

AMENDED IN ASSEMBLY APRIL 10, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1993

Introduced by Assembly Member Fox

February 20, 2014

An act to *amend Section 32283 of, and to add Article 3.5 (commencing with Section 48960) to Chapter 6 of Part 27 of Division 4 of Title 2 of, the Education Code, relating to pupils.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1993, as amended, Fox. Pupils: ~~bullying; counseling services; teacher training.~~

(1) Existing law, the Interagency School Safety Demonstration Act of 1985, among other things, requires the Department of Justice and the State Department of Education to contract with one or more professional trainers to coordinate statewide workshops for school districts, county offices of education, and schoolsite personnel, and in particular school principals, to assist them in the development of their respective school safety and crisis response plans, and provide training in the prevention of bullying, as defined.

This bill would require the bullying prevention training provided under this provision to include, but not necessarily be limited to, restorative justice and promotion of upstander behavior, as defined.

Existing

(2) Existing law, the Safe Place to Learn Act, requires the State Department of Education to assess whether local educational agencies have adopted a policy that prohibits discrimination, harassment, intimidation, and bullying based on specified characteristics. Existing

law also authorizes a school to suspend or recommend for expulsion a pupil who has engaged in an act of bullying.

This bill, ~~the Nigel Hardy Act~~, would require a school to offer counseling services to every pupil who attends the school who has been the victim of an act of bullying or who has been found to have engaged in an act of bullying, as provided. ~~The bill~~ would also require a school district to provide training on the topic of bullying to every teacher employed by the school ~~district~~ *district*, and would require every teacher employed by the school district on or after July 1, 2015, to complete the training. By imposing additional requirements on ~~schools and~~ school districts, the bill would impose a state-mandated local program.

~~The~~

(3) *The* California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. ~~This measure shall be known and may be cited~~
2 ~~as the Nigel Hardy Act.~~
3 SECTION 1. Section 32283 of the Education Code is amended
4 to read:
5 32283. (a) The Department of Justice and the State
6 Department of Education, in accordance with Section 32262, shall
7 contract with one or more professional trainers to coordinate
8 statewide workshops for school districts, county offices of
9 education, and schoolsite personnel, and in particular school
10 principals, to assist them in the development of their respective
11 school safety and crisis response plans, and provide training in the
12 prevention of bullying as defined in subdivision (r) of Section
13 48900. ~~The Department~~ *bullying prevention training provided*
14 *under this section shall include, but not necessarily be limited to,*
15 *restorative justice and promotion of upstander behavior. As used*
16 *in this section, “upstander” means a person who recognizes a*

1 *bully-victim situation and acts in a manner that is responsible and*
2 *helpful to the situation.*

3 (b) *The Department of Justice and the State Department of*
4 *Education shall work in cooperation with regard to the workshops*
5 *coordinated and presented pursuant to the contracts.*
6 **Implementation**

7 (c) *Implementation of this section shall be contingent upon the*
8 *availability of funds in the annual Budget Act.*

9 SEC. 2. Article 3.5 (commencing with Section 48960) is added
10 to Chapter 6 of Part 27 of Division 4 of Title 2 of the Education
11 Code, to read:

12
13 Article 3.5. Bullying

14
15 48960. For purposes of this article, “bullying” has the same
16 meaning as set forth in paragraph (1) of subdivision (r) of Section
17 48900.

18 ~~48961. A school shall offer counseling services to every pupil~~
19 ~~who attends the school who, on or after January 1, 2015, has been~~
20 ~~the victim of an act of bullying or who, on or after January 1, 2015,~~
21 ~~has been found to have engaged in an act of bullying.~~

22 ~~48962.~~

23 48961. A school district shall provide training on the topic of
24 bullying to every teacher employed by the school district. Every
25 teacher employed by a school district on or after July 1, 2015, shall
26 be required to complete the training.

27 SEC. 3. If the Commission on State Mandates determines that
28 this act contains costs mandated by the state, reimbursement to
29 local agencies and school districts for those costs shall be made
30 pursuant to Part 7 (commencing with Section 17500) of Division
31 4 of Title 2 of the Government Code.