

STATEMENT OF PURPOSE

RS23521

This legislation strengthens Idaho's existing anti-bullying laws by ensuring that districts, schools, and school personnel have a role in preventing and intervening in bullying should it occur. At present Idaho's anti-bullying law is solely punitive, providing that an offense "may" be an infraction. Under the proposed legislation, standard language relating to the commission of an infraction is added, removing "may" and leaving it to the courts to determine whether an individual student has in fact violated the provisions of this section of law. Additionally a third offense would be a misdemeanor, providing schools more tools for addressing repeat offenders and those for whom school resources and intervention are not successful.

The legislation specifies a role for school superintendents and principals in informing staff, parents and students through student handbooks and other means that bullying is prohibited and to convey what constitutes bullying to further ensure all are aware of school district policy. It is the intent of this legislation to make it clear that school personnel are authorized and expected to intervene where they see incidents of bullying to further prevent harm to students and ensure all parties recognize bullying, harassment and intimidation when it occurs.

Finally, the legislation provides for inclusion of anti-bullying content in district, teacher and staff training and orientations to help staff recognize and most appropriately intervene should any of the many types of bullying occur.

FISCAL NOTE

It is anticipated that this legislation will not increase the cost to the State's General Fund as it is expected that the statute will be carried out within the existing framework of the State Department of Education and In-Service Trainings that occur in the school districts. Funds have been allocated for the purpose of developing and implementing school safety improvements pursuant to Sections 63-2506, 63-2552A, 63-3035A and 63-3067 of Idaho Code, and such funds may be utilized to cover any minimal additional training costs resulting from this legislation.

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