

State Board of Education
Public Comment Summary
Proposed Permanent Rule Changes
Chapter 10. School Administration and Instructional Services
Subchapter 1. General Provisions
210:10-1-20. Implementation of policies prohibiting harassment, intimidation and bullying

Summary of Public Comment	Agency Response
<p>Commenter asserts that the requirements for school district bullying policies in (c) adds requirements beyond the scope of the statute and exceeds the scope of the Board's rulemaking authority.</p>	<ul style="list-style-type: none"> • 70 O.S. § 24-100.4 requires the Board to "promulgate rules for periodically monitoring school districts for compliance with this section and providing sanctions for noncompliance with this section." • 75 O.S. § 250.3 defines a "rule" as "any agency statement or group of related statements of general applicability and future effect that implements, interprets or prescribes law or policy..." • Proposed requirement in (c)(2)(B) that the policies provide "guidelines to school administrators, teachers, and other personnel on specific actions to take if incidents of bullying occur" is necessary to ensure compliance with 70 O.S. § 24-100.4(A)(3) and to ensure the safety of students if school personnel witness acts of bullying in progress. • Proposed requirement in (c)(2)(C) that reporting process ensures "tracking of multiple incidents in a way that enables school administrators to identify emerging patterns over extended periods of time and interventions used with specific bullies and victims of bullying" is necessary to ensure compliance with 70 O.S. § 24-100.4(A)(5) and (A)(11). The ability to identify patterns is necessary for investigation of bullying incidents and is necessary to provide appropriate intervention and consequences. • Proposed requirement in (c)(3) that notice of the school bullying policy "shall be written in age-appropriate language that is understandable and accessible by all students in the school in which the notice is distributed" is necessary to ensure compliance with 70 O.S. § 24-

	<p>100.4(A)(4)(a) and (b). The clear purpose of this provision is to ensure that students understand that the school has a bullying policy. Compliance with the statute cannot be achieved if the notice is written in language that is not appropriate to the students' age.</p> <ul style="list-style-type: none">• Proposed requirement in (c)(7)(B) that the policy establishes a procedure for reporting all documented and verified acts of bullying to law enforcement when the verified act has a reasonable potential to endanger the school safety of school students, school personnel, or school visitors is necessary to ensure that 70 O.S. § 24-100.4(A)(8) is not narrowly interpreted in such a way as to limit reports of acts with a reasonable potential to endanger school safety to acts which endanger students. Acts which have a reasonable potential to endanger anyone present on school property should be reported to law enforcement as a matter of public safety.• Proposed examples of consequences and remedial actions for persons who commit acts of bullying in (c)(10)(A) is necessary to clarify the agency's interpretation of 70 O.S. § 24-100.4(A)(11)(a) and provide districts with clear and specific examples of what the agency considers appropriate consequences required by the statute.• Proposed requirement in (c)(10)(B) that consequences and remedial action for a student found to have falsely accused another student of bullying (as a means of retaliation, reprisal, or means of bullying) be appropriate to age of the perpetrator and severity of the incident and that consequences not be implemented or enforced in such a way as to deter credible reports of bullying incidents is necessary to clarify the agency's interpretation of 70 O.S. § 24-100.4(A)(11)(b) and provide districts with clear statements of what the agency considers inappropriate interpretations of this section of the law.• Proposed examples of services and support for those involved in bullying incidents in (c)(10)(C) are necessary to clarify the agency's interpretation of 70 O.S. 24-100.4(A)(11)(c)
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	and provide districts with clear and specific examples of what the agency considers appropriate services required by the statute.
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