

BILL SUMMARY
1st Session of the 53rd Legislature

Bill No.:	HB 1461
Version:	Conference Committee Sub
Request Number:	
Author:	Representative Denney
Date:	5/10/2011
Impact:	Minimum \$187,500

Research Analysis

The conference committee substitute for House Bill 1461 adds to the definition of harassment, intimidation and bullying that gestures must be obviously threatening to be considered part of abuse. It removes language that would have included going to or returning from school in the definition of at school. It also defines cyber bullying as the use of any electronic communication to harass, intimidate or bully. It removes language from the definition of electronic communication allowing for electronic communication to qualify as bullying whether or not it occurred during school hours or originated on school equipment. It restores language that states nothing shall be construed to impose a specific liability on any school district.

The conference committee substitute also requires safe school committees to study and make recommendations regarding teen dating violence.

The measure amends the School Bullying Prevention Act. It adds violent assault and battery, homicide and suicide to the list of behaviors that can be linked to bullying. It defines harassment, intimidation, bullying and cyber bullying as acts directed toward a student or group of students or about a student or group of students that are reasonably perceived as being done with the intent to cause negative educational, physical, mental, emotional, social or economic results. It adds video content and pagers to methods of electronic communication. Types of electronic communications will include e-mail, instant messaging, text messages, blogs and Internet websites.

The measure directs districts to develop procedures for reporting acts of harassment or bullying. People should be able to report anonymously and no disciplinary action will be taken based upon an anonymous report. The district must publicize the policy through annual notices, display, the handbook and internet. Parents must be notified when their child is the victim of bullying or harassment. The policy must contain procedures for reporting acts to law enforcement. Districts also must train employees annually in preventing and identifying bullying and harassment and provide educational programs for parents and students. The district must provide consequences and remedial action for persons who commit acts of harassment of bullying and those who falsely accuse others. The district must have a strategy to refer victims and those accused of bullying to counseling and services.

The State Board of Education also must develop a model policy and training materials and make a list of available programs for prevention of harassment and bullying. The board must maintain a central repository for collection and analysis of information regarding harassment and bullying and report to the Speaker of the Oklahoma House of Representatives, President Pro Tempore of the Senate and Governor.

Prepared By: Dawn Marks

Fiscal Analysis

Costs associated with the measure relate to training of school personnel who have significant contact with students in preventing, identifying, responding to and reporting incidents of bullying. The State Department of Education estimates the need for \$185,000 for training staff, supplies, and other miscellaneous materials; a minimum of \$2,000 for research-based curriculum; and a minimum of \$500 for other training costs. The agency is currently determining how many teachers/staff can be trained within the given budget, and will provide staff with more detail as it becomes available. Training and staff are currently funded through a federal grant, but as the grant runs out in September, the agency is requesting state funding to replace federal funding.

Prepared By: Nicole Barnes

Other Considerations

None