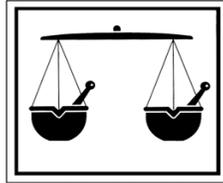


**CLEVELAND STATE UNIVERSITY
CLEVELAND-MARSHALL COLLEGE OF LAW**

Journal of Law and Health Lecture Series



Bullies in a Wired World

Cyberspace Victimization's Impact on Adolescent Mental Health and the Need for Cyberbullying Legislation in Ohio

State Senator Joe Schiavoni, Lead Sponsor for S.B. 127, "Jessica Logan Act"

Cynthia Logan, Mother of Cyberbullying Victim and Advocate for S.B. 127

Timothy Boehnlein, Education Director of the Domestic Violence and Child Advocacy Center

Johanna Orozco, Teen Educator for the Domestic Violence and Child Advocacy Center and Survivor of Violent Cyberbullying

David K. Frattare, Lead Investigator for the Internet Crimes Against Children Task Force

Friday, September 23, 2011

1:00 – 4:00 p.m.

The Joseph W. Bartunek III Moot Court Room

**Ohio Supreme Court
Activity Number 000000000***

3.0 CLE Hours Approved

* The Ohio Supreme Court Activity Number will be provided on the day of the event at the registration table.

State Senator Joe Schiavoni

Representative for Ohio's 33rd Senate District and Lead Sponsor for S.B. 127

Senator Joe Schiavoni (D-Canfield) was appointed to serve in the Ohio State Senate in December 2008. Senator Schiavoni serves the 33rd District, encompassing Mahoning, Carroll, and portions of Stark and Tuscarawas counties. He is a partner at Schiavoni, Schiavoni, Bush and Muldowney Co., L.P.A, specializing in a wide-variety of workers' compensation claims. Through his practice, Senator Schiavoni has represented many injured and displaced workers attempting to recoup lost wages, as well as helping hundreds of workers and their families secure benefits, receive treatment and return to work after rehabilitation.

The Senator grew up in Boardman, Ohio and is a graduate of Boardman High School. He earned his Bachelor's in Communications from Ohio University and continued to further his education at Capital University where he earned his Juris Doctorate. The oldest of four boys, Senator Schiavoni chose to continue his grandfather's namesake with a commitment to civic and community service. In 1986, the Senator's father, Louis Schiavoni, founded the law firm Schiavoni, Schiavoni, Bush and Muldowney Co., L.P.A.

The Senator's commitment to community involvement and the youth of the Valley merited his award of Big Brother of the Year in 2007 from Big Brother and Big Sisters of Mahoning Valley. He is a member of the International Fraternity of Phi Gamma Delta, Alpha Omega Chapter, where he served as Recording Secretary from 1997 to 2001. He is a Member of the Ohio State Bar Association, serving as Co-Chairman of the Public Relations Committee for the Mahoning County Bar Association, and the Senator has also been admitted to the West Virginia State Bar. The Senator is member of the Ohio Justice Association and legal counsel for the Youngstown/Warren chapter of the Legends of Leather, a national boxing organization.

Senator Schiavoni lives in Canfield, OH with his wife Margaret.

Cynthia Logan

Mother of Teen Cyberbullying Victim and S.B. 127 Advocate

Cynthia Logan is an Advocate for children and teenagers' rights on and off school property. She has testified in front of the Ohio State Senate to help pass the "Jessica Logan Act," a cyberbullying amendment to Ohio's current education statutes. Unfortunately, the "Jessica Logan Act" has been pushed aside for over a year.

Cynthia is also the mother of Jessica Renee Logan who is a victim of cyberbullycide. A nude photo of Jessica was reportedly sent to her boyfriend, and the image soon went viral to four high schools. A local resource officer stated that three of the five perpetrators involved in the incident forwarded Jessica's photo. Her daughter's peers became extremely abusive towards Jessica. Although the local resource officer, school officials, and the district attorney were aware of Jessica's bullying, each said they could no longer help her, and the abuse intensified. Cynthia never received any notice that Jessica was harassed in and out of school, except for the information shared by Jessica. Even after Jessica's graduation, the cyber abuse continued. On July 3, 2008, Cynthia's eighteen-year-old daughter took her own life.

Cynthia is dedicated to help change the climate on how parents, children, teenagers, adults, school officials, police officers, community leaders, and lawmakers view this very important issue. "Our children are dying and no one is taking note in our state. This epidemic is preventable. It must stop. We are all responsible for the well-being and safety of our school age students, whether they are entering kindergarten or a senior in high school. We have an obligation, a duty to protect our young citizens." Cynthia has appeared on "The Today Show," "Good Morning America," "The Early Show," and CBS's "48 Hours," to share her daughter's tragic story and to advocate for cyberbullying-specific legislation in Ohio and other states.

