

SB845

DAVID IGE  
GOVERNOR



CATHERINE PAYNE  
CHAIRPERSON

STATE OF HAWAII  
**STATE PUBLIC CHARTER SCHOOL COMMISSION**  
**(‘AHA KULA HO‘ĀMANA)**

<http://CharterCommission.Hawaii.Gov>  
1111 Bishop Street, Suite 516, Honolulu, Hawaii 96813  
Tel: 586-3775 Fax: 586-3776

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FOR: SB 845 Relating to Bullying  
DATE: Wednesday, February 4, 2015  
TIME: 1:30 p.m.  
COMMITTEE(S): Senate Committee on Education  
Senate Committee on Human Services and Housing  
ROOM: Conference Room 229  
FROM: Tom Hutton, Executive Director  
State Public Charter School Commission

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Chairs Kidani and Chun Oakland, Vice Chairs Harimoto and Green, and members of the Committee:

Thank you for the opportunity to submit these written comments on Senate Bills 845 and 865, "Relating to Bullying," both of which would establish various requirements for public schools and other entities related to the prevention and intervention.

The State Public Charter School Commission ("Commission") is strongly committed to ensuring that all students have safe and supportive learning environments in Hawaii's public charter schools. We would like to bring some considerations to the Committees' attention as they consider these proposals:

- We note that the Commission, as the authorizer of public charter schools, does not provide direct services to youth in any context in which its own adoption of bullying policies, programs, training, and reporting contemplated by the bills would appear relevant.
- The requirements of the proposals may prove administratively challenging for public charter schools, which typically are lightly staffed. The Commission appreciates the role of the proposed task force in making assistance and resources available to schools.

Thank you for your consideration of these comments.



**STATE OF HAWAII**  
STATE COUNCIL  
ON DEVELOPMENTAL DISABILITIES  
919 ALA MOANA BOULEVARD, ROOM 113  
HONOLULU, HAWAII 96814  
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543  
February 4, 2015

The Honorable Michelle N. Kidani, Chair  
Senate Committee on Education

and

The Honorable Suzanne Chun Oakland, Chair  
Senate Committee on Human Services and Housing  
Twenty-Eighth Legislature  
State Capitol  
State of Hawaii  
Honolulu, Hawaii 96813

Dear Senator Kidani, Senator Chun Oakland, and Members of the Committees:

SUBJECT: SB 845 and SB 865 – Relating to Bullying

The State Council on Developmental Disabilities (DD) **SUPPORTS THE INTENT OF SB 845 and SB 865**. The purpose of the bills is to require all youth-serving agencies, public schools, and public charter schools that receive State funding to establish, maintain, monitor, and enforce policies and procedures related to all forms of bullying and cyberbullying to protect youth in the State.

People with DD are most vulnerable to be bullied. Bullying has been labeled as the leading cause of high suicide rates among our youth. According to the U.S. Centers for Disease Control and DOE, Hawaii has the highest rate in the nation of high school students who have made suicide plans.

According to the National School Boards Association, currently, Hawaii does have State laws covering anti-bullying. However, Hawaii does not have a State model policy that provides for a Communication Plan, which includes a plan for notifying students, students' families, and staff, of policies related to bullying, including the consequences for engaging in bullying. Nor does it provide Training and Preventive Education, which includes a provision for school districts to provide training for all school staff, including, but not limited to, teachers, aides, support staff, and school bus drivers, on preventing, identifying, and responding to bullying. Without such a policy to provide guidelines, institutions and agencies are not able to effectively address the issues of bullying.

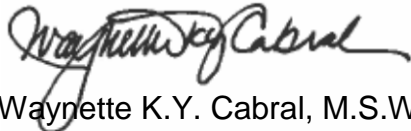
SB 845 and SB 865 address the need for policies. SB 865, although comprehensive, will be challenging to implement, monitor, and enforce. There is a third anti-bullying bill, SB 978, which appropriates funds to support anti-bullying and suicide

The Honorable Michelle N. Kidani  
The Honorable Suzanne Chun Oakland  
Page 2  
February 4, 2015

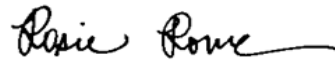
prevention efforts in Hawaii's public schools. We respectfully recommend that these three bills be consolidated into one omnibus bill and be the vehicle to move forward during this legislative session.

Thank you for the opportunity to submit testimony **supporting the intent of SB 845 and SB 865.**

Sincerely,



Waynette K.Y. Cabral, M.S.W.  
Executive Administrator



Rosie Rowe  
Chair

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [EDU Testimony](#)  
**Cc:** [tabalos@hsta.org](mailto:tabalos@hsta.org)  
**Subject:** \*Submitted testimony for SB845 on Feb 4, 2015 13:30PM\*  
**Date:** Tuesday, February 03, 2015 10:24:34 AM

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**SB845**

Submitted on: 2/3/2015

Testimony for EDU/HSB on Feb 4, 2015 13:30PM in Conference Room CR229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tanya Abalos	Hawaii State Teachers Association	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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# HAWAII YOUTH SERVICES NETWORK

677 Ala Moana Boulevard, Suite 702 Honolulu, Hawaii 96813

Phone: (808) 531-2198 Fax: (808) 534-1199

Web site: <http://www.hysn.org> E-mail: [info@hysn.org](mailto:info@hysn.org)

Daryl Selman, President  
Judith F. Clark, Executive Director  
Aloha House  
American Civil Liberties Union of Hawaii  
Bay Clinic, Inc.  
Big Brothers Big Sisters of Honolulu  
Big Island Substance Abuse Council  
Blueprint for Change  
Bobby Benson Center  
Catholic Charities Hawaii  
Child and Family Service  
Coalition for a Drug Free Hawaii  
Courage House Hawaii  
Domestic Violence Action Center  
EPIC, Inc.  
Family Programs Hawaii  
Family Support Hawaii  
Hale Kipa, Inc.  
Hale 'Opio Kauai, Inc.  
Hawaii Behavioral Health  
Hawaii Student Television  
Healthy Mothers Healthy Babies Coalition  
Hina Mauka Teen Care  
Hui Malama Learning Center  
Kaanalike  
Kahi Mohala Behavioral Health  
KEY (Kualoa-Heeia Ecumenical Youth)  
Project  
Kids Hurt Too  
Kokua Kalihi Valley  
Life Foundation  
Marimed Foundation  
Maui Youth and Family Services  
Palama Settlement  
P.A.R.E.N.T.S., Inc.  
Parents and Children Together (PACT)  
Planned Parenthood of Hawaii  
REAL  
Salvation Army Family Intervention Svcs.  
Salvation Army Family Treatment Svcs.  
Sex Abuse Treatment Center  
Susannah Wesley Community Center  
The Catalyst Group  
The Children's Alliance of Hawaii  
Waikiki Health Center  
Women Helping Women  
YWCA of Kauai

February 2, 2015

To: Senator Suzanne Chun Oakland, Chair  
And members of the Committee on Human Services

## **TESTIMONY IN SUPPORT OF SB 845 RELATING TO BULLYING**

Hawaii Youth Services Network (HYSN), a statewide coalition of youth-serving organizations, supports SB 845 Relating to Bullying.

For the past 6 years, bullying has been one of the top concerns of the youth who participate in the annual Children and Youth Summit at the State Capitol each October.

According to the Hawaii Youth Behavioral Risk Survey, Hawaii has a low rate of youth violence in almost every area except bullying. The number of youth who have stated that they were afraid to go to school or have missed school due to bullying is much higher than the national average.

Children and youth who are victims of bullying are not able to take full advantage of their educational and recreational opportunities. They are unable to concentrate on their studies, may avoid participation in sports and recreation to avoid contact with bullies, and, in extreme cases, find the bullying so intolerable that they choose suicide as the only way to end it.

HYSN believes that that funding should be allocated to support a comprehensive approach to bullying prevention and intervention that includes:

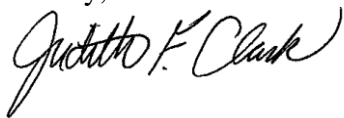
- Bullying prevention education and character education for children and youth designed to promote peace and harmony and positive ways of resolving disputes;
- Education for parents and community members on how to prevent bullying and respond appropriately;

- Training for educators and students on prevention and intervention skills, and alternative means of dispute resolution;
- Law enforcement involvement only when other means fail.

HYSN has conducted bullying and violence prevention training for youth workers and educators in Hawaii and the Northern Mariana Islands for the past 4 years and is a member of the Anti-Bullying Task Force convened by Senator Suzanne Chun Oakland.

Thank you for this opportunity to testify.

Sincerely,

A handwritten signature in black ink that reads "Judith F. Clark". The signature is written in a cursive style with a large, sweeping initial "J".

Judith F. Clark, MPH  
Executive Director



3 February 2015

The Hon. Michelle N. Kidani,  
Chairwoman,  
Senate Committee on Education  
State of Hawai'i  
Honolulu, HI

Aloha, Madam Chairwoman and Education Committee Colleagues:

It is my honor to offer this written testimony in support for SB845, the Safe Schools for All Students Act (SSASA), which the committee is scheduled to hear tomorrow afternoon. I write on behalf of Equality Hawai'i, the state's largest political, social justice and advocacy organization for the LGBT community and our allies.

The Legislature took an important step forward in 2011 with passage of Safe Schools Act. But in the years since, we've come to know more intimately that the Safe Schools Act needs to be strengthened significantly to provide the protection and care that children who study in our public schools or who are served by other agencies of the state so fundamentally deserve. The legislation you'll consider tomorrow will do that. Here's how:

- SSASA will create a standard definition of bullying for all public schools, state agencies that serve youth and grantees (including private schools that receive state funds). It will also enumerate the standard characteristics recognized by law elsewhere for which students are commonly bullied, such as race, religious affiliation, gender, sexual orientation and gender identity.
- SSASA mandates annual bullying prevention training for teachers and other staff who deal with youth. Intervening in bullying situations is already a legal requirement for these professionals, and it is our strong position that giving them such a responsibility without ongoing training is unfair to those employees, a potential liability for schools and agencies and, most of all, unacceptable for our children. Through universal training and creating a single bullying standard, we can ensure that no matter which arm of the state or which of our public school campuses are serving our youth, they and their families can expect a consistent, quality standard of response.
- SSASA will mandate creation of a gubernatorial task force that will articulate a model



*Sen. Kidani / page 2*

anti-bullying policy for consideration by schools and affected agencies. It will also identify free and low-cost options for bullying prevention/intervention training that will meet the demands of this law and mitigate any strain on training budgets.

It's important to know that SSASA would address all of the above in service of **all of our keiki**. Equality Hawai'i primarily serves LGBT individuals and interests, and while we recognize that LGBT youth all too often bear a disproportionate share of the bullying burden, we also recognize that a law and policies that provide relief to LGBT youth will be helpful for everyone.

It is in that spirit that Equality Hawai'i strongly encourages the members of the Senate Education Committee to pass this measure so that it may be considered by your colleagues and ultimately become law. Our children and our families deeply appreciate your attention to their safety and wellbeing.

