

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:35 p.m. on March 12, 2007, in Room 123-S of the Capitol.

Committee members absent: Barbara Allen
Carolyn McGinn

Committee staff present: Sharon Wenger, Kansas Legislative Research Department
Michele Alishahi, Kansas Legislative Research Department
Ashley Holm, Kansas Legislative Research Department
Theresa Kiernan, Revisor of Statutes
Shirley Higgins, Committee Secretary

Conferees appearing before the committee: Senator David Wysong
SuEllen Fried, Bully Safe USA
Alex Tranin, Horizon Academy
Aishlinn O'Connor, Shawnee Mission East High School
Kathleen O'Neill, Shawnee Mission East High School
Walker Adams, Shawnee Mission East High School
Representative Terri Huntington
Thomas Witt, Kansas Equality Coalition
Terecie Miller, student, Wichita East High
Ashlee Renken, student, Wichita East High School
Gina McDonald, Kansas Children's Service League
Kathy Cook, Kansas Families United for Public Education
Cindy Patton, Topeka City of Character
Mark Tallman, Kansas Association of School Boards
Terry Forsyth, Kansas National Education Association

Sub. for HB 2310 – School districts; policies relating to bullying

Sharon Wenger, Kansas Legislative Research Department, explained that the bill the House Committee on Education initially considered seemed to be more complex; therefore, the chair appointed a subcommittee to study it. The subcommittee recommended the following points which are included in **Sub. for HB 2310**: (1) The board of education of each school district shall adopt a policy to prohibit bullying on school property, in a school vehicle, or at a school sponsored activity or event, (2) Each school district shall adopt and implement a plan to address bullying, and (3) Such a plan shall include provisions for the training and education of staff members and students. She also pointed that the bill defines "bullying" as an intentional act. She explained the bill applies to harm to both students and staff, and it applies to bullying on school property and on school buses or any vehicle used for transporting students. She noted that many schools currently have bullying policies. She went on to say that the provision for character development programs was amended into the bill on the House floor by Representative Kelley. The State Board of Education would authorize and assist in the implementation of programs on character development to be offered to students in grades K-12. The Kansas Department of Education estimated a cost of \$107,592 in State General Funds to develop character development program curriculum.

Senator David Wysong explained that, last December, one of his constituents, SuEllen Fried, asked that he and Representative Huntington discuss the issue of bullying with her. After the discussion, his daughter, who teaches eighth grade language arts in Colorado, told him that bullying is indeed a major problem in schools and happens every day to some degree. He went on to say that he supported the inclusion of cyber bullying in the bill. For the Committee's information, he distributed copies of an e-mail in support of anti-bullying legislation sent by the parent of a child with autism spectrum disorder who has been emotionally bullied at school. (Attachment 1) In addition, he left the following books to be passed around to committee members: *Bullies & Victims: Helping Your Child Through the Schoolyard Battlefield*, *Bullies Targets & Witnesses: Helping Children Break the Pain Chain* (both co-authored by SuEllen Fried and her daughter Paula Fried, Ph.D.), and *30 Activities for Getting Better at Getting Along* (by SuEllen Fried and Lynee Lang).

CONTINUATION SHEET

MINUTES OF THE Senate Education Committee at 1:35 p.m. on March 12 ,2007 in Room 123-S of the Capitol.

SuEllen Fried, founder of Bully Safe USA, testified in support of **Sub. for HB 2310**. She observed that bullying today is much more malevolent than in the past. In her opinion, bullying is a form of child abuse, even though our laws define child abuse only when the perpetrator is an adult. She noted that research indicates that more than 5,700,000 children are bullies, targets, or both. She noted that it is up to each school or school district to significantly address the problem of childhood cruelty. She believes that bullying starts with pain; and when pain collects, it turns to rage and then rage becomes revenge, which causes pain. She emphasized that something must be done to stop the pain. She recommended passage of the bill for the following reasons: (1) Thirty states have adopted anti-bullying legislation, and a number of other states are considering bills this year, (2) Social and emotional learning significantly improve students' academic performance, and (3) Parents are craving reassurance that school systems will take the problem of bullying seriously. She noted that the bill also addressed the issues of staff safety, teacher shortages, and truancy as it relates to students who stay home from school because of fear of bullying. (Attachment 2) At the conclusion of her testimony, Ms. Fried introduced students who came to testify in support of the bill, Alex Tranin, a sixth grade student at Horizon Academy, and three Shawnee Mission East High School students, Aishlinn O'Connor, Kathleen O'Neill, and Walker Adams.

Alex Tranin explained that Horizon Academy is a small school for children with learning differences. When he attended public school, it was difficult for him to learn because he was bullied in the halls and at recess when there were no teachers around, and he was sometimes called stupid when he left the classroom for extra help. However, he has not been bullied at Horizon Academy, which has 68 students versus 500 students in public school. (Attachment 3)

Aishlinn O'Connor, addressed the issue of female bullying, which she believes is the least noticed but perhaps the cruelest form of bullying in schools today. She noted that the bullying begins in elementary school, and by the time girls enter high school, they have become "cattier." She observed that, even though "bullying" is not part of high school students' vocabulary today, it is still pervasive in schools, and the bully is often not conscious of his or her actions. She believes that, with the passage of **Sub. for HB 2310**, students who bully other students will begin to realize the consequences of their actions. (Attachment 4)

Kathleen O'Neill emphasized that social ostracizing can ruin a child's school experience, and many adults do not realize that it is happening. She noted that she avoids kids who tormented her in the third grade because she is still terrified of them. She pointed out that the bill would force adults to acknowledge a problem many would rather ignore. She said that it was imperative that the adults involved in education of children realize that bullying is not what it was when they were growing up; it has become more malicious, more inconspicuous, and much more hurtful. (Attachment 5)

Walker Adams defined cyber bullying as a term used to refer to willful bullying and harassment by the use of e-mail, instant messaging, text messages, blogs, mobile phones, and web sites. He said that computers offer an advantage to bullies because they can remain almost anonymous, and electronic forums lack supervision or censorship. He quoted statistics from a 2005 survey which showed that 20 percent of 770 youth between the ages of 11 and 19 had been bullied by electronic means. About three-fourths of those surveyed stated that they knew the bully, while 26 percent stated that the offender was a stranger. He noted that many of the youths said they were not comfortable telling an authority figure about being victimized through cyber bullying. (Attachment 6) At the conclusion of his testimony, SuEllen Fried requested that a provision relating to cyber bullying be amended into **Sub. for HB 2310**.

Representative Terrie Huntington testified in support of **Sub. for HB 2310**. She emphasized that words can damage a fragile juvenile psyche. She noted that constant battering can result in increased truancy and eventually lead to students dropping school altogether. She observed that instituting a program to minimize or alleviate bullying this year could be a life saver and cost reducer in future years. (Attachment 7)

Thomas Witt, Kansas Equality Coalition, testified in support of **Sub. for HB 2310**. He commented that bullying, intimidation, and harassment by students is always damaging to the victims and is particularly dangerous to gay and lesbian teens and to heterosexual teens who are perceived to be gay or lesbian. He contended that the bill would provide protection for gay and lesbian students. He went on to quote key findings from a 2005 national survey which documented the experiences of students who identify as lesbian

CONTINUATION SHEET

MINUTES OF THE Senate Education Committee at 1:35 p.m. on March 12 ,2007 in Room 123-S of the Capitol.

or gay. One of the findings was that having a comprehensive policy in place was related to a lower incidence of homophobic remarks and to lower rates of verbal harassment. Mr. Witt indicated that, although the Kansas Equality Coalition was not opposed to the amendment to include character development education as part of the required curriculum, he felt that the amendment could create a potential problem due to the fiscal note. (Attachment 8) At the conclusion of his testimony, Mr. Witt introduced two seniors from Wichita East High School who supported the bill, Terecie Miller and Ashlee Renken.

Terecie Miller discussed the physical and verbal abuse a good friend experienced since age ten because he was more feminine than other boys. In high school, she finally spoke in defense of her friend. In response, one of the bullies said that faggots were disgusting and that she was just “a stupid dyke standing up for her faggot friend.” When she reported the incident to administration, she found that her only option was to file a sexual harassment report. The bully was suspended for a day and removed from one of the two classes she had with him. However, he was still in another class with her and her friend, and he continued to make harassing comments on a regular basis. She posed the question, “Why is it that my only option was a sexual harassment complaint? Why aren’t there standards for bullying and discrimination against gay teens the same as there are for others?” She urged the Committee to pass the bill because protecting all students should be a number one priority. (Attachment 9)

Ashlee Renkin related her experiences over the years as she grew up without a friend or boyfriend. She explained, by the time she was in middle school, she was called a dyke because kept her hair short and dressed like a boy. At that time, she did not know what “dyke” meant. Later on, she knew what the term meant, but she did nothing even though it hurt her. By the time she was in the eighth grade, she began cutting herself due to the stress. She played varsity soccer when she was a freshman and did well. However, she hated being in the locker room because she was always harassed. She stopped cutting herself then but began burning herself. Her family moved to Wichita when she was in the tenth grade. She did better at Wichita East because she was able to be herself. She noted that she had not cut or burned herself in over a year, but she still puts herself down due to the verbal abuse she has encountered. She urged the Committee to pass the bill so that other kids would not have to go through what she went through. (Attachment 10)

Gina McDonald, Kansas Children’s Service League, testified in support of **Sub. for HB 2310**. She noted that the bill would begin the process of defining “bullying” in schools, and it would encourage school districts to include options in their formalized plan to allow a person to report bullying incidents anonymously. She pointed out that data shows that this issue exists in every school district. She said some schools have good programs to deal with bullying but others could use more tools to deal with it. She urged the Committee to add cyber bullying to the definition section of the bill. She called the Committee’s attention to the following attachments to written testimony: (1) a bullying fast facts sheet, (2) an online article entitled, “Schools Act to Short-Circuit Spread of “Cyber bullying,” (3) an online article entitled, “Cyber Bullies Prompt New State Laws,” an online article entitled, “The Newest Breed of Bully, the Cyber Bully,” and a newspaper article regarding the song, “Howard Gray,” in which the composer apologizes for bullying a classmate many years ago. (Attachment 11)

Kathy Cook, Kansas Families United for Public Education, testified in support of **Sub. for HB 2310**. She informed the Committee that currently ten states have a law banning bullying. She noted that bullying can and does lead to negative behavior, and negative consequences come with the negative behavior. She supported the addition of enumerate categories that protect students regardless of their age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status or family status. She pointed out that the costs of society’s failure to prevent acts of bullying are enormous. She expressed her concern that the addition of “character education” to the bill could potentially derail the bullying ban which Kansas students desperately need. (Attachment 12)

Cindy Patton, Topeka City of Character, testified in support of **Sub. for HB 2310**. She explained that Topeka City of Character shares a grant from the U.S. Department of Education with Topeka USD 501 for a research study of a comprehensive character education project at Topeka public schools. To date, there have been great results from the USD 501 character education program. She noted that a component of the character education program includes an anti-bullying project. She provided a sample copy of the bulletin developed by

CONTINUATION SHEET

MINUTES OF THE Senate Education Committee at 1:35 p.m. on March 12 ,2007 in Room 123-S of the Capitol.

“Character First! Elementary Student Guide,” which is given to students each month featuring a character quality of the month. She explained that school counselors teach the content of the bulletins each month to all students. She then outlined the features of the program and the outcomes. Outcomes for the anti-bullying program were not available as training just began last spring. In conclusion, she emphasized that helping children develop good character will increase their opportunities in life. (Attachment 13)

Mark Tallman, Kansas Association of School Boards, testified in opposition to **Sub. for HB 2310**. He stated that, although KASB agrees with the basic intent of the bill, the same arguments KASB has raised in the past against new school mandates also apply to this bill. He went on to say that virtually everything defined in the bill as bullying is already against state law and every school district policy. He suggested that, if the intent was to raise awareness of issues and urge school districts to address them, the issues could be the focus of resolutions directed to the State Board and local school districts, or the Legislature could provide the State Board with resources to provide school districts with more technical assistance, or the Legislature could create financial or other incentives to help develop programs in this area without diverting resources from other goals, or the Legislature could add to the woefully underfunded state professional development program. (Attachment 14)

Terry Forsyth, Kansas National Education Association, applauded the intentions of **Sub. for HB 2310** but at the same time had questions about the House amendment, which creates an unfunded mandate. He noted that KNEA developed three programs that are used in many places in Kansas to counter this negative behavior. The programs work together, moving from teasing to bullying to sexual harassment as they address issues appropriate to the age of the students. KNEA also offers a professional development training program for this series. Recently, KNEA’s legal department created a program regarding cyber bullying. In conclusion, he contended that the State Department of Education did not have the time or the funding to develop the necessary standards and guidelines called for in the bill. In addition, he felt that the full fiscal impact of the bill on local school district budgets had not been considered. (Attachment 15)

Senator Schodorf closed the hearing on **Sub. for HB 2310**, and the meeting was adjourned at 2:30 p.m.

Dr. John Heim, United School Administrators of Kansas, was scheduled to present testimony on **Sub. for HB 2310**; however, he was unable to attend. Written testimony was submitted after the meeting. Dr. Heim indicated in his written testimony, “While we support the intent of the proposed legislation, we do not support the substitute bill, as we have concerns about unnecessary and undue administrative burdens that may be imposed on districts and schools. Our position continues to be that those in closest proximity to students – school and district administrators – are in the best position to identify potential problems, develop and implement policies, and evaluate their effectiveness.” (Attachment 16)

The next meeting is scheduled for March 13, 2007.