Timothy Boehnlein

Education Director of the Domestic Violence and Child Advocacy Center

Timothy Boehnlein, M.A. has a Master's Degree of Counseling Psychology from Cleveland State University. He has over 16 years of experience in assessment of perpetrators of domestic violence, facilitating batterer intervention groups, counseling domestic violence and stalking offenders, and diagnostic assessments. He developed the Batterer Treatment Program for the Domestic Violence Center in 1992 which was in operation for 15 years. Tim is also experienced in operating and managing a supervised visitation center where children can visit with their non-custodial parent in a safe environment free of power and control, manipulation and coercion. He has worked for the Domestic Violence and Child Advocacy Center for 19 years and is currently the Director of Training and Education.

Tim has a credible reputation throughout the State of Ohio as a speaker, trainer and expert in the field of domestic violence. He has spoken extensively on the issues of offender intervention, domestic violence and stalking. He has provided professional trainings for the Supreme Court of Ohio Judicial and Court Services Division, Cuyahoga County Board of Health, Ohio Department of Rehabilitation and Corrections, University Hospital Medical students, Metro Health Hospital Family Practice Residents, The Catholic Diocese of Cleveland, and The Supreme Court of Ohio Judicial College.

Tim is responsible for establishing and implementing the Adolescent Centered Family Violence Prevention Program at the Domestic Violence and Child Advocacy Center. Also, he is a founding member of the Tina Project, an 8 county collaborative established to meet the needs of schools who must comply with House Bill 19 which mandates teen dating violence education in the State of Ohio.

Johanna Orozco

Teen Educator for the Domestic Violence and Child Advocacy Center and Survivor of Cyberbullying Turned Violent

Johanna Orozco is a Teen Educator for the Domestic Violence and Child Advocacy Center of Greater Cleveland. Johanna has turned tragedy into triumph. After being in an abusive relationship for two years, she had the courage to leave her abuser—a decision that almost took her life. Shortly after leaving him, her former boyfriend sexually assaulted her and later, shot her in the face with a sawed-off shotgun. Johanna shares her compelling story with schools, community organizations, parents, and concerned citizens to educate them about dating violence. Johanna focuses on self-respect, confidence and what signs to look for in an unhealthy relationship. Johanna has been featured in *The Cleveland Plain Dealer* and has appeared on ABC's 20/20 and The Oprah Winfrey Show. Through testimony in the Ohio Legislature, Johanna was instrumental in passing House Bill 10 and House Bill 19 into law, allowing teens to obtain protection orders and mandating teen dating violence education for all students in grades 7-12.

David K. Frattare

**Lead Investigator of the Cuyahoga County Prosecutor's Office and
Ohio Internet Crimes Against Children Task Force**

David Frattare is the Lead Investigator for the Cuyahoga County Prosecutor's Ohio Internet Crimes Against Children (ICAC) Task Force, where he coordinates and supervises undercover online investigations involving the sexual exploitation of children in Internet chat rooms and through file sharing networks. Prior to his employment with the Cuyahoga County Prosecutors Office, Investigator Frattare was employed for 12 years as a Special Agent with the Pennsylvania Office of Attorney Generals' Bureau of Criminal Investigation. From 2005 to 2009, he was assigned to the Attorney General's Child Predator Unit and was responsible for more than 60 arrests throughout the United States and Canada involving the online sexual exploitation of children. Investigator Frattare has received extensive training in the investigation, detection, and prosecution of crimes against children and has given more than 100 Internet safety presentations and has appeared on numerous television and radio news programs to discuss Internet crimes against children issues. A graduate of John Carroll University in University Heights, OH, David resides in Brunswick, OH with his wife and two children.

Cyberbullying Research Summary

Emotional and psychological consequences



Sameer Hinduja, Ph.D. and Justin W. Patchin, Ph.D.
Cyberbullying Research Center

We broadly define *cyberbullying* as *willful and repeated harm inflicted through the use of computers, cell phones, and other electronic devices*. Most often, cyberbullying is carried out by using a personal computer or cellular phone to express malicious or mean sentiments to another individual. Another common method involves posting humiliating or embarrassing information about someone in a public online forum (e.g., an online bulletin board, chat room, or web page). Cyberbullying therefore involves harassment or mistreatment carried out by an offender against a victim who is physically distant. Nonetheless, though cyberbullying does not involve personal contact between an offender and victim, it remains psychologically and emotionally damaging to youth.

