



**Testimony to the Senate Committee on Education
Senate Bill 137**

February 19, 2013

Chair Abrams and Members of the Committee:

I am Trudy Racine, Vice President of Operations for the Kansas Children's Service League. I appreciate this opportunity to provide information regarding SB 137. The mission of the Kansas Children's Service League (KCSL) is "to protect and promote the well-being of children." We are the Kansas chapter of Prevent Child Abuse America.

We are supportive of schools taking action to address bullying. Although bullying is generally a form of peer-to-peer child abuse, it can also include teacher-student bullying and student-teacher bullying. Bullying is a priority of Prevent Child Abuse America, our national organization, and a priority of our agency. The Kansas Children's Service League has implemented the BullySafe model with SuEllen Fried, a former member of our Board of Directors, in the Blue Valley, De Soto, Great Bend, Holcomb, Kaw Valley, Olathe and Wichita School Districts with great results.

KCSL currently contracts with the Kansas State Department of Education to operate the Bullying Prevention Hotline. Anyone who has questions about a bullying situation can call our 24-hour Parent and Youth Resource Line at 1-800-332-6378 or 1-800-CHILDREN. The Resource Line can also be contacted via text or email at 1800children@kcsl.org. This anonymous helpline is staffed by trained professionals and volunteers who listen to each caller's concerns and seek to provide the caller with resources that can assist them. We strive to provide connections, empower people and transform our culture to one of kindness. The Parent and Youth Resource Line has the capabilities to communicate with all non-English speaking callers.

Bullying prevention information is on our website at <https://www.kcsl.org/BullyingPrevention.aspx> and on Facebook at <https://www.facebook.com/#!/MakingKansasBullyFree>. In addition, KCSL provides an array of online learning opportunities for teachers on bullying issues.

We believe that KSA 72-8256, which was passed in 2007 and amended in 2008 to include cyberbullying, gave Kansas a good start towards addressing bullying behaviors in our public schools. However, school districts across the state have made varying degrees of progress in implementing the current statute. We do think it is time to consider revising the statute to keep up with current best practices and to ensure that all Kansas schools are in compliance. Several bills have been introduced this session that would revise the existing statute. KCSL is

Senate Education Committee
Date 2-19-13
Attachment 1

supportive of legislation that would move Kansas statutes into closer compliance with nationwide standards and emerging best practice.

The United States Department of Education has identified 16 key components of state anti-bullying legislation. Kansas' statute currently only includes five of those components, as shown on the attached chart. The entire report from which the chart was drawn is available at <http://www2.ed.gov/rschstat/eval/bullying/state-bullying-laws/state-bullying-laws.pdf>.

Although Kansas covers three of the four basic definitional components and does require school districts to have a bullying policy, Kansas and Minnesota are the only two that do not cover any of the six key district policy components. Kansas also does not cover the important components of communication and transparency/monitoring; nor does it provide for legal remedies.

SB 137 would strengthen the District plan development process by involving representation of parents, school employees, school administrators and the community through the school site councils. KCSL believes including these additional parties in developing the plan would increase support for and awareness of local district policies.

SB 137 would also require the plan to be published on the school district's web site with a link to the home page, distributed annually to parents and guardians, and submitted to the Department and Education to be kept on file. These changes would enable Kansas to receive a "check mark" for Communication, but more importantly, they would address concerns such as those raised by parents who recently testified in the House Education Committee regarding HB 2222 that their districts' policies were difficult to find.

The Committee may wish to take advantage of this opportunity to consider adding one or more of the six key District policy components Kansas' current law does not address. We have attached balloons that would address four of those key district policy components. We believe taking these additional steps would increase the effectiveness of anti-bullying efforts in Kansas schools without undermining local control or increasing costs.

- **Definitions.** Kansas' law includes definitions of bullying that reflect standard practice and understanding, but school districts are not required to include those definitions in their bullying policies. Adding them would provide individuals who believe they are being bullied with information they need to determine whether the behavior in question is covered under Kansas law.
- **Reporting.** Current statute does not require district policies to include a procedure for students, families, staff, and others to report incidents of bullying that includes a process to submit such information anonymously and with protection from retaliation, including contact information for the person who receives the report and investigates the incident.
- **Investigation.** Current statute does not require district policies to include a procedure for promptly investigating and responding to reported incidents of bullying that includes immediate interventions, notification to parents and if appropriate, law enforcement officials.
- **Referral.** Current statute does not require district policies to include a procedure for referring the victim, perpetrators, and others to counseling and mental and other health services, as appropriate.

We recognize that some school districts may have incorporated these suggested elements in their policy and practice, but adding them to statute would ensure all districts take those steps. Although we believe increased accountability measures and reporting requirements could improve the success of bullying prevention in Kansas schools, we recognize that additional requirements will require additional effort. We defer to the Kansas State Department of Education to help you assess the reasonableness of any additional requirements the Committee may wish to consider.

