

**COMMITTEE ON EDUCATION AND WORKFORCE
DEVELOPMENT**

02/19/2014-AMENDED AND REPORTED OUT TO THE COMMITTEE ON RULES AND JUDICIARY
07/08/2013-HELD IN COMMITTEE
05/23/2013-HELD IN COMMITTEE

BILL NO. 30-0013

Thirtieth Legislature of the Virgin Islands

March 6, 2013

An Act amending title 17 Virgin Islands Code, adding chapter 42B, providing for Bullying Prevention Education Gang Resistance Education and Training

PROPOSED BY: Senators Diane Capehart, Janette Millin Young,
Sammuel Sanes, Shawn-Michael Malone, Judi Buckley
and Myron D. Jackson

1 *Be it enacted by the Legislature of the Virgin Islands:*

2 **SECTION 1.** Title 17 Virgin Islands Code, is amended by adding chapter 42B to
3 read as follows:

4 “Chapter 42B Bullying Prevention, Gang Resistance Education and Training

5 **§780. Purpose**

6 The purpose of this chapter is to provide for the creation of a bullying prevention,
7 gang resistance education and training program.

8 **§781. Legislative Findings; intent**

9 (a) The Legislature finds that bullying has a negative effect on the social
10 environment of schools, creates a climate of fear among students, inhibits their ability to
11 learn, and leads to other antisocial behavior:

12 (1) Sexual, discrimination due to sexual orientation; and

1 (2) Harassment.

2 (b) Bullying behavior has been linked to other forms of antisocial behavior,
3 such as: vandalism, shoplifting, truancy and non-completion of school, fighting, using
4 drugs and alcohol, sexual harassment, and sexual violence.

5 (c) The Legislature further finds that the number of youth delinquent gangs
6 continues to rise on a territory-wide basis. Given the higher rates of criminal offenses by
7 gang members, as well as the availability of increasingly lethal weapons, the spiraling
8 level of criminal activity by gang members has taken on greater importance for law
9 enforcement agencies, schools, the community, and prevention efforts.

10 **§782 Definitions**

11 As used in this chapter:

12 (a) "Board" means the Virgin Islands Board of Education;

13 (b) "Bullying prevention" includes but is not limited to instruction in the
14 prevention and strategies for student-centered problem solving all of the following:

15 (1) Intimidation;

16 (2) Student victimization;

17 (3) Sexual harassment;

18 (4) Sexual violence;

19 (5) Sexual, discrimination due to sexual orientation; and

20 (6) Harassment.

21 (c) "Gang resistance education and training" means instruction in, without
22 limitation, each of the following subject matters when accompanied by a stated objective
23 of reducing gang activity and educating children in grades K through 12 about the
24 consequences of gang involvement:

25 (1) Conflict resolution;

- 1 (2) Cultural sensitivity;
- 2 (3) Personal goal setting; and
- 3 (4) Resisting peer pressure.

4 **§783. Implementation**

5 (a) Each school district shall make suitable provisions for instruction in
6 bullying prevention and gang resistance education and training in all grades and include
7 such instruction in the courses of study regularly taught therein.

8 (b) The Department of Education shall incorporate the bullying prevention and
9 gang resistance education and training with Conflict Resolution Education set forth in
10 Title 17, Chapter 42.

11 (c) The Board may collaborate with a community-based agency that provides
12 specialized curricula in bullying prevention geared towards preventing sexual violence.

13 (d) The Board shall collaborate with law enforcement agencies for the
14 purposes of gang resistance education and training. The Department of Education shall
15 assist in the development of instructional materials and training for all school personnel in
16 relation to bullying prevention and gang resistance education and training.

17 **§784. Effective Date**

18 Beginning 180 days after the effective date of this chapter, each school district
19 shall create and maintain a policy on bullying, which must be filed with the Board. Each
20 school district must communicate its policy on bullying to its students and their parents or
21 guardian on an annual basis. The policy must be updated every two years and filed with
22 the Board after being updated. The Board shall monitor the implementation of policies
23 created under this subsection.

24 **SECTION 2.** Notwithstanding the limitations on the use of funds prescribed in
25 title 33 Virgin Islands Code, Chapter 111 §3093, there is appropriated in the fiscal year

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1 limits the Department's authority to refer cases determined to be in violation of this section to other
2 governmental agencies as appropriate".

3 **SECTION 2.** Title 17 Virgin Islands Code, chapter 11, section 87 is repealed.

4 **BILL SUMMARY**

5 This bill amends 17 Virgin Islands Code, chapter 11, section 130, by prohibiting corporal
6 punishment in public schools with a few listed exceptions.

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9 **BR13-0332/ March 4, 2013/ Reviewed by YLT**

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