

CITY COUNCIL OVERSIGHT COMMITTEE MINUTES

March 7, 2012

The City Council Oversight Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 5:30 p.m. in the City Council Conference Room on the 7th day of March, 2012, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray 48 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Kovach, Spaulding and Chairman Griffith

ABSENT: Councilmember Dillingham

OTHERS PRESENT: Councilmember Roger Gallagher, Ward One
Councilmember Linda Lockett, Ward Seven
Ms. Jeanette Coker, interested citizen
Ms. Sharon Heatly, Director of Guidance and Counseling, Norman Public Schools
Mr. Mark Jensen, interested citizen
Mr. Andrew Kershen, interested citizen
Ms. Cheryl Lisle, interested citizen
Mr. Michael Markham, interested citizen
Ms. Kara Joy McKee, interested citizen
Mr. Nick Migliorino, Director of Secondary Education, Norman Public Schools
Ms. Krissy Perry, Prevention Coordinator, Crossroads Youth and Family Services, Inc.
Mr. Will Weir, interested citizen
Ms. Mary Lynn Willard, Crossroads Youth and Family Services, Inc.
Mr. Gabe Wingfield, interested citizen

STAFF PRESENT: Ms. Susan Atkinson, Planner I
Mr. John Bowman, Animal Welfare Superintendent
Ms. Susan Connors, Director of Planning and Community Development
Mr. Keith Humphrey, Police Chief
Mr. Rick Knighton, Assistant City Attorney
Mr. Steve Lewis, City Manager
Mr. Tim Smith, Sergeant, Norman Police Department
Mr. David Teuscher, Captain, Norman Police Department
Ms. Syndi Runyon, Administrative Assistant IV

Chairman Griffith stated with the Committee's concurrence, Item 2 would be postponed to the next regular meeting.

Item 1, being:

DISCUSSION REGARDING BULLYING.

Mr. Keith Humphrey, Police Chief, said bullying is a serious issue, not only on a national level but a local level as well. He said Norman Public Schools (NPS), Crossroads Family Services, Inc., (Crossroads) and the Norman Police Department (NPD) have a strong partnership that will bring a lot of awareness to the topic.

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He said bullying affects the entire community. He said Sergeant Tim Smith, NPD, has taken a direct interest in bullying and recently attended a national conference on bullying in Orlando, Florida. He said Sergeant Smith will be spearheading the NPD's Bullying Campaign and worked with Norman High School on a joint public service announcement to talk about the fight against bullying, which will be shown on the NPS local cable channel. He believes more awareness of the problem will bring reduction in bullying issues.

Sergeant Tim Smith, NPD, said the true experts on bullying are the kids that bully and their targets. He said the NPD reviewed several definitions of bullying, but could not find one definition that fit so they composed a definition using compilation of several definitions as follows:

Bullying is repeated, intentional aggressive behavior. It can take the form of physical or verbal harassment and involves an imbalance of power on the part of one or more persons.

Sergeant Smith said bullying is repeated behavior and involves an imbalance of power. He said the first documented history of bullying was in 1684, but bullying did not come into public light until 1999, when the Columbine shooting occurred. He said school shootings first occurred in 1764, and there have been at least 100 school shootings since. He said there have been school shootings after Columbine, but that is the deadliest incident in history. He said 75% of school shooters were bullied.

Sergeant Smith said kids that bully are the smart kids that have very good verbal skills and are not what everyone envisions as the big thug. He said smart kids are considered "good kids" and everyone needs to get out of the mind set that good kids cannot be bullies. He said a simple assault is a one time act, but bullying is repeated. Councilmember Kovach said it is crucial for everyone to understand that society does not want to label kids as bad, but label their behavior as bad. Sergeant Smith agreed and said when the NPD speaks to children and teens they talk about bad choices versus bad behavior.

Sergeant Smith said girls are more likely to become involved in cyber-bullying, calling mean names and creating social isolation. He said girls that bully tend to be highly popular and target other popular girls and loners. He said girls are involved in the hidden aspect of bullying using websites such as Facebook; Tumblr; Microblogging; Imgfave; Moshimonsters; and Pinterest. He said the most interesting sites are Moshimonsters, which is geared toward 7 to 12 year olds and Pinterest, which is a recipe sharing site; however, bullying is being done through these sites. He said boys are more aggressive and will hit, punch, and kick other kids without trying to hide their actions.

