

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: July 6, 2011
POSITION: Oppose
SPONSOR: California State PTA

BILL NUMBER: AB 1156
AUTHOR: M. Eng

BILL SUMMARY: Pupils: Bullying

This bill would expand the existing definition of bullying to include specific acts such as severe or pervasive physical or verbal conduct, communications made in writing, and other acts that can be reasonably predicted to have negative effects on a pupil, as specified. This bill would also allow a child who is a victim of an act of bullying to meet residence requirements in another district. The definition of bullying is used in statute governing school safety training and student suspensions and expulsions.

FISCAL SUMMARY

This bill could create minor state operations cost pressure for the Superintendent of Public Instruction (SPI) and the Attorney General (AG) to update curriculum and materials for school safety training programs currently required by existing statute to reflect the expanded definition of bullying.

COMMENTS

The Department of Finance is opposed to this bill because it could create minor state operations cost pressure on the General Fund. Furthermore, there is nothing in current law that would prohibit these specific types of bullying from being addressed in school safety training programs or considered by school officials in suspension and expulsion decisions.

Amending the definition of bullying could affect the following requirements within the Interagency School Safety Demonstration Act of 1985:

- The SPI and the AG must co-sponsor conferences to local education agencies and other entities on effective strategies to reduce school crime. Bullying is included in a list of topics that the conferences may include.
- The SPI and the AG are also required to jointly establish and train a statewide cadre of school safety professionals to facilitate interagency coordination and collaboration to improve school safety, including the reduction of bullying.

Therefore, this bill could put pressure on the SPI and the AG to revise training curriculum and materials to specifically address the expanded definition of bullying, possibly creating minor state operations costs.

Existing law (Education Code section 48900) allows a school principal or superintendent to suspend a student or recommend a student for expulsion for various specified offenses, including bullying. However, this bill would have little effect on suspensions and expulsions because the existing definition is broad enough to cover the amendments proposed by this bill.

Analyst/Principal (0352) L. Del Castillo	Date	Program Budget Manager Nick Schweizer	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS Form DF-43 (Rev 03/95 Buff)

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AB 1156

The following is a list of related bills in the current session:

- AB 746 (Campos) would amend the definition of bullying by means of an electronic act to expressly include the posting of messages on a social network Internet website. (Chaptered on July 8, 2011.)
- AB 9 (Ammiano) would require local educational agencies to prohibit discrimination, harassment, intimidation, and bullying based on actual or perceived characteristics, as specified, and would make other conforming changes. (On Senate Appropriations Committee suspense file.)
- AB 227 (Hall) would add cyber bullying prevention and other related topics to the components that are required to be included in existing guidelines and criteria for developing school district educational technology plans. (On Senate Appropriations Committee suspense file.)
- AB 630 (Hueso) would encourage schools to reduce bullying through training with appropriate activities and best practice methodologies. (Held in Assembly Education Committee.)
- SB 453 (Correa) would define bullying to include acts motivated by specified actual or perceived characteristics of the victim and would encourage comprehensive school safety plans to address bullying, as specified. (Held under submission in Senate Appropriations Committee.)
- SB 919 (Lieu) would define sexting as the sending or receiving of sexually explicit pictures or video images by means of an electronic act; require the statewide school safety cadre appointed by the SPI and the AG to address sexting; and include sexting as a topic that may be included in conferences co-sponsored by the SPI and the AG. (In Assembly Appropriations Committee.)

Chapter 646, Statutes of 2008 (AB 86), defined an “electronic act” as the transmission of a communication by means of an electronic device, including, but not limited to, a message, text, sound, or image by a telephone, wireless telephone, or other wireless communication device, computer, or pager. AB 86 also defined “bullying” as an act that constitutes sexual harassment, hate violence, severe or pervasive harassment, threats, or intimidation that is directed against school district personnel or other students.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							Fund Code
	LA	(Dollars in Thousands)							
	CO RV	PROP 98	FC	2011-2012 FC	2012-2013 FC	2013-2014 FC			
6110/Dept of Educ	LA	Yes			----- See Fiscal Summary -----				0001