

## HOUSE AMENDMENTS TO HOUSE BILL 3032

By COMMITTEE ON EDUCATION

April 16

1 On page 1 of the printed bill, delete lines 5 through 31 and delete page 2 and insert:

2 **“SECTION 1.** ORS 339.356 is amended to read:

3 **“339.356. (1)** Each school district shall adopt a policy prohibiting harassment, intimidation or  
4 bullying and prohibiting cyberbullying. School districts shall develop the policy after consultation  
5 with parents, guardians, school employees, volunteers, students, administrators and community rep-  
6 resentatives.

7 **“(2)** School districts must include in the policy:

8 **“(a)** A statement prohibiting harassment, intimidation or bullying and prohibiting cyberbullying.

9 **“(b)** Definitions of ‘harassment,’ ‘intimidation’ or ‘bullying’ and of ‘cyberbullying’ that are con-  
10 sistent with ORS 339.351.

11 **“(c)** Definitions of ‘protected class’ that are consistent with ORS 174.100 and 339.351.

12 **“(d)** A statement of the scope of the policy, including a notice that the policy applies to behavior  
13 at school-sponsored activities, on school-provided transportation and at any official school bus stop.

14 **“(e)** A description of the type of behavior expected from each student.

15 **“(f)** A procedure that is uniform throughout the school district for reporting an act of  
16 harassment, intimidation or bullying or an act of cyberbullying. A procedure established under this  
17 paragraph shall:

18 **“(A)** Identify by job title the school officials responsible for receiving such a report at a school.

19 **“(B)** Require a school employee to report an act of harassment, intimidation or bullying or an  
20 act of cyberbullying to a person identified under subparagraph (A) of this paragraph.

21 **“(C) Require a school official identified under subparagraph (A) of this paragraph to no-**  
22 **tify the parents or legal guardians of a student if the school official has confirmed that the**  
23 **student was subjected to an act of harassment, intimidation or bullying. Notification re-**  
24 **quired under this subparagraph must occur:**

25 **“(i) Within a reasonable period of time; or**

26 **“(ii) Immediately, for acts that caused physical harm to the student.**

27 **“[(C)] (D)** Identify any remedial action that may be imposed on a school employee for failure to  
28 make a report as required by subparagraph (B) of this paragraph.

29 **“[(D)] (E)** Allow a student or volunteer to report an act of harassment, intimidation or bullying  
30 or an act of cyberbullying voluntarily and anonymously to a person identified under subparagraph  
31 (A) of this paragraph. Nothing in this subparagraph may be construed to permit remedial action  
32 solely on the basis of an anonymous report.

33 **“(g)** A procedure that is uniform throughout the school district for prompt investigation of a  
34 report of an act of harassment, intimidation or bullying or an act of cyberbullying. A procedure es-  
35 tablished under this paragraph shall identify by job title the school officials responsible for investi-

1 gating such a report.

2 “(h) A procedure by which a person may request a school district to review the actions of a  
3 school in responding to a report of an act of harassment, intimidation or bullying or an act of  
4 cyberbullying or investigating such a report.

5 “(i) A statement of the manner in which a school and a school district will respond after an act  
6 of harassment, intimidation or bullying or an act of cyberbullying is reported, investigated and, **if**  
7 **applicable**, confirmed.

8 “(j) A statement of the consequences and appropriate remedial action for a person found to have  
9 committed an act of harassment, intimidation or bullying or an act of cyberbullying.

10 “(k) A statement prohibiting reprisal or retaliation against any person who reports an act of  
11 harassment, intimidation or bullying or an act of cyberbullying and stating the consequences and  
12 appropriate remedial action for a person who engages in such reprisal or retaliation.

13 “(L) A statement of the consequences and appropriate remedial action for a person found to  
14 have falsely accused another of having committed an act of harassment, intimidation or bullying or  
15 an act of cyberbullying as a means of reprisal or retaliation, as a means of harassment, intimidation  
16 or bullying or as a means of cyberbullying.

17 “(m) A statement of how the policy is to be publicized within the district. At a minimum, a  
18 school district shall make the policy:

19 “(A) Annually available to parents, guardians, school employees and students in a student or  
20 employee handbook; and

21 “(B) Readily available to parents, guardians, school employees, volunteers, students, adminis-  
22 trators and community representatives at each school office or at the school district office and, if  
23 available, on the website for a school or the school district.

24 “(n) The identification by job title of school officials and school district officials responsible for  
25 ensuring that the policy is implemented.

26 “(3) A school district that does not comply with the requirements of this section is considered  
27 nonstandard under ORS 327.103.

28 “**SECTION 2. This 2019 Act being necessary for the immediate preservation of the public**  
29 **peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect**  
30 **July 1, 2019.**”

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