

Requested by Representative DRAZAN

**PROPOSED AMENDMENTS TO  
HOUSE BILL 3032**

1 On page 1 of the printed bill, delete lines 5 through 31 and delete page  
2 2 and insert:

3 **“SECTION 1.** ORS 339.356 is amended to read:

4 “339.356. (1) Each school district shall adopt a policy prohibiting  
5 harassment, intimidation or bullying and prohibiting cyberbullying. School  
6 districts shall develop the policy after consultation with parents, guardians,  
7 school employees, volunteers, students, administrators and community rep-  
8 resentatives.

9 “(2) School districts must include in the policy:

10 “(a) A statement prohibiting harassment, intimidation or bullying and  
11 prohibiting cyberbullying.

12 “(b) Definitions of ‘harassment,’ ‘intimidation’ or ‘bullying’ and of  
13 ‘cyberbullying’ that are consistent with ORS 339.351.

14 “(c) Definitions of ‘protected class’ that are consistent with ORS 174.100  
15 and 339.351.

16 “(d) A statement of the scope of the policy, including a notice that the  
17 policy applies to behavior at school-sponsored activities, on school-provided  
18 transportation and at any official school bus stop.

19 “(e) A description of the type of behavior expected from each student.

20 “(f) A procedure that is uniform throughout the school district for re-  
21 porting an act of harassment, intimidation or bullying or an act of

1 cyberbullying. A procedure established under this paragraph shall:

2 “(A) Identify by job title the school officials responsible for receiving  
3 such a report at a school.

4 “(B) Require a school employee to report an act of harassment, intimid-  
5 idation or bullying or an act of cyberbullying to a person identified under  
6 subparagraph (A) of this paragraph.

7 “(C) **Require a school official identified under subparagraph (A) of**  
8 **this paragraph to notify the parents or legal guardians of a student if**  
9 **the school official has confirmed that the student was subjected to an**  
10 **act of harassment, intimidation or bullying. Notification required un-**  
11 **der this subparagraph must occur:**

12 “(i) **Within a reasonable period of time; or**

13 “(ii) **Immediately, for acts that caused physical harm to the stu-**  
14 **dent.**

15 “[C)] (D) Identify any remedial action that may be imposed on a school  
16 employee for failure to make a report as required by subparagraph (B) of this  
17 paragraph.

18 “[D)] (E) Allow a student or volunteer to report an act of harassment,  
19 intimidation or bullying or an act of cyberbullying voluntarily and  
20 anonymously to a person identified under subparagraph (A) of this para-  
21 graph. Nothing in this subparagraph may be construed to permit remedial  
22 action solely on the basis of an anonymous report.

23 “(g) A procedure that is uniform throughout the school district for prompt  
24 investigation of a report of an act of harassment, intimidation or bullying  
25 or an act of cyberbullying. A procedure established under this paragraph  
26 shall identify by job title the school officials responsible for investigating  
27 such a report.

28 “(h) A procedure by which a person may request a school district to re-  
29 view the actions of a school in responding to a report of an act of  
30 harassment, intimidation or bullying or an act of cyberbullying or investi-

1 gating such a report.

2 “(i) A statement of the manner in which a school and a school district  
3 will respond after an act of harassment, intimidation or bullying or an act  
4 of cyberbullying is reported, investigated and, **if applicable**, confirmed.

5 “(j) A statement of the consequences and appropriate remedial action for  
6 a person found to have committed an act of harassment, intimidation or  
7 bullying or an act of cyberbullying.

8 “(k) A statement prohibiting reprisal or retaliation against any person  
9 who reports an act of harassment, intimidation or bullying or an act of  
10 cyberbullying and stating the consequences and appropriate remedial action  
11 for a person who engages in such reprisal or retaliation.

12 “(L) A statement of the consequences and appropriate remedial action for  
13 a person found to have falsely accused another of having committed an act  
14 of harassment, intimidation or bullying or an act of cyberbullying as a means  
15 of reprisal or retaliation, as a means of harassment, intimidation or bullying  
16 or as a means of cyberbullying.

17 “(m) A statement of how the policy is to be publicized within the district.  
18 At a minimum, a school district shall make the policy:

19 “(A) Annually available to parents, guardians, school employees and stu-  
20 dents in a student or employee handbook; and

21 “(B) Readily available to parents, guardians, school employees, volun-  
22 teers, students, administrators and community representatives at each school  
23 office or at the school district office and, if available, on the website for a  
24 school or the school district.

25 “(n) The identification by job title of school officials and school district  
26 officials responsible for ensuring that the policy is implemented.

27 “(3) A school district that does not comply with the requirements of this  
28 section is considered nonstandard under ORS 327.103.

29 **“SECTION 2. This 2019 Act being necessary for the immediate**  
30 **preservation of the public peace, health and safety, an emergency is**

1 **declared to exist, and this 2019 Act takes effect July 1, 2019.”.**

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