Mahalo,

*Todd Simmons*

Todd Simmons  
Executive Director  
Equality Hawai'i

**GAY LESBIAN  
BISEXUAL AND  
TRANSGENDER  
CAUCUS**



**DEMOCRATIC PARTY  
OF HAWAII**

**Senate Education Committee**

Senator Michelle N. Kidani, Chair  
Senator Breene Harimoto, Vice Chair

**Senate Education Committee**

Senator Suzanne Chun Oakland, Chair  
Senator Josh Green, Vice Chair

February 4, 2015, 1:30 p.m.  
Senate Conference Room CR229

**House Committee on Education**

Rep. Roy M. Takumi, Chair  
Rep. Takashi Ohno, Vice Chair

**House Committee on Higher Education**

Rep. Isaac W. Choy, Chair  
Rep. Linda Ichiyama, Vice Chair

February 4, 2015, 2 p.m.  
House Conference Room 309

**IN STRONG SUPPORT OF THE SAFE SCHOOLS FOR ALL STUDENTS ACT  
AS SET FORTH IN PERTINENT PARTS OF THE FOLLOWING BILLS [SB845](#), [SB865](#) and [HB819](#)**

In the afternoon of February 4, 2015, four committees in two houses will hear three bills relating to bullying in the schools – all entitled “The Safe Schools for All Students Act.” This demonstrates the intensity of interest and commitment by our legislators to get something done about bullying in the schools. I am reminded of the folk song “Blowin’ in the Wind,” which I paraphrase: “How many deaths will it take ‘til we know that too many students (teachers, counselors, family members, neighbors) have died?” We can no longer let the answer “blow in the wind!”

The DOE has had a policy on its books for decades, yet students still suffer and die. This is primarily because DOE makes student safety an “elective.” It is left to each principal to determine whether or not bullying should be addressed. As a result, poll after poll report unacceptable numbers of bullying incidents and uneven reporting and statistics among the campuses. The DOE 2013 survey of Hawai'i schools reported more than 2,500 incidents of bullying, cyber bullying and harassment. In the same year a survey showed that 20% of high school students reported being bullied on school property, which means that at 2,500 incidents, bullying is being underreported!

Bullying is not just a school problem. It is a societal problem! I remember attending a hearing on bullying in a prior session when the Committee Chair verbally abused a committee member – a no one seemed to notice the irony, because it is the warp and woof of our culture! Times are changing, and we must change with them.

While bullying is a pervasive, national, societal problem it exacts its hardest toll on adolescents – young adults who look to their peers for validation, young adults for whom school and after-school programs make up the vast majority of their current life experience. “Experts also tend to fix blame on factors external to schools: severe mental illness, access to guns, or media violence, especially video games. While these issues surely play a role in the high incidence of such events, we need to ask a more fundamental question: What occurs in schools themselves – the sites, after all, of the shootings – that causes so many students to become unhappy, anxious, depresses, and motivated by rage? *THE BULLY SCHOOL* by Jessie Klein, New York University Press, 2012, page 1.

It is imperative that we stop blowing answers in the wind and get into action. Therefore, the Gay, Lesbian, Bisexual and Transgender Caucus of the Democratic Party of Hawaii supports the two bills which are most similar, SB845 and HB819, simply to expedite the legislative process. Further, we recommend that language from be incorporated to capture the salient distinguishing parts of SB865, to-wit: 1) an appeal process for a party who is not satisfied with the outcome of an initial investigation; 2) a statement that prohibits retaliation against any person who reports or witnesses incidents of bullying.

Thank you for giving us an opportunity to testify.  
Jo-Ann M. Adams, Legislative Liaison



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The Honorable Sen. Michelle Kidani  
Chair, Senate Committee on Education  
State Capitol, Conf. Room 229  
415 South Beretania Street  
Honolulu, Hawaii 96813

The Honorable Rep. Roy Takumi  
Chair, House Committee on Education  
State Capitol, Conf. Room 309  
415 South Beretania Street  
Honolulu, Hawaii 96813

February 4, 2015

Re: **SUPPORT for HB 819/SB 845, Testimony from the Human Rights Campaign before the House and Senate Committees on Education in support of the Safe Schools for All Students Act.**

Dear Chairperson Kidani and Chairperson Takumi:

The Human Rights Campaign (HRC) is America's largest civil rights organization working to achieve lesbian, gay, bisexual, and transgender (LGBT) equality. By inspiring and engaging all Americans, HRC strives to end discrimination against LGBT citizens and realize a nation that achieves fundamental fairness and equality for all. HRC believes that all youth deserve a safe educational environment that is free of bullying and discrimination on the basis of sexual orientation or gender identity. On behalf of HRC's nearly 6,000 members in Hawaii, we thank you for allowing us to submit testimony in favor of the Safe Schools for All Students Act (HB 819/SB 845), which will protect youth in Hawaii from bullying and discrimination. We urge you to swiftly pass this legislation.

The passage of this anti-bullying legislation is critical to ensure the safety and well-being young people in Hawaii. Bullying and harassment has become a serious public health crisis in our nation's schools. Nationally, sixty-five percent of teens have been verbally or physically harassed or assaulted based on a characteristic that makes them different from some of their peers, like their race, religion, or gender, and sixty-five percent of junior high school teachers report that bullying and harassment is a serious problem in their school.<sup>i</sup> In Hawaii in 2013, nearly 19% (1 in 5) of students reported being bullied on school property and more than 15% reported experiencing cyberbullying.<sup>ii</sup>

Bullying and harassment has often increased adverse effects on marginalized students, including those who identify as LGBT. A national survey of LGBT youth showed that nearly 75% of LGBT students experience verbal or physical harassment in school.<sup>iii</sup> LGBT students who experienced high levels of victimization were three times as likely to be absent from school and had grades on average a half a grade lower than their peers. Though these statistics reflect the experiences of LGBT students, consequences like absenteeism, lowered educational aspirations and academic achievement, and poorer psychological well-being can affect all students who experience bullying and harassment.



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Research demonstrates that a crucial part of addressing bullying and harassment in schools is the adoption of enumerated anti-bullying policies, meaning policies that protect all students but that identify characteristics that are commonly targeted for bullying and harassment. Enumeration is necessary to ensure that anti-bullying policies provide protection for marginalized students such as LGBT youth. Students who attend schools with enumerated policies report less bullying and harassment and a higher rate of intervention by teachers when bullying occurs.<sup>iv</sup> We applaud the sponsors of this legislation for making the Safe Schools for All Students Act as inclusive as possible and for specifically addressing discrimination against students.

The Safe Schools for All Students Act is more comprehensive than the majority of states' anti-bullying legislation because it applies to all youth-serving agencies in Hawaii. This will help ensure that young people feel safe and welcome in parks and in libraries as well as public and charter schools. Moreover, the bill places an emphasis on alternative discipline and preventive education, rather than exclusionary discipline or zero-tolerance policies. This is essential because exclusionary discipline policies do little to make schools safer, and they have an increased negative impact on marginalized students, such youth of color, LGBT youth, and youth with disabilities.<sup>v</sup> Finally, the bill creates an implementation task force to ensure that schools and agencies work together to address bullying in a concerted way across Hawaii.

We strongly support the Safe Schools of All Students Act, comprehensive anti-bullying legislation which will help ensure the safety of all youth in Hawaii. If you should have any questions regarding HRC's support for HB 819/SB 845, please contact me at 202-572-8960 or by email at [Alison.Gill@hrc.org](mailto:Alison.Gill@hrc.org).

Sincerely,

Alison Gill, Esq.  
Senior Legislative Counsel  
Human Rights Campaign

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<sup>i</sup> Harris Interactive and GLSEN (2005). *From Teasing to Torment: School Climate in America, A Survey of Students and Teachers*. New York: GLSEN. Available at

<http://www.glsen.org/sites/default/files/From%20Teasing%20to%20Torment%20Full%20Report.pdf>

<sup>ii</sup> Centers for Disease Control and Prevention. 2013 Youth Risk Behavior Survey. Available at: [www.cdc.gov/yrbs](http://www.cdc.gov/yrbs). Accessed on February 2, 2015.

<sup>iii</sup> Kosciw, J. G., Greytak, E. A., Palmer, N. A., & Boesen, M. J. (2014). *The 2013 National School Climate Survey: The experiences of lesbian, gay, bisexual and transgender youth in our nation's schools*. New York: GLSEN. Available at

[http://www.glsen.org/sites/default/files/2013%20National%20School%20Climate%20Survey%20Full%20Report\\_0.pdf](http://www.glsen.org/sites/default/files/2013%20National%20School%20Climate%20Survey%20Full%20Report_0.pdf)

<sup>iv</sup> Id.

<sup>v</sup> American Psychological Association Zero Tolerance Task Force (2008). *Are zero tolerance policies effective in the schools? An evidentiary review and recommendations*. *The American psychologist*, 63(9), 852-62.

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [EDU Testimony](#)  
**Cc:** [annsreed@gmail.com](mailto:annsreed@gmail.com)  
**Subject:** Submitted testimony for SB845 on Feb 4, 2015 13:30PM  
**Date:** Tuesday, February 03, 2015 1:49:05 PM

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**SB845**

Submitted on: 2/3/2015

Testimony for EDU/HSB on Feb 4, 2015 13:30PM in Conference Room CR229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ann S Freed	Hawaii Women's Coalition	Support	No

Comments: Federal statistics show that one-third of all students experience physical or cyberbullying. We see this issue play out too often in Hawai'i schools, with LGBT students too often paying the price. But girls are also subject to severe bullying and both LGBT and girls continue to suffer to often seeking relief in suicide. We cannot afford to allow this to continue. A poll of registered voters around our state released last year by Equality Hawai'i show that 92 percent said it is "important" for the state to take new steps to address bullying. THE SAFE SCHOOLS FOR ALL STUDENTS ACT recognizes that students often face bullying based on race, ethnicity, sexual orientation, gender and gender identity and other common characteristics and strengthens approaches to training and reporting. We can and should do better by our children than current law allows. Based on best practices nationwide, this bill will help us do that.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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# UNIVERSITY OF HAWAII AT MĀNOA

LGBT Student Services Office

TO: Senate Education Committee  
Conference Room 229  
February 4, 2015, 2:00p.m.

FROM: Camaron Miyamoto,  
Coordinator, LGBT Student Services  
University of Hawai'i at Mānoa



RE: **STRONG SUPPORT FOR SB845--The Safe Schools for All Students Act.**

Chair Kidani, Vice Chair Harimoto and Members of the Senate Education Committee:

Thank you for this opportunity to submit written testimony on behalf of the Office of LGBT Student Services at the University of Hawai'i at Mānoa in strong support of for SB845.

While my testimony is not the official stance of the University of Hawai'i, **my testimony is grounded in over 20 years of professional experience here in Hawai'i as a trainer, researcher and advocate in the areas of harassment, non-discrimination and bullying-prevention**; the areas of expertise for which I was awarded tenure as UH Mānoa faculty.

I co-founded the Hawai'i Safe Schools Coalition in 1999, which led the state-wide campaign to successfully add "race, ethnicity, national origin, sexual orientation, disability and religion" to the Department of Education definition of "harassment" in the Chapter 19 administrative rules relating to student misconduct.

In 2009 I worked with the University of Hawai'i Board of Regents to add "gender identity and expression" to the UH Policy of non-discrimination. I continue to conduct research and trainings for the University on bullying prevention, bystander education, and student empowerment.

Today, I encourage you to vote to support The Safe Schools for All Students Act because:

- **92% of registered voters indicated that it is "important" for the state to address bullying**, in a poll conducted by Equality Hawai'i.
- **Students want to focus on learning in the classroom, not looking over their shoulders.**
- **This law will empower existing advocates for students in our schools** and enhance anti-bullying networks and resources in Hawai'i.
- **All students deserve an education free from harassment**, intimidation, bullying or intolerance.

Our educational systems (P-20), must have stronger measures of accountability for institutions and appropriate systems for students in place if we, as a state, intend to stay free from further federal Department of Education inquiry. This is particularly true in relation to LGBTQ and gender-non-conforming young people.