Sergeant Smith said cyber-bullying is bullying through the internet, interactive and digital technologies, or mobile phones. He said when adults become involved in cyber-bullying it becomes cyber-stalking or cyber-harassment and there are state laws that address that. He said there are no federal laws dealing directly with school bullying, but bullying can trigger responsibilities under one or more of the federal anti-discrimination laws.

Sergeant Smith said 47 states have passed school anti-bullying legislation with Michigan and Montana being the only two states that have not. Georgia has strengthened their legislation by including a provision allowing those accused of bullying another student to be reassigned to another school in order to separate the offender and the victim of bullying. He said he did not know if reassigning kids to a different school would help or not because moving a bully that has a history of bullying may not solve the problem as they may just

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bully other children. He said New Jersey has the toughest bullying law in the country by requiring that each school must report each case of bullying to the state and the state grades each school based on bullying standard, policies, and incidents. He said bullies risk expulsion if convicted, by school policy, of any type of bullying from minor teasing to severer cases.

Sergeant Smith said the State of Oklahoma passed the School Bullying Prevention Act to provide a comprehensive approach for public schools to create an environment free of unnecessary disruption, which is conducive to the learning process by implementing policies for the prevention of harassment, intimidation, and bullying. He said legislatures are also reviewing placing additional sales tax on violent video games that have received a rating from the Entertainment Software Rating Board of Teen, Mature, or Adult Only. He said 50% of the tax collected will go to the Bullying Prevention Revolving Fund to be managed by the State Department of Education to support efforts to prevent bullying in schools.

Sergeant Smith said the State of Oklahoma has stalking laws and cyber-bullying could be added to that law; however, laws have a hard time catching up with technology. He said the City of Norman has laws regarding assault and battery if a physical altercation takes place and someone is hurt.

Sergeant Smith highlighted the policy of the NPS and said it mirrors state law. He said he likes the use of the term "target" instead of "victim" and is trying to change the vocabulary to use target instead of victim. He said when someone is a target of bullying, they have no control over that, but they do have control over whether or not they are victimized by bullying. Sergeant Smith said school staff must report incidents and conduct an investigation, which is an important aspect of the policy.

Sergeant Smith said Forth Worth, Texas, has an award winning program known as It's Not OK that includes bullying, sexual harassment, suicide, sexting, gangs, etc. He said it gives kids an outlet through a "Friends 4 Life" website to report bullying or talk about other problems such as harassment. He said the NPD has formed a partnership with Fort Worth and Fort Worth is helping Norman develop a similar program. He said "Talk About It" is an online service provided by schools or communities where the student can reach out through e-mail to report bullying to break the "code of silence." He said everything is anonymous and the site is used by 300,000 students in 21 states and is very effective. Councilmember Kovach asked about the costs and Sergeant Smith said he would have to find out.

The NPD has a program known as T.E.A.M., Teaching, Educating, and Mentoring, which are lessons that begin in pre-kindergarten through 12th grade. He said there are 60 trained T.E.A.M. officers and the program was developed by Michigan State Police. He said T.E.A.M. offers individual lessons taught in 30 to 45 minute blocks to all schools. Chairman Griffith asked if the lessons are taught on a regular basis or as needed or requested and Sergeant Smith said they are taught as requested as it is hard for police to obtain instructional time due to tight school schedules. Councilmember Gallagher asked if the officers teaching T.E.A.M. are new officers or senior officers and Sergeant Smith said there are all ages and ranks of T.E.A.M. trained officers. Chief Humphrey said T.E.A.M. training for officers is very intense and participating officers must meet certain criteria. Sergeant Smith said future plans include more involvement with NPS, Norman Juvenile Court, and Norman Youth Sports Programs.

Sergeant Smith said there is a huge amount of information about bullying and the NPD is whittling it down to a working product as well as what will work in the community. Mr. Rick Knighton, Assistant City Attorney, said the City needs to be cognizant of First Amendment Rights and enforceability issues. He said there had been a recent court ruling that a school district's Anti-Harassment Policy was unconstitutional

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because it appeared to cover substantially more speech than could be prohibited under the First Amendment. He said bullying issues are hard to enforce because the court requires direct evidence of the offense and that is hard to obtain especially regarding cyber-bullying.

