

**BULLYING-FREE SCHOOLS: HOW LOCAL, STATE
AND FEDERAL EFFORTS CAN HELP**

FIELD HEARING
OF THE
**COMMITTEE ON HEALTH, EDUCATION,
LABOR, AND PENSIONS**
UNITED STATES SENATE
ONE HUNDRED TWELFTH CONGRESS
SECOND SESSION

ON

EXAMINING SOLUTIONS TO CREATE BULLYING-FREE SCHOOLS,
FOCUSING ON HOW LOCAL, STATE AND FEDERAL EFFORTS CAN HELP

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JUNE 8, 2012 (Des Moines, IA)
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C O N T E N T S

STATEMENTS

FRIDAY, JUNE 8, 2012

	Page
COMMITTEE MEMBER	
Harkin, Hon. Tom, Chairman, Committee on Health, Education, Labor, and Pensions, opening statement	1
WITNESS—PANEL I	
Ali, Russlynn H., Assistant Secretary for Civil Rights, U.S. Department of Education, Washington, DC	3
Prepared statement	5
WITNESS—PANEL II	
Calbom, Linda M., Western Regional Manager, U.S. Government Accountability Office, Sammamish, WA	12
Prepared statement	14
WITNESSES—PANEL III	
Domayer, Emily L., Student, Morningside College, Sioux City, IA	18
Prepared statement	20
Bisignano, Penny, Consultant for Bullying Prevention and Intervention, Iowa Department of Education, Des Moines, IA	22
Prepared statement	24
Gausman, Paul R., Ed.D., Superintendent, Sioux City Community School District, Sioux City, IA	28
Prepared statement	31
Reilly, Ellen, Learning Support Specialist, Davenport Community Schools, Moline, IL	38
Prepared statement	40
Shankles, Matt, Student, Linn-Mar High School, Marion, IA	41
Prepared statement	43
Sederquist, Liz, Student, Des Moines Area Community College, Ames, IA	44
Prepared statement	47
ADDITIONAL MATERIAL	
Statements, articles, publications, letters, etc.:	
Chad Griffin, President, Human Rights Campaign	63
Anti-Defamation League	64

BULLYING-FREE SCHOOLS: HOW LOCAL, STATE AND FEDERAL EFFORTS CAN HELP

FRIDAY, JUNE 8, 2012

U.S. SENATE,
COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS,
Des Moines, IA.

The committee met, pursuant to notice, at 1:15 p.m. in the cafeteria, East High School, 815 East 13th Street, Hon. Tom Harkin, chairman of the committee, presiding.

Present: Senator Harkin.

OPENING STATEMENT OF SENATOR HARKIN

The CHAIRMAN. Thank you very much. The Committee on Health, Education, Labor, and Pensions will come to order.

I do want to remind everyone this is an official hearing of the Health, Education, Labor, and Pensions Committee of the U.S. Senate. It is a non-partisan hearing because it is an official hearing.

And we have a court reporter someplace. OK, we do have our court reporter. OK. And you can hear me? Thank you very much.

I might, at the end of this, as I like to do in field hearings, ask people maybe if they've got some observations, suggestions. If you do, the court reporter would like to have your name. When you stand up, if you could just loudly announce that.

We have a roving mic; right, Tom? OK, thank you.

First of all, I want to thank our interim superintendent, Dr. Ahart, for helping us set this up. Our principal here is Steve Johns. I know he couldn't be here, but I want to thank him and all the people at East High School, and Gail Soesbe. Thank you again very much for helping to arrange this.

What I will do is I'll have an opening statement; I'll introduce our witnesses. We have three panels today. We'll go through and we'll hear their testimony, and then we'll have some questions, and then we'll see if people in the audience might have something they want to add also.

All children deserve equitable access to quality public schools where they can learn and thrive. Yet, every day countless students are denied this opportunity because they don't feel safe.

While the rate of serious violent crime among youth has actually gone down a little bit, there's another statistic that's going up, and that's the percentage of young people who have been bullied at school.

Approximately 20 percent of kids from all walks of life experience bullying. It is alarming that 85 percent of students with disabilities have been bullied. Even higher than that, 94 percent of students with Asperger's syndrome have been bullied. Lesbian, bisexual, gay and transgender youth are also at heightened risk. According to data released just yesterday by the Human Rights Campaign, LGBT youth are more than two times more likely to be verbally harassed and called names at school, physically assaulted, kicked or shoved, or excluded by their peers because they are "different."

The top concerns of non-LGBT students in school, when they're polled, are grades, college, and career. LGBT students, when they're polled, say they're most concerned about their non-accepting families and bullying at school.

Being the victim of bullying has adverse effects on mental health, concentration, and, of course, academic outcomes. And as Iowans, we have been reminded recently that bullying can lead to suicide in some cases. Our hearts go out to the family of Ken Weishuhn of Primghar who took his own life earlier this spring after coming out as gay and being bullied for it.

It's also tragic that many students are unable to access their education because bullying makes it unbearable for them to go to school. I've heard from all too many young people who were compelled to drop out of school because of the hostile climate and lack of protections at schools. We will hear from one such student today who is very brave to come forward and talk about her experiences.

Some were able to complete their education only through GED classes because they were denied the high school experiences that their peers were able to enjoy.

We all need to be a part of the solution. We need to teach children to respect differences. As adults, we have to set the examples by modeling civility and empathy for others. Research shows that efforts to foster positive conditions for learning result in higher academic outcomes for students.

The wrong approach and, quite frankly, the irresponsible approach is to just brush it off by saying it's a rite of passage or it's just kids being kids.

Today we'll hear from young people, educators, community leaders, policymakers, experts who have stepped forward as part of the solution. Some of our witnesses are making a difference in communities here in Iowa. We'll hear from the distinguished Assistant Secretary of Education for Civil Rights. We'll also hear about new findings and recommendations from the Government Accountability Office on how the Federal Government can make things better.

Most important, however, I draw your attention to the testimony of the three students that we have had here to hear firsthand from their accounts. That is the most important.

With that, let me proceed. I'll introduce our first panel.

Our first panel is our Assistant Secretary for Civil Rights at the Department of Education, Russlynn Ali. She's responsible for enforcing Federal civil rights laws in our Nation's schools, colleges, and universities, and for ensuring that institutions receiving Federal funds do not engage in discriminatory conduct related to race, sex, disability or age.

Previously, Ms. Ali served as top assistant to the president of the Children's Defense Fund, as assistant director of policy and research at the Broad Foundation, as vice president of the education trust, and in numerous other government advisory positions. She has taught at the University of Southern California Law Center and the University of California at Davis.

Madam Secretary, we welcome you to Iowa. Your testimony will be made a part of the record in its entirety, and I'd ask you to proceed as you so wish, and if you could sum it up in 5 to 7 minutes, I'd sure appreciate it. Welcome to Iowa.

**STATEMENT OF RUSSLYNN H. ALI, ASSISTANT SECRETARY
FOR CIVIL RIGHTS, U.S. DEPARTMENT OF EDUCATION,
WASHINGTON, DC**

Ms. ALI. Thank you, Senator Harkin. It is my honor to be here today and talk a little bit about what we in the Department of Education are doing to help ensure that schools are safe for all students and free from bullying and harassment. I really want to especially thank you on behalf of Secretary Duncan for your tireless work on this issue, especially for our Nation's most vulnerable young people.

I, too, have been heartbroken to learn about what far too many students experience in our schools: suicides, torture, mental confinement that leads to depression and sadness and, particularly for our purposes, the inability to learn. If students do not feel safe, they simply cannot learn.

I had the honor of meeting very early on in the administration with the mother of a young suicide victim, Carl Walker-Hoover. I met Ms. Walker-Hoover on what would have been the week of her son's 11th birthday. He was bullied and harassed to the point where he believed he needed to take his own life to escape from it. And I will never forget that day in the very early spring in March 2009, as we were leaving, and Ms. Walker said to me, "He didn't even know he was gay. He was bullied because he was gay, so they thought, but he didn't even know he was gay." He was 10 years old. He might not know whether he was gay.

And it dawned on me then, and until now, those young students, in far too many instances, actually aren't bullied because of their sexual orientation. They're bullied because of the perception that they are not acting like a boy enough, or they are not acting feminine enough if they are females.

When we as a society tolerate a culture in which children bully and harass each other, we fail to live up to the principles of fairness and equality upon which our schools and our country were founded. It is particularly true when bullying is based on personal characteristics such as race, sex, sexual orientation, gender identity, religion or disability.

We are working on this issue in a number of ways, and have been for the last 3 years in particular. I know you are familiar, as are many in the audience I'm sure, with the White House Conference on Bullying Prevention. We are actually having our third annual summit coming soon where we are bringing together, from across the country, educators and students and community groups to learn more about this issue and to help prevent it going forward.

The President has explained that bullying is not something we have to accept. As parents, as teachers, as students, as members of the community, he said we can, all of us, take steps. Everyone needs to feel like they exist in a climate in which they belong.

The way we are doing this in the Department is—I'd like to talk about three things in particular. One, ensuring resources and support in training and technical assistance for educators in order to help them both understand the issue and how to eradicate a culture in their schools that might give rise to bullying and harassment, to help the courageous leaders like Paul Gausman, who I know we will hear from later today.

Now, of course, there is no universal one-size-fits-all approach to fixing this. We recognize the pervasiveness of the problem. The data you cited is illustrative. We have also seen recent data that shows that over 3 million students have also been physically assaulted behind bullying and harassment. It is not, in other words, just teasing.

We are stressing this first through ensuring that those with the greatest responsibility and that are in the position to best help change at the local level, local educators and local community members, have some support. We have distributed funds through the Safe and Supportive School grants to 11 States. That fund in Iowa has been put to some extraordinarily good use, and I know we will hear from Penny later on today, who will give us details.

We are also moving forward on technical assistance, ensuring that everyone everywhere can come to us, ask us how to help, that there's a place to go for best practices on how to stop what's happening in our Nation's schools. We have launched a Web site. You can visit that at *stopbullying.gov*. We have also produced a resource document analyzing all of the bullying laws across the country and gleaning best practices from States that are doing amazing things.

We still have a long way to go. There are, fortunately, 49 States today that have some kind of bullying law on the books, but no one, no two share the same definition. We do not have a common definition yet for what bullying is, certainly not at the Federal level.

It is also, though, about vigorously enforcing the Nation's civil rights laws where they apply, protections based on race, ethnicity, color, sex discrimination and disability discrimination. We have seen, though, that we don't have jurisdiction over sexual orientation, that the civil rights laws can help for precisely what I talked with you about a few minutes ago and what I learned from Ms. Hoover-Walker.

Those young children, if they are not bullied because of their sexual orientation but because of gender stereotyping, then the civil rights laws can help. It was the first time the Department of Education ever addressed this issue under title 9 in this way.

We have launched a number of proactive investigations. We have received nearly 2,000 complaints just in the last 2 years alleging harassment across all the statutes in our jurisdiction. That is more than ever before and, in fact, was a 34 percent increase just from last year alone. As we track the data this year, it looks like by the end of this fiscal year we will receive even more.

We have launched proactive investigations to ensure that we find out the systemic discrimination where it is happening, not waiting for citizens to file complaints with our office. And we are also, due in no small part to your support and leadership, finally able to collect data across our Nation's schools about incidents of bullying and harassment across the statutes in our jurisdiction and those students that were disciplined for it. This was the first year we collected the data. Next year we will have data across all schools in the country.

Despite the fact that schools are still struggling with how to even report these data or collecting it internally, we've seen about 85 percent of the Nation's school children represented in our survey and over 100,000 incidences of students subjected to harassment, over 160,000 instances of students disciplined for some kind of harassment.

These are but some ways to help. We have a lot more to do. In working with you and with communities across the country, we hope to see some real progress.

[The prepared statement of Ms. Ali follows:]

PREPARED STATEMENT OF RUSSLYNN H. ALI

I. INTRODUCTION

Thank you for inviting me to participate in this hearing. On behalf of Secretary Duncan and myself: thank you, Senator Harkin, for all your work on preventing bullying, particularly on behalf of those student populations that are disproportionately affected by bullying. I appreciate the opportunity to share with you the work that the Department is doing to support schools in their efforts to provide all students with a high-quality education in a safe learning environment, free from discrimination, harassment, bullying, and violence.

Bullying of any student for any reason is unacceptable. When students are bullied, they cannot feel safe. If they do not feel safe, they cannot learn. And if they do not learn, they cannot reach their full potential as students, citizens, and human beings.

If adults allow this to happen, then not only may we have violated students' civil rights, but we may also have profoundly interrupted their development as human beings, and, in the most tragic instances, cost them their very lives.

Ignoring, tolerating, or responding ineffectively to bullying can poison the school environment for all students: for the students who are targeted and victimized, and for the students who witness it, at a time when it is vital for students to learn lessons on peer contact, social interaction and humanity that they will carry with them after they leave school.

When educators, parents, or students tolerate a culture that allows children to bully and harass each other, physically, socially or emotionally, based on their race or ethnicity, national origin or immigration status, sex, sexual orientation, gender identity, religion, physical or mental disability, or for any other reason—we fail to live up to the principles of fairness and equity on which this country was founded.

II. DEPARTMENT OF EDUCATION BULLYING-PREVENTION EFFORTS

The Department's work begins with the recognition that the real work of preventing bullying happens at the local level, in schools and playgrounds and college campuses, in homes, on the streets, and in community centers across the Nation. Teachers' and school administrators' good judgment, common sense, and knowledge of the school community are critical to crafting an effective response to harassment and bullying. And parents and community organizations play no less important a role. We encourage and support community-based approaches to addressing peer harassment and bullying and changing the school climate so that such conduct does not occur or recur. Each school has the ultimate responsibility to create a safe learning environment and to ensure that its policies, practices, and procedures protect all students from abuse, violence, and discrimination. There is no universal, one-size-fits-all approach that will be right for every school or all students; and the Department makes no effort to mandate one.

But we also recognize that bullying and harassment are serious problems across the country, and thus appropriate subjects for a national commitment in response. Secretary Duncan, my colleagues in the Office for Civil Rights (OCR), and the entire Department are engaged in a coordinated effort to address bullying and harassment in our schools. The Department serves as a leader in the Federal Government's anti-bullying efforts, which are coordinated through the Federal Partners in Bullying Prevention Steering Committee. In collaboration with its Federal Partners in Bullying Prevention, comprised of nine Federal agencies, the Department has hosted two National Bullying Summits (August 2010 and September 2011) and participated in a first-ever White House Conference on Bullying Prevention. We will host the third Annual National Bullying Summit in August 2012. These summits bring together non-profit leaders, educators, researchers, parents, and youth to discuss and identify areas that need additional guidance and clarification.

In part as a result of our conversations with youth, parents, educators and other community leaders about this issue, we have, among other efforts, (1) issued policy guidance on Federal laws that apply to bullying, (2) provided resources based on best available research and practice, (3) vigorously enforced Federal civil rights laws, (4) improved data collection on bullying and harassment, and (5) coordinated efforts across government and with non-governmental organizations.

(1) Issuing Policy Guidance on Laws That Apply to Bullying

We have issued written policy guidance to clarify for schools how Federal and State laws may affect a school's policies and procedures as they apply to bullying and harassment.

To better understand the landscape of State bullying laws and model policies, the Department issued a letter in December 2010 outlining key components of State anti-bullying laws. We followed up in December 2011 with a report analyzing each State's inclusion of those components in their laws. In late 2012, we expect to release a report that will analyze the impact such laws have on the day-to-day efforts to address bullying in schools and districts.

In my office we've focused on addressing common practices and situations at educational institutions that we believe affect their compliance with civil rights laws.

The Office for Civil Rights is responsible for enforcing laws that prohibit discrimination based on race, color, national origin, sex, and disability. In October 2010, we issued a Dear Colleague letter to clarify the relationship between bullying and discriminatory harassment under the civil rights laws enforced by the Department. The letter explains how student misconduct that falls under an anti-bullying policy also may trigger responsibilities under Federal civil rights laws and reminds schools that failure to recognize discriminatory harassment when addressing that misconduct may lead to inadequate or inappropriate responses that fail to remedy violations of students' civil rights. The letter also offers examples of racial and national origin harassment, sexual harassment, gender-based harassment, and disability harassment, and illustrates how a school could respond appropriately in each case.

That letter also made clear, among other things, that although Title IX of the Education Amendments of 1972 does not cover discrimination based solely on sexual orientation, bullying that lesbian, gay, bisexual, and transgender (LGBT) students face frequently involves sex discrimination—that is, discrimination about the students' failure to conform to sex stereotypes or to behave in a so-called gender appropriate manner. This type of discrimination is covered under title IX. We included an example in our policy guidance to remind schools and universities that the fact that harassment (1) targets LGBT students, (2) includes anti-gay comments, or (3) is based in part on a target's actual or perceived sexual orientation does not relieve a school of its obligation under title IX to investigate and remedy overlapping sexual- or gender-based harassment.

We also provided clear examples demonstrating how the law applies in specific scenarios. For instance, we included a scenario in which a student, because of his learning disability, was called names and physically assaulted in school and while on a school bus. We then described how the school should have adopted a comprehensive approach to dealing with bullying, which may include counseling and discipline, training for staff on responding to harassment of students with disabilities, and monitoring locations where harassment takes place, to ensure that it does not resume. We believe that by providing clear examples of how schools might respond to particular situations, we can help to prevent many acts of bullying, harassment, and discrimination from occurring.

In June 2011, the Department released another letter reminding schools of their obligation to provide equal access to student-initiated groups or clubs under what is known as the Equal Access Act, a law passed by Congress nearly 30 years ago to ensure equal access to extracurricular clubs in secondary schools. This law has

been invoked when schools in the United States have refused to accommodate student-initiated clubs with an LGBT theme, such as “Gay-Straight Alliances.” Such clubs have been shown to help reduce bullying of LGBT youth and create a safer climate for all youth.

Notwithstanding the Department’s efforts in this area, it is clear that certain categories of students are still not receiving adequate legal protection. The Obama administration, including the Department, therefore supports legislative efforts to address this problem, specifically the Student Non-Discrimination Act and the Safe Schools Improvement Act.

(2) Providing Resources Based on Research and Practice

We need to help administrators and teachers understand bullying-prevention research, and laws, and to develop and implement policies based on the best practices. We have leveraged our resources to offer tools, training and technical assistance to combat bullying and harassment.

Department staff and senior leadership regularly attend and present at meetings of various groups and constituencies to help increase awareness and knowledge on bullying and the resources available for affected individuals and their families. Recent and upcoming events include the White House Conferences on LGBT Safe Schools and LGBT Families, a local anti-bullying summit in Michigan, the White House Initiative on Asian Americans and Pacific Islander’s Stakeholders meeting, the policy committee for the American Foundation on Suicide Prevention, the Southeastern State Pupil Transportation Conference, and the Society for Prevention Research Annual Conference. In an effort to help coordinate these activities, the Department’s subject-matter experts also regularly communicate and provide technical assistance to many of the organizations engaged in bullying-prevention campaigns, including the Cartoon Network’s Stop Bullying, Speak Up! Campaign, Lady Gaga’s Born this Way Foundation, and the Bully Project, LLC. A few weeks ago, I addressed the UNESCO meetings on Effective Policy and Practice to Address Homophobic Bullying in Educational Institutions, which built on the work already being conducted on this issue during the UN’s first-ever international consultation to address bullying against LGBT students.

OCR has 12 regional offices around the country that are equipped to provide technical assistance to educational institutions as they work to address and prevent civil rights violations. In addition, the Department funds 10 Equity Assistance Centers nationwide that provide training, materials and technical assistance to State or local education agencies to assist educators, schools and communities in reducing harassment, bullying and prejudice based on race, national origin or sex. And, the Department funds 10 regional Disability and Business Technical Assistance Centers that provide information and referral, technical assistance, and training on the Americans with Disabilities Act, including on disability-based bullying and harassment.

The Department also funds two technical assistance centers. The Safe and Supportive Schools Technical Assistance Center provides assistance to schools and districts to understand school climate issues, develop assessment systems, and implement prevention programming, and the Positive Behavior and Intervention Supports (PBIS) Technical Assistance Center provides support for schools implementing PBIS. PBIS is a multi-tiered school-wide approach to establishing a social culture that is helpful for schools to achieve social and academic gains for all children while minimizing problem behavior.

Just last month, a group of Federal agencies including the Department of Education re-launched a Web site that illustrates concrete steps everyone can take to prevent and respond to bullying. You can visit it at www.stopbullying.gov. The site features a comprehensive map of State anti-bullying laws, guidance on how to prevent and respond to bullying, and interactive webisodes for kids.

Because the greatest responsibility for addressing bullying and harassment resides at the local level, we know that it’s important to distribute funds to help States and communities do this important work. For example, the Department has awarded Safe and Supportive School grants to 11 States to measure school safety at the building level and to support changes in those schools with the greatest needs. The ultimate goal of the grants is to create and support safe and drug-free learning environments, and increase academic success for students in these high-risk schools. One of those grants went to Iowa, and is supporting efforts here at East High School. The Departments of Education, Health and Human Services, and Justice have, for the past 13 years, engaged in a unique collaboration to award grants to local education authorities across the Nation through the Safe Schools/Healthy Students initiative. Funding is provided to many school districts around the country, including Sioux City Community School District, to support school and

community partnerships to integrate systems that promote the mental health of students, enhance academic achievement, prevent violence and substance use, and create safe and respectful school climates. Bullying prevention has been a key component of this initiative. Another example is the Department's funding for the Bureau of Indian Education (BIE) to develop a specific anti-bullying technical assistance initiative in BIE schools in Indian Country.

We've invested in other grant initiatives to help at-risk and high-poverty schools and neighborhoods, and to improve teaching and learning conditions and school climates generally, so that we're not just addressing bullying and harassment but the entire school environment.

These are examples of the kinds of tools, training and resources that we've provided at the Federal level. And we want to continue to support States and school districts in their efforts, because robust efforts at the Federal level must be accompanied by equally vigorous enforcement, capacity-building, and knowledge-building at the local level.

(3) Vigorously Enforcing Federal Civil Rights Laws

It is important to go beyond establishing good laws and policies: we must also vigorously enforce them. The Department has a very open complaint process that enables any member of the public, whether directly harmed or not, to file a complaint with our office. Over the past 2 years our office has received nearly 2,000 complaints of harassment based on race, color, national origin, sex or disability in educational institutions. We also engage in proactive investigations—compliance reviews—when we believe that systemic violations may be occurring on a campus-, school-, or district-wide basis, and when the underlying problem is particularly acute or national in scope. We can also initiate “directed investigations” where we believe something might be going on in an educational institution and believe our presence will help resolve the situation before we have received a complaint. Since fiscal year 2009, OCR has initiated 14 of these proactive investigations on all forms of harassment covered by the laws OCR enforces.

For example, OCR and the Department of Justice (DOJ) conducted a joint investigation of a school district to determine whether students in that district were subjected to peer harassment based on non-conformance with sex stereotypes in violation of Title IX of the Education Amendments of 1972 and Title IV of the Civil Rights Act of 1964. Students told our attorneys that they were constantly harassed (some almost every day for years) because of their failure to conform to gender stereotypes. Female students reported being called “manly,” “guy,” or “he-she”; male students reported being called “girl,” and “gay boy,” and being told, “you’re a guy, act like it.” A female student reported being told to “go kill herself” and students said they were threatened and subjected to physical assaults because of their non-conformity to gender stereotypes. Some of these students suffered from physical and mental health problems. Some students stopped attending school for periods of time, left the school district, or dropped out of school entirely. We also found that the school district knew about the harassment, that the district did not take effective action to stop the harassment and that, as a result, the harassment continued and in certain instances escalated. In March 2012, after extensive settlement negotiations with the school district, we achieved a court-approved consent decree. As part of the consent decree, the school district agreed to take all reasonable steps to prevent and eliminate sex-based harassment, and to respond promptly and appropriately to all reports of harassment. The district also agreed to implement a number of specific reforms, including policy changes, hiring new staff focused on ensuring equity and safety, conducting additional training for students and staff, mental health counseling for bullying victims, surveying students to assess school climate and student behavior, and establishing student peer-based leadership programs.

Students with disabilities are disproportionately affected by bullying behavior and are often more vulnerable to bullying than others. We received a complaint from a middle school student with cerebral palsy who alleged that he was bullied and harassed at school and on the school bus, including being kicked in the legs in the cafeteria and being hit with bottles at a pep rally. The student was so severely harassed that he requested home schooling. OCR successfully obtained an agreement with the school district to set up a “hot line” for the child to use to report any future concerns, and to provide better monitoring in the cafeteria and on the bus. OCR conducted training for all school staff, and the district agreed to provide training to all students at the middle school. The district also agreed to fully implement policies on the discipline of students for peer bullying and harassment, and to report incidents to parents in a timely matter.

I describe these outcomes to highlight another approach of ours—which is to craft more robust remedies designed to empower the entire school community to address

issues of harassment. Our remedies are not just “top-down” (involving policy change and training), but also from the “ground up” (engaging schools and communities).

(4) Improving Data Collection on Bullying and Harassment

At the Federal level, another approach we’ve used is to take data collection to another level to be able to monitor the “equity health,” of schools around the Nation.

In March of this year, we unveiled the latest installation of a transformed Civil Rights Data Collection or “CRDC.” The CRDC is a representative sample from 2009–10 covering 85 percent of the Nation’s students—that’s 7,000 school districts and 72,000 schools. Next year, it will be expanded to all schools. The CRDC allows us to track which schools have policies on bullying and harassment and which do not. We also track the number of students reported to have been bullied and harassed, the number of incidents of bullying and harassment, and the number of students disciplined for bullying and harassment. All of these data are self-reported by schools. Because many schools weren’t keeping track of these data, the quality of the data will improve with time. Not only will these data shine a light on the problem nationally and locally, but they will help individual schools across the country know who is being bullied or harassed, how often, and why, and be accountable for the safety of their students, and help the Department support States, school districts and schools in those efforts.

A consistent theme heard at the initial Bullying Prevention Summit was the absence of a uniform definition of bullying that can inform both research and in policy. The lack of a uniform definition restricts the applicability and comparability of research and makes it difficult to monitor trends in bullying over time. We are working with the Centers for Disease Control (CDC) to help the field reach a consensus on what bullying is, and to improve understanding and development of ways to combat it. A definition is expected to be released this fall.

(5) Coordinating Across Government and With non-Governmental Organizations

The Department also actively forms partnerships with other government agencies and with non-governmental and civic organizations to combat bullying and harassment. These strategic partnerships have brought together a cross-section of local, State and national organizations whose different perspectives and experience have created a rich discussion on how to eradicate bullying in our schools.

Within the Government, we have partnered with nine Federal agencies to ensure that bullying is addressed from all angles. And, we are collaborating internationally as well, as other countries have similar issues regarding school climate and we can learn from each other’s experiences. We recently agreed to work with the Republic of Korea, which is very concerned about school violence, to examine data and policies to address bullying and ensure school safety.

And with our invaluable non-governmental partners, including many in the education and civil rights communities, we’ve been able to accomplish so much more than what we’d be able to do alone.

III. CONCLUSION

Through our collective efforts, and in partnership with other agencies and other experts in education and civil rights, we believe that we can help provide students, parents, and local school districts with the tools that they need to adopt more effective approaches to preventing and addressing bullying, harassment, and discrimination. The Department of Education is committed to working to ensure that every student has the opportunity to receive a high-quality education at a safe school, free from discrimination and harassment.

In conclusion, let me reiterate my appreciation for the opportunity to participate in this hearing. This topic is so important. When we curb bullying, we contribute to the educational success of each child. We remove barriers to achievement, and we reaffirm our national commitment to provide an equitable educational opportunity for every child.

The CHAIRMAN. Thank you very much, Madam Secretary.

The complaints, the 2,000 instances that you got in, did that come through the Web site?

Ms. ALI. Yes.

The CHAIRMAN. Mostly the Web site?

Ms. ALI. Yes, mostly through the Web site.

The CHAIRMAN. Let’s say it one more time. What is that Web site?

Ms. ALI. Oh, I'm sorry. The Web site I mentioned earlier was *stopbullying.gov*. Our Web site at OCR on the *ed.gov* Web site for the Office for Civil Rights, you will see a complaint filing process. We have 12 regional offices across the country and over 600 attorneys, investigators and staff.

The CHAIRMAN. So I take it you would encourage people that have incidents and things like that to basically get that information in, right?

Ms. ALI. Absolutely. We are duty-bound to evaluate every complaint and vigorously enforce. The Secretary called, on the foot of the Edmund Pettus Bridge in Selma, AL, for a re-invigoration of the Office for Civil Rights, and we are doing just that.

The CHAIRMAN. One of the things I think that most people don't understand, and try to help me understand this a little bit better, civil rights laws cover—you're an expert, you're a lawyer, you know all this—it covers nearly everything, but it doesn't cover sexual orientation. So how can you or the Justice Department intervene if, in fact, it's not covered as a civil right?

Ms. ALI. These are on a case-by-case basis, and we again examine all of the facts to determine where bullying and harassment is sexual orientation, and unfortunately we don't have jurisdiction based on that. But in most that I have seen, in addition to sexual orientation bullying and harassment, students again are also bullied and harassed because they're not conforming to gender stereotypes. That has long since been sex discrimination in the employment context. We have now made it clear, over the last 3 years, that it is also sex discrimination under title IX, which protects students in colleges and universities all across our country from sex discrimination.