**SENATE EDUCATION COMMITTEE
GUEST LIST**

DATE: March 12, 2007

NAME	REPRESENTING
Cindy Patton	Topeka City of Character
Janet Schalansky	Ks Children's Serv League
Lena McDonald	Ks Children's Serv League
Sumi Roe	KCSL
HARRY COOK	KFUPE
Ashley Lenken	KEC
Terencia Miller	KEC
THOMAS WITT	KEC
Mark Tallman	KASB
Jana Mackey	KS NOW
Sharon Taber	BSW at Washburn Un.
Samantha Cotten	KCSL
Sara Garrison	Kansas Children's Service League
Licky Roper	Ks. Children's Service League
Karen Seals	KSDE
Kent Reed	KSDE
Tina Long	KS Children's Service League
K. A. May	LBK
Elaine Frisbie	Division of the Budget

**SENATE EDUCATION COMMITTEE
GUEST LIST**

DATE: 3-12-07

NAME	REPRESENTING
Miki Orr-Matus	KCSL
Walker Adams	Stop Violence
Alex Tranin	Stop Violence
Kathleen O'Neill	STOP Violence
Aishlinn O'Connor	STOP Violence
Suellen Fried	Stop Violence
Carolee Jones	CAPS of Salina
STEVE KORNSPAN	KCSL
PAT ERNES	KCDE
TERRY FURBY/TIT	KUET
Michael hewes	
Gail Norton	Four County Mental Health Center, ^{Independence}
Erin Fletcher	Project STAR
Diann Gjerstad	Wichita Public Schools
Ron Secher	Hen Law Firm
Val DeFur	SQE

David Wysong

From: "Barbara Kimmel" <barbarakimmel@sbcglobal.net>
To: <huntington@house.state.ks.us>; <wysong@senate.state.ks.us>
Sent: Sunday, March 11, 2007 11:04 PM
Subject: Anti-Bullying Bill

To both,

I am writing in support of your Anti-Bullying legislation.

My son, Robbie Kimmel, has autism spectrum disorder and is high functioning. He has been mainstreamed throughout his entire Kansas public school career in the Harvey County USD 373 (Newton) grades preK-3, and Douglas County USD 497 (Lawrence) grades 4-8. He entered SMSD SME at beginning of 9th grade.

I noticed a considerable increase in his anxiety and was able to piece together from what he told me that he was being emotionally bullied. I voiced my first concern to administration on Sept. 14, 2006 in an e-mail. A team meeting was called for Sept. 19th. To make a long story short, the bullying continued to this date despite a number of e-mails to vice-principal Loe and teachers. After I read the article in the KC Star dated March 3, I contacted SueEllen Fried, who listened to my concerns and kindly contacted Marjorie Kaplan on my behalf. Dr. Kaplan contacted SME principal, Dr. Swift. A meeting was quickly set up between myself, Dr. Swift and Jeanne Holverstatt, Autism Spectrum Specialist who has been providing behavioral therapy for Robbie, privately, through Responsive Centers for Psychology and Learning. This was the first Dr. Swift had heard about the issues Robbie was having despite my communication through the proper channels. I believe Dr. Swift will work quickly to provide safety for my son throughout what is left of the school year; and I will make sure policies are in place for next year.

I have my degree in Occupational Therapy and have always been an advocate for my son. I have to tell you, I am disheartened by the lack of knowledge of autism spectrum disorder in the SMSD. Criteria used to diagnose autism has changed and as a result (in my opinion), it is more readily diagnosed. Early intervention is key. The number of children attending SMSD with autism spectrum disorders will increase. Dr. Kaplan discontinued the counseling program 6 years ago whereby the counselors went to each school and provided education to the teachers and students on inclusion, diversity, and socialization issues. I strongly believe we are now seeing the effects of these cuts by the increase of bullying in the upper grades. I have never been in a school where such behavior was tolerated to such an extent by the teachers (because of ignorance/lack of inservices) and celebrated by the students. Thank you so very much for sponsoring the legislation on anti-bullying. I will continue to be an advocate for my child and am willing to share my story.

Sincerely,

Barbara Kimmel
5816 W. 87th Terrace
Overland Park, Ks 66207

Senate Education Committee
3-12-07
Attachment 1

3/12/2007

Senate Education Committee Hearing on H.B. 2310
Monday, March 12, 2007
Testimony of SuEllen Fried

Thank you, Chairman Schodorf and members of this Committee for the opportunity to speak on behalf of HB 2310. I also wish to express deep appreciation to my Senator, David Wysong for introducing this legislation and to my Representative, Terrie Huntington for introducing it in the House..

Bullying today is not the same as it was when you and I were in school. It is much more malevolent. The mean spiritedness that pervades our society has left its fingerprints on our children and they have extended their cruelty to the internet and all manner of media. Just this past week I learned of a boy in a Kansas public school who received the following email: "You're such a freak! Why don't you just take an overdose of Paxil and kill yourself!"

I have worked with over 80,000 students in 26 states during the past 10 years and I cry a lot. I believe that bullying is a form of child abuse, even though our laws define child abuse only when the perpetrator is an adult. If a child is hurting, it doesn't matter if the person causing the suffering is 12 or 35. The pain of an abused child is not determined by the age of the abuser.

Approximately 900,000 cases of confirmed child abuse are reported each year. In response to those 900,000 children, every state has set up an investigation system, foster care, adoption services, prevention and intervention programs. Research indicates that more than 5,700,000 children are bullies, targets or both. In response to those children we have no national system in place. It is up to each school or school district to significantly address the problem of childhood cruelty. Some do – some don't.

There have been close to 40 school shootings in our country. All of the boys who have killed their classmates have been interviewed in prison. When I share the information that was received from those interviews, students are shocked to learn that the boys who committed homicide were not bullies. Over 2/3 of them had been victims who just couldn't take it anymore.

I believe that the dynamics of bullying is that it starts with pain. When pain collects, it turns to rage and then rage becomes revenge, which causes pain and the cycle starts all over again. We must do everything we can to stop the pain.

Senate Education Committee
3-12-07
Attachment 2

they are not leaving because of the salaries – no one ever became an educator to make money. Many of them are leaving because of classroom behavior management issues.

There is also national data that connects bullying with **truancy** – 160,000 students stay home from school each day because of fear of bullying, **health issues** – the American Medical Association has identified bullying as a major health problem, **crime** – a longitudinal study reported that one out of four bullies identified by their third grade classmates had a criminal record by the time they were 30, and **suicides** – the Center for Disease Control indicates that there has been a 105% increase in youth suicides for students between the ages of 10 and 15 over the past two decades.

I have brought with me four students today to share their concerns about bullying. It is my pleasure to introduce Alex Tranin, a sixth grade student at Horizon Academy in Johnson County and Aishlinn O'Connor, Kate O'Neill, and Walker Adams, students at Shawnee Mission East. High School.



www.bullysafeusa.com

SuEllen Fried, ADTR
Founder

4003 Homestead Drive
Prairie Village, Ks 66208

[www.suellenfried@hotmail.com](mailto:suellenfried@hotmail.com)
913-362-2226

No Emotion Left Behind

By Timothy P. Shriver
and Roger P. Weissberg

THE debate over education reform has tended to divide children's learning along two axes, the emotional and the academic. Either we can address children's academic performance, the conventional thinking holds, or we can address their emotional and social needs. Before No Child Left Behind comes up for reauthorization in 2007, we'd like to deliver some important news: The two kinds of learning are intimately connected. That means that promoting students' social

Timothy P. Shriver is the chairman of the Collaborative for Academic, Social, and Emotional Learning and of the Special Olympics. Roger P. Weissberg is a professor of psychology and education at the University of Illinois at Chicago and president of the collaborative.

and emotional skills plays a critical role in improving their academic performance.

Social and emotional learning is the process through which children learn to recognize and manage emotions. It allows them to understand and interact with others, to make good decisions and to behave ethically and responsibly. The best social and emotional learning programs engage not only children, but also their teachers, administrators and parents in providing children with the information and skills that help them make ethical and sensible decisions — to avoid bullying, for instance, or to resist pressures to engage in destructive or risky behavior, such as substance abuse. When they are well designed and executed, such programs have consistently achieved these goals, turning out students who are good citizens committed to serving their communities and cooperating with others.

Recent studies, however, have revealed something even more exciting about these programs. Along with Joseph Durlak, a Loyola University psy-

chologist, one of us (Roger Weissberg) recently conducted the largest-ever quantitative analysis, encompassing more than 300 research studies on this subject. The results, which will be presented later this week for the first time, show that social and emotional learning programs signif-

Good grades depend
not just on brains,
but on hearts.

icantly improve students' academic performance. The review shows, for example, that an average student enrolled in a social and emotional learning program ranks at least 10 percentile points higher on achievement tests than students who do not participate in such programs. Moreover, compared with their counterparts out-

side of these programs, social and emotional learning students have significantly better attendance records; their classroom behavior is more constructive and less often disruptive; they like school more; and they have better grade point averages. They are also less likely to be suspended or otherwise disciplined.

The numbers vindicate what has long been common sense among many teachers and parents: that children who are given clear behavioral standards and social skills, allowing them to feel safe, valued, confident and challenged, will exhibit better school behavior and learn more to boot.

This simple observation is of monumental importance as we attempt to improve our country's public schools. We don't have to choose between academic achievement and the development of character. Rather, we should concentrate on both. No Child Left Behind has created greater accountability in American education, but it is inadequately financed, it fails to effectively address the needs of special

education students, and its assessment standards for all children are far too narrow. A truly effective new law should include benchmarks for social and civic learning.

One state, Illinois, has blazed a path in this regard. There is a social and emotional learning component to the Illinois State Learning Standards, and the state's school districts now incorporate such programs into their curricula. Federal legislation should follow that lead. The new law should also include provisions for conducting systematic classroom assessments of children's social and emotional growth.

What we now understand about the role of social and emotional learning in academic learning should lead us to dramatic action, but it builds on common wisdom. Good teachers know that they can't sacrifice one part of a child for another. Now they have the figures to prove it. The time has come for policy makers to help restore balance to our nation's classrooms and, in so doing, to help American children achieve their fullest potential.

NY TIMES 8/16/05

Alex Tranin

6th Grader at Horizon Academy

Hello, my name is Alex Tranin. I am a 6th grade student at Horizon Academy, a small school for kids with learning differences. I used to go to public school and I was sometimes bullied. This would happen in the halls, at recess, and coming and going to school from home. Sometimes when I left the classroom for extra help, kids would tease me for having to leave. It usually happens where and when no teachers are around or looking. Kids might call me names like stupid or threaten to hurt me. This made it hard to learn in the classroom because I would think about how am I going to survive recess or how will I get home. Sometimes I would ride my bike, cut through yards and travel with older students to stay protected. The school I go to now has only 68 students versus 500 students so I know all of the students' names. Everyone is working on something so there is no one person for the bully to pick on.

Senate Education Committee
3-12-07
Attachment 3

Testimony of Aishlinn O'Connor
as given to the Kansas Senate Education Committee
concerning HR 2310
on the 12th of March, 2007

I would like to begin by thanking all of you for the opportunity to address this body. I am truly honored.

Bullying isn't new. Chances are that many of you were bullied as children. Despite this, no comprehensive data exists on the issue. It has been studied and analyzed to achieve approximate and preliminary data, but in that process, the real effects, the victims, often become simply numbers. Their pain and torment becomes a tally mark among many others. This bill would act to change that.

Upon passage, schools would not only have to report incidents to the state, allowing comprehensive analysis, but the parents of the students involved would also be notified. This notification, along with the other required action by the schools, would work to change habits at an early age. Students would be more aware that violence was never the answer. We increase knowledge and compassion at the same time.

Specifically, I would like to address the issue of female bullying. It is the least noticed but perhaps the cruelest form of bullying in schools today. I told a friend that I was coming to testify about this issue and she exclaimed, "I hate girls." It was a strange comment from a girlfriend but one that I understood. Girls use exclusion, rumors, and snide comments to take down other girls. When a group of my friends and I were watching Tina Fey's movie about female high school drama, "Mean Girls," one of my male friends commented, "Girls don't really do that to each other." The girls just started laughing. We may not imitate jungle animals or have a "burn book," but often times, we are just as cruel.

It begins in elementary school. If you aren't beautiful, intelligent, rich, popular, and athletic, you often aren't invited to the "cool" kids' birthday parties. Then the war begins. Those who are attack those who are not. Those who are not attack those who are. In the end, no one escapes the damage.

As we become older, we become cattier. Even good friends talk behind each others' backs. Now you can't be too smart, popular, pretty, or even nice without being harassed about it. There's still no hope if you are at the other end of the spectrum. Being called a "slut," "whore," or "bitch" becomes commonplace. We either become desensitized to it or turn to violence. Two days ago I walked out of my differential equations class only to see one girl grab another by the hair and fling her into the locker. Apparently the second had started a rumor about the first. Our assistant principal came running, but it was too late. The emotional damage had already been done. They were just stopping the physical after shocks.

