 2 includes representation of parents or guardians, school employees,
- 3 school volunteers, students and community members.
- 4 (b) Each county board policy shall, at a minimum, include the
- 5 following components:
- 6 (1) A statement prohibiting harassment, intimidation or
- 7 bullying of any student on school property, a school bus, at a
- 8 school bus stop or at school sponsored events;
- 9 (2) A definition of harassment, intimidation or bullying no
- 10 less inclusive than that in section two of this article;
- 11 (3) A procedure for reporting prohibited incidents;
- 12 (4) A requirement that school personnel report prohibited
- 13 incidents of which they are aware;
- 14 (5) A requirement that parents or guardians of any student
- 15 involved in an incident prohibited pursuant to this article be
- 16 notified;
- 17 (6) A procedure for documenting any prohibited incident that
- 18 is reported;
- 19 (7) A procedure for responding to and investigating any
- 20 reported incident;
- 21 (8) A strategy for protecting a victim from additional
- 22 harassment, intimidation or bullying, and from retaliation
- 23 following a report;

- 1 (9) A disciplinary procedure for any student guilty of 2 harassment, intimidation or bullying; or
- 3 (10) A requirement that any information relating to a reported 4 incident is confidential, and exempt from disclosure under the 5 provisions of chapter twenty-nine-b of this code.
- 6 (11) A requirement that each county board shall input into the
- 7 uniform integrated regional computer information system (commonly
- 8 known as the West Virginia Education Information System) described
- 9 in section twenty-six, article two of this chapter, and compile an
- 10 annual report regarding the means of harassment, intimidation or
- 11 bullying that have been reported to them, and the reasons therefor,
- 12 if known. The West Virginia Department of Education shall compile
- 13 the information and report it annually beginning July 1, 2012, to
- 14 the Legislative Oversight Committee on Education Accountability.
- 15 (c) Each county board shall adopt the policy and submit a copy
- 16 to the State Superintendent of Schools by December 1, $\frac{2011}{}$.
- 18 West Virginia Department of Education shall develop a model policy

(d) To assist county boards in developing their policies, the

- 19 applicable to grades kindergarten through twelfth. The model
- 20 policy shall be issued by September 1, 2011.

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- 21 (e) Notice of the county board's policy shall appear in any
- 22 student handbook, and in any county board publication that sets
- 23 forth the comprehensive rules, procedures and standards of conduct

1 for the school.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.