Chairman Griffith asked when Council would be able to review the Anti-bullying Program Policy and Chief Humphrey said possibly by the beginning of the 2012-2013 school year.

Chairman Griffith felt NPS has a good Anti-Bullying Policy but that it tends to apply to the school day and bullying can be 24/7. Mr. Nick Migliorino, Director of Secondary Education, NPS, said the school's policy has evolved over time, but the 24/7 problem is difficult to deal with. He said, in the past, bullying in school was restricted to just that, bullying in school and the student would have a 16-hour separation, but with cyber-bullying, it has become 24/7 and even beyond that to a lifetime. He said any posting that has ever been on the web, whether it has been deleted or not, can be found. He said bullying through technology is the school's biggest challenge. He said there have been multiple incidents over the last few years where things happen at school and a student goes home and continued the bullying on Facebook. He said the school also works on prevention and students are constantly taught how to respond to bullying. He said the schools take bullying seriously and the disciplinary policy and practice is stern and strong if it is determined that bullying is taking place. He said even if a student is removed from school, they will eventually come back and the school needs a policy to handle that situation. He said the NPS has great cooperation with NPD on all investigations of everything the school deals with, not just bullying. He feels the NPD's program will greatly help the school districts and said T.E.A.M. is an excellent tool. He said T.E.A.M. lessons would be scheduled for specific times during the next school year instead of trying to work it into the school schedule.

Councilmember Gallagher asked if, as part of the discipline, the student is sent to an alternative school and Mr. Migliorino said the alternative school is not just for bad kids, but that would depend on the situation and there is limited space. Councilmember Lockett asked how big a problem bullying is and Mr. Migliorino said it is hard to say as bullying is hard to define since harassment, assault, etc., are thrown under the umbrella of bullying.

Councilmember Kovach asked as officers are being trained on what constitutes bullying, what is being done to help teachers understand the same. Mr. Migliorino said, over the last three years, there has been specific training for principals on how to identify bullying and what to do about it. He said from that point it is expected that the principals take that information to the faculty. He said when a teacher witnesses an act, they are expected to report it and the administrators investigate based on school procedures.

Councilmember Kovach said the school has little control over what happens before or after school and the City having a program would work better in conjunction with schools and Mr. Migliorino agreed and said working in partnership and communicating problems is imperative.

Councilmember Kovach said some students may have anger issues, problems at home, or may be bullied themselves and having a program that gives them tools to deal with bullying would be helpful as well referrals to that program. Ms. Sharon Heatly, Director of Guidance and Counseling of NPS, said the school district believes in their obligation to give students tools to be able to function in the real world. She said not only do kids need to learn to function at school; they also need to have boundaries and understand relationships. She said when children start off life with bullying behavior they progress as they age and the behavior can turn into criminal acts and become more serious. She said schools believe in prevention and

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educating students on what bullying behavior is. She said as part of the prevention process, NPS has an Anti-bullying Prevention Program called Second Step that is based on the definition of bullying. She said students learn skills beginning in pre-kindergarten on getting along in a group, interacting with other people, and about normal peer behavior. She said there is a difference between normal, developmental, painful relationships and bullying behavior. She said a child with a normal peer relationship that is hard at times can usually go through mediation or talk it out and there is a sense of remorse and willingness to settle the problem and put it behind them, which is not true for bullying behavior. She said that is when a procedural policy must be in place.

Ms. Heatly said NPS works with Crossroads to develop programs that are utilized on a regular basis. She said one of the programs is Alternative to Suspension (ASP). She said if a student violates the school's drug and alcohol policy, one way to reduce their days out of school is for them to attend an eight-hour program through Crossroads. She said there are also behavior prevention programs where students may attend the program in a group setting with their parents or in individual counseling. She said the school needs to find ways to help those students learn new skills and new ways of coping. She said the target or victim is taught stronger skills to help them learn how not to be a victim. Councilmember Kovach said if an incident is reported and investigated then happens again, what procedures are followed with repeat perpetrators and Ms. Heatly said depending on the severity of the incident, there may be some type of suspension.

