

**REVENUE: No revenue impact**

**FISCAL: Minimal fiscal impact, no statement issued**

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed
<b>Vote:</b>	9 - 1 - 0
<b>Yeas:</b>	Dembrow, Harker, Huffman, Komp, Maurer, Roblan, Sprenger, VanOrman, Gelser
<b>Nays:</b>	Thatcher
<b>Exc.:</b>	0
<b>Prepared By:</b>	Kevin T. Christiansen, Administrator
<b>Meeting Dates:</b>	3/9, 3/11

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**WHAT THE MEASURE DOES:** Amends definition of “harassment, intimidation or bullying” in ORS 339.351 to include any act that interferes with the psychological well-being of a student and any act that may be based on the protected class status of a person. Defines “protected class” as a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation, national origin, marital status, and familial status, source of income or disability. Places new content requirements on school district policies related to harassment, intimidation and bullying. Requires districts to include the following additional items in harassment, intimidation and bullying policies: the definition of protected class; statement of the scope of the policy; reporting and investigation procedures related to harassment, intimidation and bullying; and procedures for a person to request that a district review the actions a school took in responding to a harassment, intimidation or bullying report. Requires districts, at a minimum, to make their harassment, intimidation and bullying policies annually available to parents, guardians, school employees and students. Provides that a district that fails to supplement its policy is considered non-standard under ORS 327.103. Encourages school districts to incorporate into existing training programs for students and school employees’ information related to the prevention of, and appropriate response to, acts of harassment, intimidation and bullying. Provides that provisions related to new definitions and policy requirements shall first apply to the 2009-2010 school year. Declares an emergency, effective July 1, 2009.

**ISSUES DISCUSSED:**

- Existing district policies related to harassment, intimidation and bullying
- Accounts of incidents related to harassment, intimidation and bullying
- Long term effects of harassment and bullying

**EFFECT OF COMMITTEE AMENDMENT:** Revises the definition of “harassment, intimidation and bullying” to include any act based on, but not limited to, a person’s protected class. Removes language requiring the harassment, intimidation and bullying policy of a district to include a statement on how a person who is a member of a protected class may file a discrimination complaint. Removes school district reporting requirements to the Department of Education regarding harassment, intimidation and bullying. Encourages, rather than requires, districts to incorporate harassment, intimidation and bullying prevention training into existing training programs for students and employees.

**BACKGROUND:** HB 2599-A modifies ORS 339.351 to 339.364 to include additional required items in a school district’s harassment, intimidation and bullying policy. The definition of “harassment, intimidation and bullying” would include any act that interferes with the psychological well-being of a student and may be based on, but not limited to, a protected class status of a person. The measure encourages, but does not require, districts to use existing training programs for students and school employees related to prevention and responses to harassment, intimidation and bullying. Districts that fail to comply with the new harassment, intimidation and bullying policy requirements could be found to be non-standard and State School Fund moneys may be withheld under ORS 327.103.

3/18/2009 3:49:00 PM

*This summary has not been adopted or officially endorsed by action of the committee.*