If someone had approached those girls and asked if they were being bullied the day before the incident, chances are that their answer would have been no. High school students don't seem to

Senate Education Committee
3-12-07
Attachment 4

have "bullying" as a part of their vocabulary anymore, even though it is still pervasive in our schools. Often, the bully is not even conscious of his or her actions.

This legislation is our opportunity to change that. If bullying can once again become a serious offense, then maybe the culture can change. Maybe students can begin to realize the consequences of their actions. But the punishments cannot be hit and miss anymore. All forms of bullying must be attacked. If it is perceived that students can get around the consequences, the effort will not work. They have to be serious and records must be kept.

Our generation will have its fair share of problems when we sit in your seats. Hopefully, bullying will no longer be one of them.

Thank you.

A handwritten signature in cursive script that reads "Aishlinn O'Connor". The signature is written in dark ink and is positioned above the printed name.

Aishlinn O'Connor
Senior, Shawnee Mission East High School

Testimony of Kathleen O'Neill
as given to the Kansas Senate Education Committee
concerning HB 2310
on the 12th of March, 2007

We all know the traditional picture of bullying. Big kids picking on the younger, smaller, or less socially adept kids on the playground. What many people don't realize is that the effect of other, less-obvious, types of bullying can be just as devastating.

Social ostracizing can ruin a child's school experience, and many adults don't even realize what's going on. If you walked into any school cafeteria, you would see groups of kids talking. What may look to an observer as innocent groups of friends may really be something much less friendly. It starts in elementary school. You have to go to the right preschool, wear the right clothes, be on the right sports teams, and say the right things. If you don't, good luck finding friends. This isn't just the drama of elementary school. It isn't a passing problem or a rare occurrence. It's groups of ten-year-olds hating each other because they're either too cool to be nice or not cool enough to be worth their time. I cried myself to sleep in fourth grade because I didn't seem to have done anything right.

In middle school, it only gets worse. Traditional social groups start to form, the groups thought of as being preps or Goths, popular or not. These groups can arise from elementary school cliques, music preferences, or race. When I was in middle school, the only group I was in was the smart kids. Not a popular one. I was often told to shut up before I had even started talking. No one wanted to hear the smart girl talk again. Even the teachers ignored the taunts of "suck-up" shouted across the room when I answered a question. I had considered switching to a Catholic school for middle school but decided against it, eventually transferring high schools within our district before starting my freshman year. It's hard starting high school in a school of 2000, even harder when you know three of them, but anything was better than going to school with the same kids I had for the last nine years.

Interestingly enough, it's actually better in high school because there are so many niches that everyone fits somewhere, but it still happens to some extent, and nothing makes the hurt of middle school any less. To this day I avoid kids who tormented me in third grade, because I'm still terrified of them. Eight years later, I still don't want to have to face those memories. This isn't about not having groups of friends, but rather about kids learning to accept other groups, those different from them, and learning to look beyond what team someone is on to who they really are. It's about adults being forced to acknowledge a problem many would rather ignore, one some people do not even realize is still an issue. It's about acceptance and inclusion, instead of division and exclusion.

It is imperative that the adults involved in the education of our children realize that bullying is not what it was when they were growing up. It has become much more malicious, much more inconspicuous, much less hurtful. ~~What~~
more

I urge this committee to recommend this piece of legislation, to carefully consider the situation at hand and its gravity, to hold in mind the children of your district and of our state and their well-being. I challenge you to talk to anyone and everyone you know who has had any contact with schoolchildren, and to make this legislation what it needs to be to achieve its goals. I challenge you to make Kansas not only as big as we think, but also as safe.

Thank you,

Kathleen O'Neill
Junior, Shawnee Mission East High School

*Senate Education Committee
3-12-07
Attachment 5*

Walter Adams

Cyber bullying or online bullying is the term used to refer to bullying and harassment by use of electronic devices through means of e-mail, instant messaging, text messages, blogs, mobile phones, and websites.

Cyber bullying is willful and involves recurring or repeated harm inflicted through the medium of electronic text. According to R.B. Standler^[1] bullying intends to cause emotional distress and has no legitimate purpose to the choice of communications. Cyber bullying can be as simple as continuing to send e-mail to someone who has said they want no further contact with the sender. Cyber bullying may also include threats, sexual remarks, pejorative labels (i.e., hate speech)

Certain characteristics inherent in online technologies increase the likelihood that they will be exploited for deviant purposes^[2]. Computers offer several advantages to those who wish to harass others. First, electronic bullies can remain almost completely anonymous. Temporary email accounts and fake names in chat rooms, and instant messaging programs can make it very difficult for victims identify the bullies. Further, some bullies prefer the electronic ways of bullying to the more classing methods because takes less energy and courage to express hurtful comments. More importantly, cyber-bullies do not have to be larger and stronger than their victims. Instead of a victim being several years younger and/or drastically weaker than his bully, both can be the same age strength intelligence. It evens the playing field.

Second, electronic forums lack supervision. While, to my knowledge, chat hosts regularly observe the dialog in some chat rooms in an effort to police, personal messages sent between users are viewable only by the sender and the receiver. Furthermore, to my knowledge, there are no individuals to monitor or censor offensive content in electronic mail or text messages sent via computer or cellular phone. We as teenagers often know more about computers and cellular phones than our parents and are therefore able to operate the technologies without worry or concern that a parent will discover our experience with bullying (whether as a victim or offender).

According to a 2005 survey by the National Children's Home charity and Tesco Mobile^[3] of 770 youth between the ages of 11 and 19, 20% of respondents revealed that they had been bullied via electronic means. Almost three-fourths (73%) stated that they knew the bully, while 26% stated that the offender was a stranger. Another interesting finding was that 10% indicated that another person has taken a picture of them via a cellular phone camera, consequently making them feel uncomfortable, embarrassed, or threatened. Many youths are not comfortable telling an authority figure about their cyber-bullying victimization; while 24% and 14% told a parent or teacher respectively, 28% did not tell anyone while 41% told a friend^[3].

I got most of this speech from http://en.wikipedia.org/wiki/Cyber_Bullying and then edited it. I did this in maybe twenty minutes. If I can "write" a one page paper in that time imagine the amount of harm I can do to anyone. Think about how many people I could hurt, how many different things I could say. And as with this speech if I had not told you, you would not have know where I got it. It is the same with cyber bullying.

Senate Education Committee
3-12-07
Attachment 6

1. Standler, Ronald B., (2002) "Computer Crime"
2. Patchin, J. W. & Hinduja, S. (2006). "Bullies move beyond the schoolyard: A preliminary look at cyberbullying" Youth Violence and Juvenile Justice, 4(2), 148-169.
3. National Children's Home. (2005). Putting U in the picture. Mobile Bullying Survey 2005.(pdf)
4. http://en.wikipedia.org/wiki/Cyber_Bullying

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TOPEKA

HOUSE OF
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 JOINT COMMITTEE ON ECONOMIC DEVELOPMENT

Testimony for HB 2310
Presented to Senate Education Committee
March 12, 2007

Chairman Schodorf, Vice Chairman Vratil, and Ranking Minority Lee:

School bullying is a continuing problem that has plagued our schools for decades--girls shunning classmates because their clothes don't have the "cool" label, boys picking on the quiet student who prefers books to baseball, too skinny, too heavy, wears glasses, always wears black. We've all seen it, and perhaps participated in it. My mother always told me, "Sticks and stones can break your bones, but words....." You know the phrase. But words can damage a fragile juvenile psyche. The constant battering can result in increased truancy and eventually lead to dropping school altogether, and in the extreme, can prove to be lethal—a Columbine incident, a homosexual youth viciously attacked and killed in the Northwest.

What can schools do to minimize or alleviate bullying?

The Senate Education Committee today has the privilege of hearing from SuEllen Fried, a resident of the 25th District, an expert on the subject of bullying, and the author of two widely distributed books, Bullies & Victims and Bullies, Targets & Witnesses. Her bio is attached for your review. When you hear Mrs. Fried's testimony you will learn how important it is for our schools to develop a strategy to eliminate this very detrimental behavior.

A program instituted this year can be a life saver and cost reducer in future years. A bullied student finds excuses to miss school. Persistent truancy can lead to dropping out of school, committing petty crimes, juvenile delinquency, substance abuse, juvenile detention and adjudication, and ultimately adult incarceration. Our prisons are filled with men and women who didn't complete their high school education.

Thank you, in advance, for your favorable consideration of HB 2310.

Terrie Huntington
 Terrie Huntington
 25th District



Wednesday, February 14, 2007

SuEllen Fried, A.D.T.R.

Bio	Presentations	Training Institute	Publications	Testimonials	Evaluation	Links	Contact
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SuEllen Fried Bio

SuEllen Fried co-authored "Bullies & Victims: Helping Your Child Through the Schoolyard Battlefield" in 1996 and "Bullies, Targets & Witnesses: Helping Children Break the Pain Chain" in 2003 with her daughter, Paula Fried, Ph.D.

She has been an international speaker on the topic of child abuse and bullying and has appeared on Good Morning America, the TODAY Show, MSNBC, and was featured on an A&E Documentary, Bill Kurtis Reports, "Bullied to Death". She has been interviewed on countless TV and radio stations and written about in numerous newspapers and magazines. She has delivered addresses and presented workshops at numerous national and international conferences on child abuse and neglect and has been a keynote speaker at child abuse conferences in 28 states. She travels extensively, speaking with students, educators and parents on the topic of bullying.



SuEllen attended Washington University, St. Louis, MO and received a B.A. in Creative Arts and Mental Health from Park University, Parkville, MO. She earned the Academy of Registered Dance Therapists accreditation (ADTR) - a Master's Degree equivalency from the American Dance Therapy Association and worked as a dance therapist in the Kansas City area for 20 years.

SuEllen has been active in mental health organizations at the local, state and national levels, including an appointment in 1970 to the President's Task Force on the Mentally Handicapped. She served as a consultant to the National Institute of Mental Health and to the Center for Advanced Study and Continuing Education in Mental Health. From 1961-1978, SuEllen volunteered as a dance and drama therapist at Osawatomie State Hospital in Kansas, producing, directing, writing and choreographing original musical productions conceptualized and performed by patients across the state that gave audiences a new perspective on mental illness.

Her work with Dr. Karl Menninger, renowned psychiatrist and author of "The Crime of Punishment", led SuEllen to organize an inmate volunteer and self-help program which is now operating in seven Kansas Correctional institutions. She still serves as a volunteer at the Kansas Lansing Correctional Facility East.

Long an advocate for children, SuEllen founded the Kansas Committee for Prevention of Child Abuse in 1976, which served as the model chapter for the National Committee for Prevention of Child Abuse, now known as Prevent Child Abuse America. She served as president of the Kansas Committee from 1976-1980 and served as the Chariman of the Board of the national organization from 1980-1982. She continues to serve on that board as a Life Member. She served as a Board member and Vice-President of Parents as Teachers National Center from 1987-2003. She was a participant in the Surgeon General's Task Force on Family Violence in 1985 and founded STOP Violence! in 1982.

Some of SuEllen's honors and awards include being named President H.W. Bush's 900th Point of Light in 1993; Kansas City Spirit Award in 1989; University of Missouri Community Service Award in 1997; Park College Alumnus of the Year in 1990; Johnson Countain (KS) of the Year in 1993; Volunteer of the Year for the Kansas Department of Corrections in 1989; the Karl Menninger Award in 1998; Mid-Continent Council of Girl Scouts, Women of Achievement in 1987; Mary Ellen Award from the National Committee for Prevention of Child Abuse in 1994; the International Service Award from the RLDS Church in 1984; the Daily Point of Light Award in 1998; The Donna Stone Award from Prevent Child Abuse America in 2002; Sigma Delta Tau Alumna of Year Award, 2002; and the Yates Medallion for Distinguished Service, William Jewell College, 2004.

SuEllen has been married to Harvey Fried for 52 years and they have three children - Jeff, a hospital administrator; Paula, a clinical psychologist; and Marc, an attorney. SuEllen and Harvey have seven "miracles" which is how she describes her grandchildren.

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Testimony in support of HB2310
Thomas Witt, Chair, Kansas Equality Coalition
Senate Education Committee, March 12, 2007

www.KansasEqualityCoalition.org • 6505 E. Central #219 • Wichita, KS 67206 • (316) 260-4863 • fax (316) 858-7196

Good afternoon, Chairwoman Schodorf and members of the committee.

I'm grateful for the opportunity to address you today. My name is Thomas Witt, state chair of the Kansas Equality Coalition. Our organization's seven chapters and more than 600 members work for equal rights and fair treatment for gay and lesbian Kansans.

The Equality Coalition strongly supports legislative action to stop bullying in our public schools. Bullying, intimidation, and harassment by students is always damaging to the victims, and is particularly dangerous to gay and lesbian teens, and to heterosexual teens who are *perceived to be* gay or lesbian.

We believe HB2310 is appropriate legislation to achieve these necessary protections.