The CHAIRMAN. Thank you. You said we've already had two White House summits.

Ms. ALI. Yes.

The CHAIRMAN. The third is this summer, I think in August, if I'm not mistaken.

Ms. ALI. Yes.

The CHAIRMAN. Out of those summits, as I understand it, come suggestions about how we approach this. I was asked, we were both asked before we officially started here by the press, what is the proper role of the Federal Government in this.

So I ask you, from the Department of Education's standpoint, tell me how you look at proceeding on this in a supportive manner for school districts around the country. Give me a thumbnail sketch, if you will, of what you think are the most important things that we, you and I at the Federal level, can do to help support those schools that actually do have good policies, take those examples and extend them to other schools, because there are some good schools that have good policies in this country. How do we spread that around the country?

Ms. ALI. I think there are a couple of ways, certainly in conversations like this, and with your leadership and others. The civic conversation that has emerged over the last couple of years is leading to real action. It is leading to students no longer willing to tolerate a culture of bullying and harassment around them. I heard from young people just a few weeks ago who said they refuse to be silent

anymore, and they are launching campaigns even though they have not been victims themselves to ensure that no student sits by and watches this anywhere, nor do their community members.

It is also about, in these cases where we are vigorously enforcing, Seth Walsh's tragic suicide in Tehachapi, CA comes to mind. His mother filed a complaint with our office. She explained to us what Seth experienced, that for years he was told he wasn't masculine enough, that because he had female friends he was often ridiculed as being a girl. People didn't like the way he talked or the way he dressed. It got to the point where Seth avoided certain areas in school, where he would hide in the library to avoid unkindness.

His mother and he reported it to school officials for years, and minimal things happened, if anything. In fact, many believed that if students were bullied and harassed because they were a member of the LGBT community, that there was nothing that adults could do precisely because of the civil rights vacuum when it comes to protecting those students.

As we investigated, we realized that there had been a civil rights violation suffered by Seth. It was too late, unfortunately, for him, but not too late to ensure that Tehachapi was cured and that no student would have to suffer the way Seth did. Our resolutions are robust and they are about eradicating the culture and helping leaders sustain a healthy and positive environment.

Climate checks are so hugely important for educators to actually know whether their students feel safe. That is a part of many of our resolutions. Those are the kinds of practices that educators can engage in across the country so that they, too, can do a self-reflection, if you will, about what's happening in their schools and meet students' needs where they are.

The CHAIRMAN. Madam Secretary, thank you very much for coming all the way out here to Iowa. More than that, thank you for your lifetime of work on behalf of children.

There are a lot of unsung heroes around this country who do a lot of things you don't hear about. I just want you to know that Russlynn Ali has spent her life working on behalf of underprivileged kids, kids that come from disadvantaged areas, and you've set a great example for a lot of these kids through your own personal achievements. But more than that, you haven't forgotten to leave the ladder down for other kids, too.

So I want you to know I appreciate it very much. Thank you for being here, and thank you and Secretary Duncan, and also President Obama for leading on that side, on the executive branch side, in this area, and as I said, walking the walk.

The President, as I keep pointing out, this is the third summit at the White House on bullying, and I know that Secretary Duncan has taken effective steps also. I appreciate you and the Office of Civil Rights for not only being proactive but also back-stopping the President and the Secretary in their great work, too.

Ms. ALI. Thank you, Chairman.

The CHAIRMAN. Thank you. You can please stay. I know you probably have a plane or something to catch, but thank you again for coming out to Iowa.

Ms. ALI. Thank you. Really, your leadership has been the guide for so many, and certainly mine, for me as well. I am one of those

kids that we talk about not being able to learn very much, and it's about helping you ensure that we help them. Thank you.

The CHAIRMAN. I look forward to working with you.

Ms. ALI. Thank you.

The CHAIRMAN. Thank you very much, Madam Secretary.

Now we'll call our second panel.

The second panel is Linda Calbom, the Western Regional Director for the U.S. Accountability Office. In this role, she is responsible for the operations of the Los Angeles, San Francisco, Seattle, and Denver field offices. She is also responsible for directing several engagements in GAO's Education Workforce and Income Security Team, including work focusing on school bullying.

Prior to joining GAO in 1990, Ms. Calbom was a senior audit manager with Deloitte and Touche in Seattle, WA.

I'm trying to get something cleared up here.

Thank you very much. The GAO is releasing a report today, Friday, June 8, on school bullying. Legal protections for vulnerable youth need to be more fully assessed, and our Western Regional Director, Linda Calbom, is here to address us about this study that was just done by the GAO.

Welcome. Your statement will be made a part of the record. If you could sum it up, I'd sure appreciate it. Thanks.

STATEMENT OF LINDA M. CALBOM, WESTERN REGIONAL MANAGER, U.S. GOVERNMENT ACCOUNTABILITY OFFICE, SAMMAMISH, WA

Ms. CALBOM. Thank you very much, Mr. Chairman, and thank you for having us here today to talk about the results of our work in that study which you and other members of the committee requested.

As you well know and mentioned in your statement, millions of American youth are subjected to bullying each year, and it is all across the country. While much is being done at the local, State, and Federal levels to address this growing epidemic, there continues to be a need for more information about legal and practical approaches to combating bullying.

In this context, you asked us to address the following questions: first, what is known about the prevalence of school bullying and its effects on the victims; second, the approaches that selected States and local school districts are taking to combat school bullying; third, the legal options Federal and State Governments have in place when bullying leads to allegations of discrimination; and finally, how the key Federal agencies, including Education, are coordinating their efforts to combat bullying.

As you mentioned, we did just release our report. It's entitled, "School Bullying: Extent of Legal Protections for Vulnerable Groups Needs To Be More Fully Assessed," and I think there were some copies made available of the report here.

In this report, we addressed the questions I just mentioned, and we make recommendations to the Departments of Education, Health and Human Services, and Justice, who are all working on this issue together, to help address the issues that we identified in our work. Today I'm just going to very briefly sum up our findings and the recommendations in that report.

In addressing your first question, we found that bullying is indeed widespread, impacting somewhere between 20 and 28 percent of youth, and that it has, as you said, long-lasting and sometimes very detrimental effects on victims. However, data on who is being bullied and how often is limited and sometimes conflicting due to inconsistent definitions and demographic information collected in national surveys on school bullying.

Federal agencies are currently working on developing a uniform definition of bullying but have not yet decided whether to expand the type of demographic information gathered in their surveys. Because of this, we included a recommendation in our report that the three agencies work together to develop information in future surveys on the extent that youth and various vulnerable groups are, in fact, being bullied.

Regarding the approaches that States and school districts are taking to combat bullying, we found that all eight States that we selected for review had enacted anti-bullying laws, and all of the six school districts we reviewed had established anti-bullying policies and procedures. However, the States, as the Secretary just mentioned, the States all varied in how they defined bullying, who they protected, and what they required the schools to do to address bullying.

The six school districts we talked to told us about a range of different approaches they take to tackle bullying, including several in adoption of a prevention-oriented framework that's geared toward improving overall behavior in schools, and several schools also sponsored events such as Rachel's Challenge and Ryan's Story that are geared toward promoting a positive overall culture in the school that can also help prevent bullying.

As far as the legal options when bullying leads to allegations of discrimination, we found that Federal and State civil rights laws offer some protections but that vulnerable groups are not always covered, as was mentioned earlier. For example, Federal agencies lack jurisdiction under civil rights statutes to pursue discrimination cases based solely on socioeconomic status or sexual orientation, as you were talking about earlier. The civil rights laws in the eight States we reviewed, while they often went beyond the protections afforded at the Federal level, were mixed as to what classes of individuals were protected. Therefore, the extent of protections available under civil rights laws for bullying victims can literally depend on the State that they live in.

And finally, Mr. Chairman, we found that despite all the good coordination efforts by Education, HHS, and Justice to carry out research and provide information to the public on bullying, there has not been information gathered on States' civil rights laws as they relate to bullying. This information is key to understanding where there may be gaps in civil rights protections for students who are bullied, which is why we recommended that Education do a one-time compilation of State civil rights laws and procedures.

Our recommended analysis of these legal gaps, paired with additional demographic information on the frequency of bullying of vulnerable groups, would be instrumental in helping policymakers determine whether additional actions are needed to protect vulnerable groups who are most often the target of school bullying.

That concludes my prepared remarks, Mr. Chairman, but I'm happy to answer any questions you might have for me.
[The prepared statement of Ms. Calbom follows:]

PREPARED STATEMENT OF LINDA M. CALBOM

Chairman Harkin, Ranking Member Enzi, and members of the committee: I am pleased to be here today to discuss the results of the work that you and other members of the committee requested on school bullying. It is estimated that millions of American youths have been bullied by their peers, including physical, verbal, and electronic attacks.¹ Some of these incidents, including some where bullying has been linked by the media to teen suicide, have received widespread attention, resulting in heightened awareness of bullying, as well as a wide range of actions at the Federal, State, and local levels to address the behavior. Some of these incidents involved bullying based on personal characteristics, including race, religion, or sexual orientation, and have also raised questions about the role and availability of Federal and State civil rights protections. Given the dynamic and rapidly changing nature of these efforts, governments at all levels, as well as the public, face a growing need for information about possible legal and practical approaches to combating bullying. My statement is based on our report released yesterday, which addresses the following objectives:

- What is known about the prevalence of school bullying and its effects on victims?
- What approaches are selected States and local school districts taking to combat school bullying?
- What legal options do the Federal and selected State governments have in place when bullying leads to allegations of discrimination?
- How are key Federal agencies coordinating their efforts to combat school bullying?

To address these objectives, we reviewed research on the prevalence and effects on victims; analyzed State bullying laws, and school district bullying policies; interviewed officials from the Departments of Education (Education), Health and Human Services (HHS), and Justice, and a nongeneralizable sample of eight States and six school districts; and reviewed selected relevant Federal and State civil rights laws. More information on our scope and methodology is available in the issued report.² We conducted our work on which this testimony is based from April 2011 through May 2012 in accordance with generally accepted government auditing standards.

Although definitions vary, including definitions used by Federal agencies, many experts generally agree that bullying involves intent to cause harm, accompanied by repetition, and an imbalance of power. Notably, bullying is distinct from general conflict or aggression, which can occur absent an imbalance of power or repetition. For example, a single fight between two youths of roughly equal power is a form of aggression, but may not be bullying. When bullying occurs, it may take many forms, including physical harm, such as hitting, shoving, or locking someone inside a school locker; verbal name calling, taunts, or threats; relational attacks, such as spreading rumors or isolating victims from their peers; and the use of computers or cell phones to convey harmful words or images, also referred to as cyberbullying. Bullying often occurs without apparent provocation and may be based on the victim's personal characteristics. For example, youth may be bullied based on the way they look, dress, speak, or act. To address bullying, Federal, State, and local governments have a range of efforts under way, including studies of the prevalence of bullying, laws to prevent and address bullying, and antidiscrimination laws that, for certain stated classes of students, can be used in some circumstances to address discrimination resulting from bullying.

In summary, with regard to the prevalence and effects of bullying, our findings suggest that reported levels of bullying and related effects are significant. Research shows that bullying can have detrimental outcomes for victims, including adverse psychological and behavioral outcomes. According to four nationally representative surveys conducted from 2005 to 2009, an estimated 20 to 28 percent of youth, primarily middle- and high school-aged youths, reported they had been bullied during

¹For the purposes of this testimony, the term "bullying" is used to reflect behavior that is intended to inflict harm, repeated over time, and characterized by an imbalance of power between the perpetrator(s) and victim(s). Some sources refer to similar behavior as "harassment," and may use the terms interchangeably.

²GAO, *School Bullying: Extent of Legal Protections for Vulnerable Groups Needs to Be More Fully Assessed*, GAO-12-349 (Washington, DC: May 2012).

the survey periods. However, differences in definitions and questions posed to youth respondents make it difficult to discern trends and affected groups. For example, the surveys did not collect demographic information by sexual orientation or gender identity. Education and HHS are partially addressing the issue of inconsistent definitions by collaborating with other Federal departments and subject matter experts to develop a uniform definition of bullying that can be used for research purposes. However, gaps in knowledge about the extent of bullying of youths in key demographic groups remain.

Selected States and school districts are taking various approaches to reducing bullying. The bullying laws in the eight States that we reviewed vary in who is covered and the requirements placed on State agencies and school districts. For example, six of the States cover a mix of different demographic groups, referred to as protected classes, such as race and sex or gender, in their bullying laws, while two States do not include any protected classes. With respect to school districts, each of the six districts we studied adopted policies that, among other things, prohibit bullying and describe the potential consequences for engaging in the behavior. Also, school district officials told us that they developed approaches to prevent and respond to bullying. For example, several school officials said they implemented a prevention-oriented framework to promote positive school cultures. Both State and local officials expressed concerns about various issues, including how best to address incidents that occur outside of school.

We also found that while Federal and State civil rights laws may offer some protections against bullying in certain circumstances, vulnerable groups may not always be covered. Federal civil rights laws can be used to provide protections against bullying in certain circumstances, but some vulnerable groups are not covered and therefore have no recourse at the Federal level. For example, Federal agencies lack jurisdiction under civil rights statutes to pursue discrimination cases based solely on socioeconomic status or sexual orientation. Some State civil rights laws provide protections to victims of bullying that go beyond Federal law, but Federal complainants whose cases are dismissed for lack of jurisdiction are not always informed by Education about the possibility of pursuing claims at the State level.

Finally, regarding Federal coordination efforts to combat bullying, we found that a variety of efforts are under way, but that a full assessment of legal remedies has not been completed. Specifically, Education, HHS, and Justice have established coordinated efforts to carry out research and disseminate information on bullying. For example, The Federal Partners in Bullying Prevention Steering Committee serves as a forum for Federal agencies to develop and share information with each other and the public, and <http://www.stopbullying.gov> consolidates the content of different Federal sites into one location to provide free materials for the public. In addition to these efforts, education has issued information about how Federal civil rights laws can be used to address bullying of protected classes of youths and is conducting a comprehensive study of State bullying laws and how selected school districts are implementing them. However, no similar information is being gathered on State civil rights laws and procedures that could be helpful in assessing the adequacy of legal protections for victims of school bullying.

In conclusion, we found that the nature and extent of protections available to students who are bullied depend on the laws and policies where they live or go to school. Education and Justice have taken important steps in assessing how Federal civil rights laws can be applied and Education has completed a study of State bullying laws, but neither agency has assessed State civil rights laws and procedures as they may relate to bullying. More information about State civil rights laws and procedures is a key missing link that is needed by administration officials and decisionmakers alike, to assess the extent of legal protections available to students who have been bullied. Furthermore, while multiple efforts to collect information about bullying have been under way for several years, the prevalence of bullying of youths in certain vulnerable demographic groups is not known. A greater effort by key Federal agencies to develop more information about the extent to which a broader range of demographic groups are subject to bullying and bullying-related discrimination would better inform Federal efforts to prevent and remedy bullying. This information, together with an assessment of Federal and State legal protections, could also aid policymakers in determining whether additional actions are needed to protect vulnerable groups of youths who are most often the target of school bullying.

To allow for a more comprehensive assessment of Federal and State efforts to address bullying, our report includes recommendations to Education to compile information about State civil rights laws and procedures that relate to bullying and to develop procedures to routinely inform individuals who file complaints of discrimination stemming from bullying about the potential availability of legal options under their State's anti-discrimination laws; and to Education, HHS, and Justice to de-

velop information about bullied demographic groups in their surveys of youth and to use this information and other information from studies of State bullying and civil rights laws to assess the extent to which legal protections against bullying exist for vulnerable demographic groups. Education and HHS generally agreed with our recommendations, although Education took issue with our recommendation that it compile information about State civil rights laws and procedures as they pertain to bullying. In response, we clarified that recommendation to address some of their concerns, but we continue to believe that a one-time compilation of State civil rights laws and procedures would be beneficial, and provide a basis, along with other information, for analyzing the overall legal protections that are available for vulnerable demographic groups. A more complete discussion of agency comments is provided in the report.

Chairman Harkin, Ranking Member Enzi, and members of the committee, this concludes my prepared remarks. I will be happy to answer any questions you may have.

The CHAIRMAN. Thank you very much, Ms. Calbom, and thank you for the study.

I just might again inform people that a year ago in March 2011, this committee asked the GAO to do the study. So it was a committee request. They've done a thorough study for a whole year, and this is the result. We got the report back, which was just released today and which Ms. Calbom was just referencing.

I think one of the key things is what you just said, and I'm just reading from your statement, that a greater effort by key Federal agencies to develop more information about the extent to which a broader range of demographic groups are subject to bullying and bullying-related discrimination would better inform Federal efforts to prevent and remedy bullying.

Then you also said more information about States' civil rights laws procedures is a key missing link that we need to know and understand.

I assume by that, are you suggesting that perhaps this would be a proper area for the Department of Education, the Federal Department of Education, to engage in collecting that kind of information?

Ms. CALBOM. Yes. We feel that if they took that type of information, which they could collect—and we purposely used the word “compile” because we're not asking them to do an in-depth analysis of case law. We know that would be very difficult and time-consuming. But if they compiled the information on States' civil rights laws, if they looked at that in conjunction with the study they just finished on the State bullying laws so we can see who is covered under that, lay that over the Federal civil rights laws, and then you can take a look at where are the gaps in the law. And then if you look at that in conjunction with gathering the demographic information, it's like here are the students most often being targeted, here are the students that aren't covered. What do we need to do?

The CHAIRMAN. I just said to my staff that I think this is something we need, based upon your findings and your suggestions, something we need to take back to the Department of Education and see if we can't implement that there.

I wanted to ask you, in your work for the study, were there any State bullying laws or civil rights laws that stood out to you as the strongest in protecting vulnerable groups? Anything there?

Ms. CALBOM. Yes. It's interesting because I asked my team that same question the other night just to see if we had some examples.

All the States are very different. I mean, some States cover a lot of different demographic groups, like I believe California covers quite a few groups specifically. But then you have Massachusetts, I believe, that is pretty broad because they want to make sure everybody is covered and they don't leave anybody out.

It varies all across the board from State to State whether certain protected classes—both in the civil rights and the State bullying laws, whether they are specifically mentioned or not, or whether they keep it very broad.

The CHAIRMAN. Some of our witnesses who will be on the next panel talk about Dr. Dan Olweus, right? Oh, it's like a V, that's right. Olweus. That's right. I've been told that before, too. That he had three definitions that agree on bullying. It's aggressive behavior characterized by unwanted negative actions. No. 2, it involves a pattern of behavior repeated over time. And No. 3, bullying relies on an imbalance of power or strength.

When I read those, and then there's a couple of people that had these in their testimony, I'm wondering if demographic groups is the right way to structure this. It doesn't mention anything in there about demographic groups. It could apply to anyone.

Ms. CALBOM. Right.

The CHAIRMAN. Some kids are bullied because maybe they're smaller in stature or they have physical characteristics that somebody feels that they should bully them on, but they're not a protected class.

So I'm just wondering out loud. Is demographic groups the right way to address this? I'll ask the next panel that, too. I was just wondering if you have any thoughts on that.

Ms. CALBOM. Yes, I do. I think part of the reason that we wanted to recommend or did recommend that more information be gathered about demographic groups is to show that very thing, that all kinds of kids are being bullied for all kinds of reasons, and as I think everybody would agree, all kids should be protected.

The CHAIRMAN. That's right. Exactly.

Thank you very much, Ms. Calbom. Thank you for the study, and thank you for the report.

Ms. CALBOM. My pleasure.

The CHAIRMAN. Thank you very, very much.

Ms. CALBOM. Thank you for holding the hearing, Mr. Chairman. It's a very important topic.

The CHAIRMAN. Thanks for coming here from Seattle, too. I appreciate that. Thank you.

We'll go to our next panel, and I'd like to call them all up: Penny Bisignano, Emily Domayer, Dr. Paul Gausman, Ellen Reilly, Matt Shankles, and Liz Sederquist. If you could all take your places here, wherever your name appears.

Again, I thank you all for being here. You've been here to see our other witnesses. Each of you has a statement. I read them last night. They're all great statements. They will all be submitted to the record in their entirety, so I would ask you to sum it up in 5 minutes or so, and then we'll engage in a nice discussion.

We will go from left to right. I will try not to intervene until we get to the end, although sometimes somebody says something that I've got to respond to or ask a question about.

If you could just take 5 to 7 minutes. I don't mind if you go 5 minutes or so. Once you start getting close to 10, I might get nervous.

First I'm going to introduce Emily Domayer, born in Des Moines in 1987, grew up in Sioux City, IA, graduated from Sioux City North High School in 2006. She was diagnosed with Asperger's syndrome at age 12.

In 2005, she attended the Iowa Youth Leadership Forum, a statewide gathering of high school students with disabilities who have leadership potential. She has come back every year as a counselor. She considers herself to be an advocate for people with disabilities, particularly those on the autism spectrum. She's been playing violin since she was 9 years old.

Emily, welcome, and please proceed.

STATEMENT OF EMILY L. DOMAYER, STUDENT, MORNINGSIDE COLLEGE, SIOUX CITY, IA

Ms. DOMAYER. The boy pointed at people and said, "Dumb, dumber, and dumbest." When he said "dumbest," he pointed at me.

I was 7 years old the first time I was bullied. I was so shocked and stunned that I didn't know how to react or what to do. All I really knew was that what he had said was wrong and that his words stung like vinegar on a cut.

It was in second grade that I first realized I was different. I felt like I was in and from a different world from my classmates. Sometimes they would talk about me as if I wasn't there, condescendingly explaining my behavior to each other, saying "she always does that."

It was the kids who were in the popular crowd who picked on me the most. They were a small group of girls and boys, kids who seemed to be well-liked by the teachers. Later, I looked back at these early experiences and knew that I was so confused about everything, who I was, why I behaved the way I did, why I didn't understand how to make friends. I was perceived by others to be the shy kid. I was not diagnosed with Asperger's syndrome, an autism spectrum disorder, until I was 12, which is a very late diagnosis.

I wanted to tell my parents that I was getting bullied but I did not know how to explain what was happening. Thankfully, when I was in third grade, the bullies were in the other class. We had two classrooms for each grade. Unfortunately, the bullying got worse when I was in fourth grade. A new girl moved into my neighborhood—I'll call her Girl A—and she behaved well in front of my parents and other adults. But when their backs were turned, she had the personality of a vicious junkyard dog. It took me many years to realize that she chose me because I was vulnerable. I didn't have any friends, and it was difficult for me to make friends. The rules of friendship were completely foreign to me.

One time, she and another student picked on me when the teacher was out of the room. They called me Queen of the Dorks and put an imaginary crown on my head. I was very hurt by their actions.

Our teacher once said, after discovering that some of the students were arguing, that we should all get along because we were all friends. I knew even then that wasn't going to fix anything.

In second, fourth and fifth grade, my peers verbally abused me almost every day about the clothes I wore. I didn't dress like they did. I didn't wear the latest cool clothes. I was not a cool kid. I didn't pay attention to celebrities in the news or watch the same TV shows the other kids watched.

In my childhood, I just wanted to be a happy kid who felt free to be myself. I wanted to be a kid, but my classmates were not OK with that. They knew I wasn't cool, and they used every opportunity they could find to make me feel like I would never be good enough to be their friend.

They were relentless. They made fun of the speech I wrote at the end of the year for the anti-drug program DARE. My Halloween costume wasn't cool. When I gave a presentation in Social Studies, they laughed at me and asked me questions in a mocking tone of voice. I always hated PE because I wasn't very coordinated and my peers were impatient and unkind toward me. I always felt like I was never good enough.

The only reason I ever felt comfortable going to school when I was being bullied was that I got along very well with my teachers. In fifth grade, my teacher gave me a hug every day after school was over. I needed it.

Fifth grade was the worst of all. There was another girl, Girl B, who chose me as her target. The whole school year, she seemed to enjoy treating me like garbage. She pulled my hair, kicked me in line, and made fun of my clothes whenever she could. One time my mom came to school, and after she left, Girl B made fun of my mom wearing a scarf on her head. It was winter time. I was furious, but because I didn't know how to handle the situation, I kept my rage inside.

Recess is hell for most students on the autism spectrum because it is about socialization, an area people on the spectrum struggle with most often. I usually spent most of my time during recess talking with either the recess monitor, who was also one of the lunch ladies, or one of my few friends. I felt comfortable talking with the monitor because she was nice to me, unlike my peers.

One day on the playground I was standing around just talking with someone when Girl B suddenly came up to me and told me to come with her. I told her I didn't want to. She started to ask me why, and she wouldn't stop it. After not being satisfied with my answers, she grabbed me by the arm and gave it a snake bite, twisting my arm very hard with both her hands and causing severe pain. I found a teacher, and she sent Girl B to the principal's office. After my mom learned about the incident, she came to school to speak to the principal, who said that Girl B was having issues at home. Not much else was done.

I am particularly concerned about students who are unable to communicate that they are being bullied. Before I was able to advocate for my disability, I had no idea how to let the adults around me know that I was being bullied. How can students with autism who have little or no verbal abilities inform responsible adults if they are being bullied?

I wished that my elementary school teachers and administrators had done more to address bullying. I felt so alone. It doesn't matter who you are, what you look like, how you dress, what faith you be-

lieve, how you learn, whatever, no one should have to feel afraid to go to school. Bullying is not a rite of passage.

It is so heartbreaking to me to think of young children and teens who have committed suicide because they were bullied so much they felt the only solution was to end their lives. Every student has the right to have a safe learning environment. School should be a place where students feel comfortable to be themselves. A school's No. 1 priority above all else should be safety. When students don't feel safe, how can they learn?

Bullying will become less prevalent when teachers, school administrators and parents are honest and open about what behavior is tolerated and what is not. Bullying will go away when schools, parents and students work together so that kids understand that bullying will not be tolerated.

[The prepared statement of Ms. Domayer follows:]

PREPARED STATEMENT OF EMILY L. DOMAYER

The boy pointed at people and said, "dumb," "dumber" and "dumbest." When he said "dumbest," he pointed at me. I was 7 years old the first time I was bullied. I was so shocked and stunned that I didn't know how to react or what to do. All I really knew was that what he had said was wrong and that his words stung like vinegar on a cut. It was in second grade that I first realized that I was different. I felt like I was in and from a different world from my classmates. Sometimes they would talk about me as if I wasn't there, condescendingly explaining my behavior to each other, saying, "She always does that."

It was the kids who were in the "popular" crowd who picked on me the most. They were a small group of boys and girls, kids who seemed to be well liked by the teachers. Later, I looked back at these early experiences and knew that I was so confused about everything—who I was, why I behaved the way I did, why I didn't understand how to make friends. I was perceived by others to be the "shy kid." I was not diagnosed with Asperger's syndrome, an autism spectrum disorder, until I was 12, which is a very late diagnosis. I wanted to tell my parents that I was getting bullied, but I did not know how to explain what was happening.

Thankfully, when I was in third grade, the bullies were in the other class. We had two classrooms for each grade.

Unfortunately, the bullying got worse in fourth grade. A new girl moved into my neighborhood, (I'll call her "Girl A") and she behaved well in front of my parents and other adults. But when their backs were turned, she had the personality of a vicious junk-yard dog. It took me many years to realize that she chose me because I was vulnerable; I didn't have many friends, and it was difficult for me to make friends. The rules of friendships were completely foreign to me.

One time, she and another student picked on me when the teacher was out of the room. They called me "queen of the dorks" and put an imaginary crown on my head. I was very hurt by their actions. Our teacher once said, after discovering that some of the students were arguing, that we "should all get along because we are all friends." I knew even then that was not going to fix anything.

In second, fourth and fifth grade, my peers verbally abused me almost every day about the clothes I wore. I didn't dress like they did; I didn't wear the latest, "cool" clothes. I was not a "cool" kid. I didn't pay attention to celebrities in the news or watch the same TV shows the other kids watched.

In my childhood, I just wanted to be a happy kid who felt free to be myself. I wanted to be a kid. But my classmates were not OK with that. They knew I wasn't cool, and they used every opportunity they could find to make me feel like I would never be good enough to be their friends. They were relentless. They made fun of the speech I wrote at the end of the school year for the anti-drug program DARE. My Halloween costume wasn't cool. When I gave a presentation in Social Studies, they laughed at me and asked me questions in a mocking tone of voice. I hated P.E. because I wasn't very coordinated and my peers were impatient and unkind toward me. I always felt like I was never good enough.

The only reason I ever felt comfortable going to school when I was being bullied was that I got along very well with my teachers. In fifth grade, my teacher gave me a hug every day after school was over. I needed it.

Fifth grade was the worst of all. There was another girl, (Girl B) who chose me as her target. The whole school year, she seemed to enjoy treating me like garbage. She pulled my hair, kicked me in line, and made fun of my clothes whenever she could. One time, my mom came to school, and after she left, Girl B made fun of my mom wearing a scarf on her head. (It was winter) I was furious, but because I didn't know how to handle the situation, I kept my rage inside.