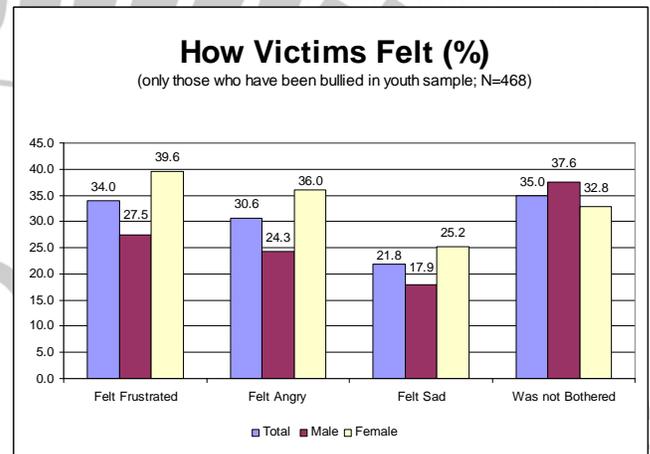
14 year-old girl from Illinois

It makes me depressed a lot. It affected me for about 3-4 years. I hated being [cyber]bullied. I would come home and just cry. It really hurt.

Cyberbullying has shot to the forefront of agendas in schools and local communities due to the intangible harm that victims suffer. While many students deny the seriousness of name-calling, teasing, and other arguably harmless activities, research suggests otherwise. Indeed, as many as 8% of participants in one study acknowledged that traditionally bullying has affected them to the point where they have attempted suicide, run away, refused to go to school, or been chronically ill. More specifically, in a study of over 3,000 students, one researcher found that 38% of bully victims felt vengeful, 37% were angry, and 24% felt helpless.

These findings are not out of the ordinary. Rather, a significant body of research has detailed the undesirable effects of traditional bullying victimization. For example, male victims tend to feel vengeful and angry while female victims experienced self-pity and depression. According to a 2001 fact sheet on juvenile bullying produced by the Office of Juvenile Justice and Delinquency Prevention, victims of schoolyard bullying fear going to school and experience dysphoric feelings of loneliness, humiliation, and insecurity. Moreover, they tend to struggle with poor relationships and have difficulty making emotional and social adjustments. It is reasonable to expect that cyberbullying can similarly lead to such negative

outcomes, considering the pain that hateful words can inflict.



In our most recent research project, we found that a significantly greater proportion of females felt frustrated or angry as compared to males. This finding is contrary to expectations as we would expect males to experience such emotions more often than females, while females experience sadness much more often than males. Even so, the emotional responses to cyberbullying are problematic in the sense that they could precipitate other, more serious behavioral outcomes.

General Strain Theory (GST)

Sociologist Robert Agnew proposed that strain or stress experienced by an individual can manifest itself in problematic emotions that lead to deviant behavior. Specifically, three types of strain were proposed:

- 1) Strain as the actual or anticipated failure to achieve positively valued goals
- 2) Strain as the actual or anticipated removal of positively valued stimuli
- 3) Strain as the actual or anticipated presentation of negatively valued stimuli.

These forms of strain often elicit or produce feelings of anger, frustration, or depression - which then can surface as negative behavioral choices. Agnew maintains that individuals who experience strain are more at risk to

engage in deviant or delinquent behaviors. Accordingly, we argue that cyber-bullying victimization can be a potent source of strain among adolescents that can in turn lead to deviant coping responses.

With cyberbullying, students may fear for their safety offline due to harassment and threats conveyed online. At some point, victims may become preoccupied with plotting ways to avoid certain peers while instant messaging or chatting with their friends on the Internet. Indeed, victims might be consumed with avoiding certain cyberbullies whom they actually know in person – either at school, at the bus stop, or in their neighborhood. Whichever the case, when youths are constantly surveilling the landscape of cyberspace or real space to guard against problematic interpersonal encounters, their ability to focus on academics, family matters and responsibilities, and prosocial choices is compromised to some extent. In sum, if students fail to achieve the positively valued goal of personal safety, strain may ensue.

