

New Legislation Seeks to Reduce Bullying, Keep Students Out of Criminal Justice System

New legislation authored by Attorney General Matt Denn, along with Senators Margaret Rose Henry and Brian Pettyjohn, and Representatives Charles Potter and Mike Ramone, will help reduce the number of children injected into the criminal justice system, while improving the state's ability to deal with school bullying incidents. Senate Bill 207, introduced yesterday with bi-partisan support, contains two important provisions:

* First, it will eliminate the obligation that schools currently have to report to the police all fights between students that result in a non-serious injury. Schools, students, and students' parents will still be permitted to report these incidents to the police if they choose to do so. Schools will still be required to report these incidents to the Department of Education. But they will not be compelled to involve the criminal justice system.

* Second, it will require schools to inform parents of students who are victims of bullying of the availability of the Attorney General's Office to intervene in their child's case if the case is not being addressed satisfactorily by their school.

"Last year, 130 students in our public schools were sent to the police for getting into school fights with other students that did not result in serious injuries," said Attorney General Matt Denn. "The schools had no choice under current law but to involve the police. Some of those students probably

should have been dealt with by the police, but some should not. Schools and parents should be able to use their common sense about which school fights are criminal matters and which should be dealt with by the school. The criminal justice system is not a good place for kids, and while sometimes it is necessary, we should be thoughtful about when we use it.”

“School bullying is a serious problem that can have devastating long-term effects if not dealt with swiftly. But it can also represent a teachable moment that allows for early intervention and correction by educators and parents before such incidents become criminal in nature,” said Senate Majority Whip Margaret Rose Henry, who chairs the Senate Judiciary Committee. “The more incidents we’re able to resolve early and administratively, the fewer young people we will have with police records that will haunt them later in their lives.”

“It is vital to keep our schools safe and to address all incidents of bullying. However, not every instance requires law enforcement involvement,” said Rep. Charles Potter. “Once a child is introduced to the justice system, that stigma can follow them around for years, even if the incident was a minor one that could be resolved positively without involving law enforcement. By giving schools and victims’ families discretion, we will hopefully allow for more amicable resolutions to these incidents without unnecessarily overtaxing our criminal justice system and saddling young people with criminal records that hurt their chances to find a job and get a quality education.”

At the same time that the legislation seeks to limit students’ exposure to the criminal justice system, it also seeks to provide better advocacy for students who are the victims of school bullying. The bill would require schools to inform the parents of students who are the victims of bullying and their parents of the availability of an advocate from the Attorney General’s office.

“Too many victims of bullying feel that their concerns are not heard by their schools,” Denn said. “Most students don’t know that our office has a full time school ombudsman who can step in and advocate for bullying victims. This bill will require schools to notify the parents of bullying victims that this help is available.”

“I believe this piece of legislation will bring greater accountability to our school system, sending a clear message that bullying will not be tolerated and that our children’s education will always be at the forefront,” said Senator Brian Pettyjohn. “The job of the Ombudsman is to ensure that students and parents will be kept aware of their rights, and that violence in our schools will never be overlooked. In addition, allowing flexibility for parents and schools to make the right decision in each instance will help keep the focus where it belongs – on what is best for each child in each situation. This will save critical resources and prevent minor offenders from being forced into the criminal justice system.”

State Rep. Mike Ramone stated, “As many parents and students know all too well, unfortunately, bullying in our schools is a real issue. This legislation will ensure that the state’s response to these bullying incidents are handled with the same level of importance and seriousness as any other criminal offense in our schools.”