Recess is hell for most students on the autism spectrum because it is about socialization—an area people on the spectrum struggle with most often. I usually spent most of my time during recess talking with either the recess monitor, who was also one of the lunch ladies, or one of my few friends. I felt comfortable talking with the monitor, because she was nice to me, unlike my peers. One day on the playground, I was standing around, just talking with someone, when Girl B suddenly came up to me and told me to come with her. I told her I didn't want to. She started to ask me why, and she wouldn't stop it. After not being satisfied with my answers, she grabbed me by the arm and gave it a "snakebite," twisting my arm very hard with both her hands and causing severe pain. I found a teacher and she sent Girl B to the principal's office. After my mom learned about the incident, she came to school to speak to the principal, who said that Girl B was having issues at home. Not much else was done.

I am particularly concerned about students who are unable to communicate that they are being bullied. Before I was able to advocate for my disability, I had no idea how to let the adults around me know that I was being bullied. How can students with autism who have little or no verbal abilities inform responsible adults if they are being bullied?

I wish that my elementary school teachers and administrators had done more to address bullying. I felt so alone.

It doesn't matter who you are, what you look like, how you dress, what faith you believe, how you learn, whatever—nobody should have to feel afraid to go to school. BULLYING IS NOT A RITE OF PASSAGE! It is so heartbreaking to me to think of young children and teens who have committed suicide because they were bullied so much, they felt the only solution was to end their lives. Every student has the right to have a safe learning environment. School should be a place where students feel comfortable to be themselves. A school's No. 1 priority, above all else, should be safety. When students don't feel safe, how can they learn? Bullying will become less prevalent when teachers, school administrators, and parents are honest and open about what behavior is tolerated and what is not. Bullying will go away when schools, parents and students work together so that kids understand that bullying will not be tolerated.

Note: I was born in Des Moines, in 1987. I grew up in Sioux City, IA, and graduated from Sioux City North High School in 2006. When I was 12, I was diagnosed with Asperger's Syndrome, a form of autism. In 2005, I got a great opportunity to attend the Iowa's Youth Leadership Forum (YLF), a statewide gathering of high school students with disabilities who have leadership potential. I have come back every year as a counselor, because I continue to see the tremendous, life-changing effect YLF has on the students as well as the staff. I consider myself to be an advocate for people with disabilities, particularly those on the autism spectrum. I have been playing violin since I was 9 years old. I love cats and I love to read.

The CHAIRMAN. Emily, I can't comment much about your violin playing, but I can sure say you are one heck of a writer and speaker.

Ms. DOMAYER. Oh, thank you.

The CHAIRMAN. Boy, that was tremendous.

Ms. DOMAYER. Thanks.

The CHAIRMAN. Thank you very much.

Now we'll turn to Penny Bisignano, an Educational Consultant for the Iowa Department of Education as part of the Safe and Supportive Schools Grant team, with her focus on bullying prevention and intervention.

Prior to joining the grant team at the Iowa Department of Education, she served as a consultant to the Department and provided training and networking for the statewide network of Olweus—got the V in there this time—Bullying Prevention Program Trainers, and facilitated projects in school improvement and teacher quality.

Penny coordinated a Federal elementary school counseling grant for Des Moines Public Schools, coordinated the Counselor Education Program at Iowa State University, and served as a school improvement coordinator for Area Education Agency 11 in Iowa.

Again, welcome. I read your testimony. It will be made a part of the record in its entirety. Please sum it up, if you can.

STATEMENT OF PENNY BISIGNANO, CONSULTANT FOR BULLYING PREVENTION AND INTERVENTION, IOWA DEPARTMENT OF EDUCATION, DES MOINES, IA

Ms. BISIGNANO. I sure will. Thank you.

Thank you, Emily. As you were speaking, I thought about the calls that we receive at the Department of Education from parents and students about what they're experiencing and how difficult this is. I heard the term "relentless" and "I felt so alone." And we hear that, and it's so powerful. It's something that we really need to work on every single day, and that's really my job at the Department of Education.

I'm really honored to be here today, Senator Harkin, and thank you, everyone, for the opportunity.

I would really like to focus on three areas and be as brief as I can. We talked about the definition of bullying and how challenging that is that we don't have perhaps a Federal definition, although we do appreciate at the *stopbullying.gov* site that we do have and follow a definition that helps us in our work, and that is that bullying is really unwanted aggressive behavior among school-age children that involves a real or perceived power imbalance. The behavior is repeated. I think about relentlessly, the repeated things, Emily, that you talked about, and has the potential to be repeated over time.

Bullying includes actions like making threats, spreading rumors—and often we think that's not serious, but it's very serious—attacking someone physically or verbally, and exclusion. Very often, it begins with exclusion. In elementary school, we see that as one of the strategies that help to make kids feel left out.

Again, I think you mentioned this, Senator Harkin, the researcher and really father of bullying prevention, Dan Olweus from Norway, says bullying is peer abuse, and I think we need to really pay attention to the fact that this is an abusive behavior. It's an act of violence.

What we can do and what we know that is encouraging to us is that we really have a guideline around some best practices. I'd just like to have us hear those. There are really 10 that guide us.

No. 1 is, in a school, we need to focus on the social environment of the school, and that means addressing the climate, the climate in which our kids come there every day to learn.

No. 2 is to assess the nature and extent of bullying. Often we don't ask. We say we don't have bullying here, but unless we're really surveying our students, and now we know that we need to ask parents and family and staff as well, so that we have data to make good decisions.

We need to get support from the adults in the environment. Everybody needs to be engaged in this. It's not something that one

teacher can do or one staff member. It's not something that happens with just a few, but we need everybody engaged.

There also needs to be a group that shepherds the work. If we're going to address bullying, we need those who are passionate, have it in their heart to do this, and that should include parents and students, as well as community.

It's so critical, and I heard this earlier, to train all of the adults in the school around bullying prevention, getting everybody to join. When I heard Emily's story, I think we all need to join so that we can understand what this is, the harm that's caused.

We need to create and enforce very specific rules to address bullying, make sure that we're addressing this in classrooms, increase our supervision, and intervene consistently and appropriately. Seventy percent of teachers in a survey we know believed that they intervened almost always, while students, 25 percent of students believed that the teachers intervened almost always. So there's a real discrepancy in our perceptions.

And then it all has to continue over time.

What we're doing in Iowa, very quickly, is that we have been leaders in bullying prevention since 2004, even before our law was passed in 2007. We intentionally have two nationally certified trainers around bullying prevention and intervention in every area education agency, and with our Safe and Supportive Schools grant there's someone who is assigned to each one of those schools to provide that.

We've hosted ICN sessions, workshops and webinars, and continue to do that.

We have ongoing guidance from our department attorney, Carol Greta.

And again through the grant, we have provided this last spring our first full-day intake and investigator training. Across the State of Iowa, we had 400 educators participate in that. We will continue that work.

We know that when somebody tells you that something has happened, we need to pay attention to that.

We are partnering with Iowa State Extension and Outreach around youth engagement for each one of our grant schools. So we have youth teams that are really there to help us, really, to understand and know what we can do to address bullying and to improve the climate overall. That's really what that's about.

We've also partnered with the Iowa Pride Network in a Safe Schools certification program which includes both an audit of the Iowa bullying laws so that schools are meeting the components of the law, and then elements for addressing bullying more comprehensively in each of our schools.

In the fall we will launch at the Department of Education a refined data collection system from every school in the State of Iowa, which will give us much more information about all those categories that are in our Iowa law of students who may be bullied.

And just one consideration, in closing, for thinking about the future. All areas that support student learning, we call that learning supports in Iowa, and they need to receive the same level of priority and legislation and funding as reading, math, and other academics. School climate has a significant impact on the child and

student's ability to learn. It's as important to know if a student is safe as it is to know his or her achievement scores.

Thank you.

[The prepared statement of Ms. Bisignano follows:]

PREPARED STATEMENT OF PENNY BISIGNANO

Good afternoon, ladies and gentleman. I am happy to be with you on this very important occasion to talk a little bit about bullying in schools, something that I spend every day of my life thinking about and making efforts to address.

My name is Penny Bisignano and I am a consultant at the Iowa Department of Education and part of the Iowa Safe and Supportive Schools Grant Team. My area of specialization is bullying and harassment in schools. Every time I tell someone what I do, they tell me their own story of bullying. Usually they talk about something they experienced or are experiencing or about someone in their family or in a friend's family. **Bullying is everywhere.** I take calls daily from parents whose children are suffering both physically and mentally. They tell me their kids aren't focused on learning and academics when they fear for their physical or emotional safety at school every single day. I know they are right.

Today I will focus my 5 minutes on four areas.

1. The definition of bullying and the best practices for addressing it.
2. What we are doing in Iowa to address bullying.
3. The key components of the Iowa Anti-Bullying Anti-Harassment Law.
4. Considerations for moving forward.

HOW IS BULLYING DEFINED?

Bullying is more complex than physical or verbal harm. It is a form of violence in schools. The Federal *stopbullying.gov* defines bullying as,

“unwanted, aggressive behavior among school-aged children that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. Bullying includes actions such as making threats, spreading rumors, attacking someone physically or verbally, and excluding someone from a group on purpose.”

Researcher, expert, and author Dr. Dan Olweus has a similar definition, one that identifies bullying as **peer abuse**. He says,

“A person is bullied when he or she is exposed, repeatedly and over time, to negative actions on the part of one or more other persons, and he or she has difficulty defending himself or herself.”

These definitions agree on **three components of bullying**.

1. Bullying is aggressive behavior characterized by unwanted, negative actions.
2. Bullying involves a pattern of behavior repeated over time.
3. Bullying relies on an imbalance of power or strength.

Bullying can take many forms, including derogatory speech, exclusion or isolation, physical attacks, the spreading of rumors, taking or damaging money or property, threats, and forced actions. It can be racially or sexually motivated. And, it can take place in person or via cell phones or Internet (cyber bullying).

BEST PRACTICES FOR ADDRESSING BULLYING

At *stopbullying.gov*, the Health Resources and Services Administration (HRSA) provides 10 Best Practices for bullying prevention and intervention. It is important that all 10 be in place in order to effectively address bullying in schools.

1. **Focus on the social environment of the school.** When we address the social environment in school, we really address the climate for learning, as a climate of safety and respect promotes student success. The insecurity, lack of control, and sense that nobody cares that come with bullying make it difficult for students to focus on academics. Some bullied students may stop coming to school altogether.

2. **Assess the nature and extent of bullying in each school.** In order to specifically target areas for improvement, we must know what kind of bullying is occurring and the degree to which it is occurring. Data from anonymous student surveys can help inform and motivate adults to take action, help administrators and educators tailor prevention strategies, and serve as a baseline from which schools can measure their progress in reducing bullying.

Surveys provide data regarding whether and how students are bullied, whether and how they report such treatment, and if they are afraid of being bullied. They also give insight into off-campus “hot spots” for bullying and the degree to which

students feel bullying is tolerated at their school. Finally, surveys identify numbers of students who engage in bullying others and who try to help students they see being bullied.

The most recent Iowa Youth Survey (2010) of 6th, 8th, and 11th graders was taken by 86 percent of 359 public school districts and 17 percent of 183 non-public schools.

Students bullied one or more times in the previous 30 days—50 percent.

Students' perceptions of whether teachers or adults tried to stop bullying:

“almost always” or “often”—52 percent;

“almost never,” “once in a while,” or “sometimes”—48 percent.

Data from the largest national data base on bullying among U.S. students (Olweus & Limber, 2010) present additional data. It included 524,000 student surveys from 3d –12th graders in more than 1,500 schools in 45 States.

Students involved in bullying 2–3 times a month (as one who bullied, one who was bullied, or both)—21 percent girls and 25 percent boys.

Bullied students had reported the bullying to a teacher or other adult at school—<33 percent.

Student feelings when they see a student their age being bullied:

“feel sorry for”—83 percent.

Student responses to bullying:

“try to help”—35 percent girls and 29 percent boys;

“don't help but believe I should”—30 percent girls and 22 percent boys.

3. Obtain support from adults, including school staff and parents to address bullying prevention. Every adult has to be engaged in the work: school staff, bus drivers, nurses, school resource officers, custodians, cafeteria workers, librarians, parents and community members—especially agencies serving youth. When students know that adults take their experiences seriously and are working to stop bullying, they will move from being bystanders to being defenders of the cause.

4. Form a leadership group that “shepherds” the work to address bullying. This group should be made of representatives from the entire school community, including parents and students. Often student advisory groups form from within the student body to focus on bullying prevention; they can provide suggestions and feedback to the leadership group.

5. Train all the adults in the school in bullying prevention. As one of the top five hot spots for bullying in school is in the classroom with the teacher present, staff training that is based on solid research specific to bullying must take place in every school. Training should not be a one-time event, like an assembly, speaker, curriculum, video, song, or public service announcement. Bullying prevention training needs to be ongoing and, again, specific to addressing bullying. Programming must be comprehensive and should become part of the way the school operates daily, part of the culture. All adults need to understand:

1. The nature of bullying and its effects.
2. How to respond if they observe bullying.
3. How to work with others at the school to help prevent bullying from occurring.

Remember bullying is not just a problem behavior, it is peer abuse that impacts the physical and mental health of students. **Stopping bullying is more than addressing discipline issues as they arise, it is about stopping harm.** Adults must take the first step in changing school climate.

6. Create and enforce very specific rules to address bullying and set expectations for students. It is not enough to rely on typical behavior codes that do not explicitly forbid bullying. School rules need to use the term “bullying” and make it clear that the school not only expects students not to bully, but expects them to be good citizens and not passive bystanders when they are aware of bullying. Providing clear rules specific to bullying makes sure that students are aware of adult expectations. Those rules must be enforced by all adults in the school setting and supported by parents and community members. Rules should be posted and included in classroom discussions and individual interventions.

7. Include a classroom component in bullying prevention programs. Setting aside time weekly or at least bi-weekly for upper grades to discuss bullying and peer relations helps to build community and contributes to the overall school climate. This discussion should not be something created and delivered to students. It gives them a key role in creating a climate in which all students feel safe and engaged in school.

8. Increase supervision in areas where bullying is occurring. Students know where the “hot spots” or problem areas are for bullying and readily disclose those areas when asked. Bullying is known to thrive in areas where adults are not

present or not vigilant, such as hallways and stairwells. Increasing supervision in those places can be very helpful in reducing instances of in-school bullying.

9. Adults must intervene consistently and appropriately. Even if adults are unsure whether they are witnessing bullying, it is important they stop the event and assure that students are safe. Students need to know that adults will respond and take their safety seriously.

Research shows adults overestimate their effectiveness in stopping bullying. When surveyed, 70 percent of teachers believed they intervened “almost always”, while 25 percent of students agreed with the same. (*Charach et al., 1995*)

It is important to note here that, unless there has been professional development for staff regarding what bullying is and how to intervene, these statistics will not improve.

10. Bullying prevention and intervention should continue over time. The work does not ever stop but needs to become a part of everyday school processes and procedures. In order to create lasting changes to the social norms of the school and create a safe and caring environment of learning for each and every student, kids and adults—including parents and community members—need to stay engaged. There is no “end date” for bullying prevention and intervention.

WHAT WE ARE DOING IN IOWA

Iowa has been a leader in bullying prevention and intervention since 2004, 3 years before the passage of the Anti-Bullying Anti-Harassment Law of 2007.

- Financed (via Department of Education) national certification in Olweus Bullying Prevention Programming for two consultants in each of the Area Education Agencies.

- Commissioned and trained over 30 Olweus Bullying Prevention Program Trainers statewide to serve 20 Safe and Supportive Schools (SSS) grant-funded schools and provide consultation and support for additional 27 high schools not selected for funding.

- Provide trainers with ongoing professional development, resources, and networking.

- Hosted webinars focusing on bullying prevention and intervention specific to cyberbullying, best practices in bullying, and engaging the community in efforts to address bullying.

- Provided initial training for nearly 400 Iowa educators in intake and investigation of reports of bullying incidents.

- Formed core team of adults and students and student leader teams in SSS Grant schools to lead anti-bullying efforts, guided by Department of Education/Iowa State Extension and Outreach partnerships.

- Partnered with The Iowa Pride Network and their Safe School Certification Team to audit components of the Iowa Anti-Bullying Anti-Harassment law for each of the grant funded schools and additional non-funded schools.

- Contracted with the Safe School Certification Team to complete an 18–24 month Certification under the Safe School Certification Model©.

- Committed to facilitate the next steps for SSS Grant schools and others in further professional development around improving investigation skills for reports of bullying and harassment in schools.

Finally, in the fall of 2012, the Iowa Department of Education will launch a refined bullying/harassment data collection system for Iowa schools. This system is meant to collect incident report data from all districts in the State and will provide more specific data around types of bullying occurring, locations of bullying incidents, number of students involved in bullying, whether reports are founded or unfounded, kinds of consequences applied in bullying incidents and more.

In addition to our prevention work at the Department of Education, we take phone calls on a very frequent basis from parents who feel their concerns around bullying have not been addressed. We work to **bridge the communication gap** that has developed and help schools and families to resolve some challenging situations.

When Iowa school districts are visited as part of the State accreditation process and on all equity site visits, bullying and harassment policies are examined to assure they meet the expectations in the Anti-Bullying Anti-Harassment Law. During the visit, multiple groups are interviewed and questions regarding bullying and harassment are included in those interviews. That data is given back to all districts so they can address issues that appear and to recognize and acknowledge their successful efforts to address bullying as well.

KEY COMPONENTS OF THE IOWA ANTI-BULLYING ANTI-HARASSMENT LAW (IA CODE SECTION 280.28)

- Each public district must have a policy around bullying and harassment.
- Failure to adopt a policy with all the required components could subject an accredited nonpublic school or school district to a possible loss of accreditation.

Expectations for inclusion in the policies are:

- Statement that bullying and harassment are against State and school policy.
- Description of expected behaviors of all parties relative to prevention, reporting, and investigation of bullying/harassment.
- Consequences and remedial actions for those who violate the policy.
- A procedure for reporting bullying/harassment.
- Identification by job title of the school official responsible for ensuring the policy is implemented and identification of the person/persons responsible for receiving reports of bullying/harassment.
- Procedure for prompt investigation of complaints.
- Identification of the person(s) responsible for conducting the investigation.
- A statement that investigators will consider the totality of circumstances presented in determining whether conduct objectively constitutes harassment or bullying under this section.
- A statement of the manner in which the policy will be publicized.
- The law's definition of bullying includes electronic bullying.
- The law includes protection for 17 traits or characteristics, whether they are real or perceived in the instance of bullying, but is not limited to those 17 (in 2007 the Iowa Legislature amended the Iowa Civil Rights Act. [Iowa Code Chapter 2160] to add sexual orientation and gender identity to the list of protected statuses).
 - The school improvement advisory committee, a required committee for each accredited nonpublic school and each school district, must discuss anti-bullying efforts annually.
 - Only one of the following four needs to be met in order to define behavior that creates an objectively hostile school environment:
 1. Places the student in reasonable fear of harm to the student's person or property.
 2. Has a substantially detrimental effect on the student's physical or mental health.
 3. Has a substantially detrimental effect on the student's academic performance.
 4. Has the effect of substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by a school.

CONSIDERATIONS FOR MOVING FORWARD

1. All areas that support student learning need to receive the same level of priority in legislation and funding as reading, math and other academics. Since school climate has a significant impact on the child/student's ability to learn, it is as important to know if a student is safe from bullying and harassment in your school as it is to know his/her achievement scores. It is as important to know a school's safety, engagement, environment index score (e.g. from the Safe and Supportive Schools grant) as it is to know the school's academic achievement average score.

2. Any bullying legislation needs to have provisions for required professional development for all staff regarding bullying prevention, including all adults who interact with students.

3. Legislation needs to include the expectation that schools regularly (at least yearly) administer anonymous surveys to students, parents and staff on the status of bullying and other school climate issues. Schools should be accountable for showing how survey data is used to make programming and other decisions regarding climate.

4. Assure in legislation and in funding that prevention and intervention programming is evidence-based, is specific to bullying, and encompasses the HRSA Best Practices. Bullying has become a high profile topic. It will be important to be grounded in good practices and steer schools away from those increasing resources in print and online by people that have little or no proven impact in reducing bullying. We need to expect quality, evidential strategies that truly fit with violence prevention and peer abuse. Just as they are in academic areas, our strategies for bullying prevention must be evidence-based.

5. Students, families and communities must all be empowered to feel they are part of this work.

MORE CONSIDERATIONS

- In future legislation, outlining the specific, harmful effects of bullying will help to address it fully.
- Require that adults report bullying (similar to the report of child abuse) when they see it or have a reason to suspect it.
- Add more support for targets of bullying and families of targets.
- Put more teeth in laws that forbid retaliation after reporting incidents of bullying.
- Reporting incidents of bullying and individual interventions around those incidents is not as effective as a systems approach.
- Targets of bullying are often bullied not because they have any particular characteristic but simply because they are there.

I close with this quote taken from Dr. Justin Patchin, speaking May 21, 2012 at the Minnesota Task Force on Bullying Prevention called by Governor Mark Dayton.

“We need legislation that is prescriptive, thoughtful, evidence-based, and supported with adequate resources. If legislators are serious about doing something to stop bullying, they must move beyond the rhetoric and provide appropriate resources for schools, parents, law enforcement, and other community institutions to tackle this problem. Focusing on improving the climate at school can have a significant impact on a host of problematic behaviors. If students believe that they are cared about at school, and they value those relationships with their teachers, counselors, and administrators, they will in turn refrain from engaging in behaviors that would risk damaging those relationships. That said, bullying and cyberbullying are not just school problems, they are societal problems. Everyone has a role and responsibility to do something, and it can start right here with us today.”

The CHAIRMAN. Thank you very much, Penny, and thank you again. I thought those 10 points were very succinct, very well done.

Next we turn to Dr. Paul Gausman, currently superintendent of schools for the Sioux City community school district. In this position, he has direct oversight of the educational process for more than 14,000 students in Sioux City.

Formerly, he was superintendent of schools for the West Central school district in South Dakota. In addition to his duties in Sioux City, Dr. Gausman is currently on staff as a performing artist clinician with the Yamaha Corporation of America in the area of marching percussion, concert percussion, and drum set.

I didn't know all that about you.

Mr. GAUSMAN. I didn't know you were going to read the whole bio.

[Laughter.]

The CHAIRMAN. He holds a doctorate in educational leadership from the University of St. Thomas and St. Paul and an education specialist degree from the University of Sioux Falls, a Master of Science degree in educational administration and supervision from the University of Nebraska at Omaha, and a Bachelor in music education from the University of Nebraska at Lincoln.

Dr. Gausman, again, welcome. Thank you for your great leadership in the Sioux City school district. Your testimony, again, is part of the record, and please proceed.

STATEMENT OF PAUL R. GAUSMAN, Ed.D., SUPERINTENDENT, SIOUX CITY COMMUNITY SCHOOL DISTRICT, SIOUX CITY, IA

Mr. GAUSMAN. Thank you, Senator, and thank you for hosting this event. I'm going to begin.

Penny noticed that Emily used the word “relentless.”

The word that struck me, Emily, when you used it over and over again, was “cool.” You weren’t cool enough. You said that, I think, four or five times.

I am here as the superintendent of schools from Sioux City, IA to introduce you to one of our coolest graduates we’ve ever had, Emily.

[Laughter.]

The CHAIRMAN. Oh, that’s right. You’re a graduate.

Ms. DOMAYER. Yes, that’s right.

Mr. GAUSMAN. She’s also a hero, as far as I’m concerned.

But I do want to acknowledge to her that this community, in one way or another, failed you, and I’m certainly sorry about that.

Senator, as you know, we’ve had a 12-year partnership with the Waitt Institute for Violence Prevention. The Waitt Institute was created by the founder of Gateway Computers. The Waitt Foundation has partnered with our district to provide funding and curriculum and training around the area of bullying and violence in schools.

We were originally approached by our partners at the Waitt Institute recently to participate in a national documentary on bullying in the American schools, and our participation was to highlight some of the progressive programs and significant success of our work on bullying in our schools.

You see, Senator, we became visible on a national stage because we were the first school district in the Nation to create and implement a workplace bully prevention program for our staff members. We believe that in order to expect the best behavior from our students, we must make certain that we have policies and procedures in place to assure that our adults are also modeling the most positive behavior possible.

I want to be clear, though, that the documentary filmmakers of this national film, now titled “Bully,” were quite honest with us that they would also like to spend some time in our district looking for a specific student or situation where they could see the reality of bullying from the perspective of an individual who was bullied. And while we’re not particularly proud of all that is presented in the documentary, we do celebrate that our district has some of the most progressive bully prevention programs available today. Yet, we acknowledge that that work of art shows you—and I know you watched that recently—some of our dirty laundry, if you will, related to the challenges of bullying in American schools.

I believe that the end result of that documentary is a work of art that’s compelling and emotional and challenging. I’m proud of our school board for stepping forward and having the courage to engage the national discourse on bullying, the most important topic of our day.

We do continue to believe in the importance of community and national dialog on the challenges of bullying. Our participation in this documentary has created some of the most rich and most meaningful discussion in our own community about what the entirety of the community can do to assist and support schools in our efforts to prevent bullying.

You see, that’s our perspective, Senator, that bullying is best defeated by prevention, not by reaction. Many of the programmatic

solutions—and I want to be clear. I think I have now heard from just about every company in the Nation selling an anti-bullying product.

[Laughter.]

Most of those products deal with how to react to or respond to bullying.

Our district, our board of education, and our community continue to work toward the prevention of bullying-like circumstances. We have consistently said that we are not unique because we have bullying in our schools, but we do want to become unique by being the school district that makes a difference.

You see, bullying is not specific to schools. Bullying is all around us. It's visible in shopping malls, places of worship, sporting events, community events, et cetera.

Research tells us that only about 25 to 50 percent of children who are bullied actually tell an adult about the incidents, and we've certainly witnessed that low level of reporting in our schools. We have a challenge of finding ways to have students feel safe and comfortable in reporting those instances to us.

As an example, one of the ways that we've discovered that we can find bullying without even the reports is that it became apparent to us that we needed high quality audio and video systems on each of our buses. We implemented brand new systems in our buses last year. We have about 70 buses, and we now have staff members who not only drive the bus, Senator, they spend time during the day watching sample footage from each of those systems looking for challenges.

We have also now fully implemented some of the most progressive curriculum in the area of bully prevention education. Thank you to the Safe and Supportive Schools grants. The curriculum that we have is entitled Second Step for students in K-8; a program where older high school students work with younger high school students, titled Mentors and Violence Prevention; and a program in after-school activities titled Coaching Boys Into Men. That's a program where we work with students to understand why they may be coached to be assertive or aggressive on a field of play, but that same level of assertive or aggressive behavior may not be acceptable in other areas of their lives.

We have also made changes to our school board policies regarding bullying, hazing and harassment, and those policies are not just documents. They are action items for us in our district.

Finally, I would like to point out that I believe our biggest challenge of the day very likely deals with cyber bullying, the use of electronic devices and gadgets, the Internet, to bully one another as a result of the anonymity offered or the lack of face time that gives bullies the opportunity to thrive.

Senator, I encourage you to consider the many examples that are presented today, but don't stop just at the compelling nature of those immediate examples. Consider this as it truly is, an epidemic. It is bigger than a single person. It's bigger than a single staff member or a school building or a school district. It is our culture, and our culture must change.

I regret that any student in any school district has a less than positive experience as a part of their education. I acknowledge that

we in the Sioux City Community School District are like many others. We're in a district of continuous improvement. We know that we must study the data, we must listen to our customers and our constituents, and we must create meaningful change for the future. Thank you.

[The prepared statement of Mr. Gausman follows:]

PREPARED STATEMENT OF PAUL R. GAUSMAN, ED.D.

My name is Dr. Paul Gausman, and I am honored to be the superintendent of schools for the Sioux City Community School District. The Sioux City Community School District is the fourth largest district in Iowa with 14,000 students in about 30 school facilities. We are honored to have the opportunity to teach our student population that is made up of a fairly high percentage of students of poverty and growing racial and ethnic diversity.

The Sioux City Community School District has enjoyed a 12-year partnership with the Waitt Institute for Violence Prevention. The Waitt Institute was created by the founder of Gateway computers, Ted Waitt, who, with other members of his family, are graduates of our fine schools. The Waitt Foundation has partnered with our district providing funding, curriculum, and training for staff and students over our dozen-year relationship.

The Sioux City Community School District was approached by our partners at the Waitt Institute to participate in a national documentary on bullying in the American schools. Originally, our participation was to highlight some of the progressive programs and significant successes of our work to prevent bullying in our schools. We became visible on a national stage, because we were the first district in the Nation to create and implement a thorough workplace bully prevention program for our staff members. We firmly believe that in order to expect the best in behavior from our students, we must make certain that we have policies and procedures in place to assure that our adults are modeling the most positive behavior possible.

The documentary filmmakers of this national film now titled "*Bully*" were quite honest with us, however, that they would also like to spend some time looking for a specific student or a specific situation where they could see the reality of bullying from the perspective of an individual who was bullied. While we are not particularly proud of all that is presented in that documentary, we do celebrate that our district has arguably some of the most progressive bully prevention programs available today. Yet, we acknowledge that the work of art shows you some of our "dirty laundry" related to the challenges of bullying in American schools. I believe the end result is a documentary that is compelling, emotional, and challenging.