Thank you for the opportunity to provide this information about SB 137 and Kansas' bullying statute. I would be happy to stand for questions.

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For KCSL news and updates, sign up for our e-newsletter at www.kcsl.org or connect with us on Facebook at www.facebook.com/MyKCSL or on Twitter at www.Twitter.com/KCSL.

For Prevent Child Abuse Kansas updates follow PCA Kansas at www.Twitter.com/PCAKansas.

Our Mission: To Protect and Promote the Well-Being of Children

1-3

Exhibit 15. Extent of coverage of U.S. Department of Education-identified key components in state bullying legislation, by state (n=46)

State	Definitions				District policy review & development		District policy components						Additional components			TOTAL	
	Purpose	Scope	Prohibited behavior	Enumerated groups	District policy	District policy review	Definitions	Reporting	Investigations	Written records	Consequences	Mental health	Communications	Training/prevention	Transparency/monitoring		Legal remedies
Alabama	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓		14
Alaska	✓	✓	✓		✓		✓	✓		✓	✓	✓	✓		✓		8
Arizona	✓	✓			✓		✓	✓	✓	✓	✓	✓					10
Arkansas	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			14
California		✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓		12
Colorado		✓	✓		✓	✓	✓				✓	✓	✓				8
Connecticut		✓	✓		✓	✓		✓	✓	✓	✓	✓	✓	✓	✓		12
Delaware	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		13
Florida	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		15
Georgia	✓	✓	✓		✓			✓	✓		✓	✓	✓				9
Idaho	✓		✓		✓						✓	✓					5
Illinois	✓	✓	✓	✓	✓	✓				✓		✓	✓		✓		10
Indiana	✓	✓	✓		✓			✓	✓		✓		✓	✓			8
Iowa	✓	✓	✓	✓	✓		✓	✓	✓		✓	✓	✓	✓	✓	✓	13
Kansas	✓	✓	✓		✓			✓			✓		✓	✓			5
Kentucky	✓	✓	✓		✓			✓	✓		✓	✓	✓	✓	✓		9
Louisiana	✓	✓	✓		✓			✓	✓	✓	✓	✓	✓	✓	✓		11
Maine	✓	✓	✓	✓	✓		✓	✓	✓		✓	✓	✓				12
Maryland	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	16
Massachusetts	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓		✓		13
Minnesota	✓				✓												2
Mississippi	✓	✓	✓		✓			✓	✓		✓	✓					8
Missouri		✓	✓		✓			✓			✓	✓	✓				7
Nebraska		✓	✓		✓						✓						4
Nevada	✓	✓	✓		✓	✓	✓	✓	✓	✓		✓	✓	✓			12
New Hampshire	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	14
New Jersey	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	16
New Mexico	✓	✓	✓	✓	✓		✓	✓	✓		✓	✓	✓	✓			11
New York	✓	✓	✓	✓	✓		✓	✓	✓		✓	✓	✓	✓	✓	✓	13
North Carolina	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓		✓		13
North Dakota	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	13
Ohio	✓	✓	✓		✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	13
Oklahoma	✓	✓	✓		✓	✓		✓		✓	✓	✓	✓				10
Oregon *	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓		14
Pennsylvania		✓	✓		✓	✓	✓	✓		✓		✓	✓				9
Rhode Island	✓	✓	✓		✓	✓		✓				✓	✓		✓		9
South Carolina	✓	✓	✓		✓		✓	✓	✓		✓	✓	✓		✓		11
Tennessee	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		11
Texas	✓	✓	✓								✓	✓	✓				6
Utah	✓	✓	✓		✓		✓					✓	✓		✓		8
Vermont	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓		13
Virginia	✓	✓	✓	✓	✓		✓			✓		✓	✓	✓	✓	✓	11
Washington	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	15
West Virginia	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	14

See notes at end of table.

Continued on next page.

Kansas Children's Service League

2/19/13

Proposed balloons for SB 137

(to be inserted on page 2, line 5, at the end of the portion in italics)

Key component balloon would address:	Language for balloon:
Definitions	Such plan shall include a definition of bullying consistent with the definitions specified in state law.
Reporting	Such plan shall include a procedure for students, students' families, staff, and others to report incidents of bullying, including a process to submit such information anonymously and with protection from retaliation. The procedure shall identify and provide contact information for the school personnel responsible for receiving the report and investigating the incident.
Investigation	Such plan shall include a procedure for promptly investigating and responding to any report of an incident of bullying, including immediate intervention strategies for protecting the victim from additional bullying or retaliation; as well as notification to parents of the victim or reported victim, of bullying; to the parents of the alleged perpetrator; and, if appropriate, to law enforcement officials.
Referral	Such plan shall include a procedure for referring the victim, perpetrator, and others to counseling and mental and other health services, as appropriate.

1-5