

1st Sub. H.B. 325  
BULLYING AND HAZING

Senator **Scott K. Jenkins** proposes the following amendments:

1. Page 1, Lines 16 through 17:

16           {~~requires and encourages the reporting of bullying, hazing, or retaliation;~~  
17    ~~provides immunity for the good faith reporting of bullying, hazing, or retaliation;~~}

2. Page 2, Lines 40 through 41:

40    {~~53A-11a-501, Utah Code Annotated 1953~~  
41    ~~53A-11a-502, Utah Code Annotated 1953~~}

3. Page 4, Line 88:

88           (3) "Policy" means a bullying and hazing policy described in Section  
          ~~{53A-11a-401}~~ 53A-11a-301 .

4. Page 4, Line 117:

117           53A-11a-202. Retaliation and making false ~~{reporting}~~ allegation prohibited.

5. Page 5, Lines 123 through 145:

123           (2) No school employee or student may make a false ~~{report}~~ allegation of bullying, hazing, or  
124    retaliation against a school employee or student.

125           ~~{Section 5. Section 53A-11a-301 is enacted to read:~~

126           ~~Part 3. Reporting~~

127           ~~53A-11a-301. Reporting of bullying, hazing, or retaliation required:~~

128           ~~(1) A school employee who witnesses, or has reliable information regarding, an~~  
129    ~~incident of bullying, hazing, or retaliation shall report the incident and information to the~~  
130    ~~school official designated in the school's policy.~~

131           ~~(2) A student or parent who witnesses, or has reliable information regarding, an~~  
132    ~~incident of bullying, hazing, or retaliation is encouraged to report the incident and information~~  
133    ~~to the school official designated in the school's policy.~~

134           ~~Section 6. Section 53A-11a-302 is enacted to read:~~

135           ~~53A-11a-302. Immunity for reporting in good faith.~~

136           ~~A school employee, student, or parent who reports an incident of, or information~~  
137    ~~relating to, bullying, hazing, or retaliation, is immune from any civil liability that otherwise~~

138 might result by reason of making the report, if the report is made:

139 —(1) promptly;

140 —(2) in good faith;

141 —(3) to the school official designated in the school's policy; and

142 —(4) in accordance with the school's policy.

143 Section ~~{7}~~ 5 . Section ~~{53A-11a-401}~~ 53A-11a-301 is enacted to read:

144 Part ~~{4}~~ 3 . School Policy

145 ~~{53A-11a-401}~~ 53A-11a-301 . Bullying and hazing policy.

6. *Page 7, Lines 189 through 190:*

189 (m) procedures and plans for training school employees and students in  
recognizing ~~{1}~~ and

190 preventing ~~{, and reporting}~~ bullying, hazing, or retaliation.

7. *Page 7, Lines 197 through 207:*

197 Section ~~{8}~~ 6 . Section ~~{53A-11a-402}~~ 53A-11a-302 is enacted to read:

198 ~~{53A-11a-402}~~ 53A-11a-302 . Model policy.

199 On or before September 1, 2008, the State Board of Education shall:

200 (1) develop a model policy on bullying, hazing, and retaliation, consistent with Section

201 ~~{53A-11a-401}~~ 53A-11a-301 , in order to assist a school board in adopting a policy under Section

202 ~~{53A-11a-401}~~ 53A-11a-301 ; and

203 (2) post the model policy described in Subsection (1) on the State Board of Education's  
204 website.

205 Section ~~{9}~~ 7 . Section ~~{53A-11a-501}~~ 53A-11a-401 is enacted to read:

206 Part ~~{5}~~ 4 . Miscellaneous

207 ~~{53A-11a-501}~~ 53A-11a-401 . Training, education, and prevention.

8. *Page 8, Lines 217 through 218:*

217 Section ~~{10}~~ 8 . Section ~~{53A-11a-502}~~ 53A-11a-402 is enacted to read:

218 ~~{53A-11a-502}~~ 53A-11a-402 . Other forms of legal redress.