

**HOUSE . . . . . No. 3584**

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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].

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Eleven**  
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An Act 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:*

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

4           Each plan shall include a statement recognizing that certain students may be more  
5 vulnerable to becoming targets of bullying, harassment, or teasing based on actual or perceived  
6 differentiating characteristics, including but not limited to race, color, religion, ancestry, national  
7 origin, sex, socioeconomic status, academic status, gender identity or expression, physical  
8 appearance, sexual orientation, or mental, physical, developmental, or sensory disability, or by  
9 association with a person who has or is perceived to have one or more of these characteristics.

10 The plan shall include specific steps the district will take to create a safe, supportive environment  
11 for vulnerable populations in the school community, and provide all students with the skills,  
12 knowledge, and strategies to prevent or respond to bullying, harassment, or teasing. A school

13 district, charter school, non-public school, approved private day or residential school or  
14 collaborative school may establish separate discrimination or harassment policies that include  
15 these or other categories of students. Nothing in this section shall alter the obligations of a school  
16 district, charter school, non-public school, approved private day or residential school or  
17 collaborative school to remediate any discrimination or harassment based on a person's  
18 membership in a legally protected category under local, state or federal law.

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

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

30 SECTION 3. Said chapter 92 of the acts of 2010 is hereby further amended in section  
31 18 by adding the following:-

32 The commission shall continue to review the implementation of this act through June 30,  
33 2013 and shall file an annual report with the clerks of the senate and the house of representatives  
34 who shall forward the same to the chairs of the joint committee on education, the chairs of the

- 35 joint committee on the judiciary, and the chairs of the house and senate committees on ways and
- 36 means on or before June 30 of each year.