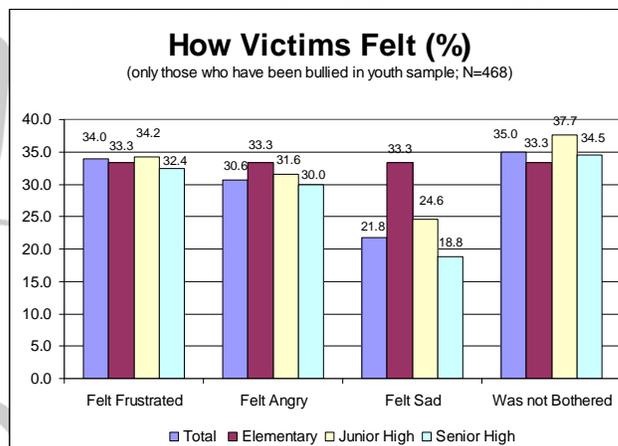
12 year-old girl from Massachusetts:

It lowers my self-esteem. It makes me feel really crappy. It makes me walk around the rest of the day feeling worthless, like no one cares. It makes me very, very depressed.

Another positively-valued goal for school-aged youth is acceptance. Children and adolescents often desperately seek the affirmation and approval of their peers. Cyberbullying, however, stymies that goal through rejection and exclusion. Research has shown that when individuals perceive themselves to be rejected or otherwise socially excluded, a number of emotional, psychological, and behavioral ill effects can result. Consequently, the failure to achieve peer acceptance may also produce strainful feelings. Further, if cyberbullying victimization leads to school, familial, or personal problems that warrant or earn some type of punishment from teachers, parents and guardians, or law enforcement, additional strain may ensue.

Finally, textual attacks by one person (or a group) upon another person through cyberbullying intuitively involves the presentation of negatively valued stimuli. The scope and intensity of negative emotions that may follow is easy to imagine. Agnew argues that adolescents are "...pressured into delinquency by the negative affective states - most notably anger and related emotions..."

This statement aptly describes the actions of a frustrated victim of continuous harassment who ultimately breaks down and either attempts to resolve the strain through some other general antisocial behavior, or seeks specific revenge against his or her aggressor.



Our work has found that many victims of cyberbullying felt depressed, sad, and frustrated. It is interesting to note that a relatively equal percentage of elementary, middle, and high school students felt frustrated and angry, while a notably larger proportion of elementary students felt sad as compared to the other groups.

Conclusion

It is clear from this analysis that the effects of cyberbullying are not limited to hurt feelings that can be easily disregarded. The consequences can be far-reaching, and can permanently damage the psyche of many adolescents. Moreover, General Strain Theory can help researchers, practitioners, and parents better understand the complex emotional and behavioral consequences of cyberbullying. It also can be used to inform policy and practice that seeks to temper the criminogenic effect that strainful emotions may have.

Note: This Research Summary is an abbreviated version of a full-length journal article.

Suggested citation:

Hinduja, S. & Patchin, J. W. (2007). *Offline consequences of online victimization: School violence and delinquency. Journal of School Violence, 6(3), 89-112.*

Sameer Hinduja, Ph.D. is an Associate Professor at Florida Atlantic University and Justin W. Patchin, Ph.D. is an Associate Professor at the University of Wisconsin-Eau Claire. Together, they lecture across the United States on the causes and consequences of cyberbullying and offer comprehensive workshops for parents, teachers, counselors, mental health professionals, law enforcement, youth and others concerned with addressing and preventing online aggression.

The Cyberbullying Research Center is dedicated to providing up-to-date information about the nature, extent, causes, and consequences of cyberbullying among adolescents. For more information, visit <http://www.cyberbullying.us>. © 2009 Cyberbullying Research Center - Sameer Hinduja and Justin W. Patchin

Cyberbullying Research Summary

Cyberbullying and Suicide



Sameer Hinduja, Ph.D. and Justin W. Patchin, Ph.D.
Cyberbullying Research Center

Youth suicide continues to be a significant public health concern in the United States. Even though suicide rates have decreased 28.5 percent among young people in recent years, upward trends were identified in the 10- to 19-year-old age group.¹ In addition to those who successfully end their life, many other adolescents strongly think about and even attempt suicide.

