



AN ACT PROMOTING SAFE SCHOOLS AND CREATING THE BULLY-FREE MONTANA ACT; PROVIDING DEFINITIONS; PROHIBITING BULLYING OF STUDENTS; AND CLARIFYING REDRESS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Short title. [Sections 1 through 4] may be cited as the "Bully-Free Montana Act".

Section 2. Definitions. (1) "Bullying" means any harassment, intimidation, hazing, or threatening, insulting, or demeaning gesture or physical contact, including any intentional written, verbal, or electronic communication or threat directed against a student that is persistent, severe, or repeated and that:

(a) causes a student physical harm, damages a student's property, or places a student in reasonable fear of harm to the student or the student's property;

(b) creates a hostile environment by interfering with or denying a student's access to an educational opportunity or benefit; or

(c) substantially and materially disrupts the orderly operation of a school.

(2) The term includes retaliation against a victim or witness who reports information about an act of bullying and includes acts of hazing associated with athletics or school-sponsored organizations or groups.

Section 3. Bullying of student prohibited. Bullying of a student enrolled in a public K-12 school by another student or an employee is prohibited.

Section 4. Enforcement -- exhaustion of administrative remedies. A person alleging a violation of [sections 1 through 4] may seek redress under any available law, either civil or criminal, after exhausting all administrative remedies.

Section 5. Codification instruction. [Sections 1 through 4] are intended to be codified as an integral

part of Title 20, chapter 5, and the provisions of Title 20, chapter 5, apply to [sections 1 through 4].

- END -

I hereby certify that the within bill,
HB 0284, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2015.

President of the Senate

Signed this _____ day
of _____, 2015.

HOUSE BILL NO. 284

INTRODUCED BY K. DUDIK, R. PEPPERS, SWANDAL

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