

Testimony before the  
**House Committee on Governmental Efficiency and Technology**

on  
**HB 2758 - Cyberbullying**

by

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Mr. Chair, Members of the Committee:

Thank you for the opportunity to comment on **HB 2758**, which amends the law passed last year to require that school districts include cyberbullying in their policies addressing bullying. That law requires district policies to prohibit bullying on school property, in a school vehicle or at a school-sponsored activity or event.

Since the enactment of this law last year, KASB has held three seminars to help school districts develop policies and programs to address bullying, has developed model policies for districts and provided legal advice. Our attorneys believe cyberbullying can be addressed under current district authority, but adding this term to the law and school district policies can help strengthen awareness by students and staff.

It should be noted that this bill only addresses bullying or cyberbullying at school or in a school vehicle or at a school-sponsored event. School districts have clear authority to discipline students for inappropriate activity at school. However, our experience is that most cyberbullying takes place away from school; for example, when students use their own personal computers, cell phones and other devices. The committee should be aware that school districts have much more limited authority to regulate speech away from school. To comply with standards set by the U.S. Supreme Court, school must show that there is risk of “substantial disruption” to the educational process and a connection or nexus to the school.

It should also be noted that investigating and attempting to discipline students for cyberbullying can be a time-consuming process that requires technological and legal assistance. Remember, these costs are “outside the classroom.” In some cases, bullying and, in particular, cyberbullying may require the assistance and involvement of law enforcement.

Thank you for your consideration.