When we gave the filmmakers permission to film in our schools, our School Board members stepped forward and gave their consent as well. I am proud of our Board for having the courage to engage the national discourse on the most important topic of the day. Students must absolutely feel safe to have a chance to be successful in school, and at times, we as an entire culture fail those students on this basic need and right.

We continue to believe in the importance of community and national dialog on the challenges of bullying in American society. Our participation in this documentary has created some of the richest and most meaningful discussion in our community about what the entirety of the community can do to assist and support schools in our efforts to prevent bullying. You see, that is our perspective, that bullying is best defeated by prevention, not by reaction. Many of the programmatic solutions; and believe me I have heard, by participating in this documentary, from just about every company selling any anti-bullying product in this great Nation; many of those products deal with how to react, how to respond when bullying occurs. Our District, our Board of Education and our community continue to work toward the prevention of bullying-like circumstances. We have consistently said that we are not unique because we have bullying in our schools, but we want to become unique by becoming the school district that has made a significant difference. You see, bullying is not simply specific to schools, bullying is all around us. It is visible in our shopping malls, our places of worship, our sporting events, community events; it is simply magnified in our schools because we are a people-centered organization.

Research tells us that only about 25 percent to 50 percent of children who are bullied, actually ever tell an adult about the incidents, and we have certainly witnessed that low level of reporting in our schools. We have an ongoing challenge of finding ways to have students feel safe and comfortable reporting incidents to a school employee in a timely manner. In addition and at times, the victim does not

want to contribute information during the investigation for fear of retaliation. Again, this is an area where we can improve.

While we are recognized as a district that is progressive in making a difference in the challenges of bullying in our schools, and we were the 2011 recipient of the “*Lighting the Way*” award from the Waitt Institute for positive differences dealing with bullying and violence in our culture; we recognize that we cannot stop learning. As an example, it became apparent that we needed high quality audio and video recording systems on each and every bus in our District. We implemented brand new audio and video systems in our buses last year, and we now have staff members who not only drive buses, but they spend time during the day watching sample footage from each of those systems, looking for challenges.

We have now created stronger relationships between our transportation department and our building principals, so that we try to find challenges before they are even reported to us.

We have now fully implemented some of the most progressive curriculum in the area of bully prevention education as a result of our continued partnership with the Waitt Institute. We have a curriculum titled “*Second Step*” for all students in grades K–8 that teaches students to recognize, refuse, and report bullying. We also have components with this curriculum that connect to parents so that they know what their students are learning in school and they can support those items at home. We have a program in our high schools titled “*Mentors in Violence Prevention*” or “*MVP*.” This program allows older students, typically high school juniors and seniors, to partner with incoming freshmen students. The older students facilitate conversations with the younger students around a series of social scenarios depicting bullying and abusive peer culture in their school and community. During these discussions, students talk about how they might keep challenges from rising to a level that is significant and how they could prevent those challenges from ever occurring at all.

We also have an after-school curriculum titled “*Coaching Boys Into Men*.” This is a violence prevention program designed to allow high school athletic coaches to discuss with male athletes about the importance of respect for themselves and others with a noted focus on the women and girls in their lives. We believe we need to work with students to understand why they may be asked to be assertive or aggressive on the field of play yet, that same level of aggressive or assertive behavior might not be welcome in other aspects of their lives.

We have also made changes to our School Board policies regarding bullying, hazing, and harassment. Those policies are not just documents to us, they actually guide our actions, and they give us the opportunity to behave in different ways to prevent those challenges. And of course, we have a very thorough staff development process regarding these very important topics.

Finally, I would like to point out that our biggest challenge of the day very likely deals with cyber-bullying. The use of electronic devices and gadgets, the Internet, to bully one another, as a result of the anonymity offered by the lack of face time that gives bullies the opportunity to thrive.

I encourage you to consider the many examples that are presented today; but do not stop at the compelling nature of the immediate examples. Consider this as it truly is, an epidemic. It is bigger than a single person; it is bigger than a single staff member, a single school building, or a single school district. It is our culture and our culture must change. I do regret that any student in any district has a less than positive experience as a part of their education. We, in the Sioux City Community School District, are, like many, a district of continuous improvement. We must study the data, we must listen to our customers and constituents, and we must and we will create meaningful change for our future.

Thank you for your time.

ATTACHMENT.—SIOUX CITY COMMUNITY SCHOOLS

OVERVIEW

Established in 2007, the Sioux City Project is a partnership between the Sioux City Community School District, the Waitt Institute for Violence Prevention, and the United Way of Siouxland in order to create a structure within our schools to support the systemic implementation of bystander, violence and bullying prevention curriculum, programming, and public education communication. The Sioux City Project was one of the first comprehensive, community initiatives in the Nation to undertake a bystander intervention approach to bully and violence prevention.

This comprehensive approach to primary prevention has been guided by four basic goals:

1. To increase the number of youth who believe violence and bullying are wrong.
2. To increase the number of youth willing to intervene and take action against violence and bullying.
3. To decrease the incidents of violence and bullying in schools.
4. To increase the number of adults who talk to youth about bullying and violence against women and girls being wrong.

CURRICULUM & PROGRAMS

Second Step Curriculum

Second Step teaches students in grades K–8 to recognize, refuse, and report bullying; to be assertive and build friendships. From 2008–10, Second Step was phased into the District’s curriculum and strategic plan.

Mentors in Violence Prevention (MVP) Program

The MVP program allows the partnership of older students, typically high school juniors and seniors, with freshman students. The older students facilitate conversations with freshman students around a series of social scenarios depicting bullying and abusive peer culture in school and community settings. During the MVP sessions, scenarios are viewed from the perspective of a bystander and discussions are conducted based on the participants’ impression of how wrong the behaviors may be, how likely they see themselves taking an active role in preventing the behavior from continuing or playing out, and then deciding on possible options for them to intervene in the role of an active bystander.

Since the implementation of the MVP program, approximately 300 high school educators, 100 community partners, 800 student mentors, and 8,500 high school students have been positively influenced by the content.

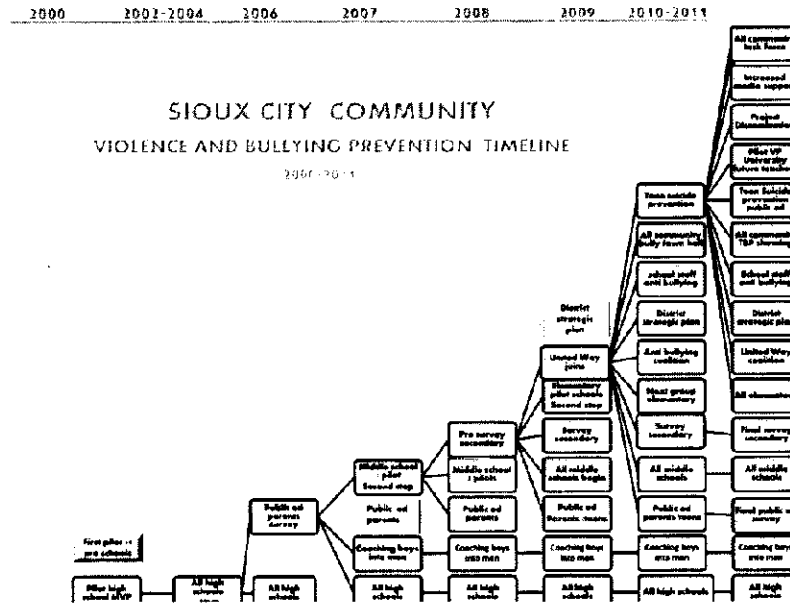
Coaching Boys into Men

Coaching Boys into Men is a violence prevention program designed for high school athletic coaches to inspire and teach male athletes about the importance of respect for themselves, others, and particularly the women and girls in their lives. Since the implementation of the Coaching Boys into Men program, over 120 Sioux City Community School District coaches and 600 student athletes have been influenced by the content.

Bully Prevention Advocates

In addition to the curricular items, the Sioux City Community School District firmly believes that all of our employees are role models for students. We became *the first school district in the Nation* to write, adopt, and actively implement school board policy to address workplace bullying. Comprised of employees from all job classifications, Bully Prevention Advocates provide assistance with awareness and facilitate resolution and complaint procedures.

Sioux City Project Timeline



FINDINGS

Throughout the Sioux City Project, student perceptions and attitudes are gathered annually through the use of the *Waitt Institute for Violence Prevention—Sioux City Community School District: Student Perception Survey*, or WIVP/SCCSD, surveying how wrong the students believe certain behaviors are, how likely they would be to intervene as a bystander when confronted by certain behaviors, how likely they perceive other peers might intervene in similar situations, and how often adults talk to them about dating violence and bullying being wrong. Each section of the survey contains the same 18 behaviors that represent a continuum of violent and abusive behaviors, i.e., types of abuse: verbal, emotional, sexual, and physical. General findings of the WIVP/SCCSD student survey are described in this document.

2008–2011 Bystander Attitude, Perception, Behavior

Goal 1: Youth who believe violence and bullying are wrong. Favorable trends on 10 of 18 behaviors (55 percent).

Goal 2: Youth likely to observe “others in my school” intervening against violence and bullying. Favorable trends on 13 of 18 behaviors (72 percent).

Goal 3: Youth willing to intervene against violence and bullying. Favorable trends on 12 of 18 behaviors (67 percent).

How Wrong Do I Believe These to Be?		
Behaviors:	2008	2011
Arguing in a violent way	52%	59%
Pushing another student	58%	75%
Teasing others about their bodies	80%	82%
Discussing other students' sexual activity	70%	72%
Listening to music lyrics that degrade women	48%	54%
Making fun of gay or lesbians	69%	76%
Gossiping and spreading rumors about others	73%	76%
Insulting other students	68%	73%
Telling jokes that make fun of women and girls	68%	71%
* Leaving people out of conversations	72%	75%

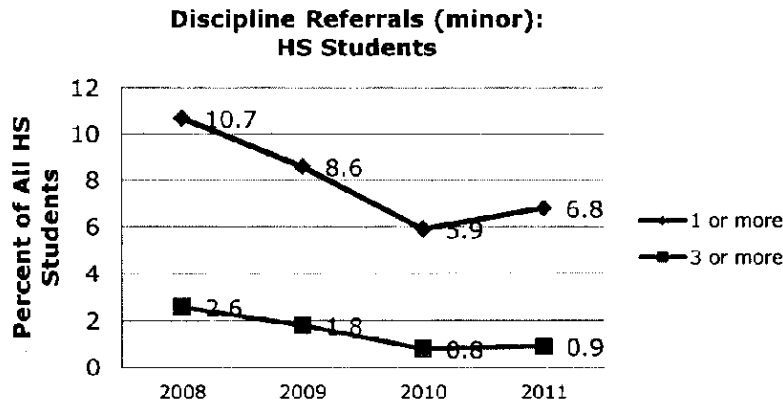
How Likely Are You to Take Action		
Behaviors:	2008	2011
Arguing in a violent way	31%	37%
Pushing another student	37%	42%
Making sexual gestures	39%	41%
Teasing others about their bodies	46%	49%
Discussing other students' sexual activity	35%	38%
Listening to music lyrics that degrade women	27%	32%
Making fun of gay or lesbians	42%	47%
Gossiping and spreading rumors about others	43%	45%
Insulting other students	45%	48%
Telling jokes that make fun of women and girls	40%	42%
Using the internet to degrade or harass others	41%	42%
*Leaving people out of conversations	43%	45%

How Likely are "others in my school" to Take Action?		
Behaviors:	2009	2011
Arguing in a violent way	24.9%	28%
Pushing another student	26.4%	30.8%
Making sexual gestures	26.4%	28.4%
Teasing others about their bodies	28.6%	31.5%
Discussing other students' sexual activity	24.9%	27%
Listening to music lyrics that degrade women	20.7%	23.7%
Making fun of gay or lesbians	27.9%	32.4%
Gossiping and spreading rumors about others	28%	30.5%
Insulting other students	30.1%	33.4%

Since 2008, the Sioux City Community School District has surveyed parents at spring conferences for their thoughts regarding school climate and the quality of education. Results show the District is making positive gains in violence awareness, prevention, and education.

	2008	2011
My child's school is safe and secure.	90.1%	94.2%
My child's school uses adequate disciplinary measures in dealing with disruptive students.	68.6%	75.1%
The school works to prevent violence.	83.2%	88.7%
The school works to prevent bullying and harassment.	80%	85.4%

The percentage of high school youth in the Sioux City Community School District receiving one or more discipline referrals for a "minor" behavior infraction decreased and the percentage of high school students receiving three or more discipline referrals decreased.



The CHAIRMAN. Thank you very much, Dr. Gausman. That was very profound. Thank you.

Ellen Reilly is a learning support specialist with the Davenport Schools. She is the district anti-bullying coordinator, and also provides at-risk, homeless, and other specialized services in her district of nearly 16,000 students.

She has a Master's in criminal justice and organizational development from St. Ambrose University in Davenport, is a certified trauma and law school specialist at the National Trauma and Loss Institute, has been working in the area of bullying prevention.

I saw you nodding when Dr. Gausman said prevention. So you've been doing that for the last 12 years. Oh, you're a certified Olweus—I'll get that name right—bully prevention trainer, having trained over 30 schools in the last 3 years.

This is very interesting. Ellen Reilly, thank you very much for being here, and please proceed.

**STATEMENT OF ELLEN REILLY, LEARNING SUPPORT
SPECIALIST, DAVENPORT COMMUNITY SCHOOLS, MOLINE, IL**

Ms. REILLY. Thank you very much. I really appreciate being asked to be here today. In 2008 I was working for Davenport Schools. I'd only been there for a couple of years, and after the legislation was passed in Iowa in 2007, the anti-bullying legislation, I became what I later learned was called annoying to administrators in our district because I was persistent in implementing an anti-bullying program; because, you see, even though people know that bullying happens, and educators know it happens, it seems to be sometimes that thing that we push aside. It's not easy to address. It's difficult, as a matter of fact, especially at a systemic level.

Now here we are in 2012, and Davenport Schools has implemented the Olweus anti-bullying program in all 30 of our buildings K-12. It was a very interesting process to do, and not every building is implementing at the same level. We have various levels of implementation, and that is evidenced by how schools respond to bullying—that's probably the best way to look at it—and also by our survey data, which we do survey on an annual basis.

I have three points that I'd like to address specifically today. No. 1, dealing with bullying is a complicated process. No. 2, zero tolerance is not effective. And No. 3, to truly address bullying in schools, we must include proper training and ongoing support to teachers, administrators and others who work with children, and I think we heard that from Penny as well.

In talking about the Olweus anti-bullying program, which I'm just going to refer to as Olweus now, it's not a curriculum. It's not a lesson that's taught in a classroom. It's a whole-school approach, it's systems change, and it's looking at systems change from four different levels, that being school-wide, in the classroom, on an individual level, and at the community level.

At the core of Olweus, there are four anti-bullying rules. I refer to them as the speed limit. Just because the speed limit is posted doesn't mean you're going to follow it. But, boy, when you see the police officer in his car, you slow down. So I refer to the rules as the speed limit in our district.

No. 1, we will not bully others. No. 2, we will help others who are bullied. No. 3, we will include those who are easily left out. And No. 4, when we know someone is being bullied, we'll tell an adult at school and an adult at home, and expect them to do something about it.

In Davenport, we post those rules throughout the school and in every classroom. They're even posted at our football stadium and around local areas where students that attend our schools also go in the community and participate in youth events. Our community is very engaged in our anti-bullying program.

We share this information with parents on how we're going to handle bullying in our schools. We give it to them at conferences, in newsletters, and it's on our Web site. We survey our students on an annual basis, and that information is reviewed and then put together in a trend report so that parents, teachers and students can see how we're doing in the area of bullying prevention.

I can say that since we implemented—our first implementation school was 2008—we have seen a decrease in the number of bullying incidents and the number of students who are reporting being bullied. We've seen an increase in the number of incidents being reported, which we wanted to see. We want students to report it when it's happening.

We've seen an increase in students reporting that adults intervene when they see bullying, and we've also seen an increase in the number of students who intervene and try to support their peers when they're being bullied.

Davenport also started the Be Bully Smart campaign, and that is a grassroots community awareness campaign on bullying that we have engaged our police department, our parks and rec department, Big Brothers, Big Sisters. We train their staff, and then they in turn are able to endorse and support our program on anti-bullying in the community.

Zero tolerance is not effective, and I want to read here that the definition of zero tolerance is that it's usually bringing the maximum punishment for every transgression. The best approach to managing consequences for bullying situations, which is what I deal with on a regular basis, is to have someone who is well-trained in best practices address the situation by thoughtfully discussing the incident and issuing appropriate progressive consequences that fit the circumstance and severity of the bullying. Consequences, especially in bullying situations, should teach, not destroy.

And finally, to address bullying in schools, we do need to provide training. We need to be able to accurately identify bullying, and I've heard the definition, and Penny brought up the definition from Dr. Dan Olweus. Our goal is to ensure that students are safe if they experience bullying. This can include parent conferences, safety plans, changes to schedules, one-to-one supervision. We do whatever we can to make sure students are safe, because the reality is that bullying is never going to go away. We need to do prevention efforts to reduce it, and then we need to be able to reduce the negative impact on students.

I want to make a final statement regarding our LGBT population and say that I believe that it is critical that we have gay-straight alliances in every middle and high school. I would like to see that happen. I'd like to see it happen in Iowa, and I would like to see it happen on a national basis, because gay-straight alliances have the same goals that Olweus has, and that is to create safe environments in schools, to educate the school community about homophobia, transphobia, gender identity and other sexual-oriented issues, and then fight discrimination, harassment and violence in schools.

I believe that when a student enters secondary school, middle school and high school, that a GSA should have the same importance as the French Club, the debate team, the football team, or any other school group that exists. It should have the same recognition and the same value.

Thank you.

[The prepared statement of Ms. Reilly follows:]

PREPARED STATEMENT OF ELLEN REILLY

Chairman Harkin, thank you for having me today. It is an honor and a privilege to be able to speak to you about the efforts of Davenport Community Schools to address bullying.

In 2008 as a result of the 2007 Iowa anti-bullying legislation, Davenport Community Schools implemented the Olweus Bullying Prevention Program in all 30 of our schools. With over 35 years of research and successful implementation all over the world, Olweus is a whole-school program that has been proven to prevent or reduce bullying throughout the school setting. Dr. Dan Olweus developed the program and is often considered the “pioneer” in bullying research.

There are three main points I wish to address today:

1. Dealing with bullying is a complicated process;
2. Zero Tolerance is not effective; and,
3. To truly address bullying in schools, we must include proper training and ongoing support to teachers, administrators, and others who work with children.

1. Dealing with bullying from the individual all the way up to the system level is a complicated process; the implementation of a structured bullying prevention like Olweus can help address these challenges.

The Olweus Anti Bullying Program is designed to improve peer relations and make schools safer, more positive places to learn. The Olweus Bully Prevention Program is not a curriculum. It is a whole-school, systems-change program at four different levels: schoolwide, classroom, individual, and community.

The goals of Olweus are to:

- reduce existing bullying problems among student;
- prevent the development of new bullying problems; and
- achieve better peer relations at school.

At the core of Olweus are four anti-bullying rules:

1. We will not bully others.
2. We will help others who are being bullied.
3. We will include others who are easily left out.
4. When we know someone is being bullied we will tell an adult at home and an adult at school and expect them to do something about it.

Every Davenport Community Schools posts the bullying rules throughout the school and in every classroom. Each school also holds an annual assembly to review the rules and remind everyone of how Davenport Schools deals with bullying. Information goes home to parents, is presented at registration and conferences, and put in newsletters. Students are surveyed on school climate annually and the results are shared with students, staff, and parents. Survey information assists each building to set goals for the following year and improve supervision in areas where students report bullying is more likely to occur. Davenport Schools have seen an increase in the number of adults and students stopping bullying when they see it, an increase in students reporting bullying if it is happening to them or someone they know, and a decrease in the overall incidences of bullying. Davenport has also engaged the community in our bullying prevention efforts by training staff from Big Brothers/Big Sisters, Davenport Police Department, Parks and Rec, our local LGBT Support organization. Davenport also started the Be Bully Smart campaign, a community call to action with a simple message: “See it. Stop it. Report it.” Using yard signs, posters, banners, and most importantly, a Facebook Page, Be Bully Smart brings awareness to the issue of bullying at a community level, providing resources on bullying and bullying prevention.

2. Zero tolerance is not effective.

Zero tolerance imposes automatic punishment for infractions of a stated rule, with the intention of eliminating undesirable conduct, with little evidence that supports the claimed effectiveness of such policies. It is often interpreted as bringing the maximum punishment for every transgression. The best approach to managing consequences in bullying situations is for someone who is well-trained in anti-bullying best practices to address the situation by thoughtfully discussing the incident and issuing appropriate, progressive consequences that fit the circumstance and severity of the bullying. Consequences, especially in bullying situations, should teach, not destroy.

3. To truly address bullying in schools, we must provide proper training and ongoing support to teachers, administrators, and others who work with children. Accurate identification of bullying, proper investigation techniques and appropriate consequences are all critical in addressing bullying.

Not all mean behavior is bullying. Bullying, as identified by Dr. Dan Olweus, is intentional, aggressive behavior that involves an imbalance of power and is most often repeated over time. Bullying is peer abuse. School staff must be trained on how to properly investigate bullying situations. Davenport Schools' goal is to ensure students are safe if they have experienced bullying. This can include parent conferences, safety plans, changes to schedules, one-to-one supervision and other strategies that increase student safety. Additional training and counseling are also options to deal with students who have been bullied and who do the bullying. The reality is bullying will always exist. We can only be vigilant in our efforts to prevent bullying from happening and reduce the negative impact when it does occur.

I would like to say a few words about providing a stronger support system for our lesbian, gay, bisexual and transgender (LGBT) youth in our schools today. We are educators. We have a responsibility to educate. As educators we must not fear openly talking about LGBT issues in our middle and high schools. Gay teens in our schools are often subjected to such intense bullying that they are unable to receive an adequate education. These youth leadership organizations have the same goals align with those of Olweus, but with a focus on the LGBT population. Their goals are:

1. to create safe environments in schools for students to support each other and learn about homophobia, transphobia, and other oppressions;
2. to educate the school community about homophobia, transphobia, gender identity, and other sexual orientation issues; and
3. fight discrimination, harassment, and violence in schools

It is my hope that not only in Iowa, but throughout the Nation, every middle and high school would have an active, supported Gay Straight Alliance (GSA) in place. Thank you.

The CHAIRMAN. Ellen, thank you very much. That's a great leap-off point for our next witness, Matt Shankles, who will talk about the gay-straight alliance.

Matt is a rising junior at Linn-Mar High School in Marion, IA, with a strong interest in theater, performing in the Prep In-Step Show Choir, and has earned membership in the International Thespian Honor Society.

Matt is also an advocate for safer schools, serving as co-president of the school's gay-straight alliance. He is a creator of a once-anonymous Twitter account to counteract bullying. It's @linn_mar love.

—Is that right? Did I get it right? OK.

Matt traveled to Washington, DC to attend the GLSE Safe Schools Advocacy Summit to advocate for the Safe Schools Improvement Act.

Matt, welcome. Please proceed.

STATEMENT OF MATT SHANKLES, STUDENT, LINN-MAR HIGH SCHOOL, MARION, IA

Mr. SHANKLES. Thank you. I guess my experience with bullying really began in eighth grade. Through a process I won't describe, my classmates had learned that I was gay. And although recently I've been more popular in school, after I came out I lost probably half my friends, and they bullied me relentlessly with slurs and threats and remarks that no one should ever have to have said to them or directed at them or seen directed at anyone else, on top of that.

I wasn't even free of the bullying when I left school. Even now, if I walk home from school, people will yell obscene things out car windows at me. So I have to take a different street home that isn't as busy.

In October of last year, an anonymous Twitter account began spreading false rumors about various people in my high school.

They cyber bullied me and other people, and I related to that so much. And while all this was happening, I became more and more depressed. I couldn't get away from it. I was always concerned with what other people thought or what other people needed to think, and how can we make people think something else or how can I distract myself from it, or anything except school work.

Those habits, as I was bullied in middle school—middle school is really the time when you should be building the habits to be able to concentrate on your school work, and I've never quite been able to do that anymore.

I didn't report the bullying because I didn't think the school administration or somebody could do anything for me, and we do have the Olweus class meeting system in our school system at Linn-Mar as well.

Then at one point a friend suggested that I, "pretend to be straight in order to stop the bullying," which I never understood how I was different. I don't look at the differences between people. I always see people as very much the same, and I can see similarities in people who you'd never even think they were the same until you really looked.

So I never looked at myself as any different. I didn't understand what I needed to hide, what I needed to change, what needed to happen in order to make it stop, although I knew that I thought I should change myself, and that is not how you stop the bullying. That is not what gets it fixed, because even if I were to bend to other people's expectations of myself, they would just bully someone else.

Eventually I came to a point in my life where I really just didn't want to be alive anymore, and I never felt that way again, which is good. I went from eighth grade into high school and I joined my school's gay-straight alliance, and what she said about gay-straight alliances is 100 percent true. What gay-straight alliances can do in a school is so productive and so amazing.

I use Twitter, as Senator Harkin said in my biography before, to counteract the bullying through an anonymous Twitter account called @linn_mar_love. And really, it was weird because I could reach out to people because they didn't know who I was, and they could reach out to me, and there was no more social boundary there.

Anyway, earlier this year I had the opportunity to visit Washington, DC to advocate for two important pieces of Safe Schools legislation. I am grateful to GLSEN, the Gay, Lesbian and Straight Education Network, GLSEN, for giving me the opportunity to learn about advocacy and to meet with my Senators and Representative. For me, it was a truly life-changing experience really, and I'm excited because GLSEN has invited me to become a student Ambassador and to continue telling my story as a way to make a positive change through things like today.

While in Washington, I learned about the Safe Schools Improvement Act, S. 506, and the Student Non-Discrimination Act, S. 555. These two bills will ensure that every school district has a comprehensive anti-bullying policy with effective protections for all students. While Iowa and 14 other States already have comprehensive anti-bullying laws, most States have only generic anti-bullying

laws that are unable to provide protection for vulnerable students, as Senator Harkin stated before.

Two of the lawmakers I have met with have been very supportive. Senator Harkin is a co-sponsor of the Safe Schools Improvement Act and the Student Non-Discrimination Act and has been a leader in trying to make schools safer for all students, as we know.

Representative Loeb sack signed onto the bill after I met with him and told him my story.

Last, no one should go through this, ever. There is a paragraph here in my testimony I'm going to skip, but I just want to say students are dying in their homes and in their schools. That's not OK. We're here because something needs to be done. Thank you.

[The prepared statement of Mr. Shankles follows:]

PREPARED STATEMENT OF MATT SHANKLES

Dear Chairman Harkin and members of the HELP Committee, thank you for giving me the honor of testifying before you today. My name is Matt Shankles, and I am a rising junior at Linn-Mar High School in Marion, IA. I would like to speak about the terrible bullying and harassment I faced in school because of my sexual orientation, how this treatment affected me, and what we can do to help make schools safer for all students.

My experience with bullying and harassment began in the eighth grade when my classmates learned that I was gay. Although I had been popular, after I came out, I lost many friends and others began to bully me relentlessly with slurs, threats, and by spreading false rumors about me. I couldn't even be free of the bullying when I left school—students driving by would yell slurs at me as I walked home. Several students even began to cyber-bully me through Twitter by ridiculing me and spreading lies.

While all of this was happening, I became more and more depressed. I couldn't escape the bullying, and I didn't feel there was anyone I could turn to. I didn't report the bullying because I didn't think that the school administration could do anything to help me.

At one point my best friend even suggested that I pretend to be straight in order to stop the constant bullying. I was so hurt by this suggestion; I did not feel different from everyone else—what was it about me that I needed to hide just to be able to go to school every day and be treated like a human being. Lost in despair, I began to hate myself. One day, after enduring constant bullying, I simply lost hope. I locked myself in my bathroom, planning to end my life with a knife. I sat there in the dark for a long time. Fortunately, my stepfather eventually found me and loudly slammed open the door, snapping me out of my daze. I really believe he saved my life that day. But to this day, I worry that he does not trust me.

After that day, things at school did gradually begin to improve. Though I was still depressed, I confided in my school's guidance counselor who offered me hope. I also became involved with my school's Gay-Straight Alliance, which we call Spectrum. The support of other students helped to restore my self-esteem and made the relentless bullying more bearable. Eventually, I became co-president of the group.

Fortunately, I never again felt the way I did that day. Over time, I saw the ordeal I had gone through as an opportunity to help others, and I dedicated myself to fighting back against bullying and harassment. I began to use Twitter to reassure other students facing bullying by providing positive messages instead of ridicule. I also began to help spread awareness of bullying and harassment by telling my story to other students, to teachers, and even to lawmakers.

Earlier this year, I had the opportunity to visit Washington, DC, to advocate for two important pieces of safe schools legislation. I am grateful to GLSEN, the Gay, Lesbian & Straight Education Network, for giving me the opportunity to learn about advocacy and to meet with my Senators and Representative. For me, it was a truly life changing experience, and I am so excited that GLSEN has invited me to become a Student Ambassador and continue telling my story as a way to make positive change.