One factor that has been linked to suicidal ideation is experience with bullying. That is, youth who are bullied, or who bully others, are at an elevated risk for suicidal thoughts, attempts, and completed suicides.^{2,3} The reality of these links has been strengthened through research showing how experience with peer harassment (most often as a target but also as a perpetrator) contributes to depression, decreased self-worth, hopelessness, and loneliness – all of which are precursors to suicidal thoughts and behavior.⁴⁻⁶

Without question, the nature of adolescent peer aggression has evolved due to the proliferation of information and communications technology. There have been several high-profile cases involving teenagers taking their own lives in part because of being harassed and mistreated over the Internet,⁷⁻⁹ a phenomenon we have termed *cyberbullicide* – suicide indirectly or directly influenced by experiences with online aggression.¹⁰ While these incidents are isolated and do not represent the norm, their gravity demands deeper inquiry and understanding. Much research has been conducted to determine the relationship between *traditional* bullying and suicidal ideation, and it can be said with confidence that a strong relationship exists.^{11,12} Based on what we found in the extant literature base, we sought to determine if suicidal ideation was also linked to experiences with *cyberbullying* among offenders and targets.

Results

In our recent research involving approximately 2,000 randomly-selected middle-schoolers from one of the most populous school districts in the United States, 20% of respondents reported seriously thinking about attempting suicide (19.7% of females; 20.9% of males), while 19% reported attempting suicide (17.9% of females; 20.2% of males). This is comparable to other studies focusing on adolescent populations.¹³ With regard to traditional bullying, prevalence rates for individual behaviors ranged

from 6.5% to 27.7% for offending and from 10.9% to 29.3% for victimization. The most common form of bullying offending reported by respondents was: “I called another student mean names, made fun of or teased him or her in a hurtful way” (27.7%), while the most frequently-cited form of bullying victimization was: “Other students told lies or spread false rumors about me and tried to make others dislike me (29.3%). With regard to cyberbullying, prevalence rates for individual behaviors ranged from 9.1% to 23.1% for offending and from 5.7% to 18.3% for victimization. The most commonly-reported form of cyberbullying offending was: “Posted something online about another person to make others laugh” (23.1%) while the most frequent form of victimization was: “Received an upsetting email from someone you know” (18.3%).

Highlights from the Research:

- 20% of respondents reported seriously thinking about attempting suicide
- All forms of bullying were significantly associated with increases in suicidal ideation
- Cyberbullying victims were almost twice as likely to have attempted suicide compared to youth who had not experienced cyberbullying

With respect to bullying, all forms were significantly associated with increases in suicidal ideation among sample respondents. That is, youth who experienced traditional bullying or cyberbullying, as either an offender or a victim, scored higher on our suicidal ideation scale than those who had not experienced those two forms of peer aggression. Moreover, it appears that bullying and cyberbullying *victimization* was a stronger predictor of suicidal thoughts and behaviors than was bullying and cyberbullying *offending*.

Finally, we wanted to see if bullying and cyberbullying experiences were related to an increased likelihood of an adolescent attempting suicide. Results showed that all forms of peer aggression increased the likelihood that the respondent attempted suicide. Traditional bullying victims were 1.7 times more likely and traditional bullying offenders were 2.1 times more likely to have attempted

suicide than those who were not traditional victims or offenders. Similarly, cyberbullying victims were 1.9 times more likely and cyberbullying offenders were 1.5 times more likely to have attempted suicide than those who were not cyberbullying victims or offenders.

Discussion

The small but significant variation found in suicidal thoughts and actions based on bullying and cyberbullying suggests that all forms of adolescent peer aggression must be taken seriously - both at school and at home. As such, psychologists, counselors, and parents must continually monitor the online and offline behaviors of youth to reinforce the good and regulate the bad. In addition, the findings suggest that a suicide prevention and intervention component is essential within comprehensive bullying response programs implemented in schools. Without question, the topic is sensitive and its presentation should be age-appropriate, as students in all grade levels must understand the serious consequences associated with peer aggression. While suicide is an extreme response, proper discussion of its stark reality can vividly portray the extent of harm that peer harassment can exact.

It should be acknowledged that many of the teenagers who committed suicide after experiencing bullying or cyberbullying had other emotional and social issues going on in their lives. For example, one cyberbullicide victim attended special education classes in elementary school and struggled socially and academically.¹⁴ Another suffered from low self-esteem and depression and was on medication when she took her life.¹⁵ As mentioned earlier, it is unlikely that experience with cyberbullying *by itself* leads to youth suicide. Rather, it tends to exacerbate instability and hopelessness in the minds of adolescents already struggling with stressful life circumstances.¹⁰ Future research should identify and specifically assess the contributive nature of these stress-inducing experiences.

Note: This Fact Sheet is an abbreviated version of a full-length journal article entitled "Bullying, Cyberbullying, and Suicide" which was published in the journal Archives of Suicide Research.

Suggested citation:

Hinduja, S. & Patchin, J. W. (2010). Bullying, Cyberbullying, and Suicide. *Archives of Suicide Research*, 14(3), 206-221.

