

**House Primary and Secondary Education Committee
HB 310 Interested Party Written Testimony
Ohio Association Secondary School Administrators
Ohio Association of Elementary School Administrators
Ohio School Boards Association
Buckeye Association of School Administrators
November 12, 2019**

Chairman Jones, Vice Chair Manchester, Ranking Minority Member Robinson, and members of the House Primary and Secondary Education Committee. Thank you for the opportunity to submit comments to you today regarding HB 310.

Among other things, HB 310, titled the “Ohio Anti-Bullying and Hazing Act,” requires school districts to adopt a policy requiring disciplinary action against a student who commits an offense of harassment, intimidation, or bullying and establishes required consequences. The bill requires the State Board of Education to develop evidence-based best practices regarding harassment, intimidation, and bullying and requires public schools to investigate any report of harassment, intimidation, or bullying by an employee or volunteer. The bill also revises the criminal prohibition on “hazing.”

We agree there is a value to some of the provisions contained in Substitute HB 310. The bill’s requirement for the State Board of Education to develop a model policy and best practices to assist school districts in dealing with these behaviors would be very helpful. The bill’s expanded list of those individuals or positions who would be covered by a district’s anti-bullying policy are important as well. These changes in the bill would update the Revised Code statutes to better reflect today’s challenges.

There are some provisions in the bill that we think are redundant, unnecessary and would represent departures from the way other discipline matters are handled. Please consider the following:

- Under current Ohio law, school districts are already required to develop anti-bullying policies in consultation with parents, school employees, school volunteers, students, and community members. These policies must address a variety of issues, including, but not limited to:
 - procedures for reporting, conducting investigations, and documentation;
 - strategies for protecting a victim or anyone else who files a report;
 - disciplinary consequences for violation of the policy.

- Ohio law requires that parents of students involved in bullying be notified of any incidents and given copies of any written reports.

- Ohio law requires districts to provide training for faculty and staff on the district’s harassment, intimidation, and bullying policies.

- Anti-harassment, intimidation, and bullying are part of Ohio’s prescribed curriculum. Being aware of, and understanding how to respond to these issues is taught across the grade levels in age-appropriate ways. The Ohio Department of Education provides many resources for schools and teachers to teach about these concepts. These resources reflect best practices. Ohio’s recently developed social and emotional learning standards provide even more focus on the teaching of issues related to harassment, intimidation, and bullying.

The bill would make a significant change in school district practices by specifying that it is the district superintendent, or equivalent official, who would take disciplinary action against a student who commits an offense of harassment, intimidation, or bullying.

The bill would allow a school administrator, including the district superintendent or principal, to petition the governing body of the district or school to approve an alternative form of discipline other than those prescribed in the bill.

This legislation would require the superintendent and Board of Education to become involved in disciplinary matters which are the primary responsibility of building principals. It undermines a process that has long been in place whereby the superintendent, and ultimately, the Board of Education, serve as avenues should a disciplinary measure be appealed by a student or parents, allowing an additional level of fairness to the student's due process.

Other elements of the bill, such as the types of discipline to be implemented, the use of community service, prohibition on involvement in extra-curricular activities for disciplined students, and academic support for disciplined students and victims, are already addressed within school districts' policies and guidelines.

We are all invested in protecting students from circumstances of harassment, intimidation and bullying. Established policies and practices currently in place in Ohio's schools help to assure that we do so. Certainly, there are situations where policy is not followed to the detriment of students. These are local issues which are ultimately addressed through increased awareness, additional training, and improved communication systems. However, we do not hear about the issues that are handled successfully and in the best interest of students because established policies and procedures guided the actions of district officials.

In conclusion, we believe most elements of HB 310 are already addressed in Ohio law and are part of school districts' policies. We urge you to work with districts to make adjustments within their current policies to improve the process without implementing the wholesale changes outlined in HB 310.

Respectfully submitted,

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