



1 7151) is amended by inserting “, bullying, and other
2 harassment” after “sexual harassment and abuse”.

3 (2) PROTECTIVE FACTOR, BUFFER, OR
4 ASSET.—Paragraph (6) of such section is amended
5 by inserting “, including bullying and harassment”
6 after “violent behavior”.

7 (3) RISK FACTOR.—Paragraph (7) of such sec-
8 tion is amended by inserting “, including bullying
9 and harassment” after “violent behavior”.

10 (4) BULLYING, HARASSMENT, AND VIO-
11 LENCE.—Such section is further amended by adding
12 at the end the following:

13 “(12) BULLYING.—The term ‘bullying’ means
14 conduct, including conduct that is based on^{any of the following:} a stu-
15 dent’s actual or perceived race, color, national ori-
16 gin, sex, disability, sexual orientation, gender iden-
17 tity, religion, or any other distinguishing characteris-
18 tics that may be defined by a State or local edu-
19 cational agency;^{and} that—

20 “(A) affects one or more students;

21 ~~“(B) deprives students of access to edu-~~
22 ~~cational opportunities or benefits provided by~~
23 ~~the school; and~~

24 “(B) adversely affects the ability of a stu-
25 dent to participate in or benefit from the



1 school's educational programs or activities by
2 placing a student in reasonable fear of physical
3 harm.

4 “(13) HARASSMENT.—The term ‘harassment’

5 means conduct, including conduct that is based on *any of the*
6 *following:*
7 *A* a student's actual or perceived race, color, national
8 origin, sex, disability, sexual orientation, gender
9 identity, religion, or any other distinguishing charac-
10 teristics that may be defined by a State or local edu-
11 cational agency *and* that—

11 “(A) affects one or more students;

12 ~~“(B) deprives students of access to edu-~~
13 ~~cational opportunities or benefits provided by~~
14 ~~the school, and~~

15 ~~“(B)~~ *(B)* adversely affects the ability of a stu-
16 dent to participate in or benefit from the
17 school's educational programs or activities be-
18 cause the conduct as reasonably perceived by
19 the student is so severe, *persistent or pervasive*
20 ~~pervasive, and objec-~~
21 ~~tively offensive.~~

21 “(14) VIOLENCE.—The term ‘violence’ includes
22 bullying and harassment.”.

23 (h) EFFECT ON OTHER LAWS.—



1 (1) AMENDMENT.—The Safe and Drug-Free
2 Schools and Communities Act (20 U.S.C. 7101 et
3 seq.) is amended by adding at the end the following:

4 **“SEC. 4156. EFFECT ON OTHER LAWS.**

5 “(a) FEDERAL AND STATE NONDISCRIMINATION
6 LAWS.—Nothing in this part shall be construed to invali-
7 date or limit rights, remedies, procedures, or legal stand-
8 ards available to victims of discrimination under any other
9 Federal law or law of a State or political subdivision of
10 a State, including title VI of the Civil Rights Act of 1964
11 (42 U.S.C. 2000d et seq.), title IX of the Education
12 Amendments of 1972 (20 U.S.C. 1681 et seq.), section
13 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794),
14 or the Americans with Disabilities Act of 1990 (42 U.S.C.
15 12101 et seq.). The obligations imposed by this part are
16 *in addition to those imposed by* ~~independent of~~ title IX of the Education Amendments of
17 1972 (20 U.S.C. 1681 et seq.), title VI of the Civil Rights
18 Act of 1964 (42 U.S.C. 2000d et seq.), and the Americans
19 with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

20 “(b) FREE SPEECH AND EXPRESSION LAWS.—Noth-
21 ing in this part shall be construed to alter legal standards
22 regarding, or affect the rights available to individuals
23 under, other Federal laws that establish protections for
24 freedom of speech and expression.”.