



State Representative Dave Greenspan

Sponsor Testimony

House Bill 360

Chair Lehner, Vice Chair Huffman and Ranking Member Sykes, and members of the Senate Education Committee, I stand before you today as the sponsor of House Bill 360 – “The Ohio Anti-Bullying and Anti-Hazing Act”. This bill was drafted to provide a standard general protocol for addressing acts of bullying and hazing while continuing to respect the concept of local control.

We have all seen and heard of horrific acts of bullying and hazing throughout our state and nation. Unfortunately, whether through an increase in reporting of these acts or the simple fact that these situations are becoming more prevalent – this issue needs to be addressed. I am not bringing this issue forward because is it topical or in the headlines but because my family has experienced two incidences of bullying in the past few years. Simply, I do not want others to experience what we have.

The conception of this bill began shortly after I was sworn-in to office this past January. As part of our review we not only looked at the current Ohio law but LSC conducted a nationwide research project and identified bullying and hazing laws from other states. As a result of that analysis, several “best practices” approaches from other states have been incorporated into this bill. I will point them out to you as we discuss House Bill 360.

This bill provides a practical, measured, firm but fair and a compassionate approach to address this issue.

The bill preserves local control in addressing bullying by providing complete autonomy for public schools to address and respond to first reported offense of bullying towards a student. If bullying persists, then the provisions of the "Ohio Anti-Bullying and Hazing Act" shall be enacted. With that being said this aspect of the bill is ultimately a "second strike bill," once the first offense is deemed as bullying the district can act on the matter as they see fit.

This important piece of legislation prescribes that a student identified as a bully will serve a suspension, the term of which is based on the number of reported cases and severity of the bullying and is at the discretion of the district. During the period of suspension the district:

- May require the student to participate in a community service program
- May provide tutoring and academic support
- May offer counseling services
- May impose other provisions as determined by the district
- Shall allow the student to take all academic state assessments
- Shall prohibit the student from participating in extra-curricular activities

The bill also provides for the district to offer to the victim of bullying:

- Tutoring and academic support
- Counseling services

This piece of legislation applies to public and charter school students in grades 4 through 12 and exempts students with developmental disabilities.

HB 360 revises the criminal definition of "Hazing" to prohibit any act to continue or reinstate membership in or affiliation with any student or other organization to the meaning of hazing. Current law defines hazing as "doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person.

The bill also adds to the list that currently prohibited from recklessly permitting hazing: Teachers, consultants, alumni, and volunteers of any organization, including primary, secondary, and post-secondary schools and any other public or private educational institution. This bill increases the criminal penalty for "hazing" to a second degree misdemeanor, instead of a fourth degree misdemeanor as current law states.

Thank you for the opportunity to provide testimony on this important piece of legislation and I am now free for any questions the committee might have.