

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 4 - 0 - 1

Yeas: Bonamici, George, Shields, Hass

Nays: 0

Exc.: Morse

Prepared By: Linda Lindholm, Administrator

Meeting Dates: 3/29, 4/12, 4/19

WHAT THE MEASURE DOES: Requires school districts to develop policy prohibiting harassment, intimidation or bullying and prohibiting cyber-bullying after consultation with parents, guardians, school employees, volunteers, students, administrators and community representatives. Requires school employees to report acts of harassment, intimidation or bullying and acts of cyber-bullying. Allows remedial action for failure to report. Allows a student or volunteer to report acts voluntarily and anonymously to a person responsible for receiving such a report. Requires school to prominently post policy related to acts of harassment, intimidation or bullying and acts of cyber-bullying. Declares emergency, effective July 1, 2011.

ISSUES DISCUSSED:

- Case histories of cyber-bullying and suicide
- Prevalence of digital technology used to harass and threaten students
- Oregon leadership in cyber-bullying laws and policies
- Involvement of law enforcement, defining conspiracy and repeated acts

EFFECT OF COMMITTEE AMENDMENT: Deletes requirement to report to law enforcement. Removes increased remedial actions for conspiracy or additional acts.

BACKGROUND: Harassment, intimidation and bullying are defined as instances of verbal abuse or physical altercations perpetrated against a person. Cyber-bullying occurs when a child or teenager is harassed, humiliated, embarrassed, threatened or tormented using digital technology. As Internet, online social networks, videos, telephone text messaging and other digital technologies continue to grow, so does cyber-bullying. The use of information and communication technologies to support deliberate, systematic, repeated and hostile behavior by an individual or group, that is intended to hurt, embarrass or harm others thrives in cyberspace.

The National Crime Prevention Council reports bullying is a problem that affects half of all American teens. Almost eighty percent of students said that they either had no school or parental rules about Internet use or found ways around them. Eighty-one percent of youth said that others cyber-bully because they think it is funny. Nearly thirty percent of teens want to seek revenge on those who cyber-bully them. Only eleven percent of teens talked to parents about incidents of cyber-bullying. There are cases in which cyber-bullying has led to distress, social problems, rule breaking, aggression, fearing for safety, severe depression, self-harm and suicide.

Research studies updated in March 2011, report that 45 states have bullying laws, 44 require school policies, 31 include electronic harassment, and 6 of those include cyber-bullying specifically. Thirty-nine states impose school sanctions and 7 have criminal sanctions. Washington State has the only legislation that proposes to extend punishment for cyber-bullying that occurs off-campus, yet threatens a student and impairs his or her capacity to learn at school. Senate Bill 240-A places Oregon among the leading six states for proactive school policies regarding bullying and cyber-bullying.

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