I urge you to take proactive steps today. I ask you to please vote in support of SB845. Mahalo.



Committee: Committees on Education and Human Services and Housing  
Hearing Date/Time: Wednesday, February 4, 2015, 1:30 p.m.  
Place: Conference Room 229  
Re: Testimony of the ACLU of Hawaii **with Comments on S.B. 845**, Relating to Bullying

Dear Chair Kidani, Chair Chun Oakland, and Members of the Committees on Education and Human Services and Housing:

The American Civil Liberties Union of Hawaii (“ACLU of Hawaii”) writes with comments on S.B. 845, Relating to Bullying. The ACLU of Hawaii **supports Part III** (amending HRS § 302D-34 to prohibit discrimination based on gender identity and expression in Hawaii’s public charter schools), but believes that Part II, in its current form, is overbroad.

Although the ACLU of Hawaii believes that it is a laudable goal to eradicate bullying in public schools, we respectfully submit that S.B. 845 takes an overbroad approach. Although titled the “Safe Schools Act,” the proposed bill is far more reaching in scope. S.B. 845 requires, among other things, that any “agency” or “grantee” that provides services to youth must develop and implement various bullying prevention programs and reporting requirements. By its terms, the bill could apply to nearly every state agency and a multitude of grantees. If passed, the bill would result in scores of bullying prevention programs and reporting requirements that could vary in great degree and provide little certainty to youth about prohibited behaviors and consequences.

The ACLU of Hawaii would, however, support a more focused anti-bullying bill limited to the Department of Education to address bullying in state public and public charter schools. A more focused bill would be far more advantageous (and ultimately more successful) in preventing bullying behavior in Hawaii’s public schools.

Thank you for this opportunity to testify.

Daniel M. Gluck  
Legal Director  
ACLU of Hawaii

*The mission of the ACLU of Hawaii is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawaii fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawaii is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawaii has been serving Hawaii for 50 years.*

American Civil Liberties Union of Hawaii  
P.O. Box 3410  
Honolulu, Hawaii 96801  
T: 808-522-5900  
F: 808-522-5909  
E: [office@acluhawaii.org](mailto:office@acluhawaii.org)  
[www.acluhawaii.org](http://www.acluhawaii.org)



46-063 Emepela Pl. #U101 Kaneohe, HI 96744 · (808) 679-7454 · Kris Coffield · Co-founder/Executive Director

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## **TESTIMONY FOR SENATE BILL 845, RELATING TO BULLYING**

**Senate Committee on Education  
Hon. Michelle N. Kidani, Chair  
Hon. Breene Harimoto, Vice Chair**

**Senate Committee on Human Services and Housing  
Hon. Suzanne Chun Oakland, Chair  
Hon. Josh Green Vice Chair**

**Wednesday, February 4, 2015, 1:30 PM  
State Capitol, Conference Room 229**

Honorable Chair Kidani, Chair Chun Oakland, and committee members:

I am Kris Coffield, representing IMUAlliance, a nonpartisan political advocacy organization that currently boasts over 300 local members. On behalf of our members, we offer this testimony in support of Senate Bill 845, relating to bullying.

In a 2013 Qmark Research poll conducted on behalf of Equality Hawaii Foundation, 57 percent of registered voters said that they have been impacted by bullying. Many of those surveyed indicated having been bullied as youth. In 2012, from the start of the public school year to mid-December, there were 541 reported incidents of bullying, 94 cyberbullying incidents and 1,871 incidents involving harassment, according to statistics reported to the Hawaii State Board of Education. That year, students in the Aiea-Moanalua-Radford complex comprised 9 percent of state enrollment, but 12 percent of reported bullying incidents. Another 11 percent of reported bullying incidents occurred in the Honokaa-Kealakehe-Kohala-Konawaena complex, which has 5.8 percent of Hawaii's public school students. Moreover, some districts, like Hilo-Waiakea and Nanakuli-Waianae, reported no incidents of cyberbullying, raising questions about monitoring and compliance. In departmental surveys, 1 in 6 Hawaii high school students say that they have been bullied online or via text messages, while 20 percent reporting being bullied on school property. Nearly one-fourth of Hawaii middle-school students say they have been victims of cyberbullying and 41 percent reported being bullied at school.

Bullying precipitates depression and anxiety, increased feelings of sadness and loneliness, changes in sleep and eating patterns, loss of interest in enjoyable activities, health complaints, and decreased academic achievement. Bullied students are more likely to have subpar grade



point averages and standardized test scores, lower levels of class participation, and increased rates of absenteeism and dropping out. Local teenagers turn to suicide as a solution to their problems at a level that has more than doubled over the past five years. According to the national *2013 Youth Risk Behavior Survey*, Hawai'i high school students had the seventh highest self-reported prevalence of considering suicide, making a plan to commit suicide, and attempting suicide.

We must do all we can to end the cycle of bullying and self-harm. Mahalo for the opportunity to testify in support of this bill.

Sincerely,  
Kris Coffield  
*Executive Director*  
IMUAlliance

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [EDU Testimony](#)  
**Cc:** [honoluluprideparade@gmail.com](mailto:honoluluprideparade@gmail.com)  
**Subject:** Submitted testimony for SB845 on Feb 4, 2015 13:30PM  
**Date:** Tuesday, February 03, 2015 7:42:26 PM

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**SB845**

Submitted on: 2/3/2015

Testimony for EDU/HSB on Feb 4, 2015 13:30PM in Conference Room CR229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rob Hatch	Honolulu Pride	Support	Yes

Comments: Our students job is to go to school - they should have the same protects that they would have in a work setting this bill is step in the right direction!

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**To:** [EDU Testimony](#)  
**Cc:** [geovaughnni@yahoo.com](mailto:geovaughnni@yahoo.com)  
**Subject:** Submitted testimony for SB845 on Feb 4, 2015 13:30PM  
**Date:** Monday, February 02, 2015 5:53:29 PM

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**SB845**

Submitted on: 2/2/2015

Testimony for EDU/HSB on Feb 4, 2015 13:30PM in Conference Room CR229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
John Berger	Individual	Comments Only	No

Comments: Chair and Committee Members: I fully support SB 845. I was bullied in high school. Fortunately, I was fully integrated in school and had a number of close friends. Not everyone is so lucky. However, to this day I can remember the name of every person who bullied me and every hurtful word they said as if the words were said yesterday (I graduated 40 years ago). Children need support and the school ought to be there. For some children, it is the only support they have. Thank you for your efforts, time and attention to this very real problem.

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**Cc:** [nasario001@hawaii.rr.com](mailto:nasario001@hawaii.rr.com)  
**Subject:** \*Submitted testimony for SB845 on Feb 4, 2015 13:30PM\*  
**Date:** Monday, February 02, 2015 3:06:56 PM

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**SB845**

Submitted on: 2/2/2015

Testimony for EDU/HSB on Feb 4, 2015 13:30PM in Conference Room CR229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rita Nasario	Individual	Support	No

Comments:

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**Cc:** [theede@hawaii.rr.com](mailto:theede@hawaii.rr.com)  
**Subject:** \*Submitted testimony for SB845 on Feb 4, 2015 13:30PM\*  
**Date:** Tuesday, February 03, 2015 7:05:41 AM

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**SB845**

Submitted on: 2/3/2015

Testimony for EDU/HSB on Feb 4, 2015 13:30PM in Conference Room CR229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Teri Heede	Individual	Support	No

Comments:

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**To:** [EDU Testimony](#)  
**Cc:** [annieauhoon48@gmail.com](mailto:annieauhoon48@gmail.com)  
**Subject:** \*Submitted testimony for SB845 on Feb 4, 2015 13:30PM\*  
**Date:** Tuesday, February 03, 2015 12:27:11 AM

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**SB845**

Submitted on: 2/3/2015

Testimony for EDU/HSB on Feb 4, 2015 13:30PM in Conference Room CR229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Annie AuHoon	Individual	Support	No

Comments:

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**To:** [EDU Testimony](#)  
**Cc:** [sylpager@hawaii.edu](mailto:sylpager@hawaii.edu)  
**Subject:** Submitted testimony for SB845 on Feb 4, 2015 13:30PM  
**Date:** Monday, February 02, 2015 11:46:00 PM

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**SB845**

Submitted on: 2/2/2015

Testimony for EDU/HSB on Feb 4, 2015 13:30PM in Conference Room CR229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sylvia R. Pager, MD, MS, FAAP, FABM, IBCLC	Individual	Support	No

Comments: Dear Senate Committee on Education. Bullying must be controlled. To accomplish this, more behavioral health resources must be allocated to the schools. Costly, yes; but an investment in our future citizens, and legislators. Mahalo, and Aloha, Sylvia R. Pager, Pediatrician..

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**To:** [EDU Testimony](#)  
**Cc:** [kibani1@capitol.hawaii.gov](mailto:kibani1@capitol.hawaii.gov)  
**Subject:** SB845  
**Date:** Monday, February 02, 2015 1:16:20 PM

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A child who is bullied because of sexual orientation, or *perceived* sexual orientation, often has no one to turn to for support – family, clergy, or friends, who often hold anti-LGBT views. It is most important that schools take up the slack.

I heartily support both SB845.

Steven DeMaggio, MSW



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**To:** [EDU Testimony](#)  
**Cc:** [res1z0vb@hawaiiantel.net](mailto:res1z0vb@hawaiiantel.net)  
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**Date:** Monday, February 02, 2015 12:40:46 PM

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**SB845**

Submitted on: 2/2/2015

Testimony for EDU/HSB on Feb 4, 2015 13:30PM in Conference Room CR229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dana G. Moss	Individual	Support	No

Comments: When I was a student I was bullied by 3 to 5 class mates at a time. It is a very stressful experience and one that dose not forget. To this day at age 58. The feeling I had of being bullied is right here with me as soon as I think of it. Please you must put SB 845 in place to stop this sort of life time emotional burden on our keiki and future adults. When my daughter was in elementary school at Queen Liliuokalani in Kaimuki, she was bullied. I went to the principal and asked for his help. All he had to say was. What do you want me to do. We don't have the time to make sure it won't happen. We can hold in the library during recess and lunch by herself. This is all he offered. The bullying continued to the point of my daughter with drawing, grades dropped, crying in the morning saying everyone hates her. I tell the teachers dad and they do nothing. Then they said she was doing so badly in school. They asked to test her. The results was normal and some above normal. Then they said it must be something at home. So half the way through 4th grade she changed schools. To the elementary school in North Kohala . And in one quarter she was back up to A's & B's! All over the campus there are sign's saying BE PONO. And all the adults stop any teasing that occurs. So please support this to stop this from happening to our keiki's. Mahalo Dana G. Moss N. Kohala Kapaau HI

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**Subject:** \*Submitted testimony for SB845 on Feb 4, 2015 13:30PM\*  
**Date:** Sunday, February 01, 2015 5:53:58 PM

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**SB845**

Submitted on: 2/1/2015

Testimony for EDU/HSB on Feb 4, 2015 13:30PM in Conference Room CR229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dara Carlin, M.A.	Individual	Support	No

Comments:

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**To:** [EDU Testimony](#)  
**Cc:** [v.smith@mac.com](mailto:v.smith@mac.com)  
**Subject:** Submitted testimony for SB845 on Feb 4, 2015 13:30PM  
**Date:** Tuesday, February 03, 2015 11:06:41 AM