In 2005, the Gay, Lesbian, and Straight Education Network conducted the National School Climate Survey (NSCS), the only national survey to document the experiences of students who identify as lesbian or gay. Key findings of the Survey include:

- Three-quarters of students heard derogatory remarks such as "faggot" or "dyke" frequently or often at school
- Over a third of students experienced physical harassment at school on the basis of actual or perceived sexual orientation.
- Nearly one-fifth (17.6%) of students had been physically assaulted because of their actual or perceived sexual orientation
- Lesbian and gay students were five times more likely to report having skipped school in the last month because of safety concerns than the general population of students.
- Lesbian and gay students who experience more frequent physical harassment were more likely to report they did not plan to go to college. These students were twice as likely as the general population of students to report they were not planning to pursue any post-secondary education.
- The average GPA for lesbian and gay students who were frequently physically harassed was half a grade lower than that of lesbian and gay students experiencing little to no harassment (2.6 versus 3.1).
- The presence of supportive staff contributed to a greater sense of safety, fewer reports of missing days of school, and a higher incidence of planning to attend college.
- Having a comprehensive policy was related to a lower incidence of hearing homophobic remarks and to lower rates of verbal harassment. Students at schools with inclusive policies also reported higher rates of intervention by school staff when homophobic remarks were made.

A potential problem with HB2310 is an amendment to the original bill; that amendment started life as HB2459. HB2459, which came with a fiscal note of \$107,000 is the second attempt in two years to require Kansas schools to provide "character development education" as part of the required curriculum. The Equality Coalition is not opposed to this amendment, and in the interest of passing a bill that will not stall in a conference committee, would prefer that 2310 be recommended to the full Senate "as is."

Senate Education Committee

While we understand the Senate's sensitivity to further burdening the taxpayers of Kansas, we would like to remind this body of the 2005 case in Tonganoxie, Kansas. In Tonganoxie, a former student received a \$440,000 settlement from the local school district for that district's failure over many years to protect him from the kind of bullying HB2310 is written to address. That settlement would have paid for over four years of funding the fiscal note that is attached to this bill.

HB2310 is not a perfect bill. There are no enforcement provisions, no requirements for data collection, and no way to measure the effectiveness of any anti-bullying programs adopted by the local districts. It's a good start, though, and will give parents and communities the tools they need to hold school districts accountable for protecting the students in their care.



The 2005 National School Climate Survey

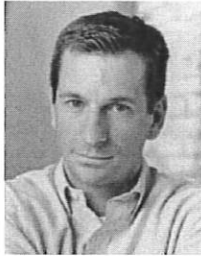
The Experiences of Lesbian, Gay, Bisexual and
Transgender Youth in Our Nation's Schools



Executive Summary of a Report
from the Gay, Lesbian & Straight Education Network

www.glsen.org

The 2005 National School Climate Survey is made possible in part by a generous contribution from Time Warner.



Earlier this year I shared a stage with Iowa Governor Tom Vilsack who publicly called on his state's policy-makers to adopt comprehensive and effective legislation to address the problems of bullying and harassment based on sexual orientation and gender identity. The capacity crowd of more than 500 Iowa high school students and their teachers roared approval as television cameras from across the state captured the moment.

I wish more states were like Iowa, and more elected leaders were like Tom Vilsack.

That day's powerful demonstration of leadership and support was a unique one. More often than not, legislators have blocked bills like the one Governor Vilsack supports. Separate legislation in Arizona, Georgia, Idaho, Missouri, Utah and Virginia this year sought to discourage or ban students from forming school clubs to address harassment, while local school boards nationwide have tried to eliminate lesbian, gay, bisexual and transgender (LGBT) people, history and issues from school libraries and curriculum.

The results of GLSEN's fourth biennial National School Climate Survey (NSCS), the only national survey concerning the school experiences of students who identify as LGBT, should be a guide for every legislator, educator, school board and community leader concerned with ensuring safe and effective schools for ALL students.

The 2005 NSCS contains important results that are distressing and at the same time, reveal seeds of hope. On the positive front, this data shows that schools can and, in some cases are improving the climate so that LGBT students can better access educational opportunities. Inclusive policies, supportive school staff, the presence of student clubs dealing with LGBT issues (commonly known as "Gay-Straight Alliances" or GSAs), and positive inclusion of LGBT issues in school curricula all have a significant positive impact on the experience of LGBT students. The report shows how these resources can benefit LGBT students – lowered rates of name-calling and harassment, decreased absenteeism, an increased sense of school safety and school belonging, and higher grade point averages.

Given that such positive outcomes are what we wish for all students, the fact that these positive interventions are so rarely implemented is dismaying. In short, not enough schools are "doing the right thing."

The findings of the 2005 NSCS beg the question of why more states and districts are not doing what is needed to enable more LGBT students to succeed. While it begs that question, it cannot answer it. For that answer, readers must turn to their state legislators, principals, school boards, and district superintendents and ask them why they aren't doing the right thing.

Kevin Jennings

Founder & Executive Director, GLSEN

The 2005 National School Climate Survey



Students reported that homophobic remarks were the most common type of biased language heard at school.

name-calling, harassment and violence directed at LGBT students, while offering information about the impact of these experiences on academic performance and the effect of interventions designed to address the underlying problem. In particular, the 2005 survey data allowed us to examine the role that state education legislation has in creating (or not creating) safer schools for all students, including LGBT students. The 2005 NSCS paints a disturbing picture of the school experiences of LGBT students. However, it also provides further insight into the solutions for creating safer schools for all students.



LSEN's National School Climate Survey is the only national survey to document the experiences

of students who identify as lesbian, gay, bisexual and transgender (LGBT) in America's secondary schools. Conducted biennially since 1999, the National School Climate Survey (NSCS) fills a crucial void in our collective understanding of the contemporary high school experience. The results of this survey are intended to inform educators, policymakers and the public at large, as part of GLSEN's on-going effort to ensure that all schools are places where students are free to learn, regardless of sexual orientation or gender identity/expression.

The 2005 NSCS results summarized here continue to track the endemic problem of

Methods

In order to obtain a more representative sample of LGBT youth, we used two methods to locate possible participants. First, participants were obtained through community-based groups or service organizations serving LGBT youth. Fifty groups/organizations were randomly selected from a list of over 300. Each group was then invited to participate in the survey, and surveys were sent for the youth to complete. Of the 50 groups, 39 were able to have youth complete the survey and a total of 381 surveys were obtained through this method. In addition, we also attempted to have greater representation of LGBT youth from states in the South and Midwest, which have



Students in schools with a GSA were less likely to feel unsafe, less likely to miss school, and more likely to feel they belonged at their school.

historically been underrepresented in our past surveys. An additional 14 groups or organizations had youth complete the survey, providing an additional 140 surveys. Thus, a total of 521 paper surveys were collected using this first method. Our second method was to make the National School Climate Survey available online through GLSEN's website. Notices about the survey were posted on listservs and websites oriented to LGBT youth.

Notices were also emailed to GLSEN chapters and to youth advocacy organizations such as Advocates for Youth and Youth Guardian Services. To ensure representation of transgender youth and youth of color, special efforts were made to notify groups and organizations that work predominantly with these populations about the on-line survey.

A total of 1,211 surveys were completed online. Data collection through community-based groups and service organizations occurred from April to July 2005. Data collection through the online version occurred from April to August 2005.

The sample consisted of a total of 1,732 lesbian, gay, bisexual and transgender students between the ages of 13 and 20. Students were from all 50 states and the District of Columbia. Excluded from the final total were youth who were not in a K-12 school during the 2004-2005 school year, youth who were not in school in the United States, and heterosexual youth (except for those who were also transgender). A majority of the sample (69.2%) was white and a little more than half (52.2%) was female. About two-thirds of the sample (62.4%) specifically identified as gay or lesbian and more than half (59.5%) were in the 11th or 12th grades.

Key Findings

The Scope of the Problem

B **biased Remarks in School.** The results of the 2005 survey indicate that anti-LGBT language, as well as bullying and harassment on the basis of sexual orientation or gender identity/expression, remain common in America's schools. Respondents to the 2005 NSCS reported that homophobic remarks were the most common type of biased language heard at school, with three-quarters of the students (75.4%) hearing remarks such as "faggot" or "dyke" frequently or often at school. Even more pervasive was the use of the expression "that's so gay" or "you're so gay," often used to indicate that something or someone is stupid or worthless. Nearly nine out of ten (89.2%) students reported hearing these comments frequently or often at school. Although less pervasive than homophobic remarks, other forms of biased language, including sexist and racist remarks and negative remarks about students' gender expression, were also commonly heard at school.



Nearly two-thirds (64.3%) reported feeling unsafe at school because of their sexual orientation.

Students most often reported that homophobic remarks were made in school when faculty or other school staff were not present. Yet when present, faculty and other school staff often failed to act. Only 16.5% reported that staff who were present when homophobic remarks were made intervened frequently when they heard such language. In fact, students reported that school staff were less likely to intervene regarding homophobic remarks or remarks about gender expression than racist or sexist remarks.

The problem goes beyond the failure of faculty and school staff to address homophobic language in school. Some school staff contributed to this problem by making homophobic remarks themselves – nearly a fifth (18.6%) of the survey respondents reported hearing homophobic remarks from their teachers or other school staff.

Harassment and Assault. Unfortunately, anti-LGBT behavior is not confined to the use of biased language. Overall, three-quarters (74.2%) of students in the survey reported feeling unsafe in school because of personal characteristics, such as their sexual orientation, gender or religion. Nearly two-thirds (64.3%) reported feeling

8-8

unsafe at school because of their sexual orientation specifically, and 40.7% felt unsafe because of how they expressed their gender. The majority of students in our survey also experienced harassment and violence at school – nearly two-thirds (64.1%) reported that they had been verbally harassed at least some of the time in school in the past year because of their sexual orientation and about half (45.5%) because of their gender expression. Over a third (37.8%) of students had also experienced physical harassment at school on the basis of sexual orientation and a quarter (26.1%) on the basis of their gender expression. Although incidents of physical assault were less common, nearly a fifth (17.6%) of students had been physically assaulted because of their sexual orientation and over a tenth (11.8%) because of their gender expression. About two-thirds of LGBT students reported having ever been sexually harassed (e.g., sexual remarks made, being touched inappropriately) in school in the past year.



The majority of students in our survey experienced harassment and violence at school. 64.1% reported that they had been verbally harassed at least some of the time in school in the past year because of their sexual orientation and about half (45.5%) because of their gender expression.

population conducted by GLSEN and Harris Interactive, 62.5% of students reported that other students were called names or harassed at their school on the basis of their actual or perceived sexual orientation, which was quite similar to the 64.1% of LGBT students surveyed in the 2005 NSCS who reported experiencing such harassment.

In addition to these forms of harassment and assault, most of the LGBT students in our survey reported relational aggression (such as being the target of mean rumors or lies), and having their property damaged or stolen. More than a third (41.2%) of students also reported some instance in the past year of “cyberbullying” – receiving threatening or harassing e-mails or text messages from other students.

It is important to note that these reports from LGBT students about their experiences with harassment are corroborated by reports from the general population of students. In a recent national study of the general secondary school student

Reporting Harassment/Assault to School Personnel and Family Members.

Unfortunately, many LGBT students who experienced harassment or assault in school may feel that they have nowhere to turn. A majority of students in our 2005 survey who had been harassed or assaulted in school never reported the incidents to school authorities (58.6%), parents or guardians (55.1%), or other family members (62.6%). For some students, reporting the harassment did not necessarily effect any positive changes in their school experience. With regard to reporting to family members, more than a third (43.6%) of the students reported that their parent



More than one-third (41.2%) of students reported some instance in the past year of "cyberbullying"

or guardian took no action after being informed of the harassment and over 70% (71.1%) reported that other family members never intervened. Less than half (43.8%) of students who reported incidents of victimization to school staff said that the actions taken by school authorities to address the situation were effective.

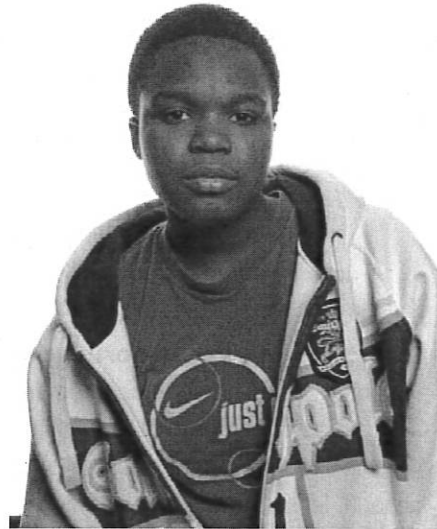
Changes in Harassment/Assault Over Time. There have been some small but significant decreases in rates of harassment and assault since our 2001 survey. Students in 2003 and 2005 reported a lower incidence of physical harassment and assault related to sexual orientation than in 2001, although there was no change from 2003 to the present. Rates of verbal harassment related to sexual orientation have unfortunately remained unchanged since 2001, as was the case with any type of harassment or assault related to gender expression.

Academic Engagement, Aspirations and Achievement

The prevalence of various forms of anti-LGBT behavior in schools has a detrimental impact on LGBT students' school experiences and can affect academic achievement. For example, over a quarter (28.9%) of students had skipped a day of school in the past month because of feeling unsafe, and an equal number had skipped a class at least once in the past month for the same reason.

Students who had experienced more serious harassment or assault were even more likely to skip school or classes. For example, students who had been physically

harassed because of their sexual orientation or physically harassed or assaulted because of their gender expression were about three times as likely to have skipped a day of school in the past month. Comparing the LGBT students in the 2005 NSCS with students from the study of the general secondary school student population conducted by GLSEN and Harris Interactive, LGBT students were more than five times more likely to report having skipped a day of school in the past month than the general population of students.