While in Washington, I learned about the Safe Schools Improvement Act (S. 506) and the Student Non-Discrimination Act (S. 555). These two bills will ensure that every school district has a comprehensive anti-bullying policy with effective protections for ALL students. While Iowa and 14 other States already have comprehensive

anti-bullying laws, most States have only generic anti-bullying laws that are unable to provide protection for vulnerable students. Two of the lawmakers I met with have been very supportive. Senator Harkin is a cosponsor of the Safe Schools Improvement Act and the Student Non-Discrimination Act and has been a leader in trying to make schools safer for all students. Representative Loeb sack signed on to the bill after I met with him and told my story.

I was lucky. No student should have to fear going to school like I did or become hopeless that things will ever change. Although I still face bullying in school, I am fortunate to have family and friends who care about me and a school that takes this issue seriously. My mother has told me how proud she is to have a son who fights to help others who are suffering. I hope that by telling my story and by helping others realize that resources and support are available, we can make a difference for students all across our country.

Thank you for allowing me the opportunity to testify today and tell my story.

The CHAIRMAN. Thank you very much, Matt. Thank you. Thank you for your courage.

Now we go to Liz Sederquist. Liz Sederquist is a student at Des Moines Area Community College and Gilbert High School. She participates in rugby at Iowa State University and has been active in softball, band, marching band, a member of Iowa Pride Network's Leadership Team. Liz plans to major in anthropology, with a double minor in archaeology and history.

I had a pleasant conversation with her beforehand.

I have your testimony and, Liz, thanks for being here. Please proceed.

**STATEMENT OF LIZ SEDERQUIST, STUDENT, DES MOINES
AREA COMMUNITY COLLEGE, AMES, IA**

Ms. SEDERQUIST. Thank you for having me here. Like you said before, my name is Liz Sederquist, and I am technically a student at DMACC through their correspondence program, which a high school has to proctor my tests, and I do homework I guess you would call it, and I will get my diploma.

I'm still technically a student at Gilbert High School, but I rarely ever attend. I have no classes there. I'm there long enough to take my DMACC test.

The reason why I rarely step foot in Gilbert is because I slowly dropped my classes in order to remove myself from a school that was unsupportive and hostile to me because I myself identify as lesbian.

At the beginning of the year I had long hair and had tried to act straight because I knew it was a conservative school, and I did this to protect myself. I was living a double life.

Early in the year I met a guy, and he wanted to help me with my algebra class because I was having problems with it and I was struggling. He had a crush on me and constantly was asking me to go on dates and wanted to actually be with me. I made it clear I just wanted to be friends, and we decided to go to Homecoming together as friends.

Afterwards he still continued to pursue me, and I continued to make it clear that I just wanted to be friends. He got mad at me, and there was one day that I had decided to confide in him and tell him that I was gay, and later on that would be the wrong move to do. He got angrier as I kept saying that I did not want to be with him. He decided to out me at school, which in the LGBT community you do not out somebody. It is wrong. You don't know the reasons why somebody is in the closet.

I was scared about how people were going to react, but nobody had believed me at first. Later on I had had window paint on my car to support the rugby team at ISU, and someone had taken their key and wrote the words “bitch,” “cunt” and “fag” into my windows, leaving scratches. My car was vandalized, and I had also gotten a text from a friend saying all these things that everybody else was saying about me, including derogatory names and different slurs.

I had told the principal, and I had tried showing him pictures of my car. I tried showing him text messages, but he continued to say that he believed me and that I didn’t need to show him the evidence. And me being a teenager, I didn’t want to see that anymore. It was depressing me, so I did the wrong thing and I deleted them.

Now that people knew that I was gay, I slowly started to be me. In February I had attended an LGBT conference at Iowa State University known as Mumble Talk or MBLGTACC, and afterwards I decided to cut my hair and show the world who I really am and how I feel and express myself in a way that I felt was necessary.

People really started to harass me, and I went to the principal numerous times. He would meet with me but just brush off all of my concerns. I started to feel fear for my physical safety and worried about people starting even more rumors. To me, it felt like 600 people against 1. I felt very small, and it was very overwhelming because so many people were up against me. I had some allies, but they were so scared to actually stand up for me that it didn’t even help.

When you’re worried about your safety, it’s hard going to school. It’s difficult to concentrate. I’d get anti-gay texts on my phone, I’d hear slurs, and I’d be called names, and the person who had outted me to the school was kind of the ringleader of everything.

This is not how I wanted to go to school. I wanted to feel safe, so I decided to pursue and make a gay-straight alliance, or a GSA. I wanted to educate my peers and faculty and stop the homophobia and hate. I began working with Iowa Pride Network.

Unfortunately, the advisor that I wanted for the GSA kept trying to talk me out of it. He kept saying I would get bullied and harassed even more, and he told me that he was just concerned for my safety and for my well-being. But I wanted the support and I was tired of hearing anti-gay remarks, and I wanted a change.

I kept being told that the gay-straight alliance was a bad idea. At the time, I was dealing with teachers who wouldn’t call on me in class or even involve me. Some of my teachers even felt it was OK to say “that’s gay” when describing a dislike, which is not right.

Female teachers didn’t feel comfortable around me and avoided me because I identified as lesbian, and most faculty wanted nothing to do with me. I finally felt so discouraged I gave up on the GSA and my school. I developed severe anxiety, stomach issues, and depression. I didn’t want to go to school, and I didn’t want to have to go to faculty that didn’t pay attention to me and no one handling the bullying problem.

My mom had called the superintendent, and the superintendent said he would look into it, but nothing had ever changed. My principal had called my mom and would yell at her and say I was never in school, and my mom would simply explain it was because the school wasn’t handling the bullying situation, or it was because I

had such severe anxiety and stomach problems that I couldn't attend school anyway.

And that's when I decided to enroll in DMACC to get away from the harassment and bullying and to get my diploma, because I wanted to find a way to get away from everything unless something severe would happen and I would get into such a low depression that I could end up like the other tragic students and possibly commit suicide, and I didn't want that to happen.

I was currently a junior, and I had enough credits to graduate this spring or this summer, and I wanted to go to college in the fall, but now I can't because I can only graduate once my class does next year in 2013. My life is now put on hold, and because I'm being held back, so is my financial aid for college because the adult diploma is a gray area.

The one bright spot I was looking forward to this spring was possibly going to prom with my girlfriend. I wanted to go to prom because this was technically my senior year now, and I wanted to have that high school and senior year experience. I was told I wasn't allowed because I was missing too much school and I was only attending DMACC classes and I wasn't a full-time student. But at that time, I still had some Gilbert classes.

There was another student at my school who had missed school and was also attending classes mostly at Iowa State, but he was allowed to go. It was a double standard, and the principal said not only could I not go to prom, I would not be allowed to bring my girlfriend, but yet everybody else can bring their own date.

My experience at Gilbert High School has been tough. It's very hellish at times, and I hope that through this testimony schools will realize that not providing a safe and supportive environment does affect students and their ability to learn. Students should not have to worry about being judged for who they are and judge them on their actions, not on how they present their gender or sexual orientation, like myself. You should be able to go to school and know that there is going to be teachers that support you, or at least put their opinions aside and treat you like a normal human being.

School faculty needs ongoing training, not just training once a year but actual ongoing training. People who want to become teachers also need classes as well to help them understand how to deal with bullying, not just with sexual orientation or gender identity but also with disabilities and anything in-between.

Schools also need gay-straight alliances. As Matt and Ms. Reilly had said, they do help. Even if it is not just a gay person starting it, it's a great way to have a support group for that person who is getting bullied, whether they're gay, straight, or have a gender identity or not, and they can go there and have the support, almost like a family, and they can go and tell people what is going on and what is happening at school, or even what's going on at home, because some families don't always accept their child when they have a different gender identity than what they are or their sexual orientation, or anything really. And a GSA does help.

I know in my school, a GSA would make a big difference, and I am still trying to fight to have a GSA at that school even though I am not a part of that school, but I am still willing to help, be-

cause no kid should have to go through what I did. No one should have to live a double life, and no one should have to worry about being judged. And yes, people are going to judge you no matter what, but people need to understand that we're human and we come in all different shapes, sizes, colors, different mental states, different everything. And it's important that we embrace who we are, and we should not have to be afraid to embrace who we are.

A GSA would also help the anti-gay remarks stop. They may not stop completely, but when you hear faculty saying "that's so gay," or you even hear students calling another one a faggot or gay in general, it's hurtful. Even if they themselves are not gay, to force that on someone is hurtful, and it can really damage someone.

Senator Harkin, thank you for allowing me to speak today, and I hope that my story and some of my ideas help bring issues to light.

[The prepared statement of Ms. Sederquist follows:]

PREPARED STATEMENT OF LIZ SEDERQUIST

Hello my name is Liz Sederquist and I am a student at Des Moines Area Community College pursuing my adult diploma. I am also, technically, still a student at Gilbert High School although I rarely attend.

The reason I rarely step foot in Gilbert High School is because I slowly dropped classes in order to remove myself from a school that was unsupportive and hostile to me because I identify as a lesbian.

At the beginning of the year I had long hair and tried to "act" straight because I knew it was a conservative school. I did this to protect myself.

Early in the year, I met a guy in algebra who tried helping me better understand the subject. He had a crush on me and wanted to go out. I made clear I just wanted to be friends. As friends, we decided to go to the homecoming dance together. Afterwards, he continued to pursue me and I continued to make clear that I just wanted to be friends. He got mad and I confided to him that I am gay. I thought he would understand.

Instead, he got angrier and outted me to the school. He told many people. I was scared about how people were going to react, but nobody believed it at first. Then someone wrote "BITCH", "CUNT" and "FAG" on my car. I had also received a text from a friend telling me people were also saying these awful things at school.

I told the principal. I tried to show him my car, but he didn't want to see the graffiti or scratches—instead he told me that he believed me and that he was going to talk to the students responsible. But he never did.

Now that people knew, I slowly started being me.

I went to an LGBT conference at Iowa State University and afterwards decided to cut my hair. That's when people really started harassing me.

I went to the principal numerous times. He would meet with me but brush off my concerns. I feared for my physical safety and worried about someone starting more rumors. It felt like 600 people against one. It's a numbers game which becomes a mental game. When you feel like that many people are against you, it's overwhelming. I had some allies, but they were too scared to stand up with me or for me.

When you are worried about your safety it sucks going to school. It's hard to concentrate.

I would get anti-gay texts on my phone. I'd walk down the hall and I'd be called names. The guy that outted me was the ring leader.

This is not how I wanted to go to school. I wanted to feel safe so I decided to start a gay-straight alliance to help educate my peers and faculty and stop the homophobia and hate. I began working with Iowa Pride Network.

Unfortunately, the potential advisor of the gay-straight alliance tried talking me out of it. The advisor said I would be bullied or harassed even more. But I wanted that support and I was tired of hearing anti-gay remarks. I wanted a change.

I kept being told a gay-straight alliance was a bad idea. At the same time I was dealing with teachers who wouldn't call on me in class or involve me. One teacher even felt it was OK to say "that's gay" when describing dislike. Female teachers didn't feel comfortable around me and avoided me because I identify as a lesbian.

Faculty wanted nothing to do with me.

I finally felt so discouraged I gave up on the gay-straight alliance and my school. I developed anxiety, stomach issues, and depression. I just didn't want to go to school. I didn't want to go to have faculty not pay attention to me, and no one handling the bullying problem.

My mom called the superintendent. He said he would look into it. But nothing changed.

My principal would call my mom to say that I was never in school, and my mom would explain it was because the school wasn't handling the bullying situation.

That's when I decided to enroll in Des Moines Area Community College (DMACC) to get away from the harassment and bullying and get my diploma through DMACC. I am currently a junior and have enough credits to have graduated this spring and I wanted to go to college in the fall, but now I can't because I can only "graduate" once my class does next year. My life is put on hold, and because I'm being held back, so is my financial aid for college.

One bright spot I was looking forward to was going to my high school prom with my girlfriend. I wanted to go to prom and have that high school experience. I was told I wasn't allowed because of me missing school and attending DMACC for classes. But another student in my grade who had missed school and was attending classes at Iowa State University was allowed to go. It was a double standard. The principal said not only could I not go to prom; I wouldn't be allowed to bring my girlfriend.

My experience at Gilbert High School has been tough.

I hope through this testimony that schools will realize that not providing a safe and supportive environment does affect students and their ability to learn. Students shouldn't have to worry about being judged for who they are. Judge them on their actions not on how they present their gender or sexual orientation. You should be able to go to school and know that there are going to be teachers that support you.

School faculty needs on-going training. People who want to become teachers need classes that help them understand how to deal with bullying.

Schools here in Iowa need to follow and understand Iowa's Safe Schools Law as well as Federal laws that protect students. People must be held accountable for their actions.

Schools need gay-straight alliances. I know in my school, a GSA would help make students understand that anti-gay remarks do hurt people and that hate toward any group of people makes our school an unsafe place.

Senator Harkin, thank you for allowing me to speak here today.

The CHAIRMAN. Liz, thank you very much.

I appreciate all your testimonies, but I've got to say, these three students, weren't they remarkable? Let's hear it for them. I mean, they're great. Wow.

[Applause.]

This is the future leadership of our country right here, I can tell you right now. Very eloquent statements by all of you, and I thank you for being here.

Let me just say thank you for sharing your stories, for being so courageous to do that. It takes a lot of courage.

We all have different stories. You've heard all this other stuff here. I believe you are an inspiration to other students. But—and maybe this is not a fair question, but I'll try it anyway. If you had just one bit of advice to give to a student who is being bullied today in school, what would that advice be?

I'm going to ask you, and you, and you.

Emily.

What would you say to someone you know who was getting bullied? What would you say to them as a friend?

Ms. DOMAYER. Don't be afraid to find a responsible adult who you know cares. Unfortunately, for students with autism, that's not always easy because they're not able sometimes to verbalize what is going on. I'd say that parents need to take an extra look and look at their schools and make sure that everybody is on the same page as far as bullying.

The CHAIRMAN. Matt.

Mr. SHANKLES. Well, it's hard to say. I don't know if I can really answer it because every situation is different. But I guess they should just know that, no matter what, even if it seems like you're the most alone person in the world, there is always someone there, always something, someone there for you, someone who cares.

The CHAIRMAN. That's good advice.

Liz.

Ms. SEDERQUIST. If I were to give advice to someone, I think the first thing I would tell them is don't give up. Think about who you are inside and out, and I'm not going to say to forget about that person or the group of people who are bullying you because that is a hard thing to do. You have to think about the things that you want to do, your dreams, your aspirations, everything, and you have to focus on that, and you have to tell yourself that every day. If somebody is calling you ugly, you need to sit there and you need to say, you know what, I'm beautiful. I am who I am, and I am proud of who I am.

As Matt had said, there's always someone there. There's always a light at the end of the tunnel, and you should not give up. If you get pushed down, come back up and fight back and be strong. Do not sit there and be silent, because silence is the worst thing ever. If people don't know what is happening, then how can anybody help?

Open your mouth, raise your voice, yell and scream if you have to, but do something about it. Have people who are going to be there for you and help you with it, and be proud.

The CHAIRMAN. Wow. All three of you, you're wise beyond your years, very wise, and it's very profound what you just said. What I think I got out of that was, if you were giving advice, you'd say, first, be proud of yourself, take pride in who you are. Don't think that you're a second-class citizen. You have the same rights as everybody else.

Second, find someone that you can trust and that you can rely on. Find someone that you can confide in who will help you and support you. And I think also, wouldn't you say, try to build those coalitions within your school where students feel like you do. I mean, don't feel like you've got to do it by yourself. There are other students who feel like you do. Maybe they're not getting bullied, but they're sensitive to this. You've got to reach out and start forming these coalitions of students.

Maybe I'm wrong, but in my experience just through working in this area, it's not the gay or the lesbian or the Asperger's syndrome or the kid that's slight of structure or someone who dresses different. They're not the ones who are really alone. The bullies are the ones who are really alone. They've just got to be isolated, because if you all work together, the bullies will find out that they don't represent, I think, the mass of any student body out there.

Don't let the bullies think that they control everything, that somehow they have the support of all the other students.

But this sort of leads to my other point, and that is, Dr. Gausman, what you said, and I think all three of you, and especially, Ellen, you talked about prevention. Here we have a State where we have anti-bullying laws and anti-bullying policies in our

schools. Yet, it's still going on. What is being done? What sort of training is there for principals and teachers? What sort of information are they getting from State organizations such as ISEA, the Iowa State Education Association, the School Administrators of Iowa, the Elementary and Secondary School Principals Association? What kind of information and ongoing training do they get through these associations that they belong to?

Ms. REILLY. First, I would just speak to the fact that, yes, we have policy, and yes, we have procedures. However, in a day and age of No Child Left Behind, when academic scores are what defines how we spend our time on professional development within our schools, it is very difficult to find any additional time to train people on the impact of bullying, on the myths and facts of bullying, and on their responsibility as an educator and what they need to do.

As educators, we should not be chained to math and reading scores. We should be chained to creating whole people and looking at the whole individual and the whole issue. Again, the academics are important. That's what we are; we're educators. But, kids, you've heard it. They can't learn if they are afraid, and we have to listen to kids when they say they're afraid. We can't tell them just ignore it, walk away. It's abuse, and it needs to be dealt with as abuse.

The CHAIRMAN. Dr. Gausman.

Mr. GAUSMAN. Yes, if I could. Just a couple of thoughts related, that we do have conversations about this regularly, and this is something that does need to be ongoing, as has been suggested. It's important for us through our training. We participated in a national documentary related to bullying, and that's all about taking a look at bullying through the lens of those who are bullied. It's a compelling story.

We need to understand the bullies to really make a difference. It's about insecurity. It's about power. It's about control. And we must, of course, look for those who are being bullied and do what we can to mitigate those circumstances for them. But if we're truly going to prevent, we're going to have to understand.

I mean, everyone in this room, it doesn't matter who they are, they've been a victim of bullying either as a bully themselves, as a person who was bullied, or as a bystander, or in most cases some combination of those. It's not new, but for us to make a difference, our organizations do help us. The Safe and Supportive Schools grant is really very helpful. Our organizations, some that you mentioned today, are very helpful to us, but we really have to engage the community.

Part of the reason we participated at the level that we did, knowing that we might not be reflected upon as the most positive, was because our goal was to stir things up just a little bit to see if we could get our community talking about the challenge of bullying in schools.

As I sat at the White House a couple of months ago I thought, well, we accomplished that task, stirring things up just a little bit. Now, what's really important is that we understand that you can't find an administrator who isn't addressing the bullying problem and fix that administrator and have the problem go away. There

is no one person. I mean, if there's a villain in the film, if you will, or if there's a villain in the challenge, I don't think we can look out the window and find that villain. I think we have to look in the mirror.

The CHAIRMAN. I think you made the point elsewhere in your testimony that it's not just the school. It's the community.

Mr. GAUSMAN. Sure it is.

The CHAIRMAN. It's the families.

Mr. GAUSMAN. I don't want to make it sound as though we're not holding ourselves accountable. We should be held accountable. We deserve to be held accountable, as well, but we can't do it alone.

The CHAIRMAN. Penny, my question was the training for principals, information for teachers. I mean, we have all these organizations, and they have meetings. As Ellen said, a lot of this is so focused just on academics and scores, test scores, but there's not much time for this other training. I just wanted to get any observations on that.

Ms. BISIGNANO. I think when I hear the students here talking about being proud, be who you are, that we really have an obligation as adults to protect our students, and we need to step up. A part of that is the misinformation, the misdirection that's out there around bullying and bullying prevention. So we need to really get clear about what works and what doesn't. We need to really know what's evidence-based and what is not. We need to survey, which means we ask questions so Emily has an opportunity to tell us what's been going on. We shouldn't wait for her to be in agony and do a report. We want to know what's going on in all of our schools.

But we have to start with the adults. We just have to do that. I think a policy is not going to get us there. We really have to look at this as a system, and that's why I again, what Paul would say, and Emily and Ellen, that we have that Safe and Supportive grant, which I think is helping us a lot in Iowa to really look at the climate, the conditions for learning, the safety conditions, the engagement, being engaged, thinking about your experience at Gilbert, to be engaged in school to know I'm valued here, they want me here, it's important that I'm here, and an environment that's that way for all of our students, and it means each, not all as a total group, but each and every student.

So we're very excited about that work because we really feel this could really be a model for what we look at in the country to change those norms, the social norms in a school, so that everyone there feels valued, they feel that they belong and it's important that they're there.

The CHAIRMAN. Let me ask you another question. I just made a note on this. It just occurred to me. I asked about the structure as it exists now with teachers, principals, that type of thing. How about backing up? How about our schools of education? When they get out and they do their practicums or whatever they call it, their practice teaching, is there anything there? I have to find this out. I don't know the answer to that question. As part of their instructional material in how they learn to teach, is part of that learning how to recognize bullying and what they should do in their own classroom?

Ms. BISIGNANO. In some. The folks here could speak to that. But again, we have a lack of consistency about what this really is and what it's about, and I think that a Federal definition and some encouragement about really helping people to know what does make a difference in bullying and harassment so we don't have the—as you say, I've been contacted by every company in the country. Everyone wants to come and do an assembly.

Another kind of program is now an anti-bullying program. I saw this with the students at risk. When students at risk was first identified as an area that we needed to focus on a number of years ago, every publisher changed their materials to state these are student-at-risk materials.

We really need to make sure that we are all on the same page, that this is treated seriously. I see it almost as civil rights. If we look at the movement of civil rights and we look at what's happening with bullying, I think that's probably a good model for us, that we need to have some common understanding and appreciation of how we're going to protect our kids.

The CHAIRMAN. Liz, your story is obviously very compelling—I'm going to go back to you, Liz—and your decision to drop out of school and to come to DMACC. As I read your testimony and listened to you, it occurred to me that this is a rather small school. I don't know how big Gilbert is. What is it student-wise?

Ms. SEDERQUIST. About 500 to 600 kids.

The CHAIRMAN. Five hundred, something like that. But what kind of comes through in there is that the faculty there and the principal and others, they seem to have lacked any training at all in how to deal with this.

Ms. SEDERQUIST. Well, there was training about 10 years ago at Gilbert.

The CHAIRMAN. Pardon?

Ms. SEDERQUIST. There was training at Gilbert about 10 years ago. But when you have faculty turnover, and you have a new principal, I mean, that training goes out the window, and that was a one-time thing.

The CHAIRMAN. I see.

Ms. SEDERQUIST. So that's when I said we need training 24/7, sort of like a corporation, how managers and even workers go through training all the time, right? Schools should do that, because there is a turnover of students every 2 years, there is a turnover of faculty God knows how many years, and it would be better if we had training going on all the time, because then it can be refreshers. And, yes, it may get annoying, but it's annoying for a reason. It's to be put in your brain for a reason.

And, if the training was happening all the time, then new people that come in—I mean, there's new students every day. There's new people every day. There's faculty that comes in and there's visitors that come in. If the training happened all the time, that might cut down on some things. But the fact that there is faculty that ignores students and excludes students, and a principal, or even a superintendent that just shoves the things aside, it's just wrong.

The CHAIRMAN. So ongoing training, not just a one-shot type of deal but an ongoing, supportive type of training process that goes on.

Ms. SEDERQUIST. Exactly.

The CHAIRMAN. Matt.

Mr. SHANKLES. On top of the ongoing training, I completely agree, I think the training should include materials or statistics from the school, from the students, how can we handle this because this is what is actually happening. I know in the past I've participated in teacher trainings at Linn-Mar where I came in on a teacher workday and gave a seminar, told my story. I kind of explained a little bit about Iowa's Safe Schools legislation and said here's what I think you can do, and I really felt that through my story I definitely helped some teachers there. Some reached out to me and said that it actually did help.

The CHAIRMAN. Go ahead, go ahead. Just chime in there, Liz. And then Emily. Did you have something?

Ms. DOMAYER. Yes.

The CHAIRMAN. Go ahead, Liz.

Ms. SEDERQUIST. As Matt said with teachers and training and everything, I believe that with ongoing training, that would help a lot. It would make a difference. But, not just centering around LGBTQ. It can be around disabilities, as well. You know how GSAs have materials, and they teach things and history and stuff. California is putting LGBTQ in the textbooks. I'm not saying we have to put them in the textbooks, but to have teachers learn about that and learn through the struggles about anybody, and have seminars and workshops, it could possibly help so then they would know a little background information.

The CHAIRMAN. Emily.

Ms. DOMAYER. When I was first diagnosed, the teachers did not understand how—I had an individualized education plan, an IEP, but I was still in all regular education classes. It was like my parents had to actually teach these teachers about autism and Asperger's syndrome because they didn't understand any of it. I do think that we have come a long way in the last few years with regard to autism awareness, and I think that's really great. But I also think that if we do ongoing training, that there needs to be very specific stuff about people with disabilities, kind of saying these are the stereotypes and here's a real person with this disability, this is what this looks like, this is what this person has gone through.

I think that also, engaging parents using social media is another important aspect, having a school disability awareness Facebook page or using a Twitter account to stay in contact with parents and just let them know, OK, I'm the teacher, but I still want you to know that I'm here for you, and that if you have any questions about anything, how your child is doing, so that way the social media will help students and teachers and communities all be on the same page so that there's no confusion about, OK, my child was bullied, what do I do?

I definitely think that, along with what everyone else has said, that there needs to be a group effort and that it has to be a community effort, that people should work together on it.

The CHAIRMAN. I think you're giving me an interesting idea here. That's why I asked my staff. As social media is being used to bully, you're saying social media could also be used the other way around.

Ms. DOMAYER. Yes. I am a member of a couple of different autism groups on Facebook, a women's autism group. Yes, these social media things like Twitter and Facebook can be used for negative things, but fortunately also for some positive benefit as well.

The CHAIRMAN. That's what Matt did.

How do we extend this out, Ellen?

Ms. REILLY. I want to say that with our Be Bully Smart campaign, we have a Facebook page, and it's a resource to our community, and it's spread across Iowa, and hopefully it could even go nationwide, because it doesn't say anything about Davenport. It says, "Be Bully Smart. See it. Stop it. Report it." I've had parents use the Facebook page to send private messages to me and ask me how do I handle this bullying situation. Have I gone too far? Is there more I need to do? What can you do to help?

So again, just as it can be used to harm, it is also a very helpful tool to use to get information across to people.

And I do want to say something else quickly about training. Central High School in Davenport has the IS3 grant, and one of the most powerful things that has come out of this is the youth voice. They have surveyed these kids, and one of the things that came out was they've been trained in Olweus, but the students don't think that the teachers take it seriously enough, and they've requested that the school be re-trained and that the students, the leadership team be re-trained with the teachers so that the teachers know the students know what they're supposed to be doing, which I think was just a—you know, Olweus is really designed to train the teachers. But at the high school level, these kids are advocates and they want something done.

The CHAIRMAN. Dr. Gausman, you get one of those grants. You've gotten those.

Mr. GAUSMAN. Yes, at two of our high schools we have those. With the Safe and Supportive Schools grant, I have two points that I'd like to make related to that.

We know things we wouldn't know otherwise because of the surveys that go on. Something very important for us is—you're so right that these students are wise beyond their years. We've got to connect this information with our community. We simply cannot just train the staff and have bullying go away. We're going to have to—I mean, like it or not, the school is a reflection of the community, and we must realize that if we learn things about our school through this comprehensive survey, we need to get that data into the community so that the community understands what's there. It's not something we should hide from them. It's something we should engage them with.

So the second piece is that as we train our staff members in Second Step, and then as those staff members begin to facilitate groups with the students—that's the curriculum that we use, it's titled Second Step for kindergarten through eighth grade—we had community members step forward this year and begin developing pieces that would go home so that the parents, the guardians of the students would know what they were learning in school as it related to bully prevention activities and they could reinforce that at home.

It's that step beyond the schools that I really think is missing and where we can do a better job. So that's where we're really focusing a lot of our energy.

The CHAIRMAN. To sum up, you can use these grants, these S3 grants—

Mr. GAUSMAN. Safe and Supportive Schools.

The CHAIRMAN. Safe and Supportive Schools grants, you can use those to build that kind of a Twitter, Facebook, social media environment, right?

Mr. GAUSMAN. Sure.

The CHAIRMAN. I'll have to find out how much of that is being done with all these grants around the country now. I just made a note on that because I don't know. It's through my committee, and I don't even know that.

Michael, we're going to find out about that, right?

[Laughter.]

I never thought about it. I guess I'd been brain-locked into thinking that social media was just used to harm, but it can be used the other way around like you've done. You learn something new every day.

I've just received a note that says my time has just about run out. I will first ask if any of you have anything that you haven't said or that you wanted to bring up or point out that hasn't been done, or you're saying, "gosh, I wish he'd asked this question," and I didn't ask it.

Liz, one last thing?

Ms. SEDERQUIST. One thing I wanted to add about surveys is when you make the kids and school take surveys in, say, a computer lab or anything, when they're all together, I honestly believe that's a bad idea, because you have students looking at each other's screens or papers or whatever, and that can make a student be, like, "oh well, if I say this, what are they going to think?" I believe if we did surveys in a separate room, everybody went in one at a time, then maybe they would be more truthful, and maybe we would find out what's really going on in school, because then they don't have anybody around to judge them. I mean, the walls aren't going to judge them, so they can be honest and be open.

