

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

HOUSE BILL 1805

By: Representatives Childress, Hawk

By: Senator K. Hammer

For An Act To Be Entitled

AN ACT TO AMEND THE DEFINITION OF "BULLYING" WITH RESPECT TO PUBLIC SCHOOL ANTIBULLYING POLICIES; TO CREATE A PROCESS WHEREBY A PUBLIC SCHOOL MAY CONDUCT MULTIPLE, SIMULTANEOUS INVESTIGATIONS INTO THE SAME ALLEGATION OF BULLYING UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE DEFINITION OF "BULLYING"; AND TO CREATE A PROCESS WHEREBY A PUBLIC SCHOOL MAY CONDUCT MULTIPLE, SIMULTANEOUS INVESTIGATIONS INTO THE SAME ALLEGATION OF BULLYING UNDER CERTAIN CIRCUMSTANCES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 6-18-514(b)(2)(A), concerning the definition of "bullying" as it pertains to school antibullying policies, is amended to read as follows:

(2)(A) "Bullying" means the intentional harassment, intimidation, humiliation, ridicule, defamation, or threat or incitement of violence by a student against another student or public school employee by a written, verbal, electronic, or physical act that ~~may:~~

(i) May address an attribute of the other student, public school employee, or person with whom the other student or public school employee is associated ~~and that causes or creates actual or reasonably~~



~~foreseeable;~~

(ii) Involves an actual or reasonably perceived

power imbalance;

(iii) Is repeated or has a high likelihood of

repetition; and

(iv) Causes or creates actual or reasonably

foreseeable:

~~(i)(a)~~ Physical harm to a public school employee or student or damage to the public school employee's or student's property;

~~(ii)(b)~~ Substantial interference with a student's education or with a public school employee's role in education;

~~(iii)(c)~~ A hostile educational environment for one (1) or more students or public school employees due to the severity, persistence, or pervasiveness of the act; or

~~(iv)(d)~~ Substantial disruption of the orderly operation of the public school or educational environment.

SECTION 2. Arkansas Code § 6-18-514, concerning school antibullying policies, is amended to add additional subsections to read as follows:

(m) To prevent multiple, simultaneous investigations into the same alleged conduct, if the facts that support an alleged incident of bullying under this section may also constitute a violation of another state law or rule or federal law or regulation, nothing in this section shall be construed to prevent a public school or public school district from investigating and disposing of the alleged incident of bullying in accordance with the other applicable state law or rule or federal law or regulation in lieu of the requirements of this section.

(n) A public school or public school district shall complete the manner of process or investigation selected by the public school or public school district under subsection (m) of this section.

(o) This section does not excuse a public school or public school district from complying with applicable obligations under federal law or regulations or state law or rules.

APPROVED: 4/17/25