The average GPA for students who were frequently physically harassed because of their sexual orientation was half a grade lower than that of other students (2.6 versus 3.1).

This pervasive sense of jeopardy in school may contribute to disparities in educational aspirations between LGBT students and their peers. Comparing 2005 NSCS data with a study of the general secondary school population conducted in 2004 by the National Center for Education Statistics (NCES), LGBT students were twice as likely as the NCES national sample to say that they were not planning on completing high school or going on to college. Within the 2005 NSCS sample, LGBT students who experienced more frequent verbal or physical harassment on the basis of sexual orientation or gender expression were more likely to report that they did not plan to go on to college than those LGBT students who were not subject to such harassment.

The severity of students' experiences of harassment directly correlates with lower academic achievement. Students who reported more frequent harassment on the basis of their sexual orientation or gender expression also reported significantly lower grade point averages (GPAs) than students who experienced less frequent harassment. The disparity was particularly striking in the case of physical harassment: the average GPA for students who were frequently physically harassed because of their sexual orientation was half a grade lower than that of other students (2.6 versus 3.1).

Intervention and Support

Another dimension of school climate for LGBT youth is the availability of positive resources about LGBT-related issues and of supportive faculty or staff. In the 2005 NSCS, we included several questions designed to provide data on the availability of such interventions and their impact on school climate for LGBT students.

School Policies for Reporting Harassment. Having a policy or procedure for reporting incidents of harassment in school is an important tool for making schools safer for all students. While a majority of the students surveyed (68.3%) reported that their school had a policy for reporting incidents of harassment and assault, less than a quarter of all respondents (22.2%) attended a school with a



Less than half (43.8%) of students who reported incidents of victimization to school staff said that the actions taken by school authorities to address the situation were effective.

policy that specifically mentioned sexual orientation, and only a tenth (10%) were at a school with a policy that mentioned gender identity/expression.

When such policies or procedures exist and are enforced, schools are sending a message to the student population that victimizing behaviors will not be tolerated. Having a comprehensive school policy – one that specifically mentioned sexual orientation and/or gender identity/expression – was related to a lower incidence of hearing homophobic remarks, and to lower rates of verbal harassment. Students at

schools with comprehensive policies also reported higher rates of intervention by school staff when homophobic remarks were made. They were also much more likely to report harassment to school authorities who, in turn, were more likely to respond effectively.

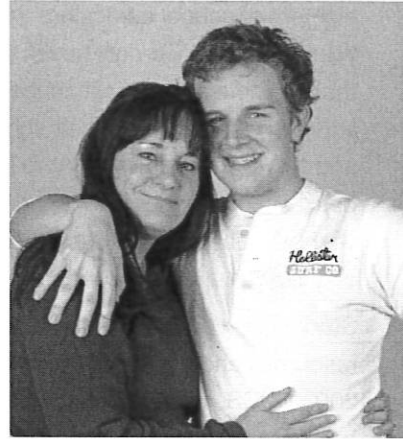
Supportive School Personnel. Supportive school staff can make a tremendous difference in the experience of LGBT students. Nine out of ten students surveyed knew at least one member of their school's staff who was supportive of LGBT students. The presence of supportive staff contributed to a range of positive indicators, including greater sense of safety, fewer reports of missing days of

school, a greater sense of belonging at school, and higher incidence of planning to attend college. The results further indicated that having a “critical mass” of supportive staff, more than simply one or two, is what may produce the best outcomes for LGBT students. For example, with regard to feeling unsafe at school, students who knew of many supportive staff at their school were much less likely to report feeling unsafe than their peers who did not have any supportive staff, yet there was no difference between those students who had no supportive staff and those who only had one or two.

Student Clubs. For many LGBT students and their allies, clubs that address LGBT student issues, such as Gay-Straight Alliances (GSAs), may offer critical support. Nearly half (47.2%) of the students surveyed reported that their school had a GSA. The presence of these clubs did indeed have a positive relationship to student experiences. Students in schools with a GSA were less likely to feel unsafe, less likely to miss school, and more likely to feel that they belonged at their school than students in schools with no such clubs.

Resources and Curriculum. An inclusive curriculum – one that provides positive representations of LGBT history, people and events – may promote a more positive learning environment for LGBT students. Yet the vast majority (81.7%) of students reported that they had never been taught about LGBT people, history or events in school. Furthermore, the majority of those who had learned something about these issues in school reported that representations of LGBT issues were somewhat or very positive, and those students exposed to such positive representations were much less likely than their peers to miss school because of feeling unsafe. In addition, they demonstrated a greater sense of school belonging.

Results from the 2005 survey showed a significant negative impact from another



Students in states with comprehensive anti-bullying and harassment laws experienced significantly lower rates of verbal harassment. Nine states and the District of Columbia prohibit discrimination or harassment on the basis of sexual orientation, and four of those states also include protections on the basis of gender identity.

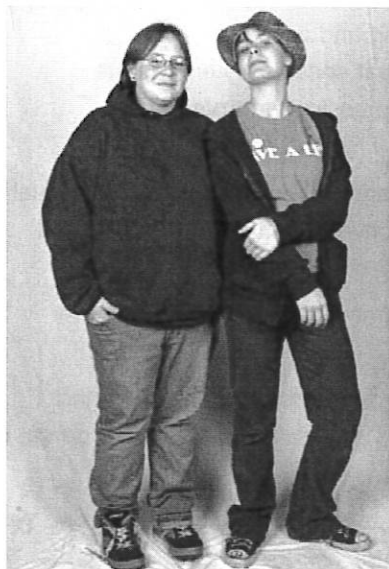
element of school curriculum that has become more common over the past few years – abstinence-only health education, i.e. health or sex education programs that promote sexual abstinence until marriage. Nearly half (44.6%) of the students surveyed reported that their school followed an abstinence-only health curriculum, and these students were more likely to have experienced verbal harassment on the basis of sexual orientation, and were more likely to have missed school in the past year because they felt unsafe. Students at schools that followed an abstinence-only curriculum also reported having fewer supportive faculty/school staff.

Students responding to the 2005 NSCS reported few changes in access to resources and support compared to the 2003 NSCS respondents. Whereas in the 2003 NSCS, we saw substantial gains from 2001 in the number of students who had GSAs at their schools, there was a small decrease from 2003 to 2005. Nevertheless, the number of students in 2005 who had GSAs in their schools continued to be higher than in 2001. Similarly, the percentage of students who could identify supportive teachers or who would feel comfortable discussing LGBT issues with a teacher, principals and/or school counselors increased from 2001 to 2003 but dropped slightly in 2005. The availability of LGBT-related information in school, either in the library or via the school Internet, decreased from 2001 to 2003 and remained unchanged from 2003 to 2005.

State Legislation about LGBT Issues in Education. State legislation regarding LGBT issues in education also shapes school climate. Seven states currently have legislation in place that prohibits the positive portrayal of homosexuality in schools. Students from these states were more likely to report higher incidences of homophobic remarks and experiences of verbal harassment in school than students from other states. Not surprisingly, students in these states were also less likely to have access to supportive resources, such as a GSA or LGBT resources in the library or via the school Internet.

In contrast, nine states and the District of Columbia prohibit discrimination or harassment on the basis of sexual orientation, and four of those states also include protections on the basis of gender identity. Students in those states experienced significantly lower rates of verbal harassment than their peers. Nine other states have generic “anti-bullying” laws that do not specifically define “bullying” or list the categories of prohibited behaviors. The rates of verbal harassment in those states were no different than the rates in states with no law at all, and both were significantly higher than the rates in states with specific legislative language.

Conclusions and Recommendations



The results of the 2005 National School Climate Survey demonstrate that school continues to be a dangerous place for many LGBT students. The majority of the students whom we surveyed heard homophobic remarks frequently, felt unsafe at school because of their sexual orientation, and had experienced verbal harassment at school. Many also reported experiencing physical harassment, physical assault and sexual harassment at school.

It is particularly discouraging to note that there has not been consistent progress on the issue of LGBT students' safety in school since our 2003 survey. In fact, the most widespread indicators of a hostile climate for LGBT students – hearing the expression “that’s so gay” used in school and direct verbal harassment because of one’s sexual orientation – remain unchanged since 2001. And in a climate where many states have increasingly sought to ban GSAs specifically, student reports of having a GSA in their school have dropped slightly since 2003, and fewer students have access to information about LGBT issues via the Internet.

There are indications that students in specific schools (or even states) where positive steps have been taken have experienced concrete improvements to school climate. However, those students remain in the minority. While some states, districts and individual schools have made progress in implementing supportive policies or providing in-school support, the majority of our nation’s students are not covered by comprehensive legislation or policy, nor do they have access to school resources supportive of LGBT students.

8-15

It is clear that there is an urgent need for action to create a safer school climate for all students. The 2005 NSCS illustrates the ways in which the presence of effective legislation or policy and in-school resources and supports can have beneficial effects on school climate, students' sense of safety, and, ultimately, on students' academic achievement and educational aspirations. There are steps that all concerned stakeholders can take to remedy the situation:

- **Advocate** for comprehensive anti-bullying and anti-discrimination legislation at the state and federal level that specifically enumerate sexual orientation and gender identity/expression as protected categories alongside others such as race, faith and age;
- **Adopt and implement** comprehensive anti-bullying policies in individual schools and districts, with clear and effective systems for reporting and addressing incidents that students experience;
- **Support** student clubs, such as GSAs, that address LGBT issues in education;
- **Provide training** for school staff to improve rates of intervention and increase the number of supportive faculty and staff available to students; and
- **Increase** student access to appropriate and accurate information regarding LGBT people, history and events.

Taken together, such measures can move us towards a future in which every child learns to respect and accept all people, regardless of sexual orientation or gender identity/expression.

About GLSEN

GLSEN, or the Gay, Lesbian and Straight Education Network, is the leading national education organization focused on ensuring safe schools for all students. Established nationally in 1995, GLSEN envisions a world in which every child learns to respect and accept all people, regardless of sexual orientation or gender identity/expression. For more information on our educator resources, research, public policy agenda, student organizing programs or development initiatives, visit www.glsen.org

GLSEN's Vision

GLSEN envisions a world in which every child learns to respect and accept all people, regardless of sexual orientation or gender identity/expression.



90 Broad Street
2nd Floor
New York, NY 10004

www.glsen.org

Testimony of Terecie Miller
In Support of HB 2310
Senate Education Committee
March 12, 2007

Good afternoon Chairwoman Schodorf and members of the committee. Thank you for the opportunity to speak to you today.

My name is Terecie Miller, a senior at Wichita East High School. I'm here today to speak in favor of HB2310.

One of my best friends has been verbally and physically bullied since we were ten years old. Growing up, Patrick was more feminine than the other boys and they noticed. Patrick was teased because of his pretty, glittery notebooks and things. Children can be cruel, but the abuse got worse as we got older. Soon we were sophomores in high school, Patrick still was unsure of his sexuality, but was harassed constantly. One boy in particular harassed Patrick every chance he got. Our teacher tried to punish him, but there was little she could really do; all that was able to be done was write him up for a classroom disruption and he'd be back at it the next day. I stood up for my friend, and the harassment turned to me. I'd walk by and he'd sneeze "dyke." On one occasion, this boy threw a paper airplane at me that had "God Hates Fags" written across it.

One day I'd had enough, so I said so, and he went off about how faggots were disgusting and how I was just a stupid dyke standing up for my faggot friend. I went to the administration and my only option was to file a Sexual Harassment report. The boy was suspended for a day and removed from one of the two classes I had with him. So, while the bullying was suppressed slightly from the sexual harassment incident, he was still in another class with both Patrick and I and made harassing comments on a regular basis.

Why is it that my only option was a sexual harassment complaint? Why aren't there standards for bullying and discrimination against gay teens the same as they are for others? Why was he permitted to return to school when he had continuously harassed both me and my friend in a way that should have been completely unacceptable? The grade school play yard is where it starts, and it continues everyday all through school. Why continue to put children through this if something can be done about it?

At Wichita High School East, we are blessed with an administration that does what they can, but this is not always the case. In many other schools, students feel not only singled out by their peers, but also abandoned by the people who are supposed to be protecting them. Because they have been abandoned, the students feel intimidated and the bullying continues. Patrick has many friends who protect him from the bullying and harassment that he has endured school, but not every student is that fortunate.

It does not matter what a person thinks about gay teens. What does matter is that my friends are being harassed and bullied throughout school. Passing a law that will protect all kids from this kind of treatment is a responsibility I ask you not to ignore. Protecting students should be a number one priority, and now we have the chance to do something about it. Please, pass this bill and protect me and my friends.

Thank you for your time and have a nice day.

Senate Education Committee
3-12-07
Attachment 9

Testimony of Ashlee Renken
In support of HB2310
Senate Education Committee
March 12, 2007

Good afternoon Chairwoman Schodorf and members of the committee. My name is Ashlee Renken, a senior at Wichita East High School. I'm here today to ask you to vote for HB2310.

I went to a middle school in Topeka, and it wasn't the greatest. I never really had a friend or a boyfriend. I had short hair, and started wearing guys clothes more. I was always called a dyke, and at the time didn't know what it meant, but later found out. I never did anything about it, but inside, it hurt me. I was at a new school and had no friends, and was semi-starting to realize who I was.