The CHAIRMAN. A good suggestion. I don't know.

Matt.

Mr. SHANKLES. I just got to thinking about the Olweus class meetings, and I don't know if they go into high school because we don't have them at Linn-Mar High School, class meetings, but I remember that we had to take surveys in middle school, and it was basically all of us sitting in a room and everyone went, "What are you going to put here?" "I'm just going to say no on everything."

So I always felt, looking back, trying to talk to some people within the learning research center at Linn-Mar, how can we get more accurate results from surveys, like she said, and that is something that had not occurred to me, to put people in a separate room. Yes, kind of like voting.

[Laughter.]

The CHAIRMAN. What I'd like to do now, as I said, I do have some time, so I'd like to open it up to the audience. Laura Sands on my staff has a roving mic. I'd just ask if you have a question or a com-

ment, a statement, to be as brief as you can. The court reporter, due to our rules here, they have to have your name. So just state your name.

And maybe nobody has any. But if you do, just hold your hand up and Laura will give you a mic.

Ms. TAHA. My name is Sherrie Taha. It's S-h-e-r-r-i-e, last name Taha, T-a-h-a.

Senator, thank you so much for having this here. I was 21 when I came out, and that was a few decades ago, and there was definitely some bliss in ignorance. And through the decades, as our society has come to be more open, one of my concerns has been for the kids who start to realize at younger and younger ages who they actually are. And more importantly, the people around them start to notice who they are and peg them for a victim.

I appreciate that while our society becomes more open, it also becomes more dangerous. Thank you for doing this, and the community is a very critical piece to include in this. So I particularly appreciate you having this at the time when Capital City Pride will be having our celebration this weekend, and that's a very important community aspect of it.

I lived out of Iowa for 30 years and saw Pride change over the decades from just a handful of people participating to being throngs of people. In the 10 years that I've been back in Iowa, I've seen Pride grow from just a handful of people to hundreds participating. And while I'm not an organizer of that event, and while I don't know what your schedule is, I'm sure that your participation in the parade on Sunday would be greatly appreciated and be a notable aspect of the importance of the community being involved, the political community in addition to individual efforts.

I'm going to be there in the crowd, and I hope and would guess that the organizers would find a place for you in the parade. So I'd just like to plug that.

The CHAIRMAN. OK. Thank you.

Ms. TAHA. One last thing that is very important that I heard, in addition to the community piece, is the power and control with regard to the bullies, and this is an important piece that has been talked about with domestic violence and oppression of any sort, whether it has to do with women being oppressed in their homes or racist aspects, or disability or LGBT, whatever the community is. The importance of that power differential is a key piece in the community, too. And I've overstated, but thank you.

The CHAIRMAN. Thank you very, very much.

There's somebody over here, Laura, a couple of people here who had their hands up. I can't see who they are right now.

Ms. PARKER. Hi. I'm Wendy Parker. I'm the educational services director at Newton Schools. I came with my son, Andrew, who graduated in 2006. He was a Matthew Shepherd Scholarship winner.

The CHAIRMAN. Well, congratulations.

Ms. PARKER. We've been doing a study group at Newton for the last 6 months, actually started about a year ago when Penny came out, and we were looking at what are we going to do, sort of the reaction thing, and then we sort of realized we don't really know where we are. I can sit here and think—my other son is gay also,

graduated from Newton, had no problems. So I can say we don't have any problems at Newton, clearly. Look at my experience.

Not true. So we are spending 3 days in June. Two days ago, we spent a whole day. We are interviewing kids, interviewing teachers, really talking about where are we in Newton. In fact, we have a very active GSA. We're very proud of it. We won an award this year.

But in talking to those GSA kids—we went to the conference on bullying. I went with them. The most important thing—

The CHAIRMAN. At what school?

Ms. PARKER. Newton.

The CHAIRMAN. Newton. OK.

Ms. PARKER. The most important thing to them is that they have classrooms that are safe and teachers that respond to things, as well as a peer group which goes along with the GSA.

On the training, I think about what any of us who work for schools know, back to school is blood-borne pathogens. Everybody does it. You do it, and if you don't do it, I don't know what happens to you, but it's so horrible that we all do it, right?

Could this training be like blood-borne pathogens, so important that if you don't do it, that something horrible happens to you? But along with training—because I just think it should be required. You shouldn't have to get a grant. You shouldn't have to do this. It should be required. It should be a class for new teachers. I know Human Relations touches on it, but I'm a teacher that teaches those classes, and sometimes it happens, sometimes it doesn't.

So how does it happen? And then the followup coaching and are we really doing it, and surveys that really reflect if it's having an impact, because just training doesn't do it. We were going to go in a direction of Safe and Supportive Schools, and with that we also get—they come in four times a year and actually do coaching and followup.

I think it's so brave for Sioux City to be here, so wonderful. You have helped us so much by sharing your story, you know? Because, I'll tell you, if you went in our school and you followed every single person under a microscope, somebody would say the wrong thing, and that can be so traumatic to a kid. When one teacher says, "Hey, if you two don't stop messing around, I'm going to think you're boyfriend and boyfriend." You know what, that just killed somebody in that room emotionally.

So we just can't do that, and we have to have that followup and say that's what we're talking about, that's what we were talking about with that training.

That's my message, blood-borne pathogens.

[Laughter.]

The CHAIRMAN. All right. Thank you. I've never heard it expressed that way.

[Laughter.]

Mr. BOOK. Hi. I'm Gerry Book. I'm dressed in my farmer's hat right now, but I do have a Master's in Counseling and I am certified for just about everything in Special Ed.

When we were in school, I'd done a lot of group work in the past, and so I thought, well, let's organize a support group here, and Liz is the only one I remember saying support group, and I think that's

the most important term that you need in a school. Every kid needs a support group. He needs one at home, and he needs one at school. He also needs at least one adult in both places that cares about him, or her.

[Laughter.]

But we were kind of going along by trial and error, and finally the way we organized our support group was the kids would come up with an issue and we finally located a place where we could meet privately. The rules were you didn't talk about it. It was confidential in your support group. We also explained that if suicide and that sort of thing came up, we had to talk about it to somebody. But most of the time it was private.

We had many kids bring issues. There were issues about home, parents, issues about other kids, issues with teachers, and they discussed it and talked about it and worked with each other. They helped each other.

I noticed that there were some freshmen who had some difficulty. An older kid got tuned into it, and there's nothing more powerful than the older kid coming along asking the freshman how he's doing that day. I've had freshmen come and tell me, "gee whiz, he asked me how I was doing."

We also did mediations, and mediation like I learned in farm prices back in the 1980s, when Fatty Judge was my coordinator. Anyway, we called them "sat downs" rather than mediations. I remember one in particular was a kid, a freshman who was so upset about something, he threatened to bring his shotgun to school and shoot the other kid. Well, we let it set for a couple of days, and then I asked them if he'd like to do mediation. We invited in a couple of kids that hadn't heard about it yet. We did the mediation.

It finally became apparent that the freshman needed to apologize. He did, after some real encouragement from the other kids. But the freshman one day came and told me, he said this older kid that I hated so bad came by and saw my artwork and he told me how good I was doing. The freshman was just totally enthralled with this kid. They became friends.

They didn't have to beat each other up to do it. We did a mediation, and I think mediation in schools could be used very effectively if we just would. So I guess my frustration now is that I have all this experience and knowledge and I don't have any place to use it. I'd like to find a school or something that needed some instruction and do some of these kinds of things.

The CHAIRMAN. We'll get your name and address and phone number. I'm always being asked for things like that.

I've got time for one more question. Oh, boy, we've got two more.

Ms. BRADLE. I'm Tracy Bradle, T-r-a-c-y, B-r-a-d-l-e.

I want to say, first of all, I'm lucky enough to be Matt's mom.

The CHAIRMAN. Hey.

Ms. BRADLE. We're a matched set.

Second of all, I think there's one thing—and, Senator Harkin, you and I briefly talked about this earlier—that doesn't get pointed out is that the parents are part of this. We are supposed to be the grownups, and Paul talked about his colleague who ended up being shown in a bad light in the bullying movie and is now being bullied herself. We can't fix it if we continue to perpetuate it, and I think

that's something that we need to make sure that we bring home, is that it's not just the school's responsibility.

My No. 1 priority is to raise decent human beings. That's my No. 1 job.

The CHAIRMAN. You've done pretty well.

Ms. BRADLE. Thank you very much.

The CHAIRMAN. From what I can see, you've done pretty darn well.

Ms. BRADLE. I have another one, so we'll see how he turns out.

[Laughter.]

But that's my No. 1 job, and we are supposed to be the grownups, and we have to act like it.

The CHAIRMAN. Thank you.

Now, somebody over here has been trying to get—we'll try to get one more in here.

Mr. SHEEBOUT. Thank you. Senator Harkin, my name is Francis Sheebout, and I'd like to comment from this whole program today a little different angle and get your response. I've got a question and then a side comment I want to make in regard to that.

From your point of view, with your experience and taking an interest in natural medications and agents and things like that, how big a player is body chemistry in the scheme of things, like serotonin, dopamine, and that type of thing?

My side comment is I've got a packet of information I'd like to leave you after the meeting which has got some old scientific information dating back to 1995 with your name in it and talking about serotonin. Things have evolved since then greatly, and there are now urinalysis tests where we can test young adults and kids, and science tells us that low levels of serotonin, people are suicidal.

So there are some great things in the works. People don't like to talk about a lot of this stuff, and it's taboo, and in a lot of instances the medical profession can be running 10 years behind the times. But there is some good news out there, and I'd like to get your opinion on it. And like I said, after the meeting I've got some information I can leave you, and if you've got any comments in regard to that now, that would be fine.

The CHAIRMAN. I don't know that I have any comments on that right now. I mean, as a general observation, it's been my experience on this committee—because we deal with health also, and we deal with the Centers for Disease Control and Prevention and the National Institutes of Health. It's been I think my information, and my belief now based upon that information, that a lot of kids are overdosed or over-diagnosed with illnesses, and a lot of our kids I think are on drugs that have long-term detrimental effects, and we're not dealing with the emotional underpinnings of some of those physical ailments.

I don't mean to sound like gobbledy-gook. What I'm saying is that a lot of physical ailments that people have, and especially kids, while they're real, while there are real physical manifestations, the underlying cause is not a physiological cause. It is a psychological cause. It's an emotional disturbance, and the way that it is played out is through some physiological manifestation.

I think that what happens is that many times, especially with kids who have emotional trauma, perhaps they're having a hard

time discovering who they are and realizing their orientation or who they are, they get mixed up, and so there's a physiological reaction. So the doctor prescribes drugs, and they get on this, and that does not really reach to the underlying cause of why they tend to be ill or why they tend to have a lot of manifestations of gastrointestinal problems or asthma or a number of other things. There's a lot of body of evidence now out there to show that.

I don't know if that gets to your point or not, but that's been—we've had a lot of hearings on this in the past, too, to point that out. But that's another issue that I didn't want to bring up today.

Listen, I'm sort of overdue, but there was someone back there who had their hand up right at the beginning and I never called on them.

[No response.]

OK. Now there's two, and then I've got to cut it off.

Ms. WHETSTONE. I'm sorry. I was handed the mic.

My name is Gano Whetstone. It's G-a-n-o, W-h-e-t-s-t-o-n-e. And I was a former teacher and administrator at school, and I myself was a monitor reporter in situations. I feel like we need to do more to do monitor reporting in the school. I reported a lot of it to the mental health center and to the doctors, and I think we need to have an understanding of the health issues involved, too, like you said, the mental and emotional problems.

But I think there needs to be a lot of mandatory reporting and told where to go and who to report things to also. Thank you.

The CHAIRMAN. One of the things that I have been trying to do for years, both in my capacity as the chair of this committee and the Appropriations Committee, is to focus on elementary school counseling. Most people think of high school counseling, and they think about it in terms of counseling only in terms of college work, counseling in that regard. I wanted to focus on elementary school counseling to get qualified people, qualified individuals who had degrees in child development to be in our elementary schools to recognize early on the problems that some of these kids have and to help them get through counseling.

Some kids come from pretty tough backgrounds and they have a tough life, and they have tough home lives. And to the extent that we can help with counselors to work with them and work with their families, I think we get much healthier kids later on. If these kids aren't helped when they're in elementary school and that digs inside of them and they bury it inside them, it comes out later on in middle school and high school. And I just think that we sweep a lot of this under the carpet when they're in elementary school.

Yes, one more time back here, and then we're going to have to call it off.

Ms. CLAYPOL. Hi. My name is Alicia Claypol, A-l-i-c-i-a, C-l-a-y-p-o-l. And I want to thank you, Senator Harkin, for holding this hearing today here in Iowa. I think it's very important, and I think it's been very helpful for everyone who has been here.

I wanted to make several comments. One is that I was glad to hear the comments made about dealing with bullying is not a civil right. In other words, being gay is a civil right, and that we need to address that in our civil rights laws. Obviously, Iowa has made that progress already, but it goes back to enforcement.

I just want educators to know and families to know that there is a school portion in the Iowa civil rights law, and bullying, you can file complaints with the Iowa Civil Rights department. So don't forget that that is a tool available in your quiver of tools to address bullying in your communities. I used to be on the Civil Rights Commission, so that's how I know that. I chaired the Commission for 5 years, and we were one of the partners in this room, among many people, who helped to lead the effort to pass the anti-bullying law, as well as the civil rights law in 2007, adding sexual orientation and gender identity as protected classes in Iowa law.

Second, I wanted to make a comment about the woman from the GAO reference that, well, maybe we should just talk about all kids should be protected from bullying. And while, yes, that's true, all kids do need to be protected, I don't want to let any elected official get away with not feeling that we need to enumerate all of these protected classes, because as we've learned in civil rights law, if you don't name it, it doesn't get protected.

We need to make sure that we do itemize, that we do address those demographics. We cannot just say all kids will be protected because in Gilbert, that won't happen. I'm so sorry to hear about the story from Gilbert, because what got me interested in dealing with bullying in the first place was because of a kid named Gerry in Gilbert 10 years ago. I mean, the circle has come full circle, and it's very distressing to know that in spite of the progress we've made in Iowa, we haven't made enough progress because Liz has not been protected, and that is extremely unfortunate.

That leads me to my final comment, which is about accountability. There needs to be accountability at all levels of the system. That means we've worked on policies. Those can be strengthened in Iowa. I don't know that we need any more laws, but we certainly need better policies and procedures.

There needs to be accountability for the educators, every person in the school, not just the teacher but the bus driver, the school cook, the counselor, everybody. There needs to be accountability on the part of adults. School board members need to be included in that, parents as well as students, and the systems. There were several comments made about the systems. This is a cultural problem. We can no longer, as other people have said, dismiss this as, well, kids will be kids, it's a rite of passage, blah blah blah. That's not true.

We need to change our culture, and therefore we have to address accountability in all the systems, and that's why we need to also reach out to the community, as others have said too, to make sure that we can change the culture. So it's the schools, it's the students, it's the parents and the community at large.

Thank you very much for being here and for all the great comments that were made today. Thank you.

The CHAIRMAN. Thank you, Alicia Claypol, who has been a great leader in our civil rights community for many, many years. I thank you for that.

I want to thank each of our witnesses for their excellent testimony, for sharing your stories, for the important work you do every day. This topic has a very special importance to me. I'm grateful for this productive discussion we've had today.

The committee will leave the record open for 10 days until June 18.

I want to thank everyone here for getting involved in the campaign against bullying through your attendance here today. I think we've learned a lot of important things. I will take these insights and comments back to Washington with me. I hope you'll take them back to your communities and your schools. I just thought it was a very productive hearing.

This is, again, something that—this whole issue of bullying we've got to address on a broad basis, not just in schools or communities, as you said so eloquently. And again, we're always looking for what is the role of the Federal Government in our policies in this, and that's sort of what we're searching for, what is our proper role and what can we be doing to be supportive in a way that, again, I feel very strongly about, and that's prevention. How do we get it out there so that we prevent this from happening in the first place?

Again, I thank you all very much, and the committee will stand adjourned.

I'm supposed to bang the gavel. There you go. We're done.

[Applause.]

[Additional material follows.]

ADDITIONAL MATERIAL

PREPARED STATEMENT OF CHAD GRIFFIN, PRESIDENT, HUMAN RIGHTS CAMPAIGN

Mr. Chairman and members of the committee, my name is Chad Griffin, and I am the president of the Human Rights Campaign, America's largest civil rights organization working to achieve lesbian, gay, bisexual and transgender (LGBT) equality. By inspiring and engaging all Americans, HRC strives to end discrimination against LGBT citizens and realize a nation that achieves fundamental fairness and equality for all. On behalf of our over 1 million members and supporters nationwide, I am honored to submit this statement into the record for this important field hearing on "Bullying-Free Schools: How Local, State and Federal Efforts Can Help."

LGBT youth are subject to widespread and pervasive discrimination at school, including harassment, bullying, intimidation and violence. They are deprived of equal educational opportunities in schools in every part of our Nation when teachers and administrators do not intervene to stop bullying behavior. We have been saying for decades that growing up gay or transgender is not easy. On June 7, HRC released a new report—"Growing up LGBT in America"—that provides a stark snapshot of what it is like to grow up gay or transgender. Included in the report is new data on the bullying faced by LGBT youth in schools.

The report is based on a survey by HRC of more than 10,000 LGBT teens (ages 13–17) across the country on what life is like for them in America today. This is the largest known survey of LGBT youth ever conducted. It includes LGBT youth from every region of the country, from urban, suburban and rural communities, and from a wide variety of social, ethnic and racial backgrounds.

According to our survey, LGBT youth often experience rejection from their families, employers, places of worship and elected representatives. This makes them profoundly disconnected from their communities. While schools should serve as a respite from this rejection, LGBT youth say they most often hear negative messages about being LGBT when they are at school.

The survey tells us that LGBT youth experience bullying at school more frequently than their non-LGBT peers. In fact, LGBT youth are twice as likely to experience verbal harassment, exclusion and physical attack at school as their non-LGBT peers. Among LGBT youth, 51 percent have been verbally harassed at school, compared to 25 percent among non-LGBT students; 48 percent say they are often excluded by their peers because they are different, compared to 26 percent among non-LGBT students; and 17 percent report they have been physically attacked at school, compared to 10 percent among non-LGBT students.

The survey also shows that LGBT youth identify bullying as a primary problem in their lives. They identified family rejection (26 percent), school/bullying problems (21 percent) and fear of being out or open (18 percent) as the top three problems they face. In comparison, non-LGBT youth identified classes/exams/grades (25 percent), college/career (14 percent) and financial pressures (11 percent) as the top three problems they face. Clearly, LGBT youth spend time worrying about bullying and rejection, while their non-LGBT peers are able to focus on grades, career choices and the future.

Bullying behavior is problematic because it has severe consequences on students—some of which have been found to last into adulthood. Students who experience bullying and harassment suffer from higher levels of depression and anxiety and have lower self-esteem. Bullied students receive grade point averages almost half a grade lower than students less often harassed at school and are less likely to pursue any post-secondary education. LGBT students are three times more likely to have missed classes and four times more likely to have missed at least 1 day of school in the past month because they felt unsafe or uncomfortable at school, as compared to the general population of secondary school students. Tragically, students who are bullied at school are also more than twice as likely to report a suicide attempt as students who are not bullied.

Unfortunately, only 16 States and the District of Columbia (effective Jan. 2013) have laws that explicitly address bullying of students based on sexual orientation and gender identity. Additionally, 23 States prohibit bullying in schools but list no categories of protection. Iowa is one of the States that proudly enacted a law in 2007 that requires school districts to adopt anti-bullying policies that include sexual orientation and gender identity. Regrettably, some anti-equality legislators in Iowa have been working to have this enumeration rescinded.

It is our experience—and the experience of those that have studied bullying laws and policies—that LGBT students are more likely to report bullying and teachers are more likely to intervene when sexual orientation and gender identity are enu-

merated in an anti-bullying statute or policy. We must have enumerated anti-bullying statutes and policies. Unenumerated language is not enough.

There is no statutory prohibition on schools discriminating against students based on sexual orientation or gender identity at the Federal level, but protections do exist on the basis of race, color, national origin, sex and disability. In addition, there is no Federal requirement that schools enact enumerated anti-bullying policies. Based on this patchwork of State laws and the nonexistence of Federal laws on bullying, LGBT youth experience varying degrees of protection from bullying based on the State they live in and the school district in which they attend school.

The Human Rights Campaign urges Congress to pass the Student Non-Discrimination Act (SNDA, S. 555; H.R. 998) and the Safe Schools Improvement Act (SSIA, S. 506; H.R. 1648) to address bullying of LGBT youth. These complimentary pieces of legislation address the issue in distinct ways. SNDA would prohibit public schools from discriminating against any student on the basis of actual or perceived sexual orientation or gender identity. SSIA would require school districts that receive Federal funds to adopt anti-bullying policies that enumerate protections for students on the basis of race, color, national origin, sex, disability, sexual orientation, gender identity and religion. Together, the SNDA and SSIA prohibit schools from overlooking bullying of LGBT youth and require schools to enact anti-bullying policies that include LGBT youth.

These bills are supported by numerous education, legal, health and civil rights organizations. Among the supportive national school-focused groups are the National Education Association, the American School Counselor Association, the National Association of School Psychologists, the National Association of Secondary School Principals, and the School Social Work Association of America. In addition, 79 percent of Americans support passing laws prohibiting the bullying of LGBT youth according to a 2011 HRC poll conducted by Greenberg Quinlan Rosner Research.

Passing legislation is important, but not enough, if we want to drastically decrease the bullying experienced by LGBT youth. We must also involve administrators, teachers, parents, students and communities in conversations about bullying and efforts to combat bias in schools. We must ensure that in elementary school, children learn to respect all kinds of differences, including diversity in family structure, race, religion, gender and national origin. HRC's *Welcoming Schools* does just that. It is an innovated and field-tested program that offers tools, lessons and resources on embracing family diversity, avoiding gender stereotyping and ending bullying and name-calling in elementary schools. The program leads to learning environments in which all students and families are welcomed and respected. *Welcoming Schools* has trainers and consultants located throughout the country that are skilled in working with schools, communities and parents to bring about institutional-change that make our schools better and children safer.

It's a safe bet that somewhere in America tonight, an LGBT young person will close the door to his or her bedroom, turn off the lights, and will, for countless hours, stare at the ceiling worrying about being gay or transgender and being bullied at school next Monday. On behalf of all of them, I urge you to pass the Student Non-Discrimination Act and Safe Schools Improvement Act. I also urge you to encourage schools districts in your State to implement initiatives, like *Welcoming Schools*, that teach tolerance and combat bias-based behaviors at an early age.

Over the past half-century, our Nation has worked to make it easier for all Americans to access education free of discrimination and bias. Congress and the President have recognized that schools cannot tolerate discrimination in schools based on race, color, national origin, sex and disability. These civil rights laws have improved access to education for millions of Americans, creating empowered students and future leaders. Congress must act to ensure that lesbian, gay, bisexual and transgender students have the same chance to receive a discrimination-free education and become future leaders of our country.

PREPARED STATEMENT OF THE ANTI-DEFAMATION LEAGUE

The Anti-Defamation League is one of the Nation's premier civil rights/human relations organizations, founded in 1913 "to secure justice and fair treatment for all and to put an end to unjust and unfair discrimination against and ridicule of any sect or body of citizens." ADL is the Nation's leader in the development of effective programs to confront anti-Semitism, bigotry, and prejudice. The League's strength is its ability to craft innovative national programming and policy initiatives and then to refine and implement them through staff in our network of 28 Regional Offices. The national headquarters in New York houses extensive research archives as well as staff members with professional expertise in legal affairs and education.

Complementing these professionals are ADL lawyers, educators, and human relations professionals in Regional Offices throughout the country.

ADDRESSING BULLYING AND CYBERBULLYING—THE ADL APPROACH

Over the past 30 years, the Anti-Defamation League has emerged as a principal national resource for education and advocacy tools to address prejudice and bigotry. And over the past decade, the League has built on these award-winning anti-bias education and training initiatives to craft innovative programming and advocacy to address bullying and the pernicious new form of harassment affecting children and students known as cyberbullying.

Working to create safe, inclusive schools and communities is a top priority for ADL. The League takes a broad, holistic approach to addressing bullying and cyberbullying, tracking the nature and magnitude of the problem, developing education and training programs, and advocating—at the State and Federal level—for policies and programs that can make a difference.

The Federal Government, in partnership with State and local public agencies, non-profit, community organizations, and colleges and universities, can play a critical role in ensuring that our schools and communities are safe places for all students. Federal leadership on these important issues helps nurture a climate and a culture in which the vast majority of members of the community are willing to condemn bigotry, bullying, cyberbullying, and harassment.

We believe that while laws and appropriate, inclusive school-based policies can be a focal point for addressing bullying, education strategies, training programs, and community involvement are necessary complements to any effective response.

THE NATURE AND MAGNITUDE OF THE PROBLEM

Bullying and harassment in elementary, secondary, and university educational settings are continuing problems for administrators, educators, parents, and students across the Nation. The large body of credible research on effective responses to bullying supports the conclusion that schools and other educational institutions can best address these behaviors through ongoing, comprehensive plans that include both intervention and prevention strategies. As demonstrated by the most important recent studies on this national problem (included at the end of this statement), professional development is a key component that provides opportunities for educators to share their thoughts and experiences about bullying at their schools, assess existing practices, adopt effective policies and procedures, and reinforce and strengthen effective response strategies.

BIAS-MOTIVATED BULLYING AND CYBERBULLYING

- According to the authoritative 2011 report, *Indicators of School Crime and Safety*, 10 percent of students ages 12–18 reported that someone at school had used hate-related words against them, and more than one-third (35 percent) reported seeing hate-related graffiti at school in 2007. [U.S. Dept. of Education, National Center for Education Statistics and U.S. Dept. of Justice, Bureau of Justice Statistics (2011).]

- Research shows that bullying is often related to ingrained biases and prejudices. For instance, according to the 2009 National School Climate Survey (GLSEN, 2010), 84.6 percent of LGBT youth reported being verbally harassed because of their sexual orientation, and 39.9 percent reported that it happened often or frequently. Nearly 64 percent had been verbally harassed because of their gender expression, and 25.6 percent reported that it happened often or frequently. Additionally, these same LGBT youth also reported bullying based on other aspects of their identity—48.1 percent were verbally harassed because of their gender, 40 percent because of their religion, 32.9 percent because of their race or ethnicity, and 17.1 percent because of their disability.

- A January 2004 study focused on the *severe impact of bias-related harassment and bullying for students*. In that survey 27.4 percent of students said they had experienced some type of bias-related harassment. Low grades, truancy, depression, suicide, substance abuse, victimization, and other risk behaviors were all associated with bias-related harassment. Consequences of Harassment Based on Actual or Perceived Sexual Orientation and Gender Non-Conformity and Steps for Making Schools Safer. California Safe Schools Coalition and 4-H Center for Youth Development, University of California, Davis, 2004).

BIAS-MOTIVATED JUVENILE HATE CRIME

There is currently very little hard data about youthful hate crime perpetrators and victims. Congress has helped address this problem in two ways in recent years.

First, to increase awareness of hate violence on college campuses, Congress enacted in 1998, an amendment to the Higher Education Act (HEA) requiring all colleges and universities to collect and report hate crime statistics to the Office of Post-Secondary Education (OPE) of the Department of Education. The Department's hate crime statistics have reflected very substantial underreporting (<http://ope.ed.gov/security/Search.asp>). But even worse, for many years, that limited data was inconsistent with campus hate crime information collected by the FBI under the *Hate Crime Statistics Act* of 1990 (HCSA)—because the Department of Education's hate crime categories did not conform to the crime categories collected by the FBI. In 2008, Congress acted to require the Department to collect the same campus hate crime categories as the FBI. The new standards should give parents and students a broader and more accurate picture of the campus climate. In addition, consistent statistics will increase public awareness of the problem, and may serve to provoke improvements in campus safety measures and the criminal justice system.

In addition, importantly, the recently enacted Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, [*Public Law 111-84*, Division E] mandates additional reporting requirements for the FBI under their existing HCSA requirement—hate crimes directed at individuals on the basis of their gender or gender identity *and* for crimes committed by and against juveniles. In addition, nine States currently require collection of juvenile hate crime statistics (Idaho, Massachusetts, Michigan, Minnesota, Montana, New Jersey, New York, Tennessee, and Virginia).

The existing HCSA data provides some troubling insights:

- An October 2001 report by the Justice Department's Bureau of Justice Statistics provided disturbing information about the too-frequent involvement of juveniles in hate crime incidents. This report, *Hate Crimes Reported in NIBRS, 1997-99*, which carefully analyzed nearly 3,000 of the 24,000 hate crimes to the FBI from 1997 to 1999, revealed that a disproportionately high percentage of both the victims and the perpetrators of hate violence were young people under 18 years of age:

- 33 percent of all known hate crime offenders were under 18; 31 percent of all violent crime offenders and 46 percent of the property offenders.
- Another 29 percent of all hate crime offenders were 18-24.
- 30 percent of all victims of bias-motivated aggravated assaults and 34 percent of the victims of simple assault were under 18.
- 34 percent of all persons arrested for hate crimes were under 18; 28 percent of the violent hate crimes and 56 percent of the bias-motivated property crimes.
- Another 27 percent of those arrested for hate crimes were 18-24.