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Sameer Hinduja, Ph.D. is an Associate Professor at Florida Atlantic University and Justin W. Patchin, Ph.D. is an Associate Professor at the University of Wisconsin-Eau Claire. Together, they lecture across the United States on the causes and consequences of cyberbullying and offer comprehensive workshops for parents, teachers, counselors, mental health professionals, law enforcement, youth and others concerned with addressing and preventing online aggression.

The Cyberbullying Research Center is dedicated to providing up-to-date information about the nature, extent, causes, and consequences of cyberbullying among adolescents. For more information, visit <http://www.cyberbullying.us>. © 2010 Cyberbullying Research Center - Sameer Hinduja and Justin W. Patchin

As Introduced

**129th General Assembly
Regular Session
2011-2012**

S. B. No. 127

Senator Schiavoni

Cosponsors: Senators Cafaro, Turner, Tavares, Skindell, Sawyer

—

A B I L L

To amend sections 3313.666, 3313.667, and 3319.073 of 1
the Revised Code to enact the "Jessica Logan Act" 2
to require that public school bullying policies 3
prohibit bullying by electronic means and address 4
certain acts that occur off school property and to 5
require staff training on the bullying policy. 6

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3313.666, 3313.667, and 3319.073 of 7
the Revised Code be amended to read as follows: 8

Sec. 3313.666. (A) As used in this section, ~~"harassment":~~ 9

(1) "Electronic act" means an act committed through the use 10
of a cellular telephone, computer, pager, personal communication 11
device, or other electronic communication device. 12

(2) "Harassment, intimidation, or bullying" means either of 13
the following: 14

~~(1)~~(a) Any intentional written, verbal, electronic, or 15
physical act that a student has exhibited toward another 16
particular student more than once and the behavior both: 17

~~(a)~~(i) Causes mental or physical harm to the other student; 18

~~(b)(ii)~~ Is sufficiently severe, persistent, or pervasive that
it creates an intimidating, threatening, or abusive educational
environment for the other student.

~~(2)(b)~~ Violence within a dating relationship.

(B) The board of education of each city, local, exempted
village, and joint vocational school district shall establish and
annually review a policy prohibiting harassment, intimidation, or
bullying. The policy shall be developed in consultation with
parents, school employees, school volunteers, students, and
community members. The policy shall include the following:

(1) A statement prohibiting harassment, intimidation, or
bullying of any student on school property or a school bus, at
school-sponsored events, or, if the harassment, intimidation, or
bullying materially or substantially disrupts the educational
environment and discipline of the school, off school property and
expressly providing for the possibility of suspension of a student
found guilty of harassment, intimidation, or bullying by an
electronic act;

(2) A definition of harassment, intimidation, or bullying
that ~~shall include~~ includes the definition in division (A) of this
section;

(3) A procedure for reporting prohibited incidents;

(4) A requirement that school personnel report prohibited
incidents of which they are aware to the school principal or other
administrator designated by the principal;

(5) A requirement that parents or guardians of any student
involved in a prohibited incident be notified and, to the extent
permitted by section 3319.321 of the Revised Code and the "Family
Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20
U.S.C. ~~1232g~~ 1232g, as amended, have access to any written reports
pertaining to the prohibited incident;

(6) A procedure for documenting any prohibited incident that is reported;	50 51
(7) A procedure for responding to and investigating any reported incident;	52 53
(8) A strategy for protecting a victim <u>or other person</u> from <u>new or</u> additional harassment, intimidation, or bullying, and from retaliation following a report, <u>including a means by which a person may report an incident anonymously</u> ;	54 55 56 57
(9) A disciplinary procedure for any student guilty of harassment, intimidation, or bullying, which shall not infringe on any student's rights under the first amendment to the Constitution of the United States;	58 59 60 61
(10) <u>A statement prohibiting students from deliberately making false reports of harassment, intimidation, or bullying and a disciplinary procedure for any student guilty of deliberately making a false report of that nature</u> ;	62 63 64 65
(11) A requirement that the district administration semiannually provide the president of the district board a written summary of all reported incidents and post the summary on its web site, if the district has a web site, to the extent permitted by section 3319.321 of the Revised Code and the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232e <u>1232g</u> , as amended.	66 67 68 69 70 71 72
(C) Each board's policy shall appear in any student handbooks ⁷ and in any of the publications that set forth the comprehensive rules, procedures, and standards of conduct for schools and students in the district. <u>The policy and an explanation of the seriousness of bullying by electronic means shall be made available to students in the district and to their parents and guardians.</u> Information regarding the policy shall be incorporated into employee training materials.	73 74 75 76 77 78 79 80

