Senator Martin Looney
Senate Majority Leader

On

Raised Bill 1138: An Act Concerning the Strengthening of School Bullying Laws

Committee on Education

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Senator Stillman, Representative Fleischmann and members of the committee, thank you for this opportunity to testify in support of Raised Bill 1138: ***An Act Concerning the Strengthening of School Bullying Laws***. I strongly believe that the potentially harmful effects to a child from being bullied in school cannot be overstated. I suspect we all can agree on that. The U.S. Department of Education confirms that the potential harm goes well beyond lowered academic achievement and increased absenteeism. Children who are bullied can suffer depression and post-traumatic stress, a general deterioration in physical health, increased anxiety, loss of self-esteem and confidence, and even self-harm and suicidal thinking. And we know that in the most tragic of circumstances these physical and emotional effects from being bullied can lead to suicide itself.

I therefore believe that it may be our educational system's most urgent imperative to prevent school bullying to the greatest extent possible. We simply owe it to our children to give them a safe and nurturing environment in school. That is our obligation – and it is their basic right.

To that end, we must ensure that our state bullying laws are as effective as possible when it comes to preventing, and not just punishing, school bullying. In 2008 we took strides in that direction, passing a law requiring school districts to adopt detailed, formal anti-bullying policies including prevention and intervention strategies, and requiring school staff to mandatorily report bullying. However, I now believe that we need to further strengthen our laws.

The first step in strengthening our school bullying laws and effectively protecting our children is to adequately define what activities constitute school bullying. Significantly, Raised Bill 1138 expands the definition of school bullying to include "cyber-bullying", bullying through the use of electronic devices, or on the Internet, wherever and however it occurs. *Essentially, our school bullying laws have been outflanked by the lightning quick evolution of technology and social media, and we now must adapt accordingly.* When our bullying laws were last amended in 2008, no one could have foreseen the coming prevalence of Facebook, Twitter and other forms of electronic social media and communication, which now can provide a devastating forum for students to engage in bullying. And it is not as if our students are immune from this revolution of social media

– quite the opposite, they are at its forefront, often the first users of and first to be vulnerable to each new advance in online social media.

In addition to cyber-bullying, the Bill also expands the definition of school bullying to include certain other behavior that occurs off school grounds. If a child is being bullied by another student anywhere outside of school, and that bullying either creates a hostile environment for or infringes on the rights of the bullied student at school, it will now be treated as school bullying. In just the past year both Massachusetts and New Jersey have gone in this direction. In 2008, we gave school districts the option of addressing off-site bullying. Now, we should join our neighboring states and ensure our children this added protection.

The next significant step taken by Bill 1138 to strengthen our laws and improve our school climates is to require annual training for all school employees in preventing, identifying and responding to bullying. School employees are defined as broadly as possible to include every adult who has regular contact with students, whether directly employed by the school or instead by a contractor. Oftentimes it can be a coach, school bus driver or cafeteria worker – not just a teacher or administrator -- that witnesses bullying behavior. Not only must they and all other adults be required to report the bullying, as they arguably are under current law, but they must also be provided training to recognize and respond to it, and to have a heightened awareness of state and school policies and strategies to foster positive school climates. Under the Bill, the State Department of Education is required to provide this training, under its discretion. It can be either in person or through an on-line module. It would make a real difference in our schools if all school employees annually complete either in-person or on-line training on bullying prevention and fostering safe school climates.

Next, Raised Bill 1138 addresses the issue of bullying prevention and fostering safe school climates by ensuring that districts and schools have a significant number of adults regularly thinking about these issues, and who are specifically devoted to implementing safe school plans and strategies as part of their professional roles. This devoted human infrastructure is critical for effectiveness and accountability purposes. They can be the actors who help ensure that all aspects of our school bullying law are more than just words on a page. Modeled after provisions in New Jersey's bullying law, section 9 of the Bill requires that each district appoint a safe school environment coordinator from its existing employees; that each school designate a safe school environment specialist from its existing employees, and that each school form a safe school environment team with regularly scheduled meetings, made up of the principal, teachers and parents.

With regard to section 9 of the Bill, I want to make a few specific comments. First, while lines 361 and 362 of the Bill specify that the safe school environment coordinator be a school guidance counselor or psychologist, I support broadening that language so that the Principal is instead empowered to appoint any school employee to that position, including him or herself. Critically, the 2008 bullying law amended section 10-222d to require each school to identify the appropriate personnel to take and investigate bullying reports, specifying "pupil services personnel" as possible candidates for that role. If Bill

1138 is enacted, the individual at each school currently responsible for investigating bullying should be able to keep that role, and now take on the title of safe school environment coordinator. Moreover, with regard to the safe school environment team, it is possible that a school already has a committee in place, perhaps a school improvement or climate committee for example, that is equipped to take on the additional roles specified in the bill. To account for those cases, I support adding language to the bill allowing the school or district to demonstrate the adequacy of this existing human infrastructure to the SDE, instead of creating an entirely new committee. What is important is that the responsibilities with regard to bullying prevention and fostering safe school climates should be carried out in each school in the state, by a team made up of adults from various sectors of the school community, including parents.

Bill 1138 contains several other critical improvements to our current bullying laws. School employees are required to report bullying the same day they witness it, and in writing within 2 days, to the school's principal or safe school specialist who then must investigate the incident in a timely manner. Retaliation or discrimination against individuals who report bullying is prohibited. One school day each year is designated as "Safe School Awareness Day". Beginning teachers and administrators are required to undergo specific training before receiving certification. Finally, school employees are given civil immunity for their good faith actions in reporting and responding to bullying, so that they will not be deterred by fear of litigation.

I look forward to working with the Committee on this critically important issue. Thank you.