- According to the FBI, the third most common location nationwide for a hate crime to occur is on a school or college campus. The *FBI 2010 annual Hate Crime Statistics Act* report states that *10.9 percent of hate crimes occur at schools or colleges*, and 18.6 percent were targeted because of their perceived sexual orientation [U.S. Department of Justice, Federal Bureau of Investigation, 2010].

THE RESPONSE OF THE OBAMA ADMINISTRATION TO BULLYING, CYBERBULLYING, AND HARASSMENT

The Obama administration has demonstrated extraordinary commitment to addressing bullying and cyberbullying in a comprehensive and inclusive manner. The October 26, 2010 Department of Education, Office of Civil Rights Bullying and Harassment Dear Colleague guidance, the significant work of the Department's Office of Safe and Drug Free Schools on the topic, the new and expanded *Federal partners anti-bullying Web site*, the Centers for Disease Control and Prevention *LGBT anti-bullying violence prevention Web site*, and the video messages the President and members of his Cabinet made to elevate the issue and empower targets all demonstrate a clear recognition that leaders can make a difference addressing this issue.

In addition, we are pleased that the Administration has been active in helping to resolve and clarify rights for all Americans. For example, Justice Department intervention helped to settle a case, *J.L. v. Mohawk Central School District*, a lawsuit filed by the New York Civil Liberties Union on behalf of a student, J.L., who was the alleged victim of severe and pervasive student-on-student harassment based on sex. According to the Justice Department's filings, J.L. had failed to conform to gender stereotypes in both behavior and appearance. He exhibited feminine mannerisms, dyed his hair, wore makeup and nail polish, and maintained predominantly

female friendships. The Department alleged that the harassment against J.L. escalated from derogatory name-calling to physical threats and violence—and that the Mohawk Central School District had knowledge of the harassment, but was deliberately indifferent in its failure to take timely, corrective action, thereby restricting J.L.'s ability to fully enjoy the educational opportunities and benefits of his school. The Department alleged violations of the Equal Protection Clause of the Fourteenth Amendment and Title IX of the Education Amendments of 1972, both of which prohibit discrimination based on sex, including discrimination based on gender stereotypes. The school district denied these allegations.

On March 29, 2010 a settlement was approved by the U.S. District Court in the northern district of New York which required the Mohawk Central School District to, among other things: (1) retain an expert consultant in the area of harassment and discrimination based on sex, gender identity, gender expression, and sexual orientation to review the District's policies and procedures; (2) develop and implement a comprehensive plan for disseminating the District's harassment and discrimination policies and procedures; (3) retain an expert consultant to conduct annual training for faculty and staff, and students as deemed appropriate by the expert, on discrimination and harassment based on sex, gender identity, gender expression, and sexual orientation; (4) maintain records of investigations and responses to allegations of harassment for 5 years; and (5) provide annual compliance reports to the United States and private plaintiffs. As part of the settlement, \$50,000 was to be paid to J.L. and \$25,000 in attorneys' fees was to be paid to the New York Civil Liberties Foundation.

We were also pleased with the Administration's active involvement in helping to resolve *Doe and United States v. Anoka-Hennepin School District*, in which multiple students alleged harassment by other students because they did not dress or act in ways that conform to gender stereotypes. The Department of Justice and the Department of Education conducted an extensive investigation into sex-based harassment in the district's middle and high schools, finding that many students reported that the unsafe and unwelcoming school climate inhibited their ability to learn. The United States, at the behest of the Federal District Court for the District of Minnesota, joined in the mediation of the students' case against the Anoka-Hennepin School District. Together, the three parties entered a Consent Decree, and jointly filed a motion to approve the decree and a memorandum in support of that motion—and the District Court entered the decree, resolving the case between the parties.

The Consent Decree, entered on March 6, 2012, requires the Anoka-Hennepin School District to: (1) retain an expert consultant in the area of sex-based harassment to review the district's policies and procedures concerning harassment; (2) develop and implement a comprehensive plan for preventing and addressing student-on-student sex-based harassment at the middle and high schools; (3) enhance and improve its training of faculty, staff and students on sex-based harassment; (4) hire or appoint a title IX coordinator to ensure proper implementation of the district's sex-based harassment policies and procedures and district compliance with title IX; (5) retain an expert consultant in the area of mental health to address the needs of students who are victims of harassment; (6) provide for other opportunities for student involvement and input into the district's ongoing anti-harassment efforts; (7) improve its system for maintaining records of investigations and responding to allegations of harassment; (8) conduct ongoing monitoring and evaluation of its anti-harassment efforts; (9) and submit annual compliance reports to the departments during the 5-year life of the Consent Decree.

Justice Department involvement also helped resolve another important complaint involving race, color and/or national origin-based harassment of Asian students at South Philadelphia High School, and allegations that the school district was deliberately indifferent to the severe and pervasive harassment. The complaint filed by the Asian-American Legal Defense and Education Fund (AALDEF) in U.S. District Court for the eastern district of Pennsylvania, alleged persistent harassment, including an incident in December 2009 in which approximately 30 Asian students were attacked and approximately 13 were sent to the emergency room.

The settlement agreement in December 2010 will help ensure that the district: (1) retains an expert consultant in the area of harassment and discrimination based on race, color and/or national origin to review the district's policies and procedures concerning harassment; (2) develops and implements a comprehensive plan for preventing and addressing student-on-student harassment at the high school; (3) conducts training of faculty, staff and students on discrimination and harassment based on race, color and/or national origin and to increase multi-cultural awareness; (4) maintains records of investigations and responses to allegations of harassment; and (5) provides annual compliance reports to the department.

DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS (OCR) GUIDANCE ON BULLYING,
CYBERBULLYING, AND HARASSMENT: BACKGROUND AND SIGNIFICANCE

The Anti-Defamation League strongly welcomed the October 26, 2010 *Dear Colleague* guidelines issued by the U.S. Department of Education's Office for Civil Rights (OCR) to address bullying in schools.

The OCR *Dear Colleague* letter accomplished three things of major importance for ADL:

1. Provided an unprecedented, inclusive description of the breadth of existing Federal anti-discrimination laws and their application to both K-12 schools and colleges and universities. In addition, the *Dear Colleague* letter set out *explicitly* a school's duty to address incidents of discriminatory harassment under specific Federal civil rights laws and described the responsibilities schools have for appropriate responses, including timely investigation, counseling, discipline, education and training.

"Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Harassment creates a hostile environment when the conduct is sufficiently severe, pervasive, or persistent so as to interfere with or limit a student's ability to participate in or benefit from the services, activities, or opportunities offered by a school."

In clarifying the breadth of Federal anti-discrimination law coverage, the *Dear Colleague* letter included helpful examples of incidents of harassment and described appropriate school responses. Importantly, the guidance stressed that when responding to an incident of discriminatory harassment where a hostile environment is formed, it is not enough for the institution to punish the student who is responsible. Instead, the administration must address the environment and the effect of the incident and take steps to ensure that harassment does not recur.

2. Made clear that anti-Semitic harassment on campus can be prohibited by Federal civil rights law. ADL had called for clarification of this issue in a March 2010 letter that the League helped coordinate with 12 other Jewish organizations. *That letter* called on the Department to interpret title VI to protect Jewish students from anti-Semitic harassment, intimidation and discrimination—including anti-Israel and anti-Zionist sentiment that crosses the line into anti-Semitism.

In addition, this OCR guidance was buttressed by the conclusions of the United States Commission on Civil Rights (USCCR), after the Commission held a *briefing on campus anti-Semitism* in November 2005. Finding that campus anti-Semitism is a "serious problem which warrants further attention," it recommended that "OCR should protect college students from anti-Semitic and other discriminatory harassment by vigorously enforcing title VI."

Specifically, the OCR guidance makes clear that Title VI of the Civil Rights Act of 1964—which bars schools receiving Federal dollars from discriminating based on "race, color or national origin"—protects Jewish students from anti-Semitism on campuses "on the basis of actual or perceived shared ancestry or ethnic characteristics." The OCR guidance defines title VI coverage as follows:

"While title VI does not cover discrimination based solely on religion, groups that face discrimination on the basis of actual or perceived shared ancestry or ethnic characteristics may not be denied protection under title VI on the ground that they also share a common faith. These principles apply not just to Jewish students, but also to students from any discrete religious group that shares, or is perceived to share, ancestry or ethnic characteristics (e.g., Muslims or Sikhs)."

This clarification is particularly welcome in conjunction with ADL's continuing work to combat anti-Semitic bullying, harassment and bigotry on campus—including anti-Semitic intimidation of pro-Israel activists. According to the guidance, this includes harassment that is "sufficiently serious that it creates a hostile environment and . . . is encouraged, tolerated, not adequately addressed or ignored by school employees."

While a complete examination of the parameters of the title VI coverage of anti-Semitic, anti-Israel, or anti-Zionist activities on campus is beyond the scope of this statement, it is critically important to distinguish between anti-Semitic activities on campus and anti-Israel activities. We certainly do not believe that every anti-Israel action is a manifestation of anti-Semitism. But the League is, obviously, concerned about organized anti-Israel activity which can create an atmosphere in which Jewish students feel isolated and intimidated.

Natan Sharansky, human rights activist and now Chairman of the Jewish Agency Executive, created a concise and useful three-part litmus test to help identify when legitimate criticism of Israel can cross the line to anti-Semitism. In what he calls

the “3D Test”: demonization, double standards, and delegitimization, Sharansky posited questions to help distinguish legitimate criticism of Israel from anti-Semitism:

- Is the Jewish State being **demonized** for its action? Are the problems of the world or the Middle East being blamed on Israel?
- Is there a **double standard** when criticizing Israel in relation to other countries? Are Israeli faults exaggerated and far worse human rights violations in other places ignored?
- Is there an attempt to **delegitimize** the Jewish State? Are the Jewish people alone in not having the right of sovereignty?

In addition, importantly, in recent years, both the U.S. Commission on Civil Rights and the State Department have tailored their own responses to the spread of this new stream of anti-Semitism that manifests itself as vilification of Israel. Both use definitions similar to the *EUMC Working Definition of Antisemitism*.

In its short April 2006 *Finding and Recommendations of the United States Commission on Civil Rights Regarding Campus Anti-Semitism* the Commission stated:

On many campuses, anti-Israeli or anti-Zionist propaganda has been disseminated that includes traditional anti-Semitic elements, including age-old anti-Jewish stereotypes and defamation. This has included, for example, anti-Israel literature that perpetuates the medieval anti-Semitic blood libel of Jews slaughtering children for ritual purpose, as well as anti-Zionist propaganda that exploits ancient stereotypes of Jews as greedy, aggressive, overly powerful, or conspiratorial. Such propaganda should be distinguished from legitimate discourse regarding foreign policy. Anti-Semitic bigotry is no less morally deplorable when camouflaged as anti-Israelism or anti-Zionism.

3. Underscored that harassment based on sexual orientation and gender identity in schools and on campus is prohibited by Federal civil rights law. The Department of Education also announced that it would use Title IX of the Civil Rights Act—which prohibits discrimination on the basis of gender—to protect lesbian, gay, bisexual, and transgender students. According to the OCR guidance, “title IX does protect all students, including lesbian, gay, bisexual, and transgender (LGBT) students, from sex discrimination” and

“it can be sex discrimination if students are harassed either for exhibiting what is perceived as a stereotypical characteristic for their sex, or for failing to conform to stereotypical notions of masculinity and femininity.”

This is a very welcome development.

We believe the OCR *Dear Colleague* helps make clear that bullying—and particularly bullying based on race, religion, ethnicity, disability, sexual orientation and gender identity—is an issue that must be taken seriously. The guidelines represent a significant step forward in protecting children from bigotry and harassment.

Federal leadership on this important issue is critical to ensure that schools are safe places for all students, and that they help foster a culture in which bias and bullying are not tolerated. The guidelines will help community members work together to promote a civil and respectful environment for children, online as well as offline.

As the Department released the new guidance, it announced its plan to hold workshops and training sessions around the country to help educators better understand their obligations and the resources available. And on December 16, 2010, the Department of Education issued a *Key Policy Letter* providing assistance for States and local jurisdiction in crafting effective anti-bullying laws and policies. The Department included a *summary of legislative initiatives* some States had enacted to prevent and reduce bullying. ADL has compiled a chart which includes links to each of the 50 State anti-bullying law in the country (49 States and the District of Columbia), highlighting key provisions of these laws. A copy of this chart is included separately as part of our statement.

ADL ADVOCACY ON BULLYING AND CYBERBULLYING PREVENTION INITIATIVES

ADL has been at the forefront of responding to bias, bullying, and cyberbullying through a combination of education and legislative advocacy, including drafting a model State bullying prevention policy which requires schools and communities to approach the issue of bullying with proactive, responsive and responsible measures. Several States, including Florida and Massachusetts, have recently adopted policies based on ADL’s model.

ADL advocates for anti-bullying policies on the Federal level, on the State level, and in schools. The League promotes policies that are inclusive and comprehen-

sive—balancing a school’s duty to maintain a safe learning environment with students’ constitutional rights.

Three years ago, ADL developed a *model bullying prevention law* for States, which provides schools the resources they need to combat and respond to bullying, and the unique issue of cyberbullying. The model law, among other things, provides a strong constitutional definition of bullying that includes electronic bullying. It also addresses bias-motivated bullying, requires clear procedures for reporting and investigating bullying incidents, provides counseling for targets and perpetrators, and mandates training for faculty and students.

For years, ADL has been advocating on the State level for strong comprehensive bullying laws. In States that had no laws, ADL advocated for their passage. In a State with a weak anti-bullying law, ADL advocated for strengthening it. The League played leading roles in the advocacy efforts in Massachusetts, Florida, New Jersey, New York, and Georgia.

- In Massachusetts, ADL organized and led the coalition of community groups advocating for the law’s passage from the ground up. The law is based in large part on ADL’s model policy and, at the bill signing ceremony, Governor Patrick specifically commended ADL for our work in seeing the law passed. Now, ADL is working with the State on the most important part of any new law—its implementation.
- In New York, where ADL was a leading organization in the push to pass the Dignity for All Students Act, the League now sits on the Task Force established by the New York State Education Department which will work on implementing this new bullying prevention law.
- Likewise, ADL worked with Garden State Equality to get the New Jersey anti-bullying bill passed and we are now working in partnership on implementation efforts.

There is an educational component to ADL’s advocacy strategy as well. It is critical that the community is informed and engaged on this topic for any law or policy to have real meaning. ADL regularly addresses administrators, faculty and community members on the issue of bullying, the legal concerns surrounding community response to the issue (particularly with responding to cyberbullying), and the League provides guidance on what makes a strong school bullying prevention policy.

In addition to our advocacy to State lawmakers and local school officials, ADL has advocated for policy and programming recommendations for Federal action.

- In January 2010, ADL submitted *comments* on the Justice Department’s Office of Juvenile Justice and Delinquency Prevention’s (OJJDP) Proposed Program Plan for fiscal year 2010. The comments applauded OJJDP on their effort to address bullying and cyberbullying and provided background on ADL’s related education programs and model legislation.
- As previously mentioned, in March 2010, the League joined with 12 other Jewish organizations in *calling* for the Department of Education Office of Legal Counsel (OLC) to interpret title VI to protect Jewish students from anti-Semitic harassment, intimidation and discrimination.
- In August 2010, the League submitted *recommendations* to Education Secretary Arne Duncan, Health and Human Services Secretary Kathleen Sebelius, and to U.S. Attorney General Eric H. Holder, Jr. in advance of a first-ever Federal Bullying Prevention Summit.
- In March 2011, the League wrote a *letter to President Obama* commending the Administration for convening the first White House Bullying Prevention Conference and for demonstrating a strong commitment to address bullying and cyberbullying in a comprehensive and inclusive manner. We submitted *recommendations* on how the U.S. Government can more effectively address the issue of bullying and cyberbullying.
- Finally, advocating for a Federal response for bullying was one of the three priority items on which our National Leadership Conference participants lobbied their Representatives when they visited Capitol Hill for an advocacy day as part of ADL’s annual conference in early May 2012.
- As Congress continues efforts to rewrite and update the Elementary and Secondary Education Act (ESEA), ADL is urging Members to support inclusive anti-bullying and cyberbullying initiatives, including the **Safe Schools Improvement Act (SSIA)**, H.R. 1648, introduced by Rep. Linda Sanchez (D-CA) and S. 506, introduced by Sen. Casey (D-PA). This bill would help schools to develop and implement bullying prevention policies and programs. It also requires States to gather and report information on bullying and harassment.
- In addition, after the Tyler Clementi case focused national attention on the dangers of bullying and cyberbullying, Rep. Rush Holt (D-NJ) and Sen. Frank Lautenberg (D-NJ) introduced the **Tyler Clementi Higher Education**

Anti-Harassment Act (H.R. 1048/S. 540) to require colleges and universities to recognize cyberbullying as a form of harassment and fund institutions with anti-harassment programs. ADL supports this legislation, which calls for establishing and publicizing policies to “prohibit[s] harassment of students based on their actual or perceived race, color, national origin, sex, disability, sexual orientation, gender identity, or religion.”

ADL also seeks to build collaboration with other national organizations on this issue.

- In advance of the August 2010 Federal Bullying Prevention Summit, ADL coordinated a letter from 71 national civil rights, religious, professional, and education groups with a series of anti-bullying policy and program recommendations for Federal agencies and Congress.

- ADL resources are being used as part of the unique Jewish youth group collaboration against bullying *Stand UP for Each Other*, a campaign for respect and inclusion involving United Synagogue Youth (USY), North American Federation of Temple Youth (NFTY), Young Judeaea, National Conference of Synagogue Youth (NCSY), and BBYO.

- And the League also helped lead a recent effort to promote the adoption of a thoughtful and inclusive new American Bar Association (ABA) *Resolution on Bullying*. The Resolution and accompanying comprehensive Report approved in February 2011 put the ABA on record, for the first time, in support of Federal and State policies and laws designed to prevent and respond to bullying and cyberbullying. The ABA also urged Internet service providers and social networking platforms to adopt terms of service that define and prohibit cyberbullying and cyberhate. The League is now working with State bar associations to promote the adoption of policies and replicate the research at the State and local level.

ADL POLICY AND PROGRAM RECOMMENDATIONS: CONFRONTING BULLYING AND CYBERBULLYING

In advance of the first White House Bullying Prevention Conference in March 2011, the League’s best lawyers and educators prepared policy and programmatic recommendations for the President and the Administration. We praised the President and his Administration for their “extraordinary commitment to address bullying and cyberbullying in a comprehensive and inclusive manner.”

The complete listing of proactive strategies to confront bullying and cyberbullying recommended by the League is included below.

1. Programs and Training Initiatives

- **The Federal Government should require the adoption of an anti-bullying policy for school personnel and students in every State.**

We welcomed the *December 16 Key Policy Letter* from the Education Secretary and the Office of Civil Rights Deputy Secretary which highlighted components of effective anti-bullying laws, using *examples from existing State laws*. That letter stated:

“Though laws are only a part of the cure for bullying, the adoption, publication, and enforcement of a clear and effective anti-bullying policy sends a message that all incidents of bullying must be addressed immediately and effectively, and that such behavior will not be tolerated.”

As previously mentioned, the League has been at the forefront of responding to bias, bullying, and cyberbullying through a combination of education and legislative advocacy, including drafting a model State bullying prevention policy that requires schools and communities to approach the issue of bullying with proactive, responsive, and responsible measures. The *ADL model anti-bullying law* is inclusive, comprehensive, and sufficiently protective of the First Amendment.

ADL believes a strong and comprehensive anti-bullying statute should:

- include a strong definition of bullying, which includes cyberbullying;
- address bullying motivated by race, religion, national origin, gender, gender identity, disability, sexual orientation and other personal characteristics;
- include notice requirements for students and parents;
- set out clear reporting procedures;
- require regular training for teachers and for students about how to recognize and respond to bullying and cyberbullying.

- **The Department of Education, working with the Department of Justice and other Federal agencies, should institutionalize and coordinate anti-bullying/cyberbullying prevention and response programs within their safe schools/healthy schools and school-related violence prevention initiatives.**

We welcome the extraordinary compilation of anti-bullying resources available at the new *stopbullying.gov*, Web site, coordinated by several Federal agencies, and the *Bullying Prevention Campaign* maintained by the Health Resources and Services Administration of HHS.

We welcome the Centers for Disease Control and Prevention's (CDC) recently launched *Web page* devoted to the issue. We believe CDC anti-bullying resources for schools and parents are an excellent complement to its essential, ongoing violence prevention work.

• **The Department of Education should provide training and technical assistance to teachers, principals, and school administrators on its excellent October 26 Department of Education Guidance on Bullying and Harassment.**

The Anti-Defamation League strongly welcomed the Department of Education Office of Civil Rights (OCR) October 26 *Dear Colleague Letter* to thousands of school districts and colleges across the country clarifying their responsibilities with respect to student bullying and harassment. The guidance demonstrates that the Department of Education takes bullying—and particularly bullying based on race, religion, ethnicity, disability, sexual orientation and gender identity—very seriously. We believe the new guidelines represent a significant step forward in protecting children from bigotry and harassment. We especially appreciated the fact that the OCR rightly interpreted the Federal civil rights law to protect students from anti-Semitic harassment.

• **As Congress works toward enactment of a reauthorization of the Elementary and Secondary Schools (ESEA), the Administration should promote the inclusion of comprehensive and inclusive anti-bullying and cyberbullying initiatives as one of its ESEA priorities.**

The League supports H.R. 1648/S. 506, the Safe Schools Improvement Act, which would help schools to develop and implement bullying prevention policies and programs—and require States to gather and report information on bullying and harassment. ADL also supports H.R. 1048/S. 540, the Tyler Clementi Higher Education Anti-Harassment Act which would require colleges and universities to recognize cyberbullying as a form of harassment and fund institutions with anti-harassment programs. The legislation also calls for establishing and publicizing policies to “prohibit[s] harassment of students based on their actual or perceived race, color, national origin, sex, disability, sexual orientation, gender identity, or religion.”

• **Federal agencies should provide resources, fund, develop, and promote programming and training initiatives—including Webinars—for teachers, administrators, parents, students, State Attorneys General, law enforcement officials (school resource officers in particular) and others in the community on how to recognize and respond to bullying, harassment, and cyberbullying.**

Most school systems lack adequate funding for personnel to design, implement, and staff these prevention and response programs. Anti-bullying programs and initiatives must address this significant barrier. Successful policies and programs are both proactive and responsive, and engage the community to action.

• **Using its expanded anti-bullying Web sites, and newsletters from the Department of Education and its Office of Safe and Drug Free Schools and the Justice Department and its Office of Juvenile Justice Delinquency Prevention, the Federal Government should make information available regarding effective bullying, cyberbullying and hate crime prevention programs and resources—and promote awareness of successful training initiatives and best practices.**

The Administration also should commend and highlight State and local efforts to carry out effective anti-bias education programs.

2. *Research, Reports, and Data Collection Initiatives*

• **In conjunction with academic institutions, the Department of Education and the Department of Justice should fund research into the nature and magnitude of the bullying/cyberbullying problem in the United States, specifically its impact on both the social and emotional health of students and the impact on academic achievement.**

Bullying can have a devastating effect on the lives of teenagers:

• According to an Associated Press 2009 survey, 60 percent of young people who have been bullied report destructive behavior such as smoking cigarettes, drinking alcohol, using illegal drugs or shoplifting (compared to 48 percent of those not bullied).

- The same study indicated that the targets of digital abuse are twice as likely to report having received treatment from a mental health professional (13 percent vs. 6 percent of others), and nearly three times more likely to have considered dropping out of school (11 percent vs. 4 percent of others).

- A 2009 study from the Cyberbullying Research center found that bullied students are three times more likely to drop out of school and one-and-a-half to two times more likely to have attempted suicide.

- **The Department of Education's National Center on Education Statistics, the Department of Justice's Bureau of Justice Statistics, and the Department of Health and Human Services—including the CDC—should update and coordinate reporting requirements and data collection efforts on bullying and cyberbullying. Possible reforms include:**

- The *School Survey on Crime and Safety* questionnaire should include more questions regarding teacher and administrator perceptions of occurrences of bullying and cyberbullying.
- The Bureau of Justice Statistics *National Crime Victimization Survey's School Crime Supplement (NCVS–SCS)* should ask questions designed to draw connections between bullying and personal characteristics of students and whether students were harassed because of these characteristics.
- The School Crime Supplement should also collect information on student technology use and the connection to increased occurrences of cyberbullying.
- The *Indicators of School Crime and Safety* annual report should expand its three-page section on bullying and cyberbullying.
- The influential *Youth Risk Behavior Survey's* section on bullying and cyberbullying should be expanded.

- **The Department of Education, Office for Civil Rights and the National Association of Attorneys General should update their excellent 1999 report, *Protecting Students from Harassment and Hate Crime*.**

This detailed guide promoted a comprehensive approach to protecting students from harassment and hate-motivated violence and included sample policies and procedures from across the Nation. An updated report should integrate resources to address cyberbullying.

3. Media Literacy and Public Awareness Initiatives

- **The Federal Government should provide resources for parents and adult family members to inform them regarding the prevalence of bullying on social networking sites and through cell phone use.**

Despite the prevalence and impact of cyberbullying, many adults are unaware of the problem due to a lack of fluency in new technologies, limited involvement in and oversight of youth online activity and strong social norms among youth against disclosure of online behavior. Therefore, it is critical to develop programming for teachers, parents and other critical partners on how to recognize and respond to cyberbullying. There is considerable misunderstanding about harassment, students' free speech rights on the Internet, and when "kids will be kids" goes too far. Current research indicates that less than one-third of parents are aware of available tools, such as parental controls, that can help them protect their children from online threats.

- **Working with youth-oriented private corporations—such as Cartoon Network, MTV, Nickelodeon, YouTube and Facebook—the Federal Government should promote programs and awareness of the nature and magnitude of the bullying/cyberbullying problem.**

Facebook alone reaches 500 million registered users worldwide each month. Public awareness and Ad Council campaigns and programming partnerships with corporations such as Facebook, MTV, Cartoon Network, and Nickelodeon can leverage their standing with youth to encourage young people to speak out against harassment and bullying and promote responsible online behavior.

For example, the Anti-Defamation League serves on the Advisory Board for MTV's *A Thin Line* campaign, developed to empower youth to identify, respond to and stop the spread of digital abuse in their lives. In addition, since 2010, ADL has partnered with Cartoon Network on its *STOP BULLYING: SPEAK UP* campaign, aimed at empowering youth to take action to reduce bullying. The campaign has its own Web site, which features a variety of tools and links, including ADL educational resources.

- **The Department of Justice and the Department of Education should encourage State and local Bar Associations and lawyers and judges to involve themselves in assessing the nature of the bullying and cyberbullying prob-**

lem at the State and local levels and crafting appropriate, constitutional responses.

We welcome the recent action by the American Bar Association to adopt a thoughtful and inclusive anti-bullying and cyberbullying *Resolution*. The Resolution puts the ABA on record in support of:

- Adopting inclusive Federal and State policies and laws designed to prevent and respond to bullying and cyberbullying;
 - Developing Federal and State programs to identify targets and enhance appropriate interventions;
 - Funding programs, research, and evaluations that address prevention and responses to bullying and cyberbullying;
 - Training, data collection, and appropriate notice of bullying incidents to the families of those involved;
 - Internet service providers and social networking platforms to adopt terms of service that define and prohibit cyberbullying and cyberhate; and
 - School districts to implement the October 2010 U.S. Department of Education Office of Civil Rights “*Dear Colleague*” letter on bullying and harassment.
- **Consistent with the First Amendment, the Federal Government should encourage Internet providers to clearly define prohibited hate speech and prohibit the use of hate in any Terms of Service agreement.**

No provider of Internet services, social networking, or user-submitted content sites should ignore the fact that these sites can become vehicles for promoting harassment and hate. Web sites should establish clear, user-friendly reporting mechanisms for reporting hateful content and act quickly to remove or sequester hateful content once it is reported.

- **The Federal Government should promote Internet media literacy—specifically programs to help develop students’ critical thinking skills for Internet, viral, and wireless communications.**

For most teenagers, Internet use is a part of daily life. We should promote civil discourse on the Internet and should teach young people how to identify risks and engage in critical thinking for Web-based research and communications. Students should be trained on how to use electronic communications in a responsible manner, how to develop empathy for others and how to intervene safely and not be a bystander when confronted with bullying and harassment.

4. Public Advocacy Supporting Anti-Bullying and Hate Crime Prevention Initiatives

- **The Justice Department and the FBI should work collaboratively with civil rights and community-based groups and law enforcement organizations to ensure comprehensive and effective implementation of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (HCPA), with particular attention to the new requirement that the FBI collect hate crime statistics committed by and against juveniles, beginning in January 2013.**

The HCPA provides new tools to promote partnerships between Federal, State and local officials to confront hate violence. The passage of the HCPA provides a teachable moment for the country on the impact of hate violence and bullying—and effective responses. ADL resources on the hate crimes and the HCPA can be found *here*.

