

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:40 p.m. on March 6, 2008, in Room 123-S of the Capitol.

Committee members absent: Carolyn McGinn—excused

Committee staff present: Sharon Wenger, Kansas Legislative Research Department
Carol Toland, Kansas Legislative Research Department
Theresa Kiernan, Revisor of Statutes Office
Matt Todd, Revisor of Statutes Office
Shirley Higgins, Committee Secretary

Conferees appearing before the committee: Representative Tom Burroughs
Kathy Cook, Kansas Families for Education
Thomas Witt, Kansas Equality Coalition
Tom Krebs, Kansas Association of School Boards

HB 2758 – Schools; cyberbullying prohibited

Matt Todd, Revisor of Statutes Office, explained that **HB 2758** amends the statute that requires school districts to prohibit bullying on school property, in school vehicles, and at school events. The bill would require districts to extend their policies to prohibit cyberbullying. The bill also adds “electronic acts” to the first part of the definition of bullying on page 1, line 18, and “cyberbullying” is inserted on page 1, line 30, to specify that cyberbullying is included in the definition of bullying. Lines 35 through 38 define cyberbullying and provide some examples of electronic communication devices. Mr. Todd explained further that the House Committee on Government Efficiency and Technology amended the bill on page one, line 43, by adding language to prohibit bullying with the use of school property.

Representative Tom Burroughs testified in support of **HB 2758**. He noted that electronic devices have increasingly become another way for today’s youth to perpetuate victimization of others. The media recently reported that a Missouri teenager took her life due to the psychological effects of bullying and misrepresentation of her character on the Internet, and there have been a number of other reported cases nationwide wherein electronic devices were utilized in school and out of school to torment, harass, and intimidate. On behalf of the tormented, harassed, and ridiculed, he asked that the Committee support the bill. (Attachment 1)

Kathy Cook, Kansas Families for Education, testified in support of **HB 2758**. She informed the Committee that a national, nonprofit anti-crime organization (Fight Crime: Invest in Kids) conducted a poll on cyberbullying in 2006. The results of the poll indicated that 45 percent of preteens and 30 percent of teens that were bullied were cyberbullied at school. She said cyberbullying is not going to go away; therefore, adults must take every precaution possible to protect all Kansas students. (Attachment 2)

Thomas Witt, Kansas Equality Coalition, testified in support of **HB 2758**. He observed that, in the past, children who were victimized at school could go home at the end of the school day, leaving that harassment behind them and finding safety and peace in the privacy of their homes. However, the generation now in school is “wired in” through e-mail, web sites, text messaging, and more. Unlike adults, children do not know how to set the boundaries they need in order to escape the problems arising due to the “always connected” world. Now, we read news reports about tragedies linked to bullying and cyberbullying. In conclusion, Mr. Witt discussed recent studies which have shown that our new electronic age of constant, instant communications gives school children no safety, no escape, and no refuge from attack. He said amending the current statute to include cyberbullying was the right thing to do for today’s children. (Attachment 3)

Senator Schodorf called the Committee’s attention to written testimony in support of **HB 2758** submitted by Terry Forsyth, Kansas National Education Association. (Attachment 4)

CONTINUATION SHEET

MINUTES OF THE Senate Education Committee at 1:40 p.m. on March 6, 2008, in Room 123-S of the Capitol.

Tom Krebs, Kansas Association of Schools, testified in support of **HB 2758**. He noted that the bill amends a law passed last year which requires school district policies to prohibit bullying on school property, in a school vehicle, or at a school-sponsored activity or event. Since the enactment of this law, KASB has held three seminars to help school districts develop policies and programs to address bullying and also has provided legal advice. KASB believes that adding cyberbullying to the law and to school district policies will help strengthen awareness by students and staff. However, he felt that the Committee should be aware that school districts have much more limited authority to regulate speech away from school, and attempting to discipline students for cyberbullying could be a time-consuming process that requires technological and legal assistance. (Attachment 5)

There being no others wishing to testify, the hearing on **HB 2758** was closed.

Senator Schodorf called the Committee's attention to the minutes of the March 5 meeting.

Senator Teichman moved to approve the minutes of the March 5 meeting, seconded by Senator Lee. The motion carried.

The meeting was adjourned at 2:05 p.m.

The next meeting is scheduled for March 10, 2008.