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MARK SAMSEL
5TH DISTRICT

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PROPONENT Testimony – HB 2330 – Anti-Bullying Legislation.

#ForTheKids

Dear Chairman Huebert & Honorable Education Committee Members:

I. Introduction.

For over ten (10) years, Kansas statute has required our school districts to adopt a “policy” and a “plan” to prohibit bullying. It exemplifies local control. *But it’s NOT working.* As a result, this Legislature year-after-year has entertained—but failed to enact—various bills to improve the status quo. Regrettably, prior efforts have been combined with non-germane issues (*e.g.* teacher due process). Or perhaps while engaged in vigorous debate, we have lost focus of what our Kansas kids truly need. Regardless of fault, ***OUR KANSAS KIDS HAVE LOST.*** ***HB 2330 aims to provide a fair, proactive solution to improve the quality of life—and education—for each Kansas student.***

You know the disturbing headlines: attempted suicide, suicide, and gun/school violence. We spend countless resources trying to improve the safety of our schools: new security, new glass windows, school resource officers, and new entrance and exit mechanisms. *But we’re missing a big piece: mental health.* Let’s focus more of our energy, time, heart, and resources directly **#ForTheKids** and their mental health and well-being. A 2018 study reports that **17.92%** of OUR Kansas children have **contemplated suicide**, and **5.08%** have **attempted** it. Bully victims are 2 to 9 times more likely to consider suicide than non-victims. And these stats do not account for all the hours lost from students who skip class or lack concentration due to bullying-related worries.

Critics will undoubtedly point to places where HB 2330 could be improved. They may be right. *But inaction has gone on for far too long.* By failing to effectively address these problems, we too often have allowed our kids—already struggling to find themselves during their teenage years—to feel trapped in situations which, if not appropriately addressed, lead to a sense of hopelessness, or worse.

Anxiety, “bullying,” depression, and stress are nothing new—and in some ways may help our kids develop thicker skin—but **the alarming rates of teenage suicide and gun violence leave us in crisis**. Our kids are resilient, but today’s problems are exacerbated by cell phones (non-stop pictures and videos, spread viral with the click of a button), social media applications (and constant screen time), new easily-hidden drugs (such as vaping), and the list goes on. Our kids now spend most of their days in our schools and at school-related events. **Our government and schools can never be the answer; but we must be part of the solution.** With 1-in-4 of our kids now facing mental health problems, **now** is the time to deliver **#ForTheKids**.

II. Legislative History – “Bare Bones” Protection (2007).

Recognizing the growing problem of bullying and corresponding links to depression and other mental health issues, our Kansas Legislature, in 2007, first enacted anti-bullying legislation, presently codified at K.S.A. 72-6147. At its heart, K.S.A. 72-6147 requires:

The board of education of each school district shall adopt a policy [and a plan] to prohibit bullying either by any student, staff member or parent towards a student or by a student, staff member or parent towards a staff member on or while utilizing school property, in a school vehicle or at a school-sponsored activity or event.

III. The Problem: Some schools have not implemented a framework to adequately address bullying and related problems.

The intent of the prior legislation is commendable. However, its effect in practice has not accomplished—statewide—the goals that the Legislature sought to achieve. Yes, *some* schools have laudably implemented anti-bullying policies and plans as K.S.A. 72-6147 intended. But many fall far short, with little more than lip service given to the underlying anti-bullying policy or plan. K.S.A. 72-6147 fails to provide consistent framework, guidance, or reporting mechanisms across our multiple school districts, and thus, bullying continues unabated.

IV. HB 2330.

To address the above problems, HB 2330 provides a broad prohibition and mandatory framework coupled with local control for many of the specifics. For instance, it requires local stakeholders to come together to address bullying under the general guidelines. Unlike the present statute or other proposals, it also mandates deadline-driven objectives, with reasonable allowances of additional time for good cause. Our kids deserve better than kicking the can down the road with no better future in sight. In our busy world, we have a tendency to put off things without deadlines. Our children’s health and well-being are too important for the status quo to continue.

HB 2330 can be summarized as:

New Section 1.

- (a) General prohibition against bullying, harassment, & cyberbullying.
- (b) Local anti-bullying policy to be adopted with public input.
- (c) Minimum requirements for the local anti-bullying policy, including both a reporting and investigation procedure.
- (d) Extending time.
- (e) Semi-annual reports to local & state boards of education.
- (f) By 9/1/19, State BOE must develop model policy.
- (g) By 11/1/19, each Local BOE must develop anti-bullying policy.

New Section 2. Reporting requirements.

New Section 3. Remedial actions.

Section 5. Definitions.

V. Conclusion.

Honorable Colleagues, in closing, I ask for your enthusiastic and immediate support of HB 2330. Our fellow Kansans sent us to Topeka to help solve the pressing problems of our great State. None are more urgent or important than the mental health and well-being of our kids. I humbly ask for your support of HB 2330, **#ForTheKids**, and to show the world that KANSAS will **#LeadTheWay** when it comes to our future and mental health. I'm truly excited about what lies ahead for the Sunflower State.

I welcome any questions, concerns, or ideas to improve our anti-bullying legislation **#ForTheKids**.

Very truly yours,

/s/ Mark Samsel

Mark Samsel
State Representative, House District 5