- **The White House should complement its Bullying Prevention Conference with a National Youth Bullying/Cyberbullying Summit.**

The Federal Government should make every effort to engage young people in an advocacy role on these issues. A “National Youth Bullying Summit” could help organize student leaders to promote discussions surrounding effective ways students can combat harassment and bigotry in their own school and to bring awareness to successful efforts nationwide.

- **Government leaders and public officials should use their bully pulpit to condemn bullying/cyberbullying, bigotry and bias-motivated violence whenever and wherever it arises.**

We applaud the significant contributions the Administration has made as part of the “*It Gets Better*” anti-bullying video campaign. The fact that *President Barack Obama, Vice President Joe Biden, Secretary of State Hillary Clinton, HHS Secretary Kathleen Sebelius and Assistant Attorney General for Civil Rights Tom Perez* all made videos is extraordinary—and demonstrates their very welcome willingness to use their bully pulpit to address this issue and empower targets of bullying.

Strong leadership from Federal officials can help create a climate and a culture in which other members of the community are willing to condemn bigotry and combat bullying, hate, and harassment. Efforts to advocate for strong hate crimes laws,

comprehensive hate crime data collection, and better understanding between different communities are a vital part of these efforts.

CONCLUSION

Left unchecked, bullying can contribute to environments in which youth feel that it is acceptable to express and act on feelings of prejudice. In an online setting, social cruelty may be a precursor to more destructive behavior, including participation in gaming sites that promote hate messages, involvement in hate groups and bias-related violence. Name-calling and bullying, like other bias-motivated behaviors, have the potential to escalate into more serious incidents of violence if they are unchecked. Too frequently, educators, parents, and students are unsure how to respond.

The bottom line is that whether or not bullying is related to bias and prejudice, it impacts young people's sense of safety in their school community and beyond. For this reason, educators, administrators, families and youth service providers are reaching out to organizations like ADL to help them navigate the growing problem of bullying as well as cyberbullying and social cruelty in electronic forums. This provides ADL with an important opportunity to not only address the problems of bullying and cyberbullying, but to deepen understanding about the connections among bullying, bias-motivated behavior, and online hate activities. It also opens the door to ongoing anti-bias work and ultimately the chance to promote a culture of acceptance and kindness in schools and the broader community.

We applaud the committee for holding this field hearing on bullying. We stand ready to assist the committee as you examine initiatives and promote proactive strategies to confront bullying, cyberbullying, and harassment in schools and in the community.

ADL SELECTED RESOURCES ON BULLYING, CYBERBULLYING, AND HARASSMENT

EDUCATIONAL STRATEGIES TO RESPOND TO BULLYING AND CYBERBULLYING

ADL Curriculum Connection: Using Children's Literature to Address Bullying.

ADL Tools for Responding to Cyberbullying: <http://www.adl.org/combatbullying/>.

ADL has created several different half-day or full-day training programs for middle and high school educators, administrators, and youth service providers: <http://www.adl.org/education/cyberbullying/workshops.asp>; <http://www.adl.org/education/cyberbullying/program-cyberbullying-flyer.pdf>.

ADL CyberALLY™: a half or full-day interactive training for middle and high school students: <http://www.adl.org/education/cyberbullying/cyberally-student-flyer.pdf>.

Workshops and Trainings to Address Name-Calling and Bullying:

Becoming an Ally: Responding to Name-Calling and Bullying
 Becoming an Ally: Responding to Name-Calling and Bullying (Educator Version)
 Becoming an Ally: Responding to Name-Calling and Bullying (Youth Version)
 Step Up! Assembly Program
 Names Can Really Hurt Us Assembly Program

Responding to Cyberbullying:

Trickery, Trolling and Threats: Understanding and Addressing Cyberbullying
 Cyberbullying: Focus on the Legal Issues
 CyberALLY™
 Youth and Cyberbullying: What Families Don't Know Will Hurt Them

Tips on How to Respond to Cyberbullying: <http://www.adl.org/education/cyberbullying/tips.asp>.

What Can Be Done About Name-Calling: <http://www.adl.org/combatbullying/pdf/what-can-be-done-bullying-handout.pdf>.

Take a Stand: A Student's Guide to Stopping Name-Calling and Bullying: <http://www.adl.org/combatbullying/pdf/taking-a-stand-bullying-guide.pdf>.

Advice on Cyberbullying and Teens (ADL interview, Your Teen Magazine): <http://yourteenmag.com/2010/10/cyberbullying-and-teens/>.

Internet Safety Strategies for Students: http://www.adl.org/education/curriculum_connections/cyberbullying/Internet%20Safety%20Strategies%20for%20Students.pdf.

Confronting Hate Speech Online: http://www.adl.org/main_internet/hatespeechonline2008.htm.

ADVOCACY RESOURCES TO PREVENT AND RESPOND TO BULLYING AND CYBERBULLYING

ADL Bullying/Cyberbullying Advocacy Toolkit for State anti-bullying laws: http://www.adl.org/civil_rights/Anti-Bullying%20Law%20Toolkit_2009.pdf.

ADL Bullying/Cyberbullying Model Statute (which has been a model for a number of States): http://www.adl.org/main_internet/Cyberbullying_Prevention_Law.

Responding to Cyberhate: Toolkit for Action: http://www.adl.org/internet/Binder_final.pdf.

In advance of the August 11–12 Federal Bullying Summit, ADL submitted to a trio of Federal agencies (Health and Human Services, Department of Education, Department of Justice) recommendations for programs, training initiatives, and research proposals: http://www.adl.org/Civil_Rights/letter_bullying_cyberbullying_2010.asp.

Seventy-one national civil rights, education, religious, and professional organizations submitted complementary consensus recommendations to the lead Federal agencies in advance of the August Federal Bullying Summit: <http://www.civilrights.org/advocacy/letters/2010/coalition-letter-to-sec-duncan-on-bullying-cyberbullying-and-harassment-recommendations.pdf>.

FEDERAL ANTI-BULLYING/CYBERBULLYING INITIATIVES

WHITE HOUSE

March 26, 2012: The White House, the Department of Justice and the Department of Education hosted an *LGBT Conference on Safe Schools & Communities* at the University of Texas, Arlington. Over 400 students and administrators attended to talk about safety and security for the LGBT community.

June 1, 2011: The Administration launched an *LGBT-specific web page* on the White House Web site to coincide with the first day of LGBT Pride Month. The site includes “*It Gets Better*” videos made by the President, Vice President, and other Administration officials.

March 10, 2011: The President and the First Lady host the *White House Conference on Bullying Prevention*, attended by approximately 150 students, parents, teachers, youth-oriented media, advocates, and policymakers. One outcome of the conference is the creation of a new comprehensive Federal anti-bullying Web site, <http://www.stopbullying.gov/>.

March 9, 2011: The President and First Lady create a *video* addressing bullying for the [stopbullying.gov](http://www.stopbullying.gov) Facebook page.

December 20, 2010: White House staff members make an *anti-bullying video* for the “*It Gets Better*” video campaign.

November 23, 2010: John Berry, Director of the Office of Personnel Management, creates an *anti-bullying video* for the “*It Gets Better*” video campaign.

November 18, 2010: Vice President Biden posts an *anti-bullying video* in the “*It Gets Better*” video campaign.

October 21, 2010: President Obama records an *anti-bullying video* in the “*It Gets Better*” video campaign.

DEPARTMENT OF EDUCATION

April 20, 2012: Education Secretary Arne Duncan makes a *statement* in support of the Student Non-Discrimination Act and the Safe Schools Improvement Act.

April 2, 2012: The Department of Education released its *final strategic plan* to improve the Nation’s education system in order to make all students, regardless of individual characteristics, feel safe and secure, which impacts students’ classroom success. This included *new commitments to LGBT students*.

January 2012: U.S. Department of Education’s Higher Education Center publishes a Prevention Update. *Bullying and Cyberbullying at Colleges and Universities* describes what bullying is, what statistics say about the nature and magnitude of the problem, and lessons colleges and universities have learned.

December 6, 2011: The U.S. Department of Education releases *Analysis of State Bullying Laws and Policies*, a new report summarizing current approaches in the 46 States with anti-bullying laws and the 41 States that have created anti-bullying policies as models for schools.

November 2, 2011: U.S. Department of Education publishes *Student Victimization in U.S. Schools*. The report uses data from the 2009 School Crime Supplement to examine student criminal victimization and the personal characteristics of crime victims.

September 21, 2011: The Department of Education, in partnership with eight other Federal agencies hosted the *second annual Federal Partners in Bullying Prevention Summit*, at which Secretary Duncan spoke.

June 14, 2011: Secretary Arne Duncan issues a “*Dear Colleague*” Key Policy letter and accompanying legal guidelines that focus on protecting LGBT students and the rights of students who want to establish gay-straight alliances in schools.

June 6–7, 2011: The Department of Education held the first-ever “*Federal LGBT Youth Summit*” in Washington, DC. Secretary Duncan said that his “*commitment to LGBT students is unequivocal.*”

April 5, 2011: Secretary Arne Duncan addressed the Anti-Defamation League’s National Leadership Conference on the Administration’s efforts to prevent bullying and cyberbullying.

April 5, 2011: Kevin Jennings, Assistant Deputy Secretary for Safe and Drug-Free Schools, addressed ADL’s National Leadership Conference and participated in a panel discussion about preventing bullying and cyberbullying.

March 10, 2011: Secretary Duncan makes *Enough is Enough* speech at the White House Conference on Bullying Prevention.

December 16, 2010: The Department of Education Office of Civil Rights issues a “*Dear Colleague*” Key Policy Letter providing technical assistance for States drafting their own anti-bullying and cyberbullying laws.

October 26, 2010: The Department of Education Office of Civil Rights issues a trailblazing 10-page “*Dear Colleague*” letter to schools clarifying that some student harassment or bullying—including harassment on the basis of religion, sexual orientation, and gender identity—may trigger responsibilities under one or more of the Federal anti-discrimination laws enforced by the Department of Education and the Department of Justice.

August 11–12, 2010: Department of Education, with other Federal partners led by the Department of Justice and the Department of Health and Human Services, hosts the first *Federal Bullying Summit*. Federal agencies joined together to establish an Interagency Working Group on Youth Programs.

March 16, 2010: The Department of Education Office of Civil Rights announces it will begin collecting data to measure whether all students have equal educational opportunity, including data on bullying policies in schools. This data will help with the department’s enforcement of Federal civil rights laws.

DEPARTMENT OF JUSTICE

April 3, 2012: At the 2012 Summit on Preventing Youth Violence, young people lead discussions and recommended steps forward for their city’s youth violence prevention programs.

March 26, 2012: The Department of Justice cosponsored the *White House LGBT Conference on Safe Schools and Safe Communities* in partnership with the White House Office of Public Engagement, the Department of Education and the University of Texas at Arlington. The conference highlighted the law enforcement tools and programmatic resources being used by the Justice Department in the education and law-enforcement contexts to combat violence and harassment directed at LGBT individuals.

March 5, 2012: Following an extensive investigation by the Department of Justice and the Department of Education, parties enter into a consent decree to address complaints involving student harassment on the basis of gender stereotypes and an unsafe and unwelcoming climate in *Doe and United States v. Anoka-Hennepin School District*.

February 22, 2012: The Bureau of Justice Statistics publishes *Indicators of School Crime and Safety, 2011*, an annual report that examines crime that occurs inside and outside schools from the perspectives of students, teachers, and principals.

December 2011: The Office of Juvenile Justice and Delinquency Prevention published a Juvenile Justice Bulletin, *Bullying in Schools: An Overview*, which describes a study that examines the connections between bullying in schools, school attendance and engagement, and academic achievement.

June 3, 2011: Office of Juvenile Justice and Delinquency Prevention (OJJDP) hosts a webinar on “Bullying and Civil Rights: An Overview of School Districts’ Federal Obligation to Respond to Harassment.”

December 9, 2010: The Justice Department releases an *anti-bullying video*, featuring Assistant Attorney General for Civil Rights Tom Perez and other Justice Department staff. The video describes rights of individuals and enforcement powers of the Department.

January 15, 2010: The Department *intervenes* in a lawsuit on behalf of an openly gay high school student who was beaten up because of his sexual orientation. The case is *settled* on March 29.

DEPARTMENT OF AGRICULTURE

November 24, 2010: Secretary Tom Vilsack posts an *anti-bullying message* in the “*It Gets Better*” series.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

March 20, 2012: The CDC hosts a Twitter Live Chat. *Veto Violence* is a forum to discuss bullying prevention.

September 21, 2011: The Department of Health and Human Services, in partnership with eight other Federal agencies, hosted the *second annual Federal Partners in Bullying Prevention Summit*, at which Secretary Sebelius *spoke*.

Spring 2011: The Centers for Disease Control and Prevention (CDC) issues a new *fact sheet* that defines what bullying is, why it is a public health problem, and which people are particularly at risk.

June 6, 2011: Secretary Kathleen Sebelius *spoke* at the first “Federal LGBT Youth Summit,” sponsored by the Department of Education.

April 22, 2011: A new joint Massachusetts Department of Public Health/CDC *study* of Massachusetts middle and high school students shows family violence may also be associated with bullying.

April 1, 2011: Secretary Sebelius establishes a page on HHS *Recommended Actions to Improve the Health and Well-Being of Lesbian, Gay, Bisexual, and Transgender Communities*, including anti-bullying initiatives.

March 3, 2011: The CDC issues *Measuring Bullying Victimization, Perpetration, and Bystander Experiences: A Compendium of Assessment Tools* to aid researchers in creating a set of psychometrically sound measures for assessing the incidence and prevalence of bullying.

January 25, 2011: CDC launches a new *LGBT bullying prevention web page*, with resources for schools and parents.

October 28, 2010: HHS Secretary Kathleen Sebelius issues a *press release* announcing that she has taken part in the “*It Gets Better*” campaign by creating her own *video*.

July 1, 2010: CDC issues three new guides: *Youth Violence: Electronic Media and Youth Violence—A CDC Issue Brief for Educators and Caregivers* describes what is known about young people and electronic aggression, offers strategies to address the issue, and discusses the implications for school staff, education policymakers, caregivers and parents. *Youth Violence: Electronic Media and Youth Violence—A CDC Research Brief for Researchers*, describes current research on electronic aggression, highlights gaps, and suggests future directions; and a new tip sheet for parents *Youth Violence: Technology and Youth—Protecting Your Child from Electronic Aggression*, which provides an overview of electronic aggression, any type of harassment or bullying that occurs through e-mail, a chat room, instant messaging, a Web site, or text messaging.

DEPARTMENT OF LABOR

November 18, 2010: Secretary Hilda Solis posts an *anti-bullying video message* in the “*It Gets Better*” series.

DEPARTMENT OF STATE

May 3, 2011: U.S. State Department’s Bureau of Diplomatic Security (DS) hosted “Get Schooled, Kids and Cyber Security,” an event to raise awareness about cyber security and children.

October 19, 2010: Secretary Clinton offers a message of hope to LGBT youth through a *video* as part of the “*It Gets Better*” series.

UNITED STATES COMMISSION ON CIVIL RIGHTS (USCCR)

September 27, 2011: The Commission released its bullying report, *Peer-to-Peer Violence and Bullying: Examining the Federal Response*. The report develops recommendations to further address the problem of bullying and harassment based on sex, race, national origin, disability, sexual orientation, and religion in public K–12 schools.

May 13, 2011: The Commission held an all-day briefing on *Federal Enforcement of Civil Rights Laws to Protect Students Against Bullying, Violence and Harassment*.

Four panels of witnesses presented *statements* through the day, which are also available to view through *C-Span*.

STUDIES ON THE NATURE AND MAGNITUDE OF THE NATIONAL BULLYING AND CYBERBULLYING PROBLEM

Here are highlights from some of the most important recent studies on this national problem:

A. STUDENT ATTITUDES TOWARD TEASING AND BULLYING

In a survey commissioned by the Kaiser Family Foundation, more 8 to 15 year-olds picked teasing and bullying as “big problems” than those who picked drugs or alcohol, racism, AIDS, or pressure to have sex. More African-Americans saw bullying as a big problem for people their age than those who identified racism as a big problem (Kaiser Family Foundation, 2001).

A survey conducted by Widmeyer Communications for the Health, Resources and Services Administration (HRSA) of the U.S. Department of Health and Human Services underscores the “omnipresent fear of physical violence and name-calling” that students age 9–13 feel. The report describes the prevailing view among students that schools “don’t get it” when it comes to verbal and emotional bullying, instead simply focusing on physical bullying (Widmeyer Communications, 2003).

Students who participated in the HRSA survey report that it is not worth the effort to tell an adult about bullying because bullies are rarely punished severely enough to deter them from future bullying. Students describe “unsympathetic and apathetic teachers and principals” who are “difficult to motivate to take action” and “weak and ineffective penalties and punishments for bullies that allows bullying to flourish” (Widmeyer Communications, 2003).

Adolescents’ opinions about their school staff’s attitudes about bullying in rural and suburban public schools were investigated by Harris (2004) and Harris, et al (2002). Approximately one-quarter of students said that they did not believe that their teachers or administrators were interested in trying to stop bullying, while slightly less than a quarter believed that they were interested in reducing bullying (the rest of the students indicated that they did not know). Eighty percent of the students in Swearer and Cary’s (2003) study of Midwestern middle schoolers thought that the school staff did not know that bullying occurred.

Oliver, et al., (1994) found that many students believed that “teasing is playful” and most (61 percent) felt that bullying can “toughen” a weak student.

Most Washington State adolescents (57 percent) would not take action if they witnessed another student being bullied or teased (Smyser & Reis, 2002). While between 36 percent (6th graders) to 46 percent (12th graders) of these students said that they would “tell that kid to stop,” between one-third and one-fourth of 8th, 10th, and 12th graders said they would “walk away” or “mind their own business.” A full 20 percent indicated that they would “stay and watch” (Smyser & Reis, 2002).

Research has found that only between 4 and 13 percent of middle and high school youth indicated that they would report an incident of bullying to a teacher, administrator, or another school staff member (Bulach, et al., 2000; Harris, 2004; Harris, et al., 2002; Shakeshaft, et al., 1997).

B. ASSOCIATIONS BETWEEN BULLYING AND ACADEMIC/SOCIAL/EMOTIONAL ADJUSTMENT

Targets of Bullying

Both victims and perpetrators of bullying are at a higher risk for suicide than their peers. Children who are both victims *and* perpetrators of bullying are at the highest risk (Kim & Leventhal, 2008; Hay & Meldrum, 2010; Kaminski & Fang, 2009). All three groups (victims, perpetrators, and perpetrator/victims) are more likely to be depressed than children who are not involved in bullying (Wang, Nansel, et al., in press). One study found that victims of cyberbullying had higher levels of depression than victims of face-to-face bullying (Wang, Nansel, et al., 2010).

A 2001 study funded by the National Institute of Child Health and Human Development (NICHD) found that students who were bullied demonstrated poorer social and emotional adjustment, reporting greater difficulty making friends, poorer relationships with classmates, and greater loneliness. In addition, the study found that fighting, smoking, poorer academic achievement, poorer relationships with classmates and increased loneliness were all positively associated with being bullied (Nansel, Overpeck, Pilla, Ruan, Simons-Morton, & Scheidt, 2001).

A study of bullying, teasing, and sexual harassment in school by the American Association of University Women demonstrates a direct link between “hostile hallways” and diminished academic outcomes, self-confidence, attachment to school, and

participation in curricular and extracurricular activities, especially among girls. Girls who experienced harassment were twice as likely as boys to feel “less confident” (16 percent to 32 percent) and more likely to change behaviors in school and at home because of the experience, including not talking as much in class (18 percent to 30 percent) and avoiding the person who harassed them (24 percent to 56 percent) (American Association of University Women, 2001).

A survey conducted by Widmeyer Communications for the Health, Resources and Services Administration (HRSA) of the U.S. Department of Health and Human Services reports that students who regularly experience verbal and non-verbal forms of bullying report hurt feelings, low self-esteem, depression, living in fear and torment, poor academic achievement, emotional turmoil, physical abuse, and suicide (Widmeyer Communications, 2003).

A study that assessed Midwestern kindergartners at three schools found that these children had greater difficulty adjusting to school and became more school avoidant following their victimization by peers (Kochenderfer & Ladd, 1996). Reis and Saewyc (1999) similarly found that harassed adolescents were more likely to report missing at least 1 day of school in the past month out of fear of their safety than their non-harassed peers.

According to Dan Olweus, a trailblazing Norwegian researcher on bullying, individuals formerly bullied were found to have higher levels of depression and poorer self-esteem at the age of 23 years, despite the fact that, as adults, they were no more harassed or socially isolated than comparison adults (Olweus, 1994).

The Gay Lesbian Straight Education Network (GLSEN) conducts a periodic School Climate Survey about the experiences of LGBT youth in schools. Findings from their 2009 survey included the following:

- 61.1 percent of LGBT students felt unsafe at school because of their sexual orientation; 39.9 percent felt unsafe because of their gender expression.
- Nearly a third missed class at least once in the last month (29.1 percent) and missed at least 1 day of school (30.0 percent).
- Students who experienced high levels of harassment and assault had poorer educational outcomes.
- Students who experienced high levels of harassment and assault had lower psychological well-being.

Bystanders to Bullying

Both a 2001 study funded by the National Institute of Child Health and Human Development (NICHD) and a survey conducted by Widmeyer Communications for the Health, Resources and Services Administration (HRSA) of the U.S. Department of Health and Human Services found that bystanders to bullying suffer from feelings of helplessness and powerlessness, and develop poor coping and problem-solving skills (Nansel, Overpeck, Pilla, Ruan, Simons-Morton, & Scheidt, 2001; Widmeyer Communications, 2003).

Perpetrators of Bullying

A 2001 study funded by the National Institute of Child Health and Human Development (NICHD) found that students who bully demonstrate poor social and emotional adjustment, social isolation, lack of success in school, and involvement in problem behaviors, such as fighting, drinking alcohol, and smoking. Without intervention, note the researchers, bullies often continue on a path of even more extreme violence and abusive behavior and often become involved in crime (Nansel, Overpeck, Pilla, Ruan, Simons-Morton, & Scheidt, 2001).

Olweus found former bullies to have a fourfold increase in criminal behavior at the age of 24 years, with 60 percent of former bullies having at least one conviction and 35 percent to 40 percent having three or more convictions (Olweus, 1992).

OTHER RESOURCES ON THE NATURE AND MAGNITUDE OF THE NATIONAL BULLYING AND CYBERBULLYING PROBLEM

Addington, Lynn A., Ruddy, Sally A., Miller, Amanda K., and DeVoe, Jill F. Are America's Schools Safe? Students Speak Out: 1999 School Crime Supplement. Education Statistics Quarterly, National Center for Educational Statistics. Vol. 4, Issue 4 (November 2002).

American Association of University Women Educational Foundation and Harris Interactive. Hostile Hallways: Bullying, Teasing, and Sexual Harassment in School (2001).

Bosworth, et al. Factors Associated with Bullying Behavior in Middle School Students. Journal of Early Adolescence. 19(3), 341–62 (1999).

- Bulach, C.R., Fulbright, J.P., & Williams, R. Bullying Behavior at the Middle School Level: Are There Gender Differences? American Educational Research Association Conference. New Orleans, LA. (2000).
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ADL Chart of State Anti-Bullying Statutes: Components and Requirements

State	Anti-Bullying Statute	Creation of School District Policy	Statewide or District Policy	Cyberbullying/electronic Harassment Provision	Enumerated Categories	Meets to Address Students	Procedures for Reporting Incidents	Justification of Parents	Reporting to State Government	Data Availability	Training Faculty	Counseling for Victims and Perpetrators
Alabama	ALC-115-2881.9	Yes	Yes	No	No	Yes	Yes	No	Yes	Yes	Yes	Both
Alaska	AS-14-27-00-05	Yes	Yes	No	No	No	Yes	No	Yes	No	No	No
Arizona	ARS-15-21-0127	Yes	None	No	No	No	Yes	No	No	No	No	No
Arkansas	ARS-15-25-512	Yes	None	Yes	No	Yes	Yes	No	No	No	Yes	No
California	EDUC-39530.13 EDUC-39530.14 EDUC-39530.15 EDUC-39530.16 EDUC-39530.17 EDUC-39530.18 EDUC-39530.19	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No	No
Colorado	COR-13-27-0181	Yes	None	Yes	No	Yes	Yes	No	Yes	Yes	Yes	Both
Connecticut	CON-14-100-10	Yes	None	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Both
Delaware	DEL-14-10-0101	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Both
Washington, D.C.	DCMR-52002.2	Yes	None	No	No	No	Yes	No	No	No	No	No
Florida	FS-118-11	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Both
Georgia	FGC-1006-14 FGC-1007-14 FGC-1008-14 FGC-1009-14 FGC-1010-14	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Both
Hawaii	HQ-10-15-0506-0802	No	None	Yes	Yes	No	No	No	Yes	Yes	No	No
Idaho	IDC-13-2-17A	Yes	None	Yes	No	Yes	No	No	No	No	No	No
Illinois	ILCS-12-2-1.3(2)(1), (3)(1), (5)(1)	Yes	None	Yes	Yes	Yes	No	Yes	No	No	No	No
Indiana	IC-15-27-00-01	Yes	None	Yes	No	Yes	Yes	No	No	No	No	No
Iowa	IC-270-28	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	Yes	No
Kansas	KCS-58-18-11, 158, 158	Yes	State	Yes	No	No	No	No	No	No	Yes	No
Kentucky	KRS-162.130-010	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	No
Louisiana	LS-17-2-1812	Yes	None	Yes	No	Yes	No	No	Yes	Yes	Yes	Both
Maine	ME-17-10-001	Yes	Yes	Yes	No	Yes	Yes	No	Yes	Yes	Yes	Both
Maryland	MD-16-2-204	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Both
Massachusetts	MAL-CA-71-0103	Yes	Yes	Yes	No	Yes	Yes	No	No	No	Yes	Both
Michigan	MCL-380.16-1391, 1397	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Both
Minnesota	MNS-13-15-0072	Yes	None	Yes	No	Yes	Yes	No	No	No	No	No
Mississippi	MS-1-3-39-11	Yes	None	Yes	No	Yes	Yes	No	No	No	No	No
Missouri	MO-15-1-00172	Yes	None	Yes	No	No	No	No	No	No	Yes	No

ADL Chart of State Anti-Bullying Statutes: Components and Requirements

State	Anti-Bullying Statute	Creation of School District Policy	Statewide Anti-Bullying Policy	Cyberbullying/Electronic Harassment Provision	Environmnetal Categories	Males to Females	Procedures for Reporting Incidents	Justification of Parents	Reporting to State Government	Data Availability	Training Faculty	Counseling for Victims and Perpetrators
Alabama	16-18-2-1	Yes	Yes	No	No	Yes	Yes	No	Yes	Yes	Yes	Both
Alaska	14.05.010	Yes	Yes	No	No	No	Yes	No	Yes	No	No	No
Arizona	15-111-001	Yes	None	No	No	No	Yes	No	No	No	No	No
Arkansas	26-111-001	Yes	None	Yes	No	Yes	Yes	No	No	No	Yes	No
California	51922.5	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No	No
Colorado	22-62-101	Yes	None	Yes	No	Yes	Yes	No	Yes	Yes	Yes	Both
Connecticut	17-267-101	Yes	Yes	Yes	No	Yes	Yes	No	Yes	Yes	Yes	Both
Delaware	14-12-001	Yes	Yes	Yes	No	Yes	Yes	No	Yes	Yes	Yes	Both
D.C.	20-201-111	Yes	None	No	No	No	Yes	No	No	No	No	No
Florida	1000.001	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Both
Georgia	20-2-101	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Both
Hawaii	192-111-101	Yes	None	Yes	No	Yes	Yes	No	Yes	Yes	No	No
Idaho	39-211-101	Yes	None	Yes	No	Yes	No	No	No	No	No	No
Illinois	105-1.1-101	Yes	None	Yes	Yes	Yes	No	Yes	No	No	No	No
Indiana	20-21-101	Yes	None	Yes	No	Yes	Yes	No	No	No	No	No
Iowa	281.101	Yes	Yes	Yes	No	Yes	Yes	No	No	No	No	No
Kansas	75-111-101	Yes	None	Yes	No	Yes	Yes	No	No	No	Yes	No
Kentucky	162.101	Yes	Yes	Yes	No	Yes	Yes	No	No	No	Yes	No
Louisiana	17:512	Yes	Yes	Yes	No	Yes	Yes	No	Yes	Yes	Yes	Both
Maine	20-A-101	Yes	Yes	Yes	No	Yes	Yes	No	Yes	Yes	Yes	Both
Maryland	18A-09-01	Yes	Yes	Yes	No	Yes	Yes	No	Yes	Yes	Yes	Both
Massachusetts	15B-18-01	Yes	Yes	Yes	No	Yes	Yes	No	No	No	Yes	Both
Michigan	380.1101	Yes	Yes	Yes	No	Yes	Yes	No	No	No	Yes	Both
Minnesota	13.010	Yes	None	Yes	No	Yes	Yes	No	No	No	No	No
Mississippi	37-3-101	Yes	None	Yes	No	Yes	Yes	No	No	No	No	No
Missouri	201.010	Yes	None	Yes	No	Yes	Yes	No	No	No	Yes	Both

[Whereupon, at 3:44 p.m., the hearing was adjourned.]