

Prevention of School Bullying Task Force Notes: July 9, 2012

Members Present: Willie Bridges, Brenda Cassellius, Vangie Castro, Ted Daley, Phil Duran, Tim Kelly, Kevin Lindsey, Lyn Mitchell, Jacob Reitan, Walter Roberts, Thomas Scott, Kelly Smith

Ex Officio Members: Tim Schellhammer (for Curt Carpenter), Kirk Schneidawind

Information Shared:

- Agenda and packet was reviewed.
- Listening session is scheduled for July 11. Tim, Lyn and Willie will attend. May ask people to react to the recommendations.
- Court decision in Georgia: useful to see what worked and what doesn't work to help prevent the harassment towards a disabled student.
- Draft report submitted to the taskforce: tentative title: Freedom from Fear"
- Materials from Jacob Reitan and Mitchell and Scott submitted to the taskforce for consideration for inclusion into the final recommendations.
- Thanks from the Chair for the work that everyone has put in so far
- Discussion of voting, advice by ex officio members, Draft of decision making procedures accepted tentatively.

Group Discussion:

Commissioner reviewed the executive order: leadership, tracking, enforcement, communication, training, accountability and resources. Asst. Commissioner Hermodson responded to most of each component that are addressed currently in the draft. Note: to say what kind of accountability should be used and what should not be used (i.e., zero tolerance is not useful).

- Re accountability: what happens if a parent goes all the way though the school district and there is no relief; what is the next step for accountability?
- Clarification regarding maltreatment of minors and its reporting requirements.

Discussion of Definition of Bullying

Discussion of bullying definition: submitted by the definition subcommittee. Tried to make a definition that would stand up in court and also be useful to the schools for teaching and interventions. Recognize the harassment law, but also decided to enumerate from least pervasive to most severe. Working on how the schools and law enforcement would interpret this language. The difficulty is that a definition is useless if the administrators can't get the evidence to apply the definition. Included issues regarding association.

Discussion regarding the definition:

- Gender identity and or expression should be its own enumeration. bullying: all students and Harassment: enumeration. If you enumerate, the schools may just focus on that and not others.
- Suggested: the house and the senate should pass this law and include this definition.
Recommendation regarding Scott/Mitchell, d from MKL.

Discussion regarding the scope of the governor's charge: Not sure that the governor is looking for legislation. Looking for review and analysis. We are to make recommendations regarding bullying, and making a new law. The New Jersey law provides specific recommendations regarding reporting, time-lines, etc., etc. All the priorities are required. Should we have that level of detail? Need a strong framework. Having a definition is powerful in and of itself.

Vangie- tried to make distinctions between bullying and harassment. You can draft law that can have detrimental consequences on kids of color.

- Not agreed on the base fundamentals on this issue.
- Finalize and submit the Vangie group definitions. Put the Mitchel/Scott definitions as an appendix. Want the definitions to stand by themselves. Include the glossary of terms.
- Rep Kelly recommends that the taskforce offer specifics and legislators appreciate specifics.

Definition: the taskforce went through, line by line, the definition (a) and (b). The draft will be sent to the taskforce and reviewed by the School Boards' Association lawyers. Discussion of harassment definition: should we refer to the statute, modify the statute or eliminate the statute? MS127A03. Enumerates race sex and religion; and refers to the Human Rights statute. That statute is not clear regarding the interpretation of the enumeration in the HR statute. Civil liability for harassment?
Question:

Some people see bullying as a subset of harassment (GLSEN).

Recommendation that we don't re-define harassment. Use the definition in the MDE harassment model policy. Vangie and MKL will clean up.

Drafted definitions of bullying and harassment have been approved.

Next meeting July 17, 2012 at 8:00-11:00 am