



OFFICE OF THE ATTORNEY GENERAL
OKLAHOMA INTERCOLLEGIATE LEGISLATURE

OPINION 2017-004

October 19, 2017

Honorable Delegates and Members,

There was an opinion requested of the Office of the Attorney General regarding anti-bullying policies that could potentially be implemented in the organization:

Since no anti-bullying policy currently exists in statute, how could someone go about creating such a policy, and how far could that policy extend in the realm of OUL (*sic*)?

Bullying in any form within our organization is unacceptable. We, as college students, as representatives of our respective schools, as current and future leaders, should hold ourselves to a higher standard and not stoop to such a level. However, this opinion was not requested to ask my opinion on bullying. Many of the incidents of bullying within our organization have occurred in private GroupMes or private messages. It is my opinion that we cannot govern our members' private conversations. It would be a violation of their First Amendment rights. Any legislation attempting to regulate private conversations would be unconstitutional on the basis of the First Amendment right to free speech.

If this kind of behavior were to happen within any "official" OIL media – the official Facebook group, school-sanctioned pages, official delegation GroupMes, etc. – I believe that there is already a manner in which our leadership could address the issue in Title One, Chapter Two, Section 101 of the Oklahoma Intercollegiate Legislature Statutes, which reads:

Membership shall only be revoked in cases where a person's continued membership in the organization can be reasonably foreseen to bring the organization or any of its members to any substantial harm.

The Board of Directors has the ability to invoke this section whenever they see fit. It is in the opinion of the Attorney General that they may utilize it in cases of alleged bullying, as there is a procedure in place to provide for due process. Any additional policy would be superfluous.

This opinion is for the statewide organization and is respect to the statewide governing documents. I would encourage delegation leaders to address the issue within their respective delegations and set the standard for how members of the Oklahoma Intercollegiate Legislature should act.

Yours respectfully,

A handwritten signature in black ink that reads "Kimberley Bishop". The signature is written in a cursive, flowing style.

Kimberley Bishop

Attorney General