Ms. Kara Jo McKee, interested citizen, said bullying can often target entire families and there seems to be a shift in society to counsel entire families. She said there are extreme instances of bullying where the child is being targeted because of their sexual orientation or race. She said when the popular kids start the bullying, other kids in school pick up the trend and when her sister was targeted she was moved to a different school, but it took a long time for that to be an option. She asked if the option to be transferred could be expedited and Mr. Migliorino said absolutely. He said he is not a proponent of transferring students being bullied because moving the student is not always the best option. He said teaching the targeted student skills on how to prevent placing themselves in the position of being bullied is just as important. He said the school has noticed that sometimes students follow others on bullying and administrators explain to students that they do not have to be the initiator to be equally involved. He said through cyber-bullying, it is easy for people who do not even attend the school to participate in the bullying and that is a huge issue. Ms. Heatly said part of the prevention process includes the role of the bystander and what that person can do without becoming personally involved, but the school does want the bystander to take some responsibility for the situation.

Chairman Griffith said the school system seems to have an incredibly, well defined program to deal with bullying and when the City's program comes to fruition, how will the NPD dovetail that program to the schools. Sergeant Smith said kids stop listening when they hear the same things over and over so programs have to be innovative and ever changing to give kids the same information in a different way. Chief Humphrey said the biggest challenge is bringing awareness to the family and community and NPD's program will focus on awareness by partnering with the schools, Crossroads, and the United Way. Chairman Griffith felt the T.E.A.M. Program will be fundamental in bringing awareness to kids.

Ms. Krissy Perry, Crossroads Prevention Coordinator, said Crossroads has a lot of prevention programs such as Teens and Parents and Partnership (TAP) and ASP. She said, through the prevention programs, staff has noticed patterns for tendencies to be bullies or targets requiring a need for a bullying prevention program. She said Crossroads has a community needs assessment every year and, through that survey, there has been

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feedback from the community for some type of prevention program for bullying. She said Crossroads began research to develop a program when NPS approached them to team up for a program where kids can go to outside of school for more help in dealing with bullying. She said the program is based on the Alvarez System and was adapted to fit the needs of the Norman community. She said, currently, the program is federally funded with no cost to the families. She said the program is available to Kindergarten through 12th grade. Crossroads staff meets with elementary kids twice a week for one hour without parent participation. She said older kids meet four times a week for two hours and parent participation is required. Councilmember Spaulding asked why parents are excluded from the elementary program and Ms. Perry said parents can sometimes take over, answer questions for their kids, and can be more controlling. She said parents are required to stay outside the meeting room, but are not part of the process; however, parents are told what was discussed. Ms. McKee asked if there were programs for parents and Ms. Perry said not currently, but that is an option for the future. Councilmember Gallagher said it seems to be important to have the parent in the discussions because parents are pivotal in every person's life. He said he had some problems with his teenage son years ago and once they talked about it the problem never occurred again, although he realizes this does not happen all the time.

Councilmember Spaulding said the Committee was 40 minutes into the presentation before the word "parent" was mentioned. He said the Committee is talking about the police, school districts, courts, principals, and teachers with parents being given no emphasis at all. He said the very subject matter irritates him. He said there are a lot of different ways to deal with confrontation, bullying, and overcoming obstacles, but he does not think it is the responsibility of the state, city, schools, courts, or anyone else. He said it is something that needs to emanate from home and asked why we aren't encouraging family values and strengthening of our families.

Ms. McKee agreed more family interaction needs to take place in the community at large. She said, in her experience, a large percentage of bullying seems to happen based on classism, racism, and homophobia and these are horrible problems in society. She said parents are a large part of who needs to deal with that, but the City has a great way of bringing these issues to light and the opportunity to expand upon great programs is there. She said it will not be effective to stand back when the City can have an integral role in protecting people from bullying. Councilmember Spaulding asked if the Committee is talking about bullying or the elevation of the homosexual agenda.

Chairman Griffith said he thinks this topic is important because there are kids that have low self-esteem and whether it is a fault of the school systems, society, parents, organization, etc., he believes there is a need to establish a support system for those kids because they spend a great deal of time in school. He said it is important for kids to realize they can get help if someone is chronically and intentionally putting them down or demeaning them in some way that it is affecting their performance in school and their quality of life.

Chairman Griffith said establishing an ordinance or a punitive measure that might affect the bullying in our society probably will not work. He said the City needs to have an effective informational program and support system in place so kids have a resource because they may not be getting the support at home that they need. He said the City Norman needs to be pro-active and there needs to be defined boundaries because not every situation or confrontation between two kids is bullying.

