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Oral Testimony - Opponent  
House Bill 2143  
House Committee on Education  
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Chairman Thomas, members of the Committee, thank you for the opportunity to appear before you to offer testimony on House Bill 2143.

Kansas NEA has a long history of working to help combat bullying. Over the years a variety of bills addressing bullying have been debated in the Statehouse. Some we have supported while others we have opposed. In the case of House Bill 2143, I stand before you to express our opposition.

I want to be clear in that we are not opposing the effort to address bullying in our schools. We very much support working to reduce the act of bullying. We support the adoption of similar policies by districts state-wide. We support the adoption of bullying prevention and response procedures. We support clearly identified reporting mechanisms. We support the publication of all these items to be easily accessible on school websites as no one should have to search for these important resources. And we support education and training for staff and students.

However, we believe that the problem this bill is attempting to address is less about the act of bullying and more about the misperceptions of schools' responses – or lack thereof – to allegations of bullying. Often, cases involving bullying are not simple, clear-cut issues; how the instances are addressed are not public knowledge due to student and/or personnel privacy concerns.

As such, what we oppose is the legislative overreach as well as the prescriptive and redundant nature of House Bill 2143.

It is our fundamental belief that the Kansas State Board of Education is the proper place to address this issue, followed closely by the boards of local school districts. We believe this bill oversteps the authority of both the State Board of Education and local school boards, as established in Article 6 of the Kansas Constitution.

Kansas NEA was happy to see the State Board of Education put together a bullying task force to thoroughly study the issue, find solutions, and publish an extensive report for school districts to utilize when developing and adopting policies and plans to address bullying.

In turn, these recommendations have been utilized by local school boards when adopting policies as required by law in KSA 72-6147(b). Some of the board policies that have been adopted to address bullying include JDDC Bullying, GAAE Bullying by Staff, and KGC Bullying by Parents, all of which should be published as part of district board policies on district websites.

Furthermore, these policies require a plan to address bullying, including provisions for the prevention of bullying, the training and education of staff members and/or students, references to the discipline guidelines as published in student and employee handbooks, and instructions for filing a police report, if deemed necessary. It is required by district policies that these plans be reviewed and approved by the local boards and, subsequently, published on district websites.

We believe the Kansas State Board of Education should continue to have the purview of making recommendations and local school boards should continue to have the authority to adopt policies and procedures to have the flexibility to best address bullying in their districts.

It is for these reasons that we respectfully ask that you do not pass House Bill 2143.