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**SB845**

Submitted on: 2/3/2015

Testimony for EDU/HSB on Feb 4, 2015 13:30PM in Conference Room CR229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Valerie Smith	Individual	Support	No

Comments: COMMITTEE ON EDUCATION SB845 Public Hearing DATE: Wednesday, February 4, 2015 TIME: 1:30pm PLACE: Conference Room 229 TESTIMONY IN SUPPORT Dear Chair Kidani, Vice Chair Harimoto, and Members of the Education Committee: I submit testimony in strong support of SB845 and endorse any and all edits and amendments recommended by Equality Hawaii. While I expect that students may sometimes be cruel to each other, I, as a parent, also naturally expect that school administrators and teachers want to do their best to create and maintain a culture of tolerance - a tolerance for diversity, not cruelty and abuse. Despite their good intentions, many lack the tools and support to do so. This bill puts into place a framework that helps staff recognize biases (even possibly their own) and respond to instances of bullying. As a mom, I am concerned that my son may not feel comfortable or safe reporting any abuse he eventually might encounter at school - whether it's because of any characteristic attributed to him or even his own parents. A school system that is sincere and unambiguous about its intolerance for bullying deflects the impression of complicity, which, in effect, teaches students that bullying is ok. This bill is a big step toward creating safer learning environments and sends a strong message to students, parents, and staff that our schools and our state take bullying seriously. Sincerely, Valerie Smith, Hawaii Kai [v.smith@mac.com](mailto:v.smith@mac.com)

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Telephone:  
(808) 534-1514

**JAMES HOCHBERG**  
ATTORNEY AT LAW

Digital Pager:  
(808) 256-7382

Fax:  
(808) 538-3075

Bishop Street Tower, Suite 2100  
700 Bishop Street  
Honolulu, Hawaii 96813

Email Address:  
Jim@JamesHochbergLaw.com

via USPS: P.O. Box 3226  
Honolulu, HI 96801

February 3, 2015

Senate Committee on Education  
Hearing Monday February 4, 2015 at 1:30 p.m.  
Conference Room 229, 415 South Beretania Street

Senate Committee on Education

Chair: Michelle Kidani

Vice Chair: Breene Harimoto

Members: Suzanne Chun Oakland, Clarence K. Nishihara, Donovan M. Dela Cruz,  
Laura H. Thielen, Gilbert S.C. Keith-Agaran, Sam Slom and Ronald D. Kouchi

Re: Testimony In Opposition To and Commenting On SB 845, SB865, SB858 and All  
Other Bullying Bills

Dear Chair, Vice Chair and Members of the Senate Education Committee:

This testimony is submitted in opposition to and to provide comments with regard to SB 845, SB865, SB858 and all other bullying bills. I have been licensed to practice law in Hawaii since 1984. Since 1999 I have been an allied attorney with Alliance Defending Freedom (ADF), providing pro bono legal services in support of First Amendment Religious Liberties rights. In concert with ADF, I litigate cases implicating infringement on First Amendment rights. All of the bills addressed in this testimony raise First Amendment concerns because they apply to speech and not merely actions. Further, despite their titles about protecting ALL students, they instead only protect members of certain classes of students. And they leave unprotected ex-gay students, despite the fact that the ex-gay community may be the most bullied community in America.

Attached please find a document entitled "Anti-Bullying Policy Yardstick" published by Alliance Defending Freedom. Attached also please find a model bill for your consideration relating to bullying issues. It is also produced by Alliance Defending Freedom. Finally, I attach an article that discusses a study conducted by a professor at the University of Texas that found that anti-bullying policies do not curb bullying, but rather lead to more bullying than existed prior to enactment of the policy. That article can be found here:

<http://www.uta.edu/news/releases/2013/09/jeong-bullying.php>

Senate Committee on Education  
Hearing Monday February 4, 2015 at 1:30 p.m.  
Chair: Michelle Kidani  
Vice Chair: Breene Harimoto  
February 3, 2015  
Page 2

The actual published study can be found here and is also attached:

<http://www.hindawi.com/journals/jcrim/2013/735397/>

That study included the following conclusion:

Surprisingly, **bullying prevention had a negative effect on peer victimization.** Contrary to our hypothesis, students attending schools with bullying prevention programs were more likely to have experienced peer victimization, compared to those attending schools without bullying prevention programs. It is possible that bullies have learned a variety of antibullying techniques but chose not to practice what they have learned from the program. Sometimes, bullies maintain their dominant social status among peers in school. As a result, the preventive strategies may become ineffective.

The other preventive measure, the Safe Passage program, had no effect on the likelihood of peer victimization. As a program designed to support at-risk adolescents, the program's goal is to create a safe school environment by reducing various school problems [52]. However, we did not find any significant impact on peer victimization. Without knowing specific details of the program, it is difficult to assess the effectiveness of the Safe Passage program.

Please apply the attached yardstick to each of these bills It will expose the deficiencies in each  
Feel free to adopt the model bill that is also provided with this testimony.

Sincerely,



**JAMES HOCHBERG**

Attachments  
JH/lz



## Anti-Bullying Policy Yardstick

At Alliance Defending Freedom, we often field questions about what makes an anti-bullying policy good, and what makes one bad. Over the past few years, we have reviewed and commented on proposed anti-bullying laws and policies all across the United States. Gleaned from this experience, and from our knowledge of the constitutionally-protected rights of public school students and teachers, we offer below our Anti-Bullying Policy Yardstick, which discusses “good” and “bad” approaches to the top ten most common components of anti-bullying policies/laws.

GOOD ANTI-BULLYING POLICY	BAD ANTI-BULLYING POLICY
<b>1) Definition of “Bullying”:</b>	
<p><b>Good:</b></p> <ul style="list-style-type: none"> <li>• Precise definitions; not overly vague.</li> <li>• Addresses verbal expression traditionally not protected by the First Amendment.</li> </ul> <p>_____</p> <p>A <i>good</i> policy provides a precise definition of “bullying” that regulates bullying conduct. To the extent such a policy covers verbal expression, it must only cover expression that the courts have traditionally treated as unprotected in the school context (i.e., lewd, indecent, obscene, advocating illegal conduct, intended to incite an immediate breach of the peace, or severe, persistent, and pervasive use of threatening words that objectively inflict injury). A <i>good</i> policy also focuses on the acts or words said by the alleged bully rather than the intent or motives behind the actions.</p>	<p><b>Bad:</b></p> <ul style="list-style-type: none"> <li>• Uses vague and overly broad definitions of bullying.</li> <li>• Restricts student expression traditionally protected by the First Amendment.</li> <li>• Uses vague, overbroad terms like “offensive” and “emotional distress.”</li> </ul> <p>_____</p> <p>A <i>bad</i> policy provides a definition of “bullying” using terms so vague and overbroad that it fails to provide students with adequate notice of what it prohibits, allows for unbridled discretion in enforcement decisions, and covers student expression that is protected by the First Amendment. Examples of such policies are those that: use vague and overbroad terms like “emotional distress,” “offensive,” “annoying,” “uncomfortable,” “alarming,” and “mental harm” to describe what is prohibited; punish the alleged bully based on how the victim perceives the bully’s acts/words or how the victim “feels,” without any inquiry into whether the reaction is objectively reasonable; and focuses on the thoughts and motives of the alleged bully rather than the actual acts/words.</p>

## 2) First Amendment Protection:

### Good:

- Does not apply to religious, political, philosophical, or other protected student speech.

A *good* policy includes a provision stating that it does not apply to expression protected by the First Amendment. Such a provision should expressly state that the bullying policy does not prohibit expression of religious, philosophical, or political views, provided that it otherwise does not meet the definition of bullying and does not cause a substantial and material disruption of the work of the school.

### Bad:

- Lacks exceptions for religious, political, or philosophical student speech that is protected by the First Amendment.

A *bad* policy lacks a provision or statement that it does not apply to expression protected by the First Amendment. Such a policy becomes even worse when it uses vague and overbroad terms that imperil protected expression. *See* Point No. 1, above.

## 3) Punishing Based on Intent or Motive:

### Good:

- Defines bullying based upon conduct or action, not upon motive or intent.
- Objective, not subjective, definition of bullying.

A *good* policy avoids any consideration of the motive or intent of the alleged bully (i.e. whether the alleged bullying dislikes all people with a specific characteristic). A good policy focuses on eliminating the wrongful bullying *conduct*, by providing sufficiently objective definitions and guidelines of what constitutes “bullying.” Such a policy is based on the understanding that punishing thoughts and motives is outside of the school’s proper role; punishing wrong conduct falls within it. If the conduct constitutes bullying on an objective basis, then there is no need for any further inquiry.

### Bad:

- Defines bullying based on motive or intent, not merely the conduct involved.
- Examines the thoughts and beliefs of the alleged bully.
- Includes “re-education” of persons accused of bullying to change the way they think.

A *bad* policy authorizes punishment of the alleged bully on the basis of his motives or intent. This dangerous approach invites all kinds of inquiry and invasion into the private thoughts and beliefs of students, and permits punishing students based on those thoughts and beliefs. Further, such an approach opens the door to improper and unlawful attempts to “re-educate” students and to help them “think” or “believe” the “right thing.”

#### 4) Categorizing vs. Banning All Bullying:

Good:

- Prohibits bullying of all students.
- Does not define bullying based upon the characteristics of the person being bullied.

A *good* policy bans all bullying, regardless of the reason for the bullying. Anti-bullying policies exist to protect the ability of *every* student to receive a quality education. Thus, a good policy does not prohibit bullying based on certain characteristics, but rather bans all bullying so that every student who is bullied benefits from its protection.

Bad:

- Prohibits bullying against students based upon certain characteristics only (i.e. race, sexual orientation).
- Does not prohibit bullying against all students.

A *bad* policy offers special protection to students who are bullied based on certain characteristics, but provides no protection to students who are bullied based on characteristics not listed in the policy. It is improper for bullying policies to favor some students over others in this way, especially considering that their primary purpose is to ensure all students receive a quality education.

#### 5) Teacher Liability:

Good:

- Avoids mandatory reporting requirements that create liability risks.
- Provides clear guidelines for teachers to follow when an act of bullying is observed.

A *good* policy avoids treating teachers and school employees as mandatory reporters of bullying or, if it imposes such a requirement, defines bullying in a clear and precise manner to minimize the possibility that teachers and administrators will be held liable for failing to report bullying behavior. Teachers and staff who fear liability are likely to over-report bullying, leading to students being wrongfully accused of bullying and a drain on school resources due to the need to investigate every false report.

Bad:

- Requires teachers and staff to report possible bullying without providing clear and precise definitions.
- Exposes teachers and staff to civil liability.

A *bad* policy defines bullying using vague and overbroad terms while treating teachers and school employees as mandatory reporters of bullying. A mandatory reporting requirement, without an objective standard of what constitutes bullying, may expose teachers and administrators to civil liability if they fail to report behavior that a jury later determines was bullying that should have been reported.



### 6) Cyber-bullying and Off-Campus Speech:

**Good:**

- Respects the limits of a school's authority to only regulate on-campus activity.

A *good* policy avoids regulating off-campus student speech. Such a policy will limit its bullying prohibition to bullying behavior, including "cyber-bullying" (i.e., bullying via electronic means), that occurs on school premises, at school-sponsored functions or activities, or while students are being transported by any means of transportation provided or supported by the school.

**Bad:**

- Gives school officials authority to punish words or actions that occur off-campus.

A *bad* policy regulates off-campus student speech. This problem often arises in the context of prohibitions on cyber-bullying. For example, a policy may overreach by banning all electronic communications that meet its bullying definition, rather than limiting the prohibition to electronic communications that occur on campus. A policy that regulates off-campus speech or behavior opens the school to potential legal liability for off-campus bullying even though the school has no control over it.