(D) A school district employee, student, or volunteer shall 81
be individually immune from liability in a civil action for 82
damages arising from reporting an incident in accordance with a 83
policy adopted pursuant to this section if that person reports an 84
incident of harassment, intimidation, or bullying promptly in good 85
faith and in compliance with the procedures as specified in the 86
policy. 87

(E) Except as provided in division (D) of this section, 88
nothing in this section prohibits a victim from seeking redress 89
under any other provision of the Revised Code or common law that 90
may apply. 91

(F) This section does not create a new cause of action or a 92
substantive legal right for any person. 93

(G) Not later than ~~six months after the effective date of~~ 94
~~this amendment~~ September 29, 2010, each board shall update the 95
policy adopted under this section to include violence within a 96
dating relationship. Not later than six months after the effective 97
date of this amendment, each board shall update the policy to 98
include harassment, intimidation, or bullying by electronic means. 99

Sec. 3313.667. (A) Any school district may form bullying 100
prevention task forces, programs, and other initiatives involving 101
volunteers, parents, law enforcement, and community members. 102

(B) To the extent that state or federal funds are 103
appropriated for these purposes, each school district shall: 104

(1) Provide training, workshops, or courses on the district's 105
harassment, intimidation, or bullying policy adopted pursuant to 106
section 3313.666 of the Revised Code to school employees and 107
volunteers who have direct contact with students and are not 108
subject to section 3319.073 of the Revised Code. Time spent by 109
school employees in the training, workshops, or courses shall 110

apply towards any state- or district-mandated continuing education requirements. 111
112

(2) Develop a process for educating students about the policy. 113
114

(C) This section does not create a new cause of action or a substantive legal right for any person. 115
116

Sec. 3319.073. (A) The board of education of each city and 117
exempted village school district and the governing board of each 118
educational service center shall adopt or adapt the curriculum 119
developed by the department of education for, or shall develop in 120
consultation with public or private agencies or persons involved 121
in child abuse prevention or intervention programs, a program of 122
in-service training in the prevention of child abuse, violence, 123
and substance abuse and the promotion of positive youth 124
development. Each person employed by any school district or 125
service center to work in a school as a nurse, teacher, counselor, 126
school psychologist, or administrator shall complete at least four 127
hours of the in-service training within two years of commencing 128
employment with the district or center, and every five years 129
thereafter. A person who is employed by any school district or 130
service center to work in an elementary school as a nurse, 131
teacher, counselor, school psychologist, or administrator on March 132
30, 2007, shall complete at least four hours of the in-service 133
training not later than March 30, 2009, and every five years 134
thereafter. A person who is employed by any school district or 135
service center to work in a middle or high school as a nurse, 136
teacher, counselor, school psychologist, or administrator on 137
October 16, 2009, shall complete at least four hours of the 138
in-service training not later than October 16, 2011, and every 139
five years thereafter. 140

(B) Each board shall incorporate training in school safety 141

and violence prevention into the in-service training required by 142
division (A) of this section. For this purpose, the board shall 143
adopt or adapt the curriculum developed by the department or shall 144
develop its own curriculum in consultation with public or private 145
agencies or persons involved in school safety and violence 146
prevention programs. 147

(C) Each board shall incorporate training on the board's 148
harassment, intimidation, or bullying policy adopted under section 149
3313.666 of the Revised Code into the in-service training required 150
by division (A) of this section. Each board also shall incorporate 151
training in the prevention of dating violence into the in-service 152
training required by that ~~division (A) of this section~~ for middle 153
and high school employees. The board shall develop its own 154
~~curriculum~~ curricula for ~~this purpose~~ these purposes. 155

Section 2. That existing sections 3313.666, 3313.667, and 156
3319.073 of the Revised Code are hereby repealed. 157

Section 3. Not later than six months after the effective date 158
of this section, the State Board of Education shall update its 159
model policy to prohibit harassment, intimidation, or bullying 160
adopted under section 3301.22 of the Revised Code to include 161
harassment, intimidation, or bullying by electronic means. 162

Section 4. This act shall be known as the "Jessica Logan 163
Act." 164

Status Report of Legislation

129th General Assembly - Senate Bill 127

Primary Sponsor(s): Schiavoni

Subject: Bullying-include electronic bullying/events off school premises/staff training

