

# CLIENT NEWS BRIEF

## New Laws Promote Student Safety: Bullying, Harassment, And Suicide Prevention

The Governor has signed legislation that promotes student safety by providing additional resources for suicide prevention and combating bullying and sexual harassment.

### **Assembly Bill (AB) 1767: Suicide Prevention Policies for Kindergarten and Elementary School Students**

Currently, local educational agencies serving students in grades 7-12 are required to have adopted student suicide prevention policies pertaining specifically to students in those grades. AB 1767 amends Education Code section 215 to expand the requirement for the adoption of suicide prevention policies to local educational agencies serving students in kindergarten and grades 1-6.

Before the beginning of the 2020-2021 school year, governing boards of local educational agencies serving elementary school students, must adopt, at a regularly scheduled meeting, a suicide prevention policy for their K-6th graders. The policy must be age appropriate, and delivered and discussed in a manner that is sensitive to the needs of young students.

A policy pertaining to K-6th graders must be developed in consultation with school and community stakeholders, the county mental health plan, school-employed mental health professionals, and suicide prevention experts. The policy must address suicide prevention, intervention and postvention, and ensure coordination with the county mental health plan if a referral is made on behalf of a student who is a Medi-Cal beneficiary.

Suicide prevention policies applicable to any grade span must be reviewed and, if necessary, updated, at least every five years.

### **AB 34: Bullying, Discrimination, Harassment, and Suicide Prevention Website Information**

Also, commencing with the 2020-2021 school year, local educational agencies will be required to provide specified bullying, discrimination, harassment, and suicide prevention information in a prominent location on their websites and in a manner that is easily accessible to students, parents and guardians.

AB 34 adds section 234.6 to the Education Code, which provides the full list of the required information that must be posted, including:

1. The local educational agency's:
  - Student suicide prevention policy for 7th-12th graders;
  - Student suicide prevention policy for K-6th graders;
  - Sexual harassment policy as it pertains to students;
  - Policy on preventing and responding to hate violence, if it exists;
  - Anti-discrimination, anti-harassment, and anti-intimidation policies; and/or
  - Anti-bullying and anti-cyberbullying policies and procedures.

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2. The definition of discrimination and harassment and copies of Education Code sections 230 (prohibited practices on the basis of sex) and 221.8 (list of rights under Title IX).
3. The name and contact information of the Title IX Coordinator.
4. The rights of students and the public, and responsibilities of the local educational agency, under Title IX.
5. A description of how to file a Title IX complaint, including an explanation of the statute of limitations and how the complaint will be investigated, with weblinks to this information on the United States Department of Education Office for Civil Rights (OCR)'s website.
6. A weblink to the federal regulations implementing Title IX from the OCR website.
7. Social media bullying prevention and statewide and community resource information for students who have been victims of violence, bullying, discrimination, intimidation and harassment.

While some of these items are already required to be posted on the website, particular attention should be given to ensure that all of the required elements are included.

These new laws take effect on January 1, 2020, but they will need to be implemented by the start of the 2020-2021 school year. If your district would like staff or student training on any of these topics, please contact us.

If you have questions regarding implementing these new requirements or regarding student safety in general, please contact the author of this Client News Brief or an attorney at one of our [eight offices](#) located statewide. You can also subscribe to our [podcast](#), follow us on [Facebook](#), [Twitter](#) and [LinkedIn](#) or download our [mobile app](#).