### 7) Promoting Political Agendas:

**Good:**

- Does not single out groups for special protection; rather, prohibits bullying against all students.
- Does not use materials or lessons plans from homosexual activist groups.

A *good* policy avoids promoting any political agenda. It does so by prohibiting *any* student from bullying *any* child for *any* reason, rather than extending bullying protections to favored students on the basis of particular characteristics. The latter types of policies, which typically prohibit bullying based on sexual orientation and gender identity, open the door to the advancement of the political agenda of homosexual activist groups in schools. A good policy will also, to the extent that it requires instruction on bullying, limit the instruction to a description of bullying behavior, rather than the characteristics of bullying victims.

**Bad:**

- Singles out "sexual orientation," "gender identity," etc. for special protection.
- Requires tolerance training and similar programs using materials and lesson plans crafted by homosexual activist groups.

A *bad* policy promotes a particular political agenda, typically that of homosexual activist groups. These groups have orchestrated a nationwide campaign to promote homosexual behavior to impressionable, school-age children. Anti-bullying policies that single out "sexual orientation" and "gender identity" for special protection stand at the forefront of this effort. The adoption of such policies has resulted in public schools subjecting young students to books, lessons, and programs designed to advance the homosexual agenda and undermine traditional notions of sexuality and the family. Policies that *require* instruction on bullying are problematic, as they often result in the inclusion of materials promoting homosexual behavior.

### 8) Parental Notice:

**Good:**

- Provides notice to parents if child has been bullied or has been accused of bullying.

A *good* policy provides for notice to parents whether their child has been accused of bullying, or is the recipient, and gives opportunity for parental involvement in the complaint process related to their children. Such involvement properly respects parents' fundamental constitutional right to direct the upbringing and education of their children.

**Bad:**

- Allows questioning of students being bullied or those accused of bullying without parent notification and consent.

A *bad* policy provides for no, or very limited, parental involvement when a complaint has been made that their child engaged in, or is on the receiving end of, bullying behavior. This lack of parental involvement tramples the fundamental constitutional right of parents to direct the upbringing and education of their children.

### 9) Anonymous Complaints:

**Good:**

- Investigates anonymous complaints only when good cause or threat of imminent physical harm exists.

A *good* policy allows an investigation or disciplinary action to be taken on the basis of an anonymous complaint only under rare circumstances, such as when good cause exists for filing anonymously, or school officials have good reason to believe that a student may be at imminent risk of physical harm.

**Bad:**

- Investigates all anonymous complaints without evidence that the complaint is not intended to harass other students.

A *bad* policy allows an investigation or disciplinary action to be taken solely on the basis of an anonymous complaint. Such an approach encourages the use of the complaint process as a tool to harass students.

### 10) Private Schools (state statutes only):

**Good:**

- State anti-bullying law that exempts private schools and respects their autonomy.

A *good* law includes an express provision limiting it to public schools. Imposing anti-bullying laws on private schools interferes with the private interests and rights of non-public schools, and the rights of parents who choose to have their children educated at such institutions.

**Bad:**

- State law that requires private schools to comply with its requirements.

A *bad* law expressly provides that it applies to private schools, or fails to include a provision limiting it to public schools. Applying anti-bullying laws that mandate instruction on bullying to private schools is problematic, as they would infringe on the schools' rights to set their own curriculum, and on parents' rights to have their children educated according to a non-public-school program.

# UNIVERSITY OF TEXAS ARLINGTON

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## NEWS CENTER

### Youth more likely to be bullied at schools with anti-bullying programs, UT Arlington researcher finds

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Anti-bullying initiatives have become standard at schools across the country, but a new UT Arlington study finds that students attending those schools may be more likely to be a victim of bullying than children at schools without such programs.



Seokjin Jeong

The findings run counter to the common perception that bullying prevention programs can help protect kids from repeated harassment or physical and emotional attacks.

"One possible reason for this is that the students who are victimizing their peers have learned the language from these anti-bullying campaigns and programs," said Seokjin Jeong, an assistant professor of criminology and criminal justice at UT Arlington and lead author of the study, which was published in the *Journal of Criminology*.

"The schools with interventions say, 'You shouldn't do this,' or 'you shouldn't do that.' But through the programs, the students become highly exposed to what a bully is and they know what to do or say when questioned by parents or teachers," Jeong said.

The study suggested that future direction should focus on more sophisticated strategies rather than just implementation of bullying prevention programs along with school security measures such as guards, bag and locker searches or metal detectors. Furthermore, given that bullying is a relationship problem, researchers need to better identify the bully-victim dynamics in order to develop prevention policies accordingly, Jeong said.

Communities across various race, ethnicity, religion and socio-economic classes can benefit from such important, relevant

Department of Criminology and Criminal Justice research, said Beth Wright, dean of the UT Arlington College of Liberal Arts. "This important discovery will result in improvements in health, in learning, and in relationships, with unlimited positive impact," Wright said.

A growing body of research shows that students who are exposed to physical or emotional bullying experience a significantly increased risk of anxiety, depression, confusion, lowered self-esteem and suicide. In addition to school environmental factors, researchers wanted to know what individual-level factors played a key role in students who are bullied by peers in school. For their study, Jeong and his co-author, Byung Hyun Lee, a doctoral student in criminology at Michigan State University, analyzed data from the Health Behavior in School-Aged Children 2005-2006 U.S. study. The HBSC study has been conducted every four years since 1985 and is sponsored by the World Health Organization. The sample consisted of 7,001 students, ages 12 to 18, from 195 different schools.

The data preceded the highly publicized, 2010 "It Gets Better" campaign founded by syndicated columnist and author Dan Savage and popularized by YouTube videos featuring anti-bullying testimonials from prominent advocates.

The UT Arlington team found that older students were less likely to be victims of bullying than younger students, with serious problems of bullying occurring among sixth-, seventh- and eighth-graders. The most pervasive bullying occurred at the high school level.

Boys were more likely than girls to be victims of physical bullying, but girls were more likely to be victims of emotional bullying. A lack of involvement and support from parents and teachers was likely to increase the risk of bullying victimization. These findings are all consistent with prior studies.

Notably, researchers found that race or ethnicity was not a factor in whether students were bullied.

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## Research Article

# A Multilevel Examination of Peer Victimization and Bullying Preventions in Schools

Seokjin Jeong<sup>1</sup> and Byung Hyun Lee<sup>2</sup>

<sup>1</sup> Department of Criminology and Criminal Justice, University of Texas at Arlington, P.O. Box 19595, Arlington, TX 76019, USA

<sup>2</sup> Michigan State University, East Lansing, MI, USA

Correspondence should be addressed to Seokjin Jeong; [sjeong@uta.edu](mailto:sjeong@uta.edu)

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The goal of this study is twofold: (i) to develop an explanatory model to examine the relationship between school environment/climate and peer victimization and (ii) to determine whether previous models of preventive strategies in a single school or district could be expanded to the nationally representative sample of adolescents across multiple schools. The analyses in the current study are based on data from the Health Behavior in School-Aged Children (HBSC) 2005-2006 US study, and the sample consists of 7,001 students from 195 different schools. The findings reveal that students attending schools in which bullying prevention programs are implemented are more likely to have experienced peer victimization, compared to those attending schools without bullying prevention. Study limitations and implications for future research are discussed.

## 1. Introduction

Although many studies suggest that there is a decline in various types of peer victimization among school children [1, 2], bullying remains a serious problem in schools today [3–5]. Approximately 1.5 million school-aged adolescents (i.e., ages 12 to 18) report that they have been victimized by violence while at school [6]. Furthermore, 75 percent of public school principals in the United States indicate that their schools reported one or more violent incidents to the police, and 25 percent of public schools reported school bullying on a daily or weekly basis [6].

A growing body of research has supported the premise that experiencing school violence has devastating effects on youth [7–13]. For example, victims have experienced a significantly increased risk of internalizing and somatic symptoms, such as anxiety, depression, confusion, lowered self-esteem, and suicidal ideation [7, 10, 11]. Further, they are more likely to perceive a lack of support from peers and parents and tend to be isolated from social interaction with others [10]. In light of this reality, a variety of bullying prevention and intervention programs have been implemented and examined for their effectiveness [14–16]. Although these studies have examined

varying levels of strategies, targets, and participants, the majority of them have demonstrated that comprehensive and whole-school efforts yield promising results for reducing bullying within school grounds.

The conditions of school environment, prevention/intervention programs, and situational factors complement or interact with individual-level characteristics to influence peer victimization [17, 18]. Despite a range of ecological and contextual factors that are accountable for bullying involvement among adolescents (e.g., individual empathy, peer influence, family environment, teacher support), it still remains important to understand victim characteristics that are predictive of peer victimization. Previous studies of peer victimization, mostly based on a single dimension (i.e., individual-level or school-level predictor), have been limited in assessing the impact of bullying prevention because they ignore possible contributions of other ecological contexts in the surrounding environment. Relative to our concern about peer victimization and the need for promoting a safe school environment, only a small number of studies have examined the different ecological contexts of victimization (e.g., individual, peer, family, school) simultaneously. Thus,

the main purpose of the current study is to examine the impact of multiple levels of ecological influence on peer victimization. Few researchers have examined individual- and school-level predictors' influence on different forms of peer victimization. To date, the current study examines whether these predictors (i.e., demographic characteristics, parental or peer support, school climate, and implementation of prevention programs) show a significant effect on multiple forms of peer victimization (i.e., physical, emotional, or both physical and emotional).

## 2. Prior Research on Peer Victimization

*2.1. School Bullying and Peer Victimization.* Bullying can be difficult to conceptualize given the multifaceted nature of the violence involved. There is no simple explanation for which factors contribute to bullying [12, 19]. A number of studies have relied on Olweus' (1993) [11] conceptual definition, in which bullying occurs whenever a student "is exposed repeatedly, over time, to negative actions on the part of one or more other students" [11, page 9]. Using this definition, bullying may be further characterized as the presence of (i) a power imbalance; (ii) intense intimidation; and (iii) a harmful effect on the victim [11, 19]. Thus, school bullying may be defined as physical and/or emotional harm inflicted by other students within the geographical boundaries of a school ground [11]. The forms of school bullying range from teasing, taunting, or calling names to hitting, kicking, or taking/destroying others' belongings [11]. Studies of school bullying suggest that a significant number of students have been victims of school bullying [11, 20–22]. Approximately 8 percent to 41 percent of students reported being teased in a mean way or being hit, kicked, and/or pushed.

Bullying has detrimental effects on victims' well-being. First, the association between school bullying and victims' physical/psychological well-being and academic maladjustment is well documented [23–29]. For example, victims of school bullying are more likely to suffer psychological maladjustment, including sadness, depression, loneliness, and low self-esteem [23, 24, 26, 29]. In addition, a significant association is found between peer victimization and extreme emotional responses such as suicidal ideation and suicide attempts [25, 29]. Lastly, victimization can lead to interpersonal and academic difficulties at school. Bullied victims are more likely to experience relational problems with their peers, to be rejected by their peers, to feel aversion toward school, and to receive lower academic grades [23, 27].