By 8th grade, I thought of myself as a horrible person and that I would never amount to anything. I began cutting myself due to stress and all the emotional and verbal abuse. I wore long sleeve shirt to hide the scars.

By 9th grade, at a new school, the name calling started all over again. I kept to myself while I struggled with finding who I was, and it wasn't easy. I had kids come up all the time and ask me if I was gay. I was always stared at and told I looked like a guy, and called names. It made me feel worthless.

I played varsity soccer as a Freshman, and was the talk of the team because I was really good. I still didn't feel that great about myself though, and I hated being in the locker room because I was always harassed and looked down upon. I stopped cutting, but started burning myself.

Halfway through 10th grade, we moved to Wichita, and I started going to East High. East isn't as bad as my other high school, and I was able to be myself. I dressed, acted, talked and did what I wanted to, even though there was still the occasional "dyke" or "fag" or "you're disgusting" shouted at me. I still felt like I was nothing, but by 11th grade I was doing better. I liked my classes and other girls were actually talking to me.

I still put myself down all the time, but I've had to learn to not let things get to me. I haven't burned or cut myself in over a year. The staring still gets to me, but I'm more used to it now. It still affects me every day, all the abuse I went through in coming out and realizing I wasn't straight.

It hurts that I'm always reminded of what I've gone through by my scars, but I walk with my head high. I know I'm a good person.

Please help other kids not have to go through what I have, and vote for HB2310. Thank you.

*Senate Education Committee
3-12-07
Attachment 10*



Kansas Children's Service League

Giving Kids Our Best. For Over 100 Years.

Toll-free
877-530-5275
www.kcsl.org

Testimony before the Senate Education Committee
Chair: Senator Jean Schodorf
Re: Sub. For HB 2310
Date: 3-12-07

Madame Chair, members of the committee. Thank you for the opportunity to speak on behalf of H.B. 2310. My name is Gina McDonald and I am the Vice President of Education and Awareness for the Kansas Children's Service League (KCSL).

Locations

Abilene	Lakin
Andover	Leoti
Cimarron	Liberal
Clay Center	Manhattan
Concordia	Marysville
Council Grove	Olathe
Deerfield	Pittsburg
Garden City	Pratt
Hays	Salina
Hugoton	Satanta
Hutchinson	Scott City
Johnson	Stafford
Junction City	Topeka
Kansas City	Ulysses
Kingman	Wichita

Kansas Children's Service League is a not for profit agency serving children and families across the state. In our 114 years, KCSL has provided a range of services driven by community need, spanning the areas of prevention, early intervention, treatment and placement. KCSL also has a long a rich tradition of advocating for the needs of Kansas children and their families as reflected in our mission. Our collective efforts are aimed at keeping children safe, families strong and communities involved.

KCSL is also the state Chapter for Prevent Child Abuse America. (PCAA) Their mission is to prevent the abuse and neglect of our nation's children.

You have already heard from on the founding members of PCAA, SuEllen Fried. SuEllen talked to me about Bullying in schools in September and after doing research, she made a believer out of me.

HB 2310 would begin the process of defining Bullying in schools and on school grounds.

The bill could also encourage that as part of their plan that school districts create options for people to be able to report bullying incidences anonymously. We believe that if people feel protected from retribution they are more likely to report those incidences.

School districts may tell you this is another unfunded mandate. Some will be concerned about loss of local control. But as the data shows, this issue exists in every school district.

If these behaviors were exhibited outside a school environment, they would

Kansas Children's Service League is the Kansas Chapter of Prevent Child Abuse America, a member of the Child Welfare League of America and the United Way. Accredited by the Council on Accreditation of Services for Families and Children.



*Senate Education Committee
3-12-07
Attachment 11*

be considered misdemeanors and felonies. If adults treated children in the way some children treat each other it would be considered child abuse. For the victim, there is no difference. For the victim who either gives up and avoids going to school, or drops out, or commits suicide, or comes back to school with a gun, this is child abuse and they believe they have no other way out.

Some schools already have good programs to deal with bullying; others could use more tools to deal with it. This bill would require all districts to create a formalized plan to reduce incidences of bullying.

We appreciate the work done by the House Education Committee on this bill, but we ask that you include one more item. **Please add Cyber Bullying to the definition of bullying on line 17 right after the words “physical act adding including cyber bullying”.**

Please consider passage of this bill. Remember the statistics. Let's begin to make a step before we have a "Columbine".

Thank you for the opportunity to testify before you today. I will be happy to stand for questions.

Gina McDonald, M.R.A
Vice President of Education and Awareness
Kansas Children's Service League
227 N. Santa Fe Ste 205
Salina, KS 67401
785-825-2677 ext.1407
gmcDonald@kcsL.org

BULLYING

FAST FACTS

1. There were **6,808** incidences of **VIOLENCE** against Kansas students last year.
2. There were **646** incidences of **VIOLENCE** against faculty in Kansas Schools last year.
3. There were over **4,000 CRIMES** committed on school grounds in Kansas schools last year.
4. Since 1993 there were **36 SCHOOL SHOOTING** incidents in the United States, resulting in the death of 72 children and adults and injuring 115.
5. **TRUANCY** is a continuing problem in all schools in Kansas. No state data is kept on truancy because each school district defines truancy differently and no overall data is kept.
6. **SIX PERCENT** of Kansas high school kids **DROP OUT OF SCHOOL** prior to graduation according to the United States Census.
7. From 1995 to 1998, **FIVE CHILDREN** between the ages of 10 and 14, and **28 CHILDREN** between between the ages of 15 and 19, committed **SUICIDE** in Kansas.

EXPERTS BELIEVE THERE IS A STRONG CORRELATION BETWEEN BULLYING AND THE BEHAVIORS AND INCIDENTS LISTED ABOVE.

8. On the web site BullyPolice.org, **KANSAS RECEIVED AN "F"** on their state report card regarding their response to bullying.
9. **TWENTY-SEVEN STATES** have bullying laws in place. **NINE ADDITIONAL STATES** are in the process of working on bullying legislation.

For more information about bullying and ways to prevent bullying contact Gina McDonald at (785) 825-2677, ext. 1407.



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January 24, 2007

Schools Act to Short-Circuit Spread of 'Cyberbullying'

New Laws, Policies Attempt To Address Harassment That Originates Off Campus

By ANNE MARIE CHAKER
 January 24, 2007; Page D1

Kylie Kenney heard a crescendo of whispers and jeers as she moved through an otherwise unremarkable eighth-grade school day. The reason: Word had spread of a Web site posted by some of her peers, titled "Kill Kylie Incorporated."

The site featured a list of crude insults, beneath the heading: "She's queer because... ." It seemed everyone in school had read it. Distressed, she reported the site to the school but says that the impact of the bullying was so severe that she eventually changed schools. "I still have emotional damage," says Kylie, now a 10th-grader.

Kylie's story underscores a growing problem for school administrators and local officials: how to handle so-called cyberbullying. As long as there have been kids, there have been bullies. Now, emboldened by the anonymity available online, a bully can be nastier -- and with the click of a mouse, have a far broader audience -- than in the past. What may once have been snickers in the hallway can now be an excruciatingly public humiliation spread via email, text messaging and online teen forums.




Michael Meister

Schools and local officials have been hearing increasing calls from parents to step in. But educators are torn between the desire to stop bad behavior and the limits on their ability to intervene. Much of the badmouthing takes place on home computers and off school grounds, where schools have little or no authority. An official at Kylie's former school, Frederick H. Tuttle Middle School in South Burlington, Vt., declined to discuss specifics of her case, though an attorney says, "The school acted appropriately in all respects."

Now, school officials, states and even Web sites are taking action. Educators and state legislatures in Florida, South Carolina, Utah, Oregon and elsewhere are creating new policies that deal with cyberbullying, either incorporating electronic harassment into existing bullying policies, or spelling it out as an entirely new threat. In doing so, they are often crafting language that allows educators to intervene even in off-campus incidents if the activity affects the school environment.

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MySpace.com, the popular networking site, last fall released a guide for school administrators, advising them to contact the site about false or offensive user profiles or to report threats or cyberbullying. It also created a hotline and email address for the exclusive use of school officials to contact MySpace.

The challenge is that students, like everyone else, have First Amendment rights that school officials can't cross. In 1969, the Supreme Court ruled that to suppress student speech on campus, a public school must show it aims to prevent "substantial disruption" in the classroom rather than "a mere desire to avoid the discomfort and unpleasantness that always accompany an unpopular viewpoint."

Later this year, the justices will consider whether public school officials can suppress student speech off campus, in a case where a Juneau, Alaska, high-school principal suspended a student for unfurling a banner reading "Bong Hits 4 Jesus" on a sidewalk where students had gathered. The case could have implications for other forms of off-campus speech, such as online postings.

Some schools aren't waiting. In Florida, the Pasco County school board added language about cyberbullying to its code of conduct for the current school year. Its language states that "the school board has no duty to regulate or review off-campus Internet messages, statements postings, or acts" but adds that when those acts "threaten violence against another student or otherwise disrupts the learning environment or orderly conduct of the school," the school can take action, from conferencing in parents and students, to expulsion.

Linda Crosthwait, assistant principal at Leawood Middle School in Leawood, Kan., has her own rule of thumb for mean-spirited rumors online: "If it's carried into the classroom in some way -- a fight in school or something said in school -- then [the posting] becomes a piece of what we can deal with," she says.

These positions reflect the growing view of many school officials that electronic harassment that happens off campus can affect a student's education -- and therefore be a punishable offense. In Oregon last year, the state association of school boards consulted with the state Justice Department to draft policy language specific to cyberbullying. While state law already requires school districts to have a bullying policy in place, local districts wanted additional clarification.

The guidance provided from the state association says that "any form of harassment using electronic devices...is prohibited and will not be tolerated in the district." It leaves open the possibility that the school's reach could extend off campus.

"There's always the legal discussion of 'if it doesn't happen at school, can a district take action?'" says Joe Wehrli, policy-services director for the Oregon School Boards Association. "If a student is harassed for three hours at night on the Web and they come to school and have to sit in the same classroom with the student that's the bully, there is an effect on education, and in that way, there is a direct link to schools," he argues.

Plan of Action

Here are some excerpts from MySpace.com's guide for school administrators on cyberbullying

- If a student is a victim of cyberbullying on MySpace



The decisions aren't easy. The National School Boards Association hosted an online discussion two months ago titled "Postings, Protection and Policies: What School Leaders

Need to Know About Teen Hangouts" -- specifically online forums. Lawyer Kimberly Jessie Cunningham advised school leaders to warn parents that "the district is limited in its ability to discipline" bad behavior online. She characterized "substantial disruption" under the law as including such things as shutting down the school computer system for multiple days because too many students attempted to access bullying comments online.

"School administrators need to understand that their authority stops at the schoolhouse door," says Witold J. Walczak, legal director of the American Civil Liberties Union of Pennsylvania.

Jill Eckel, principal at Sussex County Charter School for Technology, a middle school in Sparta, N.J., recently got wind of a student's MySpace page laced with discussion of an upcoming fight involving students at her school. But the brawl was to take place away from campus.

"I sat for a long time, thinking, 'Is it my responsibility to call the parents?'" Ms. Eckel recalls. "I've had parents tell me it's not my business" to patrol online activity. In the end, she says, she alerted a parent she trusted, who in turn got in touch with the parents involved.

At Pope John XXIII High School in Sparta, N.J., principal Msgr. Kieran McHugh aims to keep it simple. He outright banned the use of MySpace last school year after hearing about students posting content he considered inappropriate. Now, "we monitor it," says Father McHugh, who has contacted parents when students have been found posting on the site. That, he says, has eliminated any further instances. As a private organization, a Catholic school has more leeway over student conduct than does a public school, since it isn't bound by the same First Amendment rules that limit government suppression of speech. (By the same token, a private religious school can mandate prayer or religious lessons, which public schools may not.)

Several states passed laws or other measures in 2006 that addressed bullying that can happen in cyberspace. Idaho's law that seeks to prohibit student bullying and harassment allows that such acts can be "committed through the use of a land line, car phone or wireless telephone or through the use of data or computer software that is accessed through a computer, computer system or computer network."

South Carolina's Safe School Climate Act to prevent school bullying includes "electronic communication" in its definition of harassment.

In a new rule that went into effect earlier this month, Utah's State Board of Education amended its existing discipline guidelines for districts to include policies specific to bullying. The changes also included a definition of cyberbullying, requiring districts to offer students and teachers training that would broadly address "electronic means for aggression inside or outside of school."

Write to Anne Marie Chaker at anne-marie.chaker@wsj.com¹

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(1) <mailto:anne-marie.chaker@wsj.com>



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Cyber Bullies Prompt New State Laws

Cyber Bullying

Email: Lindsay.Shively@wibw.com

"Cyber-bullying"...its been making national headlines as a growing problem...prompting some states to take action. Kansas lawmakers are battling school bullying too, and whether its on line or on their phone, students right here in Topeka face the problem. 13's Lindsay Shively headed to a local high school to hear how students and administrators deal with it.

It's a new way of doing what schoolyard bullies have done for years...So I went to Topeka West High School to talk about this technological taunting and a new law making its way through the Statehouse.

Freshman principal Robert Hachiya says web sites and text messages are the new weapon of choice. "The explosion of cell phones has changed everything." "Text messages, ahh...all day long." Hachiya says last year, when a student complained she was being bullied, he caught a "taunting texter" red-handed. "I had her phone and it was going off as I was holding it." "And cyber bullying can be more vicious, kids we talked to say kids send things in text messages they wouldn't have the courage to say to their face."

