

SB 141: Schools Are For Education (SAFE) Act
Prepared by the Office of Public Instruction (OPI)
& the Montana Department of Justice (DOJ)

SENATE EDUCATION
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What does the SAFE Act do?

The SAFE Act is a simple and positive step forward that will:

- help make schools safer places for kids,
- create clarity, transparency and accountability for parents, students, administrators and teachers,
- allow school districts discretion and control in implementing the minimum policy requirements, and
- send a message to students and parents that bullying, intimidation and harassment will not be tolerated in Montana schools.

Why do we need an anti-bullying law?

Bullying, harassment and intimidation are real issues affecting Montana schools. Cell phones and computers have created an entirely new avenue for targeting victims. These problems are no longer confined to school playgrounds or events and often create a negative school environment, disrupting not only the students' ability to learn, but the operation of the school.

Bullying and cyber bullying are serious problems that have a negative effect on everyone involved:

- For victims, they can lead to short and long-term effects that increase the risk for depression, anxiety, poor self-esteem and suicide.ⁱ
- For the bully, they can lead to an increased risk for committing antisocial acts including fighting, vandalism, truancy, dropping out, stealing property, drinking alcohol, smoking and carrying a weapon.ⁱⁱ
- For our schools and communities, these actions can contribute to a negative school climate and have harmful effects on students, families and communities.

Does bullying affect Montana students?

This problem affects students and communities across the nation. Montana is no exception.

- 23% of high school students report being bullied.
- 38% of 7th and 8th graders report being bullied.
- 18% of high school students report being cyber bullied.
- 18% of 7th and 8th graders report being cyber bullied.ⁱⁱⁱ
- 1,470 Montana students were suspended for bullying between 2007 and 2009.^{iv}

Even so, Montana is one of only five states in the nation that has not legislatively addressed bullying in schools.

Building on the good work already happening in Montana schools

According to a recent School Administrators of Montana bulletin on bullying:

“When you consider the many forms it can take and how prevalent it has become, educators can no longer consider bullying something that children just need to deal with. Bullying is a form of peer abuse and every child has a fundamental right to feel safe at school.”

The Montana Board of Public Education recommends that the fundamental approach to preventing bullying begin with adopting a formal school policy.

Many, but not all, Montana school districts already have policies in place that address bullying, harassment and intimidation. According to the 2010 School Health Profiles Report, 80% of Montana schools have a program to prevent bullying.^v **However, there are no established minimum standards for bullying policies that schools are required to follow.**

Overview of SB 141

The SAFE Act defines bullying, harassment or intimidation (including cyber bullying) and establishes minimum policy standards for all school districts. The minimum standards include the following:

- a requirement that all school districts adopt a policy prohibiting bullying, harassment and intimidation
- a statement prohibiting bullying, harassment or intimidation
- procedures for:
 - reporting and documenting reports
 - prompt investigation
 - necessary referral
 - prompt notification of parents or guardians of victim and perpetrator
 - protecting the victim from further bullying, harassment or intimidation
 - establishing consequences
- a process of publicizing the policy (ie. student handbook)

OPI will develop a model policy. Adopted policies will be considered during a school's accreditation review.

2011 Legislature
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ⁱ Olweus D. *Bullying at School: What We Know and What We Can Do*. Cambridge, MA: Blackwell; 1993.

ⁱⁱ Olweus (1993); Nansel, T. R. et al. (2003). Relationships between bullying and violence among US youth. *Archives of Pediatric Adolescent Medicine*, 157, 348-353.; Nansel, T. R., et al. (2001). Bullying Behaviors Among US Youth: Prevalence and Association With Psychosocial Adjustment. *Journal of the American Medical Association*, 285, 2094-2100.

ⁱⁱⁱ Data provided by the 2009 Youth Risk Behavior Survey, Montana Office of Public Instruction.

^{iv} Data provided by the Montana Office of Public Instruction.

^v Data provided by the 2010 School Health Profiles Report.