



## Student Bullying Legislation

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On June 27, 2010, Governor Pat Quinn signed Senate Bill 3266 into law in an effort to diminish student bullying, and the negative outcomes associated with bullying in schools. Specifically, the law states that no student may be subjected to bullying: (1) during any school-sponsored education program or activity; (2) while in school, on school property, on school buses or other school vehicles, at designated school bus stops waiting for the school bus, or at school-sponsored or school-sanctioned events or activities; or (3) through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment.

Significantly, this new law also expands the definition of bullying to include the harassment of students through electronic means, including but not limited to, e-mail, social networking websites (e.g. Facebook) and text messaging. In addition, the bases for student bullying now include actual or perceived sexual orientation.

Moreover, this new law, which amends the *School Code*, requires all school districts to form and maintain a policy on student bullying that must be filed with the Illinois State Board of Education ("ISBE"). Each school district must communicate its policy on bullying to students and their parents or guardians on an annual basis, and update that policy every two years. ISBE will monitor the implementation of policies pertaining to student bullying, and according to ISBE's General Counsel, may reduce a district's funding in the event of noncompliance with the law's requirements.

Finally, this new law also allows districts to educate students about the consequences of gang involvement and provide instruction in gang resistance.

This legislation goes into effect immediately and no reimbursement by the State is required for its implementation by school districts. If you would like assistance in developing and implementing a policy on student bullying, please do not hesitate to contact Scariano, Himes and Petrarca.

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