"The things you say on a text message, you ain't saying on the phone." "Usually it's just name calling, but if you get on someone's really bad side, its threats like you better watch out." "She would always talk about how she was gonna get me." "Stuff that cuts deep so you have to have thick skin." Stories like these are exactly why states from Rhode Island to Oregon are trying to pass laws to limit or stop cyber bullying...including Kansas.

The House Education Committee wrote a bill that would direct local boards of education to adopt anti-bully policies, and cyber bullying is no exception. "Anytime you have something new, you have to figure out the best strategies about how to deal with it, so it certainly was an issue in looking at the bullying bill."

Topeka West does have some policies that can help block cyber bullying. Students aren't allowed to use phones during the day... "Mine's going off right now." But it's a hard policy to police. And students aren't supposed to be able to get on web sites like Facebook at school.

As far as a new state law, some kids think it won't stop the cyber cycle. "Just because it's a rule, doesn't mean people will follow it."

Experts say kids often don't let on that they are victims of cyber bullies...So keep an eye on their computers and phones. And if parents suspect a problem...work with your child's school administrators to try and solve it.

The Kansas anti-bully law made it through the house and now awaits senate approval.

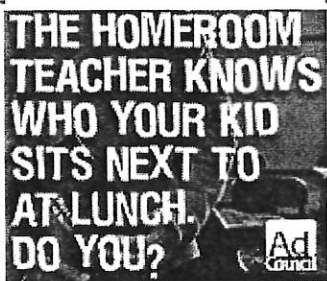
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HOME > PARENT RESOURCES > OUR CHILDREN MAGAZINE : THE NEWEST BREED OF BULLY, THE CYBERBULLY

My Articles

The Newest Breed of Bully, the Cyberbully

By Charlene C. Giannetti and Margaret Sagarese

A high-schooler was surprised, and alarmed, to find out that he was the subject of a Web page called "Welcome to the Page That Makes Fun of Dave Knight." The page was filled with derogatory comments from David's classmates about David and his family. Among the accusations, David was described as a pedophile using the date rape drug on young boys.

Following a trip to Toronto, a middle school girl found no one would talk to her when she returned to classes. Using text messaging on cell phones, someone had started a rumor that she had caught SARS (Severe Acute Respiratory Syndrome) while traveling.

An overweight boy in Japan changing clothes in a school locker room didn't know a classmate used a picture phone to photograph him. The photos were soon posted on the Internet and forwarded to many of his classmates.

Cyberbullying, using new communication technology to torment others, is taking humiliation to a frightening level. Hiding behind the anonymity of the Internet, cyberbullies are able to hurl threats, spread rumors, trash reputations, and damage fragile egos, usually without being caught. The incredible scope of the Internet means that a cyberbully can reach millions with the click of a mouse.

"Rather than just some people, say 30 in a cafeteria, hearing them all yell insults at you, [a Web page] is up there for 6 billion people to see," David Knight told a Canadian TV reporter. "You can't get away from it."

Adolescents love new technology, everything from the Internet to iPods, from camera phones to camcorders. Parents, who foot the bill for their children's electronic toys, remain oblivious of the dangers for misuse. According to the 2000 study *Online Victimization: A Report on the Nation's Youth*, by the University of New Hampshire's Crimes Against Children Research Center, one in 17 kids ages 10 to 17 has been threatened online, and about one-third of them found the incident very upsetting. A 2002 study done in Great Britain by NCH, a children's charity, said that one in four students had been bullied online.

In the past, experts were most concerned about adults threatening children online. Now, however, an increasing number of complaints involve kids menacing their schoolmates.

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Charting new legal territory

Because cyberbullying is such a new phenomenon, school and law enforcement officials in the United States and other countries are still sorting out the legal technicalities. "Most of what is done online is protected as free speech," says Frannie Wellings, policy fellow at the Electronic Privacy Information Center in Washington, DC.

In contrast to print publications, where individual stories are checked for libel and accuracy, the atmosphere surrounding websites is freer. "An editor of a newspaper or magazine has to make a conscious decision about what happens in his pages," observes Wellings. "There is a lot of history on what has happened to publishers who were sued," she adds. Because of the vastness of cyberspace, few screening mechanisms exist. "Imagine the bureaucracy of policing everything online," says Wellings. "An Internet Service Provider [ISP] would have to go to great lengths and spend a lot of money." As a result, most ISPs maintain that they are merely a conduit for individuals who want to post information online. Most ISPs have policies telling people not to post offensive material, but that warning is often ignored.

While some of what is published online may seem libelous (i.e., intended to harm the reputation of another), proving that point can be difficult and expensive. In order to prove libel, you have to prove malicious intent, something that might prove difficult if the offending Web page was put up by an adolescent. And many times, freedom of speech wins out.

Unless an actual crime has taken place, law enforcement officials often are unable to arrest anyone, even if they can identify the culprit. According to Lt. John Otero, commanding officer of the computer crime squad for the New York City Police Department, individuals would actually have to post a direct threat in order for the police to act. "For example, if they say, 'tomorrow I am going to hurt, kill, or injure an individual,' that would constitute a crime," he explains. A person posting such a threat could be arrested and charged with aggravated harassment. Although Otero says his department has seen some arrests, anyone under the age of 18 would not be dealt with harshly: "If the kid is too young, he would get a scolding and the incident would be brought to the parents' attention; if they are under 16, they are considered minors."

Most of what police departments see, however, does not constitute an actual crime. "What we get is a lot of 'he said, she said,' not unlike what you would find in the boys' room, only now they are doing it using electronics," says Otero.

Since most cyberbullying originates on home computers, school administrators resist getting involved. Officials at David Knight's school refused to take action, for example, saying they couldn't uncover who put up the Web page. David's mother complained to Yahoo, the host for the Web page, but weeks later, the page was still up. Unable to withstand the pressure, David finished his final year of high school from home.

Same bullying, different form

Like cliques, cyberbullying reaches its peak in middle school, when young adolescents are trying to figure out who their friends are and whether they fit in. "Third- and 4th-graders are just having fun with computers," says Loretta Radice, who taught computer skills to middle-schoolers in public and private schools for more than 15 years. Radice is now director and technology consultant for RADICEL Educational Technology Services in New York, and holds private computer classes for children and adults.

Too many parents, she believes, get bogged down in the new technology and forget that cyberbullying is, at its core, just another

form of bullying. "A child who is bullying other children in cyberspace has been bullying earlier," says Radice. Similarly, a child who is being victimized online has probably suffered other abuse.

Hiding behind the anonymity of the Internet emboldens some bullies. Kids feel free to say things on a computer screen that they would never say face-to-face. A cyberbully can feel removed from his actions, almost as if someone else, his alter ego perhaps, is doing the taunting. Without seeing the consequences of his behavior (the hurt or tears on another child's face), how can a bully feel sympathy for his victim, or remorse?

While the cyber-bully believes he cannot be caught, Radice notes that everyone leaves footprints in cyberspace. "Everything is traceable," she says. "Kids often don't realize that."

For example, anyone putting up a Web page in cyberspace needs to pay with a credit card. If your child is being taunted online, you can type in the name of the Web page on www.whois.com and find out who paid for the offending page.

Similarly, e-mails and instant messages (IMs) can be traced through screen names and addresses provided by the ISP, such as America Online. Uncovering the culprit may take time, effort, and possibly even the help of a technology expert, but it can be done. "Sometimes bullying can be refuted because everything is verbal and there is no trail," explains Beth Madison, principal of George Middle School in Portland, Oregon. With cyberbullying, however, children can be taught to print out offending messages. Madison says a girl in her school printed out offensive IMs. Armed with the evidence, her parents were able to come to the school and ask for advice. Madison coached them on how to respond to the other parents. The meeting took place, Madison says, and the cyberbullying stopped.

Patti Kinney, principal of Talent Middle School in Talent, Oregon, and president-elect of the National Middle School Association, says that she will work with parents if their children are being harassed online. "If we can help, we will give it our best shot," she says. "If the incident is beyond our control, we will help them contact the police or an ISP."

Yet, in the final analysis, there's only so much that the police and school officials can do to stop a cyberbully. Otero, who lectures frequently to school officials and parents, believes the solution comes back to "Parenting 101." "Most of the time, these kids are better equipped to deal with computers than their parents [are]," he observes. "Most parents don't have a clue what their kids are doing online." He advises parents not to use the computer as a babysitter and to educate themselves on the new technology.

Strategies to protect your children

Even with cooperative school officials, parents remain on the front line protecting their children. Here are some strategies parents can implement:

- Learn about the new technologies. If you are unfamiliar with the Internet, now is the time to start surfing the Web. Learn the many ways that children can bully electronically, through IMs, e-mails, blogs (Web logs that are online diaries), and videos that are downloaded from camcorders or picture phones.
- Talk about values. The technology may have changed, but kindness and decency should still be top priorities for everyone.
- Guard passwords. A bully can use another child's screen name to send out offensive e-mails. Tell your child not to share passwords

with friends and to change passwords frequently.

- Talk to your child if you believe he is the victim of a bully. Oftentimes a child being tormented by a cyberbully will be too embarrassed to tell a parent or teacher. Make sure your child knows he's not to blame for being targeted and that he should report any incident to you or an adult at school.
- Keep copies. Having documentation of the cyberbullying will strengthen your case if you need to report it to school or other authorities. Otero advises not to delete the original e-mail, even after you have printed it out. "There may be something in the original [e-mail] header that would lead us to the source," he says.
- Lobby your school. Even if cyberbullying happens outside of school, the repercussions spill over into the classroom. Computer etiquette should be on your school's agenda.
- Stress the Internet's impact. An e-mail sent to one child can be forwarded to hundreds. Old e-mails and IMs may resurface and get even a well-meaning child in trouble. Encourage your child to think before clicking.

Charlene Giannetti and Margaret Sagarese are coauthors of several books for parents of young adolescents, including The Roller-Coaster Years: Raising Your Child Through the Maddening Yet Magical Middle School Years; Cliques: 8 Steps to Help Your Child Survive the Social Jungle; and What Are You Doing In There? Balancing Your Need to Know with Your Adolescent's Need to Grow. They lecture to parent, teacher, and student groups across the United States.

Home : News :

Remorseful bully shares spotlight with victim

The Associated Press

Published Wednesday, January 24, 2007

LEE'S SUMMIT, Mo. — Lee Domann was so haunted by the way his seventh-grade classmate Howard Ray was bullied at their northeast Kansas school that, decades later, he wrote a song of apology.

The 1981 song, "Howard Gray," has been recorded by more than 20 folk and gospel artists — including Domann himself — and become the centerpiece of an anti-bullying curriculum used at schools nationwide.

On Monday, Domann and Ray appeared in public together for the first time, talking to sixth-graders at Meadow Lane Elementary School in this Kansas City suburb.

"Howard Gray, Howard Gray, I can't believe I joined them all, treatin' you that way," sang Domann, an ordained Methodist minister who now lives in New Mexico. "I wanted to apologize but I was too afraid, of what they would think about me, Howard Gray."

Ray, a 59-year-old Topeka, resident with a weathered face and long, gray ponytail, kept the beat, tapping his black cowboy hat against his knee.

Domann's ballad grew out of the taunting and physical bullying he saw inflicted on Ray, who was from a poor family, at their school in Oskaloosa, Kan. In the song, Domann sings of his deep regret at laughing along and his failure to stand up for the boy.

Ray eventually dropped out of school, and the two lost touch as Domann pursued his musical career and a musical ministry. But after "Howard Gray" began gaining airplay in the 1980s, Domann sent his old classmate a letter and a copy of the song — and Ray later surprised him by showing up at the funeral of Domann's father.

In school Monday, Ray said he is doing "nothing, really" these days but that his life is "all right."

One student, Daniel Sander, said he is teased about being short and a slow runner. Seeing Domann and Ray together got him thinking that he could make peace with his enemies — "if they would apologize."

"I could forgive them," Sander said, "if they asked me."

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Testimony
Senate Education Committee – HB 2310
March 12, 2007
Kathy Cook, Executive Director
Kansas Families United for Public Education

Madam Chair and Members of the Committee:

Thank you for the opportunity this afternoon to testify in favor of HB 2310. While Kansas Families United for Public Education recognizes that our school districts, and school personnel, do a remarkable job in taking care of our students --- we believe that there is always room for improvement where student safety is concerned. Bullying continues to be a persistent worry for parents and students alike.

One week ago today, the Governor of Iowa signed into law, a bill to ban bullying. Iowa became the 10th state to enact such legislation and we look forward to Kansas becoming the 11th state to do so.

We have all heard “kids will be kids” and “boys will be boys,” but the truth is that bullying can, and does, lead to negative behavior --- and with that behavior comes negative consequences. Those consequences include an increase in absenteeism, decreased student performance, and can even lead to violence and vandalism. While many adults embrace individuality, our youth that are perceived to be “different” are truly at great risk.