*2.2. Individual-Level Risk and Protective Factors.* Among a number of risk and protective factors, a myriad of studies found that individual-level characteristics (i.e., age and race) are important sources of influence associated with peer victimization [24, 30–35]. With respect to race, minority youth are more frequently victimized by peers at school than are members of dominant racial groups [24, 32]. Research also supports the notion that risk of peer victimization decreases with age [30, 32, 35]. Specifically, high-school students are less vulnerable to bullying victimization compared to elementary- and middle-school students. Further, the study

by Graham et al. (2003) [24] examined the effect of gender and found that girls are more likely than boys to be bullied at school and to identify themselves as victims. However, types of victimization differ between boys and girls. While boys are more susceptible to physical victimization, girls are more susceptible to emotional or verbal victimization (e.g., rumor-spreading or gossiping) [36]. Finally, considerable research suggests that family and peer group contexts can be risk or protective factors in bullying victimization; both family and peer group contexts are significantly associated with students' experience of peer victimization [26, 37]. For example, students who are strongly rejected by their peers are seen as easy targets of school bullying [37]. The results from several prior studies also indicate that students who lack parental supervision and support tend to be more victimized than those who do not [26].

*2.3. School-Level Risk and Protective Factors.* In addition to individual-level characteristics, there is a growing body of literature suggesting that school-level characteristics (i.e., school security, school climate, and preventive education/intervention) are influential in predicting the likelihood of peer victimization [17, 18, 38]. Assuming that school-related victimization is similar to other types of criminal victimization, the predictors of criminal victimization would be associated with, or explanative of, school-related victimization. Miethe and Meier (1994) [39] stressed that security and physical guardianship (i.e., locks, gates, alarm systems, and adult presence) have significant effects on victimization. Although the conclusions of studies on school-level security and its impact on the extent of school bullying victimization have been mixed [40], a significant relationship has been found between school security and physical guardianship and bullying victimization at school [17, 18, 41]. These studies found that students are less likely to be bullied when schools increase staff supervision, metal detectors, security cameras, locked entrances, visitor sign-in, visible student badges, and routine/random locker checks. Furthermore, students attending schools whose teachers are aware of school policies on bullying victimization and whose school professionals handle victimization problems adequately tend to be victimized less frequently [18].

*2.4. Effects of Preventive Strategies on Peer Victimization.* These findings clearly show that school violence and peer victimization require changes in school culture and climate in order to improve the safety of adolescents at school. Accordingly, many scholars and policy makers are paying increased attention to various preventive strategies that have been employed by schools [42]. Do these prevention strategies reduce the probability of school violence and peer victimization? Since prevention strategies (i.e., reactive/proactive responses, comprehensive approaches, and curriculum interventions) and their study designs show varying degrees of effectiveness [43], a number of empirical studies have reported mixed findings on strategies for reducing school violence and peer victimization [11, 19, 44]. One of the most widely used preventive strategies involves the implementation of new curricula and whole-school multidisciplinary

interventions that aim to increase awareness of school violence, social cognitive skills, conflict resolution, and policy development [44]. For instance, Teglasi and Rothman (2001) [45] reported on a study examining the impact of 15 weeks of training and preventive education by using a quasiexperimental design. The authors found that participants of a new curriculum for social problem-solving skills were less likely to engage in aggressive behaviors. However, other researchers found that there was no statistically significant difference between an intervention curriculum group and a control group in decreasing bullying and victimization [46, 47].

Aside from a new curriculum, the main goal of whole-school multidisciplinary interventions program (i.e., the Olweus Bullying Prevention Program) is to generate an effective, comprehensive response to and consequences for school violence [44]. Olweus (1993) [11] found that a comprehensive approach is effective in decreasing bullying victimization and antisocial behavior through improving school climate. As part of a broader outcome evaluation of the comprehensive approach, researchers reported supportive outcomes including decreased discipline referrals and suspension rates [48, 49]. In sum, these prior studies have been evaluating the effectiveness of interventions into bullying and victimization by using experimental or quasiexperimental designs. Although these studies used different designs, samples, and statistical techniques, they have been generally supportive of the idea that whole-school interventions or a comprehensive approach is more effective than curriculum-based interventions based on classroom modules.

Despite reviews of the comprehensive prevention approach that reported on the effectiveness of programs in addressing school bullying, only a small number of studies found that school bullying prevention programs have no effect or little effect on reducing school violence [50, 51]. Based on meta-analysis, Ferguson and colleagues (2007) [50] reported that school antibullying programs show little discernible effect on violence and victimization of children in school settings. Payne and colleagues (2003) [51] conducted a study of the effects of communal school organizations (i.e., supportive and collaborative relations among administrators, teachers, and students) on school victimization. Of the 254 public secondary schools studied, they found that communal school organizations had no significant effect on reducing student victimization.

As programs designed to support vulnerable adolescents have significantly increased [52], a number of school programs have been developed to address safe environments and students' well-being. Safe Passage program is a model for reducing school problems by bringing together school staff members, parents, the local health department, the local social service agency, local youth organizations, and students [53]. Recently, by identifying best practices, Oakland, California, provided services targeted to vulnerable adolescents, including a violence-prevention curriculum, case management, mental health services, and after-school programs [54]. Results from studies on this comprehensive approach suggest that Safe Passage programs can be effective in delivering justice while increasing school safety compared to other school-based intervention programs. Specifically,

violence-related suspension and overall suspension have been substantially decreased [54]. Although many of our public schools already implemented Safe Passage programs [53], only a small number of studies have evaluated its success.

### 3. Research Questions and Hypotheses

Despite the previous findings, few studies have tested the efficacy of intervention strategies on peer victimization. Furthermore, no study has examined the roles that intervention strategies and school climate play on different types of bullying victimization, particularly for distinct physical and emotional types of victimization. The current study seeks to address several issues that remain unresolved. First, this study focuses on developing an explanatory model to understand the relationship between school environment/climate and peer victimization. Second, it is evident from the literature review that research on prevention strategies of bullying is not rigorous enough. Existing research has tested the effectiveness of preventive strategies based on students in a single school site or district. Thus, little is known about whether these models could be expanded to a nationally representative sample of adolescents across multiple schools. Consequently, the current study suggests several research questions relevant to peer victimization.

- (i) Did students' individual-level backgrounds (i.e., race, sex, age, parental support, peer support, and school pressure) affect the one's risk of vulnerability to peer victimization?
- (ii) Did being minority, being male, being younger, having quality of parental support, having quality of peer support, and feeling higher level of school pressure increase the one's risk of vulnerability to peer victimization?
- (iii) Did students' school-level characteristics (i.e., school security climate, implementation of safe passage program, implementation of Gang Prevention, and implementation of bullying prevention) affect the one's risk of vulnerability to peer victimization?

### 4. Methodology

*4.1. Sample and Procedure.* The analyses in the current study are based on data from the Health Behavior in School-Aged Children (HBSC) 2005-2006 U.S. study. Sponsored by the World Health Organization (WHO), the HBSC study has been conducted every four years since 1985 to examine school-based behaviors of adolescents from more than 40 different countries. Funded by the United States Department of Health and Human Services, the HBSC study collected data with a nationally representative sample of students in public, Catholic, and other private schools. The HBSC survey component asks respondents about health problems and school-related issues (e.g., bullying) through early adolescence. In addition, a school administrators' survey has been conducted to obtain school-level information on violence prevention policies and security practices. In order to obtain a nationally representative sample, data were collected from students



(from sixth to tenth grades) and school administrators in the 50 states and the District of Columbia. Given that the purpose of the study is to understand school climate and violence prevention strategies related to peer victimization at school, the analyses were restricted to students attending schools whose administrators have completed a school-level survey. Among the 8,030 students who completed the survey through a multistate sampling, 2,226 students from 32 schools were excluded due to missing information of school-level indicators. Therefore, a total of 7,001 students from 195 different schools were eligible for the current study.

**4.2. Dependent Variable.** For the purpose of the present study, prevalence of peer victimization is operationalized as a dichotomous variable, with "0" indicating the student was not victimized and "1" indicating the student was victimized by other students on school grounds (we created the victimization item by summing seven items (i.e., how often got called names/teased, left out of things, hit/kicked/pushed, others lied about me, for race/color, for religion, and made sexual jokes to me) and dichotomizing them). A review of prior research suggests that certain characteristics of the victims increase the risk of different types of victimization. In response to these differences, victimizations are grouped into three categories: all victimization, physical victimization, and emotional victimization (peer victimization was based on Olweus' (1993) criteria: physical victimization and emotional victimization. Physical victimization was measured with one item, "I was hit, kicked, pushed, shoved around, or locked indoors." To measure emotional victimization, the following six items were used: "I was called mean names, was made fun of, or teased in a hurtful way," "other students left me out of things on purpose, excluded me from their group of friends, or completely ignored me," "other students told lies or spread false rumors about me and tried to make others dislike me," "I was bullied with mean names and comments about my race or color," "I was bullied with mean names and comments about my religion," "other students made sexual jokes, comments, or gestures to me." Similar to all types of victimization, we created each type of victimization by summing items and dichotomizing them so that each measure has a dichotomous (yes/no) response).

**4.3. Individual-Level Variables.** Three demographic background variables, *Race*, *Sex*, and *Age* (11 to 17), are included in the study. *Race* was originally incorporated as an exhaustive list from which respondents could select all categories that applied. Given the results, it was collapsed into a new dichotomous variable with 0 indicating non-white and 1 indicating White. *Sex* is also a dichotomous variable with 0 indicating female and 1 indicating male. Additional measures of individual characteristics were *parental support*, *peer support*, and *school pressure*. the *parental support* construct is measured by a combined scale of six items: parent helps me as much as I need; lets me do things I like doing; is loving; understands my problems; likes me to make my own decisions; and makes me feel better when upset. Responses were coded 1 to 3: almost never, sometimes, and almost always. Then they were collapsed into new continuous variables with a higher score

indicating more warmth and support from parents (Alpha = .803). *Peer support* is measured as follows: students in my class enjoy being together; are kind and helpful; and accept me as I am. Responses were coded on a five-point Likert scale from 1 (strongly disagree) to 5 (strongly agree), then collapsed into new continuous variables with a higher score indicating more warmth and support from peers (Alpha = .704). *School pressure* is included to assess the role of negative emotions on peer victimization. This item has four categories from 1 (not at all) to 4 (a lot).

**4.4. School-Level Variables.** Several prior studies [18, 38, 55] suggest that school characteristics and climate have significant effects on victimization. In response, the current study examines two different domains of school characteristics to reflect school climate and preventive strategies based on a survey of administrators. Four predictors related to peer victimization are used as measures of school-level characteristics: *security climate*, *safe passage program*, *gang prevention program*, and *bullying prevention program*. Six items are used to construct the variable of *security climate*, which asks questions about whether the school requires visitor check-in; maintains a closed campus; has staff/adults monitor the halls; conducts routine bag/locker checks; uses metal detectors; and has uniformed police. These items are measured by a dichotomous response, with 0: no and 1: yes, and collapsed into a single construct. The high value means a higher level of security climate on school grounds. Three preventive measures, *safe passage*, *gang prevention*, and *bullying intervention*, are used to reflect whether a school has or participates in preventive programs. Each item is a dichotomous variable, with 0: no and 1: yes.

## 5. Analytic Strategy

To examine the empirical relationships among the variables described in the research question, the current study attempts to conduct multilevel modeling linking school-level contexts. Multilevel modeling (i.e., hierarchical linear modeling) is a powerful method of analysis for treating students as individual-level units and schools as school-level units [56]. This technique is appropriate for at least two reasons. First, it addresses the design effects that are inherent in the HBSC dataset, which utilizes a three-stage stratified design, with census divisions and grades as strata and school districts as primary sampling units [57]. Second, in order to address the research questions, we need to attend to the validity and model misfit due to hierarchically structured data. This technique allows researchers to resolve these problems while simultaneously investigating both within- and between-group variances [56]. Therefore, the multilevel modeling presented the current study's focus on school-level predictors of secure school climate and school-level prevention strategies, as well as the individual-level predictors. The two-level model consists of two submodels, one for each level (i.e., Level-1, the individual-level model and Level-2, the school-level model). While the Level-1 model represents the relationships among the individual-level predictors, the Level-2 model captures the influence of school-level covariates' effects.