Abbreviations used in the Status Report

A - Amended **P** – Postponed **S** - Substitute * - Note
F - Failed to Pass **R** – Rereferred **V** - Vetoed

Action by Chamber	Senate	House
Introduced	03/22/11	

Committee Assigned Education

Committee Report

Passed 3rd Consideration

Further Action

To Conference Committee

Concurrence

Sent to Governor

End of 10-day period

Governor's Action

Effective Date

OHIO REVISED CODE

Title [33] XXXIII EDUCATION – LIBRARIES

Chapter 3301: DEPARTMENT OF EDUCATION

3301.22 Model harassment prevention policy.

The state board of education shall develop a model policy to prohibit harassment, intimidation, or bullying in order to assist school districts in developing their own policies under section 3313.666 of the Revised Code. The board shall issue the model policy within six months after the effective date of this section.

Effective Date: 03-30-2007

OHIO REVISED CODE

Title [33] XXXIII EDUCATION - LIBRARIES

Chapter 3313: BOARDS OF EDUCATION

3313.666 District policy prohibiting harassment required.

(A) As used in this section, “harassment, intimidation, or bullying” means either of the following:

(1) Any intentional written, verbal, or physical act that a student has exhibited toward another particular student more than once and the behavior both:

(a) Causes mental or physical harm to the other student;

(b) Is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student.

(2) Violence within a dating relationship.

(B) The board of education of each city, local, exempted village, and joint vocational school district shall establish a policy prohibiting harassment, intimidation, or bullying. The policy shall be developed in consultation with parents, school employees, school volunteers, students, and community members. The policy shall include the following:

(1) A statement prohibiting harassment, intimidation, or bullying of any student on school property or at school-sponsored events;

(2) A definition of harassment, intimidation, or bullying that shall include the definition in division (A) of this section;

(3) A procedure for reporting prohibited incidents;

(4) A requirement that school personnel report prohibited incidents of which they are aware to the school principal or other administrator designated by the principal;

(5) A requirement that parents or guardians of any student involved in a prohibited incident be notified and, to the extent permitted by section 3319.321 of the Revised Code and the “Family Educational Rights and Privacy Act of 1974,” 88 Stat. 571, 20 U.S.C. 1232q, as amended, have access to any written reports pertaining to the prohibited incident;

- (6) A procedure for documenting any prohibited incident that is reported;
- (7) A procedure for responding to and investigating any reported incident;
- (8) A strategy for protecting a victim from additional harassment, intimidation, or bullying, and from retaliation following a report;
- (9) A disciplinary procedure for any student guilty of harassment, intimidation, or bullying, which shall not infringe on any student's rights under the first amendment to the Constitution of the United States;
- (10) A requirement that the district administration semiannually provide the president of the district board a written summary of all reported incidents and post the summary on its web site, if the district has a web site, to the extent permitted by section 3319.321 of the Revised Code and the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232q, as amended.
- (C) Each board's policy shall appear in any student handbooks, and in any of the publications that set forth the comprehensive rules, procedures, and standards of conduct for schools and students in the district. Information regarding the policy shall be incorporated into employee training materials.
- (D) A school district employee, student, or volunteer shall be individually immune from liability in a civil action for damages arising from reporting an incident in accordance with a policy adopted pursuant to this section if that person reports an incident of harassment, intimidation, or bullying promptly in good faith and in compliance with the procedures as specified in the policy.
- (E) Except as provided in division (D) of this section, nothing in this section prohibits a victim from seeking redress under any other provision of the Revised Code or common law that may apply.
- (F) This section does not create a new cause of action or a substantive legal right for any person.
- (G) Not later than six months after the effective date of this amendment, each board shall update the policy adopted under this section to include violence within a dating relationship.

Amended by 128th General Assembly File No. 16, HB 19, § 1, eff. 3/29/2010.

Effective Date: 03-30-2007

3313.667 District bullying prevention initiatives.

(A) Any school district may form bullying prevention task forces, programs, and other initiatives involving volunteers, parents, law enforcement, and community members.

(B) To the extent that state or federal funds are appropriated for these purposes, each school district shall:

(1) Provide training, workshops, or courses on the district's harassment, intimidation, or bullying policy adopted pursuant to section 3313.666 of the Revised Code to school employees and volunteers who have direct contact with students. Time spent by school employees in the training, workshops, or courses shall apply towards any state- or district-mandated continuing education requirements.

(2) Develop a process for educating students about the policy.

(C) This section does not create a new cause of action or a substantive legal right for any person.

Effective Date: 03-30-2007