While we support this legislation we believe that it should go even further to be effective. We believe that enumeration is critical. We would support the addition of enumerate categories that protect students regardless of their age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status or family status. Every child has a right to feel safe and secure in their school, classroom and at after school activities. The bill passed in Iowa does

We would like to point out that the costs of society’s failure to prevent, and/or stop, acts of bullying are enormous. In 2005 a Kansas student was awarded \$250,000 from a school district for their failure to protect him. We would argue that the “real costs” occur when students fail to perform to their fullest potential, or even more regrettably, when they leave school all together.

This bill now includes “character education,” and while we support character education, we would contend that teachers and school districts have been teaching character education since the beginning of time. Many school districts already have “character education” programs in place and although we would encourage school districts to continue to add and build on those programs we are concerned that the fiscal note associated with the character education program could potentially derail the bullying ban which Kansas students desperately need.

We encourage you to support this legislation as a first step to ensure that we are doing everything possible to eliminate the climate of fear created by bullies in our schools.

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*Senate Education Committee
3-12-07
Attachment 12*

Testimony in favor of House bill 2310

I'm Cindy Patton, Executive Director of Topeka City of Character. We are a non-profit, non-religious organization that promotes good character in the City of Topeka. We share a grant from the US Department of Education with a Topeka School District, USD 501 for a research study of a comprehensive Character Education project at Topeka Public Schools. I am also the former Principal of Cair Paravel-Latin School here in Topeka.

I am testifying in favor of House Bill 2310. The bill requires schools to pass policies concerning bullying. That bill was amended on the House side to include Character Education as well. We are in our 4th year of the grant cycle and are seeing some great results from the Character Education program at USD 501. We have several components to the Character Education program, which not only includes an anti-bullying project, but also provided Character Education to students.

I have included in your materials a copy of the bulletin developed by Character First! specifically for our project. This bulletin is given to students each month featuring a Character Quality of the month. As you can see the bulletins meet educational standards, provide historical biographies or accounts that illustrate the character quality, and provide nature stories about how animals have behavior instincts which illustrate Character qualities that help them be successful in their habitats. This month's Character Quality is Discernment. This school year's Character qualities included such qualities as Diligence, Flexibility, Enthusiasm, Cautiousness and Benevolence. School Counselors teach the content of the Bulletins each month to all students. There are also incentives for students to go home and discuss character goals and education goals with parents. Other features of the program include the following:

- Student planners feature the Character qualities, definitions and statements of practical applications.
- Students set Character Goals with teachers and parents.
- Students who demonstrate good character are recognized by certificates, walls of character and assemblies.
- Character posters are hung on the walls of each classroom.
- Character trading cards are used in middle school classrooms.
- The Character Quality of the month is used in morning announcements.
- Olweus bullying prevention program is now being started in pilot projects in middle schools.
- COOL Club pilot project started at Robinson Middle School. COOL stands for Character Offers Opportunities in Life. Students are responsible for being an ambassador for the Character Qualities and participate in service learning projects.
- Character Education is featured at Professional Development conferences. A new online web-based program is just now being launched to teach all employees in the district how to encourage good character in their students. Teachers can earn graduate credit from Friends University or continuing education credit by taking these online courses.

Senate Education Committee
3-12-07
Attachment 13

OUTCOMES – these are the result of the Character First programs – outcomes for anti-bullying program are not yet available as training was just begun last spring and this fall.

- The number of students setting educational goals increased from 20% to 55%.
- Attendance rates increased from 92% to 95%.
- Graduation rates increased from 76% to 84%.
- The number of total yearly suspensions decreased from 3641 to 3066.
- The number of students setting character goals increased from 500 a year to 4394 per year.
- Student surveys at USD 501 conducted by Austin Peters Group showed an increase in positive responses in areas related to character attitudes. For example, some questions measured student's truthfulness (such as my parents trust me, people can count on me to tell the truth). Others measured responsibility (students in my class treat each other with respect, I accept responsibility for my behavior). Work ethic was measured by such questions as I do my homework daily or I believe it is important to do my best. Student surveys showed an increase in the students' ratings of themselves with regard to truthfulness, responsibility, work ethic, self-confidence, quality of life, generosity and academic achievement.
- Communities that Care Data showed decreases in negative behaviors such as cheating, stealing and dishonesty. These decreases occurred in spite of steady or increased negative behaviors in students in Kansas as a whole.

I would like to add that several of the anti-bullying programs do have research to back them up as well, just not from this particular study. Olweus anti-bullying training is one of the programs that is research based.

Good character is as important as academic achievement in preparing our students for the 21st Century. When you look at the top 10 things employers are looking for in employees, most of them involve character qualities such as punctuality, creativity, responsibility and respect. There have been alarming increases in disrespect, dishonesty, lying and stealing by students as measured by Character Counts surveys of students, Communities that Care surveys and experiences of teachers in school districts. Dropping graduation rates and lowering test scores indicate declines in the work ethics of students. Any teacher will tell you she is having more behavior problems with students. This program is just one tool he or she can use to improve student behavior.

Benjamin Franklin said "Without virtue, man can have no happiness in this world." Martin Luther King, Jr. stated, "I have a dream that my four children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character." I truly believe that by helping our children develop good character we will increase their opportunities in life and help make this nation a place where all are treated with respect and decency.

Cindy Patton

discernment:

understanding the deeper reasons why things happen



51



Cindy Patton | executive director

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Do what is right, whatever the cost.

alertness • attentiveness • availability • benevolence • boldness • cautiousness • compassion • honor • hospitality • humility • initiative • joyfulness • justice • loyalty • meekness •

flexibility • forgiveness • gentleness • generosity • gratitude • wisdom • truthfulness • virtue •

When all character qualities are incorporated into our lives in balance, we are at our best. One character quality should not overshadow or ignore other qualities.

Practical suggestions to incorporate this month's character quality, Discernment, into your life:

- ask questions
- don't judge hastily
- learn from experience
- don't repeat mistakes
- trace problems to their causes

discernment:

understanding the deeper reasons why things happen

What do you think?
teoc2@sbcglobal.net or 785-233-3699

*"The final forming of a person's character lies in their own hands."
-Anne Frank*

thoroughness • sincerity • sensitivity • self-control • security • responsibility • resourcefulness •

contenment • creativity • decisiveness • deference • dependability • obedience • orderliness • patience • persuasiveness • punctuality

KANSAS
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Testimony on **HB 2310 – Bullying and Character Education**
before the
Senate Education Committee

by

Mark Tallman, Assistant Executive Director/Advocacy
Kansas Association of School Boards

March 12, 2007

Madam Chair, Members of the Committee:

As we have done on a number of other bills before this Committee this session, KASB regrettably appears in opposition to **HB 2310**. Regrettably, because we certainly agree with the basic intent of the bill: to reduce incidents of bullying and support the development of positive character traits among public school students. But we believe many of the same arguments we have raised in the past to new school mandates also apply to this bill.

Section 1 requires school districts to adopt policies prohibiting bullying. Virtually everything defined as bullying is already against state law and every school district policy. Are there really a lot of students in our schools that need a new school district policy to know that intimidation, threats, physical or mental harm, etc., are prohibited? Are there really schools that need a state law to tell them to prohibit these actions?

The second mandate in section 1 requires school districts to adopt and implement a plan to address school bullying, including training for staff and students. We certainly believe that school districts are attempting to do just that, regardless of whether or not they have a formal plan. But consider what might be part of such a plan:

- More effective training of staff on how to identify and address bullying behaviors.
- More supervision of students outside the classroom, on the bus, in the hallway, in the lunchroom.
- More school security.
- More intervention to help students with social issues, such as counselors, social workers, etc.
- More time to work with students on behavior of social skills.

*Senate Education Committee
3-12-07.
Attachment 14*

The first four of these activities are “non-instructional” items that count against the Legislature’s “65 percent” goal for spending money “in the classroom.” Each of these items must compete against all of the other demands on school district resources, from higher teacher salaries to higher test scores. None of these directly meet the Standard and Poor’s standard of school “efficiency,” which measures only math and reading tests; nor do they directly relate to the requirements of the No Child Left Behind Act or school accreditation.

Section 2 of the bill requires school districts to provide “character development and instruction” beginning in next school year, in grades kindergarten through eight (although the Kansas State Board of Education is required to “authorize and assist” in implementing such programs in grades K-12). As we have said with other curriculum mandates, either the proposed activities are already being done, in which case the bill is unnecessary, or they are not being done, in which case schools will either have spent additional money or time (or usually, both) or cut something else to offset the time and cost of additional requirements.

We therefore suggest that any new curriculum mandate should have a study to determine what it will add to the cost of required state programs, or what other state mandates should be dropped. This bill would add to the list of requirements studied by the Legislative Post Audit Outcomes Cost Study, which was NOT fully funded by the Legislature under the three-year plan.

As we said at the beginning, both sections of **HB 2310** are worthy goals, and there are other steps the state could take to support them. First, if the intent is to raise awareness of issues and urge school districts to address them, these issues could be the focus of one or two resolutions directed at the State Board and local school districts. Second, the Legislature could provide the State Board with resources to provide school districts with more technical assistance to address these issues. Third, the Legislature could create financial or other incentives to help develop programs in this area without diverting resources from other goals. Fourth, the Legislature could add to the woefully under-funded state professional development program, since both of these issues would require staff training and curriculum development.

In short, if these issues are important enough to require school districts to provide more attention and funding, they should be important enough for the state to provide attention and funding.

Thank you for your consideration.



KANSAS NATIONAL EDUCATION ASSOCIATION / 715 SW 10TH AVENUE / TOPEKA, KANSAS 66612-1686

Terry Forsyth, Testimony
Senate Education Committee
March 12, 2007

House Bill 2310

Madam Chair, members of the committee, thank you for the opportunity to appear before you today to share our thoughts on **House Bill 2310**.

This bill is a well intentioned response to the significant problem of bullying experienced by many of our students today. We applaud the intentions of the bill while at the same time we have questions about new details added by an amendment to the bill.

We understand the significance of the problem of bullying. We have worked on efforts to counter that problem.

Our Association has developed programs that are used in many places in Kansas and across the United States to counter this negative behavior. Our program – developed in a joint project of the NEA Women and Girls Center for Change and the Wellesley College Center for Research on Women – is divided into three sections. Bullyproof is for students in the primary grades, Quit It! is for intermediate students and Flirting or Hurting is for middle school and high school students. The three programs work together moving from teasing to bullying to sexual harassment as they address issues appropriate to the age of the students.

KNEA offers a professional development training program for this series and we have a cadre of trained professionals who can deliver the training to faculties anywhere in Kansas at no cost. If a school likes what they see, they can purchase the teachers guides for a steeply discounted price through KNEA.

Recently our legal department created a program regarding cyber-bullying. This area is rarely addressed in current programs but is important in addressing student to student bullying.

The bill, as amended, causes us great concern as an unfunded mandate. While the intention of the amendment is laudable, the time necessary to implement it, the fiscal impact and professional training components make the bill worrisome. We do not believe that the State Department of Education has the time or the funding to develop the necessary standards and guidelines called for in the bill. We do not believe that the full fiscal impact of the bill on local school district budgets has been considered. We are concerned about the amount of professional development necessary for staff to implement the amendment in a meaningful way.

While the intent of the bill is good, until the details of implementation are more fully developed we will remain neutral in our support.

*Senate Education Committee
3-12-07
Attachment 15*

**Testimony on HB 2310
Senate Education Committee
March 12, 2007**

Submitted by:
Dr. John Heim, Superintendent, Emporia USD 253
on behalf of the United School Administrators of Kansas

Thank you for the opportunity to submit testimony to this committee on HB 2310, a bill related to bullying in schools and character education. I am testifying today as superintendent of Emporia public schools and on behalf of the United School Administrators of Kansas (USA|Kansas).

The Emporia school district and all administrators are committed to ensuring that each and every child in Kansas receives a quality education in a safe and non-threatening environment. Districts recognize the negative impacts of bullying. In fact, many districts have implemented policies to discourage and eliminate this type of behavior. Local policies are evaluated for their effectiveness and modified, as deemed necessary and appropriate.

Administrators support efforts to eliminate bullying and the fully recognize the role that schools play in developing character within our students. To that end, we support the underlying intent of HB 2310.

However, while we support the *intent* of the proposed legislation, **we do not support the substitute bill, as we have concerns about unnecessary and undue administrative burdens that may be imposed on districts and schools.**

Specifically, the proposed legislation would require the Kansas State Board of Education to develop curriculum and materials for character development programs for implementation in the 2007-2008 academic year. Imposing additional mandatory curriculum requirements will have a significant and potentially negative impact on student schedules and existing programs. Administrators and teachers will be forced to make determinations about allocation of resources (time and money) to accommodate additional requirements within the constraints that exist within the current academic schedule.

Furthermore, the short implementation period would not allow adequate opportunity for meaningful input into the development of curriculum and materials; it also does not provide

Senate Education Committee
3-12-07
Attachment 16

sufficient time for administrators and teacher to identify potential innovative ways to implement new mandated curriculum requirements.

Our position continues to be that those in closest proximity to students – school and district administrators – are in the best position to identify potential problems, develop and implement policies, and evaluate their effectiveness.

I ask that you thoughtfully consider the proposed legislation and oppose mandating new curriculum requirements on districts.

In closing, on behalf of education administrators, I would like to thank you for your continued support of education respectfully request that you reconsider the most effective and appropriate way to ensure a safe and non-threatening school environment for our students. Preparing our children requires a shared commitment, collaboration, and open dialogue among all stakeholders. Thank you for being partners in education.