TABLE 1: Descriptive statistics of all variables ( $N = 7001$ ).

	N (%)	Mean (St. deviation)	Minimum	Maximum
<i>Individual-level variables</i>				
Race: white (%)	3268 (46.7)		0	1
Sex: male (%)	3348 (47.8)		0	1
Age (mean)		13.67 (1.47)	11	17
Parental support (mean)		14.56 (2.76)	6	18
Peer support (mean)		10.49 (2.55)	3	15
School pressure: (mean)		2.56 (1.01)	1	4
<i>School-level variables</i>				
Security climate (mean)		4.04 (1.33)	0	6
Safe Passage: yes (%)	1593 (22.8)		0	1
Gang prevention: yes (%)	3115 (44.5)		0	1
Bullying prevention: yes (%)	4581 (65.4)		0	1
<i>Peer victimization</i>				
All victimization	3845 (54.9)		0	1
Physical victimization	962 (13.7)		0	1
Emotional victimization	3721 (53.1)		0	1

Due to the hierarchical nature of the current data (students nested within schools) and the nature of binary outcomes (victimized within school grounds), multilevel mixed-effects logistic regressions are conducted using STATA 12.0.

## 6. Results

**6.1. Descriptive Statistics.** Table 1 illustrates the descriptive statistics for the dependent and independent variables used in the current study. Of 7,001 students, approximately 55 percent reported experiencing some form of peer victimization during the school year. In particular, among those bullied students, slightly more than half (53.1%) of the students had been emotionally bullied (i.e., being called names, victims of rumors, or ignored), and about 14 percent of the students had experienced physical bullying (i.e., being hit, kicked, pushed, shoved around, or locked indoors). Table 1 also shows that the sample population was 47 percent white and 48 percent male, whose mean age was 14.67 ( $sd = 1.47$ ), and who received warmth and support from their parents (mean = 15.56 and  $sd = 2.76$ ) and peers (mean = 10.49 and  $sd = 2.55$ ). However, students in the current study felt significant levels of stress regarding school work (mean = 2.56 and  $sd = 1.01$ ).

School-level variables reported by a sample of 195 school administrators are also illustrated in Table 1. Of the six security measures listed under the security climate item, the mean number of security measures was 4.04 ( $sd = 1.33$ ). The majority of schools have around four security measures among six possible strategies, such as visitor check-in, a closed campus, staff/adult hall monitors, bag/locker checks, metal detectors, and uniformed police. In terms of preventive school programs, the majority of schools have bullying prevention programs (65.4%). Approximately 45 percent of school administrators reported that their schools have implemented gang prevention programs, followed by Safe Passage programs (22.8%).

**6.2. Bivariate Analysis.** As a preliminary measure, bivariate correlations among individual-level and school-level variables are computed (Table 2). As expected, the individual-level characteristics (i.e., sex, age, parental support, and peer support) were negatively correlated with ever being victimized. In contrast, the level of stress about schoolwork was positively related to the experience of peer victimization. At the school level, although it was hypothesized that these security-related predictors would be related to victimization, there were no significant associations between security climates, Safe Passage program, gang prevention, and peer victimization. Unexpectedly, however, there was positive association between bullying-prevention programs and peer victimization.

**6.3. Multilevel Models.** Multilevel models are constructed to determine whether the prevalence of peer victimization, physical victimization, and emotional victimization varies according to school-level predictors (the basic unconditional model was first conducted to determine the proportion of the variance in outcome between the schools. An analysis of the intraclass correlations reveals that around 7 percent ( $ICC = .065$ ) of the variance in peer victimization (both physical and emotional victimization) is accounted for by differences in the characteristics of the schools. Although most of the variance in student-level characteristics (around 90%) was attributed to within-school variance, the between-school variance was statistically significant). Table 3 presents the results of models that include the individual-level and school-level variables for all three types of victimization (Model 1) and for specific types of victimization (Models 2 and 3) from competing risks models (for interpretation, the estimated coefficients have been transformed into odds ratios). Level-1 of Model 1 shows the general pattern of individual-level differences in odds ratios for victimization cases. Specifically, male students were .67 times less likely than female students

TABLE 2: Correlations of individual-level and school-level covariates.

	1	2	3	4	5	6	7	8	9	10	11
<i>Individual-level variables</i>											
(1) Race (1: white)	1										
(2) Sex (1: male)	.012	1									
(3) Age	<b>.057</b>	<b>.043</b>	1								
(4) Parental support	<b>.139</b>	<b>.032</b>	<b>-.049</b>	1							
(5) Peer support	.021	.011	.010	<b>.287</b>	1						
(6) School pressure	<b>.042</b>	<b>-.074</b>	<b>.080</b>	<b>-.138</b>	<b>-.088</b>	1					
<i>School-level variables</i>											
(7) Security climate	<b>-.181</b>	.006	.059	<b>-.069</b>	<b>-.049</b>	<b>-.040</b>	1				
(8) Safe Passage (1: yes)	<b>-.142</b>	-.013	<b>-.056</b>	<b>-.042</b>	.001	-.015	<b>.220</b>	1			
(9) Gang prevention (1: yes)	<b>-.151</b>	.001	<b>-.095</b>	-.012	-.005	<b>-.028</b>	<b>.236</b>	<b>.357</b>	1		
(10) Bullying prevention (1: yes)	<b>-.059</b>	.001	<b>-.259</b>	<b>.027</b>	<b>-.025</b>	<b>-.026</b>	<b>.158</b>	<b>.239</b>	<b>.544</b>	1	
<i>Peer victimization</i>											
(11) Victimization	.010	<b>-.103</b>	<b>-.111</b>	<b>-.139</b>	<b>-.214</b>	<b>.119</b>	-.010	-.011	-.014	<b>.046</b>	1

(1) Bolded coefficients denote  $P < 0.05$ .

(2) As a preliminary measure, only overall victimizations were included in bivariate analysis.

TABLE 3: Multilevel mixed-effects logistic regression ( $N = 7001$ ).

	Model 1 (all)		Model 2 (physical)		Model 3 (emotional)	
	Level-1 $\beta$ (OR)	Level-2 $\beta$ (OR)	Level-1 $\beta$ (OR)	Level-2 $\beta$ (OR)	Level-1 $\beta$ (OR)	Level-2 $\beta$ (OR)
<i>Fixed effects</i>						
<i>Individual-level variables</i>						
Race (1: white)	.037 (1.038)	.032 (1.033)	.015 (1.015)	.012 (1.013)	.044 (1.045)	.038 (1.038)
Sex (1: male)	<b>-.396 (.673)</b>	<b>-.399 (.671)</b>	<b>.776 (2.172)</b>	<b>.773 (2.167)</b>	<b>-.435 (.647)</b>	<b>-.438 (.645)</b>
Age	<b>-.169 (.845)</b>	<b>-.158 (.853)</b>	<b>-.250 (.778)</b>	<b>-.240 (.787)</b>	<b>-.158 (.854)</b>	<b>-.147 (.863)</b>
Parental support	<b>-.070 (.933)</b>	<b>-.071 (.931)</b>	<b>-.077 (.925)</b>	<b>-.078 (.925)</b>	<b>-.071 (.932)</b>	<b>-.072 (.930)</b>
Peer support	<b>-.168 (.845)</b>	<b>-.167 (.846)</b>	<b>-.147 (.864)</b>	<b>-.146 (.864)</b>	<b>-.168 (.845)</b>	<b>-.167 (.846)</b>
School Pressure	<b>.124 (1.132)</b>	<b>.124 (1.132)</b>	.059 (1.061)	.059 (1.061)	<b>.126 (1.135)</b>	<b>.126 (1.134)</b>
<i>School-level variables</i>						
Security climate		-.008 (.992)		.016 (1.016)		-.013 (.987)
Safe Passage (1: yes)		-.047 (.954)		-.008 (.992)		-.053 (.949)
Gang prevention (1: yes)		<b>-.184 (.831)</b>		-.213 (.808)		<b>-.202 (.817)</b>
Bullying prevention (1: yes)		<b>.212 (1.236)</b>		<b>.255 (1.290)</b>		<b>.215 (1.240)</b>
Constant	<b>5.315 (203.399)</b>	<b>5.176 (177.037)</b>	<b>3.561 (35.195)</b>	<b>3.287 (26.773)</b>	<b>5.121 (167.440)</b>	<b>5.007 (149.340)</b>
<i>Goodness of fit</i>						
AIC	8154.420	8155.049	4850.986	4855.718	8164.867	8163.984
BIC	8208.529	8242.976	4905.164	4943.756	8218.939	8251.852
-2 log likelihood	8138.420	8129.049	4834.986	4829.718	8148.867	8137.984

(1) Bolded coefficients denote  $P < 0.05$ .

(2) Null model (equivalent to a one-way ANOVA with schools as a random effect) for each dependent variable that is not reported.

to report victimization. In addition, older students were 15 percent less likely than younger students to be victims of school bullying. Those with more warmth, parent support, and peer support were less likely to be victims of school bullying (OR = .933 and OR = .845, resp.). In contrast, students with a higher level of stress about schoolwork were 1.13 times more likely to report victimization than those with a lower level of stress. After controlling for school-level variables, the results of individual-level effects were consistent with

our predictions (see Model 1). As expected, the results show that gang prevention programs had significant effects on peer victimization. More specifically, students attending schools where gang prevention programs are provided were less likely to report victimization (OR = .831). For other school-level predictors such as security climate and Safe Passage programs, we proposed that students attending schools with Safe Passage programs or more secure climates were less likely to be victimized. This hypothesis was not supported.

Interestingly, bullying prevention programs were negatively related to peer victimization. That is, students attending schools with bullying prevention programs were more likely to have experienced peer victimization (OR = 1.236).

Model 2 in Table 3 shows the effects of individual-level predictors on physical victimization. Similar to Model 1 (all types of victimization), the effects of age, parental support, and peer support were also significant and in the predicted directions, indicating decreased risk of being physically victimized. The effect of the level of stress due to schoolwork was not significant in Model 2. However, being male was a significant predictor of physical victimization with a different direction compared to Model 1. That is, male students were 2.17 times more likely than female students to become victims of physical bullying. With the addition of school-level variables into the model, individual-level predictors were consistent with the individual-level model in Model 2. Notably, it was not expected that providing bullying prevention programs would be found as a significant predictor of physical victimization (OR = 1.290).

Model 3 presents results from a multilevel logistic regression for emotional victimization. In the Level-1 model with individual-level predictors, a number of predictors were significantly related to emotional victimization. Emotional victimization was negatively associated with being male, being older, and having more warmth, parental support, and peer support. With the addition of the school-level variables into the Level-2 model (see Level-2 model in Model 3), security climate and Safe Passage programs at the school level were not found to be significantly associated with emotional victimization. Contrary to our hypotheses, students attending schools with bullying prevention programs were more likely to have experienced peer victimization (OR = 1.240).

