

AMENDED IN ASSEMBLY AUGUST 5, 2013

AMENDED IN SENATE MAY 28, 2013

AMENDED IN SENATE MARCH 20, 2013

**SENATE BILL**

**No. 231**

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**Introduced by Senator Correa**

**(Coauthors: Senators Block and Steinberg)**

(Coauthors: Assembly Members Ammiano, Garcia, Lowenthal, and Ting)

February 11, 2013

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An act to add Article 11 (commencing with Section 33450) to Chapter 3 of Part 20 of Division 2 of Title 2 of the Education Code, relating to bullying.

LEGISLATIVE COUNSEL'S DIGEST

SB 231, as amended, Correa. Bullying: California Bullying Prevention ~~Coordinating Center~~. *Clearinghouse*.

Existing law defines "bullying" as any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, as defined, and including one or more acts of sexual harassment, threats, or intimidation, directed against school district personnel or pupils, committed by a pupil or a group of pupils, that would cause a reasonable pupil, as defined, to be in fear of harm to his or her person or property, to experience a substantially detrimental effect on his or her physical or mental health, to experience substantial interference with his or her academic performance, or to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

This bill would enact the Michael Joseph Berry Peer Abuse Prevention and Awareness Act of 2013, pursuant to which the California Bullying Prevention ~~Coordinating Center~~ *Clearinghouse* would be established, to be administered by the State Department of Education. The bill would require the Superintendent of Public Instruction to appoint members to a ~~coordinating center advisory council~~, *clearinghouse, California Bullying Prevention Advisory Council* which would include individuals who have experience in specified areas, including, among others, hotline telephone services, social media, and behavioral health services. ~~The~~

*The bill would require the department to maintain the clearinghouse under the guidance of the clearinghouse advisory council, and would, among other things, require that the clearinghouse act as a repository of information on antibullying resources, links, and available services. The bill would require the department to recommend to school districts appropriate guidelines, best practices, and information that school districts may disseminate to pupils and their families about the existence, goals, and objectives of the California Bullying Prevention ~~Coordinating Center~~ Clearinghouse, as specified.*

The bill would provide that its operation in any fiscal year is contingent upon the certification by the Superintendent that sufficient funding is available for the implementation of this bill in that fiscal year, and would prohibit the use of General Fund moneys to implement the bill.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Article 11 (commencing with Section 33450) is
- 2 added to Chapter 3 of Part 20 of Division 2 of Title 2 of the
- 3 Education Code, to read:
- 4
- 5 Article 11. The Michael Joseph Berry Peer Abuse Prevention
- 6 and Awareness Act of 2013
- 7
- 8 33450. (a) This article shall be known, and may be cited, as
- 9 the Michael Joseph Berry Peer Abuse Prevention and Awareness
- 10 Act of 2013.
- 11 (b) It is the intent of the Legislature to enact legislation to
- 12 establish a California Bullying Prevention ~~Coordinating Center~~

1 *Clearinghouse*, which shall address issues relating to bullying and  
2 peer abuse, with a particular focus on issues that impact pupils in  
3 kindergarten and grades 1 to 12, inclusive, and their families, peers,  
4 and communities.

5 33451. (a) The California Bullying Prevention ~~Coordinating~~  
6 ~~Center~~ *Clearinghouse is hereby established, and shall be*  
7 administered by the department.

8 (b) The ~~California Bullying Prevention Coordinating Center~~  
9 *Superintendent* shall establish a ~~Coordinating Center~~ *California*  
10 *Bullying Prevention* Advisory Council. Members of the advisory  
11 council shall include individuals who have experience in areas  
12 including, but not *necessarily* limited to, all of the following:

13 (1) Hotline telephone services that are nationally accredited and  
14 provided on a regional or statewide basis.

15 (2) Social media, such as texting, blogging, chat rooms, and  
16 other forms of cyber communications.

17 (3) Behavioral health services.

18 (4) Crisis prevention and intervention services.

19 (5) Suicide prevention and intervention services.

20 (6) Providing services in a linguistically and culturally  
21 competent manner.

22 (7) Other areas related to bullying and peer abuse.

23 (c) Members of the advisory council shall be appointed by the  
24 Superintendent, and serve at his or her pleasure. Members of the  
25 advisory council shall be reimbursed only for reasonable expenses  
26 associated with the performance of their duties, and shall not  
27 receive any salary, per diem, or other compensation.

28 33452. (a) The ~~goals and objectives of the California Bullying~~  
29 ~~Prevention Coordinating Center~~ *duties of the advisory council* shall  
30 include, but are not *necessarily* limited to, all of the following:

31 (1) Providing technical assistance to the department, school  
32 districts, and other appropriate entities on best practices, strategies,  
33 and other interventions that may assist in reducing the incidence  
34 of bullying and peer abuse.

35 (2) Providing recommendations through which pupils, families,  
36 school personnel, and other stakeholders may access existing  
37 resources and supports that are related to bullying and peer abuse.

38 (3) Providing recommendations through which the department  
39 may improve the collection and analysis of data related to bullying  
40 and peer abuse.

1 (4) Providing recommendations on future legislation,  
2 regulations, and public policy that could be implemented to reduce  
3 the incidence of bullying and peer abuse.

4 (5) Providing recommendations on future antibullying  
5 communication strategies, such as a bullying prevention hotline.

6 *(b) The department shall maintain the California Bullying  
7 Prevention Clearinghouse under the guidance of the advisory  
8 council. The responsibilities of the clearinghouse include, but are  
9 not necessarily limited to, all of the following:*

10 *(1) Acting as a repository of information about antibullying  
11 resources, links, and available services.*

12 *(2) Establishing guidelines, best practices, and information that  
13 school districts may disseminate to pupils and their families.*

14 *(3) Establishing recommendations that a school district may  
15 include on bullying prevention measures on a school district's  
16 Internet Web site, in any revision of a school's comprehensive  
17 school safety plan, and in any new material developed on issues  
18 related to bullying or peer abuse, such as a school's annual parent  
19 notification.*

20 ~~(b)~~

21 *(c) The department shall recommend to school districts  
22 appropriate guidelines, best practices, and information that school  
23 districts may disseminate to pupils and their families about the  
24 existence, goals, and objectives of the California Bullying  
25 Prevention ~~Coordinating Center~~ Clearinghouse.*

26 ~~(e)~~

27 *(d) The department shall recommend that school districts include  
28 appropriate information about the California Bullying Prevention  
29 ~~Coordinating Center~~ Clearinghouse on the school district's Internet  
30 Web site, in any revision of a school's comprehensive school safety  
31 plan, and in any new material developed that relates to issues of  
32 bullying or peer abuse, such as a school's annual parent newsletter*

33 .

34 ~~(d)~~

35 *(e) The department shall also recommend that school districts  
36 provide information on the California Bullying Prevention  
37 ~~Coordinating Center~~ Clearinghouse to all pupils who are involved  
38 in any complaint procedure related to peer abuse, bullying,  
39 harassment, or discrimination, and to their families.*

1 33453. (a) The operation of this article in any fiscal year is  
2 contingent upon the certification by the Superintendent that  
3 sufficient funding is available for the implementation of this article  
4 in that fiscal year.

5 (b) General Fund moneys shall not be used to implement this  
6 article.

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