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Councilmember Spaulding felt the City is on a slippery slope. He said an example would be two little boys go to school and one is raised in a family that teaches him that homosexuality is wrong and the other is raised in a family that believes it is alright. The boy that thinks homosexuality is wrong speaks against it and all of a sudden he is a hater or a bully and that is getting into free speech issues. Chairman Griffith said the City does not plan to carry it that far and Councilmember Spaulding said it is never intended to be carried that far but when you start out on a slippery slope, you simply fall. Councilmember Kovach said if the City says everybody needs to fend for themselves so they can learn a lesson then we do not need the PD or Fire Department. He said the point is, there are people who can successfully deal with bullies and there are people who do not know how to and there are kids committing suicide in the community because they are being bullied. Councilmember Spaulding said suicide and school shootings are horrible things, but things happen and not everyone agrees on certain issues.

Councilmember Gallagher asked how many kids are seen, per week, for bullying and Mr. Migliorino said he does not have a definite number, but it could be between 5 to 10 kids per week, per school. He did not have a specific number of how many of those were actually bullying issues versus harassment, assault, etc. Councilmember Gallagher asked if there was a large or small ratio of kids that feel they have had enough, cannot adapt the prevention lessons to their situation, and decide to handle it themselves. Mr. Migliorino said most of the kids that come in are asking for help to stop the bullying and school staff rarely sees those kids that handle it themselves. Chief Humphrey said there has to be an understanding of when a kid is being bullied and that bullying is very serious because it is a very violent behavior. It is picking on someone who is weaker. He compared it to seeing a wounded animal and continually using that animal as target practice knowing the animal cannot defend itself. He said there are kids that cannot defend themselves and do not have anyone they can talk to, especially their parents who may tell them "that's life" or "you deserve it." He said bullying is where you see kids that are self-harming or retaliating. He said kids that end up shooting classmates are usually the ones that cried out for help and no one helped. He said some kids can shrug things off, but there are others that cannot do that and they become prey and things become violent.

Councilmember Spaulding said being pro-active, to him, would be strengthening the family structure. He said parents need to interact with their kids, tell them they love them, and praise them to give them the self-esteem they need to overcome obstacles including bullying. Councilmember Gallagher asked if there were programs to make parents go through some type of orientation when their child is a target or bully and Mr. Migliorino said no, but parents are brought into the discussions when a complaint is submitted. Councilmember Gallagher asked if there are any statistics on single parent families versus two parent families and if there is any correlation regarding bullying. Mr. Migliorino said there are all types of statistics from single parent homes, no parent homes, two parent homes, and multiple family homes and the school has reviewed those statistics.

Mr. Knighton said part of the problem involving parents is that the Police Department is a government entity with limitations and, as a general rule, the Police Department has jurisdiction over someone that has committed a crime. If a juvenile commits an offense, the court has jurisdiction over that juvenile, not the parent. He said the City does as much as it can to get parent(s) involved, but the City cannot force a parent that does not want to be involved to be involved. He said the City does not have the tools to impact those juveniles' and their parents' lives on a long-term basis. He said the City needs to partner with social service agencies that can bring in the experts and spend more time with the family talking about lifestyle skills that, hopefully, will change that family's direction.

Item 1, continued:

Chairman Griffith said he would like to see the finished product and asked Chief Humphrey to bring the NPD's Anti-bullying Program back to Oversight Committee for review. He said it is imperative to treat the symptom and this program along with partnering with schools is a beginning.

Items submitted for the record

1. PowerPoint presentation entitled, "Bullying," presented by Community Services Section of the Norman Police Department
2. U. S. Department of Justice Problem-Oriented Guides for Police, Problem-Specific Guides Series No. 12, Bullying in Schools
3. Norman Public Schools Student Behavior and Discipline Policy
4. Memorandum dated March 1, 2012, from Steve Lewis, City Manager, to City Council Oversight Committee, Councilmember Griffith, Councilmember Kovach, Councilmember Dillingham, Councilmember Spaulding, with bullying in Schools: Statistics, Causes, and Outcomes by Lara Mayeux, PhD, University of Oklahoma Department of Psychology

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Item 2, being:

REGULATIONS REGARDING CHICKENS IN URBAN AREAS.

Postponed to April 4, 2012.

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MISCELLANEOUS DISCUSSION.

None

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ADJOURNMENT.

The meeting adjourned at 7:17 p.m.

ATTEST:

City Clerk

Mayor