

HOUSE No. 3853

The Commonwealth of Massachusetts

PRESENTED BY:

Shirley B. Arriaga and Pavel Payano

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 adoption of the accompanying bill:

An Act relative to the enforcement of anti-bullying policies in our schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Shirley B. Arriaga</i>	<i>8th Hampden</i>	<i>1/19/2023</i>
<i>Pavel Payano</i>	<i>First Essex</i>	<i>1/19/2023</i>

HOUSE No. 3853

By Representative Arriaga of Chicopee and Senator Payano, a joint petition (accompanied by bill, House, No. 3853) of Shirley B. Arriaga and Pavel M. Payano for legislation to establish an anti-bullying officer pilot program to assist schools experiencing significant bullying incidents. Education.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act relative to the enforcement of anti-bullying policies in our 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. Subsection (b) of section 37O of chapter 71 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

Retaliation against a person who: (i) reports any instance of bullying, (ii) provides information during an investigation of bullying, (iii) witnesses or has reliable information about bullying or (iv) provides bullying incident data in a quarterly report to the department under subsection (k) shall be prohibited.

SECTION 2. Paragraph (2) of subsection (d) of said section 37O of said chapter 71, as so appearing, is hereby amended by striking out clause (x) and inserting in place thereof the following clause:-

(x) mandatory counseling to appropriate services for perpetrators and victims.

SECTION 3. Said subsection (d) of said section 37O of said chapter 71, as so appearing, is hereby further amended by striking out the (5) paragraph and inserting in place thereof the following paragraph:-

(5) The plan shall include provisions for informing parents and guardians about the bullying prevention curriculum of the school district or school and shall include, but not be limited to: (i) how parents and guardians can reinforce the curriculum at home and support the school district or school plan; (ii) the dynamics of bullying; (iii) online safety and cyber-bullying; and (iv) how parents and guardians can report instances of bullying to the school.

SECTION 4. Said section 37O of said chapter 71, as so appearing, is hereby further amended by striking out subsection (f) and inserting in place thereof the following subsection:-

(f) Each school principal or the person who holds a comparable position shall be responsible for: (i) the implementation and oversight of the plan at their school; and (ii) filing the bullying incident data quarterly report, under subsection (k), to the department.

SECTION 5. Subsection (g) of said section 37O of said chapter 71, as so appearing, is hereby amended by inserting after the word “investigation” in line 221, the following words:- and report the instance of bullying or retaliation in the quarterly report to the department under subsection (k).

SECTION 6. Clause (ii) of said subsection (g) of said section 37O of said chapter 71, as so appearing, is hereby amended by inserting after the word “action” in line 225, the following words:- and report in the quarterly report to the department under subsection (k).

SECTION 7. Subsection (h) of said section 37O of said chapter 71, as so appearing, is hereby amended by inserting after the word “action” in line 239, the following words:- and report the instance of bullying or retaliation in the quarterly report to the department under subsection (k).

SECTION 8. Subsection (k) of said section 37O of said chapter 71, as so appearing, is hereby amended by striking out, in line 267, the word “annually” and inserting in place thereof the following word:- quarterly.

SECTION 9. Said subsection (k) of said section 37O of said chapter 71, as so appearing, is hereby further amended by striking out, in line 270, the word “substantiated” and inserting in place thereof the following word:- any.

SECTION 10. Said subsection (k) of said section 37O of said chapter 71, as so appearing, is hereby further amended by inserting after the word “reported” in line 273, the following words:- by the school principal or the person who holds a comparable position,

SECTION 11. Said subsection (k) of said section 37O of said chapter 71, as so appearing, is hereby further amended by striking out, in lines 280 and 282, the word “annual” and inserting in place thereof, in each instance, the following word:- quarterly.

SECTION 12. Said section 37O of said chapter 71, as so appearing, is hereby further amended by adding the following subsection:-

(o) The department shall establish an anti-bullying officer pilot program to help schools experiencing significant bullying incidents. The program shall assess bullying in schools based on the quarterly reporting of bullying incident data required under subsection (k) and assign anti-

53 bullying officers to the 5 schools experiencing the most incidents of bullying, based on the
54 quarterly reporting, to help with the schools significant bullying problems. Anti-bullying officers
55 duties at the school they are assigned to shall include, but not be limited to: responding,
56 investigating and reporting incidents of bullying at the school.