## 7. Conclusion and Discussion

The current study investigated individual- and school-level differences in bullying victimization among peers in school. With respect to individual-level factors, both age and gender were important predictors of different types of peer victimization. Age had a positive effect on all three types of peer victimization. This is consistent with the literature that peer victimization appears to decrease with age; older students were less likely to be victims of bullying than younger students [30, 35]. Gender also had an effect on all three types of peer victimization. Boys were more likely than girls to be victims of physical bullying, but girls were more likely to be victims of emotional bullying. These findings are consistent with prior studies' conclusions that the type of victimization varies according to gender [24, 36].

However, inconsistent with prior findings, race did not have an impact on peer victimization. The current study found no statistically significant difference across race. This is contrary to our prediction that minority adolescents are more likely to experience higher rates of bullying victimization, compared to Caucasian adolescents [31]. Given that more than half of the sample was in the non-white category, victimization directed toward minority students may not be apparent. Although existing bullying prevention programs address

the factors that may increase the risk of bullying across race, they often do not take into account sociorelational contexts as important sources of adolescents' learning process that influence bullying behaviors. Spriggs et al. (2007) [33] argued that the effects of family, peer, and school relationships on bullying involvement differ according to race. Being able to recognize and address these differences across racial groups will help to develop a better understanding of the dynamics of bullying victimization and to produce effective bullying prevention and intervention tailored to the populations being served.

Both parental and peer support represent significant predictors of peer victimization. The finding that parental support was predictive of both types of peer victimization suggests that parent-child interaction has a considerable effect on the likelihood of peer victimization. While parental support may play a protective role against peer victimization, lack of involvement and support from parents is likely to increase the risk of bullying victimization [26]. Peer support also was predictive of peer victimization, both physical and emotional. Negative peer relationships and lack of peer support may pose as risk factors conducive to bullying in schools [33, 37]. On the other hand, having peer support reduces the likelihood of peer victimization [58]. Finally, school pressure had an effect on emotional victimization. Those facing a high level of school pressure are more likely to experience negative emotions and to be involved in bullying, as an aggressor and a victim, compared to those with a low level of school pressure [59].

Our prediction that students in schools with more security measures would be less likely to be victimized was not supported by the study findings. It must be noted that the security measure item contains elements that focus mainly on security on school grounds and the physical safety of students. In order to improve school safety, schools have implemented security measures such as video cameras, bag/locker searches, metal detectors, and other surveillance programs [42, 60]. Studies have found that peer bullying victimization is less likely to occur if schools increase the level of security and safety for students through adult monitoring [41, 61]. For instance, uniformed officers can be useful for deterring bullying behaviors, but the utility of the other components of security climate (e.g., visitor check-in, a closed campus) in preventing bullying is not well documented. Further, security measures are just one element of the school climate. Other elements, such as teachers' awareness of antibullying policies and strategies, can intervene to reduce peer victimization. Schools in which teachers are aware of school policies on bullying victimization tend to have fewer incidents of bullying victimization [18]. Peer and teacher relations as well as the degree of aggressiveness in a school climate are also associated with bullying offending and victimization [41]. By improving several aspects of the school climate, a comprehensive approach can be effective in reducing bullying victimization and antisocial behavior [11].

For the school-level predictors, gang and bullying prevention programs were found to be significant predictors of peer victimization. However, gang prevention had only a partial effect. Although gang prevention had an impact on emotional

victimization, it did not indicate any effect on physical victimization. One possible explanation is that strategies for school-based gang prevention (e.g., zero tolerance policies) may have proven to be ineffective in reducing physical victimization. Furthermore, whether or not school personnel are committed to implementing the program can be another important facet to consider. For example, the attitude of supervising teachers and staff members in supporting the prevention curriculum and communicating with the students can affect the overall effectiveness of these prevention programs [62, 63]. Teacher monitoring is considered to be an important protective factor against peer victimization because the likelihood of students reporting bullying incidents depends on teachers responsiveness [64].

Surprisingly, bullying prevention had a negative effect on peer victimization. Contrary to our hypothesis, students attending schools with bullying prevention programs were more likely to have experienced peer victimization, compared to those attending schools without bullying prevention programs. It is possible that bullies have learned a variety of antibullying techniques but chose not to practice what they have learned from the program. Sometimes, bullies maintain their dominant social status among peers in school. As a result, the preventive strategies may become ineffective.

The other preventive measure, the Safe Passage program, had no effect on the likelihood of peer victimization. As a program designed to support at-risk adolescents, the program's goal is to create a safe school environment by reducing various school problems [52]. However, we did not find any significant impact on peer victimization. Without knowing specific details of the program, it is difficult to assess the effectiveness of the Safe Passage program.

Although prior research suggests that school-level characteristics (such as school security or a preventive curriculum) may be influential in predicting the likelihood of peer victimization [17, 18, 38], it should be noted that the effectiveness of bullying prevention has yet to be proven. A meta-analysis indicates that bullying prevention programs specifically targeting at-risk youth were slightly effective in reducing bullying or violent behaviors on campus, but generally had a minimal effect on bullying and victimization [50]. Future direction needs to focus not merely on implementation of bullying prevention but rather on its effectiveness. Using a comprehensive approach (both an individual-level and a school-level approach), prevention efforts must move beyond individual risk factors and focus on systemic change within the schools. Furthermore, given that bullying is a relationship problem, researchers need to better identify the bully-victim dynamics in order to develop prevention strategies accordingly.

## 8. Limitations and Future Directions for Research

The current study used multilevel modeling to address the need to simultaneously examine the effect of individual- and school-level variables on peer victimization. This type of modeling allows one to determine the amount of variance in the dependent variable that is explained by the

individual-level factors (e.g., age, parental support) as well as school-level factors (e.g., security climate, preventive measure).

A number of limitations in the current study must be addressed in future research. First, the cross-sectional nature of the study limits one from making a causal inference about the relationship between individual- and school-level factors and likelihood of peer victimization. Future studies need to utilize a longitudinal design in investigating the temporal ordering between the preventive measures and peer victimization in schools. Second, no specific information concerning the prevention measures, specifically bullying prevention and gang prevention programs, is provided. The HBSC data contain limited information about these bullying prevention programs. Future research needs to examine the specific components of the prevention programs. Because the preventive measures in the current study were dichotomous, it is limited in understanding the impact of preventive strategies on peer victimization. Lastly, while school bullying among adolescents can be categorized into different types (e.g., physical, verbal, relational, cyber) [65], the current study is limited to physical and emotional victimization. As a result, we are not able to examine the distinct nature of the different forms of bullying and their relations with other factors.

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## SENATE BILL 845

### SAFE SCHOOLS FOR ALL STUDENTS ACT TESTIMONY

Good morning, my name is Ashley Bonton, and I am testifying in strong support of SB-845. I am a current student at Hawaii Pacific University and I am currently studying in the Masters of Social Work (MSW) Program. I am also peer mentor for our MSW program as well as a peer mentor for my fellow Veterans on campus. I currently serve on our Student Government Association as the Veterans Senator as well as the Vice President for our Student Philanthropy council.

Bullying is a major problem in our schools today. Although bullying can start off small like giving sarcasm to another student in a classroom or teasing another student, it can quickly escalate to more serious actions. The student who is doing the bullying, if unchecked, can start to spread rumors about other students or name calling. These actions can then lead to the mental or emotional abuse of another student to damaging the property of another student and eventually physical harm of another student. Once on the path of physical violence, that student is on the road to tragedy and maybe even prison. All it takes is for one small incident of bullying such as pushing another student to turn into a tragedy. I know a fellow classmate in the 5<sup>th</sup> grade who, with myself, would get bullied every day in school because of the way her parents dressed her for school. One day on the playground, the other students decided name calling wasn't enough and started to push us around. My friend slipped after being pushed and fell down the stairs on to the tetherball courts. From that incident my friend was had a severe brain damage and broken bones. To this day she cannot function on her own and still have feeding tubes to keep her nutritionally healthy. All of this could have been prevented if someone, faculty, staff, anyone, to step in and address the issue. It shouldn't take a tragic incident for schools to realize there is a bullying problem.

I believe this bill not only will help with prevention but also addresses appropriate action in dealing with bullying incidents. Once a student starts to bully other students, I believe that students' parents, or guardians should be involved. It is supported through research that children starts to bully because they are having emotions they don't know how to express properly or they are mimicking the behaviors they see in their home. In SB-845 Alternative discipline mentioned getting the parents involved or having the student participate in counseling. These actions can get to the core of the problem and effectively addressing the issue instead of suspension or expulsion.

Passing this bill not only holds the student accountable for their actions, it also holds the schools, parents, and bystanders accountable for not taking action and making it to where they can no longer over look this issue.

Thank you.



To: The Senate  
Twenty-Eighth Legislature  
State of Hawaii

We are nursing students at the University of Hawai'i at Hilo, currently working on an anti-bullying collaboration project with the Boys and Girls Club of the Big Island (BGCBI). We are writing to express our support for SB845- the "Safe Schools for all Students Act."

Our work with the BGCBI has shown us that bullying is a huge problem for children within the community. Our research has confirmed that bullying is a public health problem that should be addressed by the legislature so that there is uniformity amongst youth-serving agencies.

In support of this bill, we hope that this will help create a safe environment that allows the children to feel comfortable speaking up for themselves and for others. This bill will help create awareness, while also empowering the children to speak up, not only for themselves but for others as well. With this, we hope to allow the children to "be the change they want to see."

We hope that this bill will create and foster a sense of awareness and empathy for bullies and their victims. This may empower children to speak up and seek help when they witness or are personally involved in bullying. We aspire to create a sense of 'ohana within the community to remind them that they are a part of a safe, caring environment. By fostering a sense of community, we hope that the incidences of bullying are decreased.

Bullying can take place both inside and outside of school; but regardless of where it takes place, bullying can greatly affect one's behavior, learning, and ultimately life. Several studies have shown that bullying among youth is associated with depression, suicidal ideation, and non-fatal suicidal behavior. Clearly, the stakes are high, and this is a crucial problem to address. It is important to promote awareness to both children and adults in the community so that they may support youths who are being victimized by bullying.

Please consider the health of our community and pass this bill. The effects of the bill may affect the future of our 'ohana.

Thank you for your consideration,  
Karen Akiba  
Aviee Lee  
Shelby Tanaka  
Sasha Tokuda,  
UH Hilo Student Nurses

Hawaii State Capitol  
415 South Beretania St.  
Honolulu, Hawaii 96813  
Senate Committee

2/3/2015

Aloha Senate Committee,

As a former Hawaii Civil Rights Commissioner, a current employee of the Center on Disability Studies/University of Hawai'i at Manoa, and the coordinator of the Native Hawaiian Education grant Growing Pono Schools, I urge you to pass SB 845 bill to ensure that every child and student in Hawaii's public and charter schools K – 12<sup>th</sup> is afforded a safe, nurturing learning environment in their school.

I applaud the section that requires schools to establish an annual Bully prevention program and annual trainings for all employees and volunteers who have significant contact with students.

For the past seven years I have coordinated a statewide campaign to promote peace and pono in Hawaii's schools and communities. *Pono*, a Hawaiian guiding principle of *a way of being*, is defined as "goodness, uprightness, moral qualities." It has been our experience that the most powerful bully prevention programs have been activities and events that were co-created and implemented predominately by students.

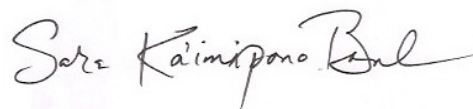
If this bill becomes law, I strongly encourage schools to look at bully prevention programs that are focused on strengthening the mind, body and spirit of the child through ethical character skill building.

Research has shown that student led bully prevention initiatives are not only one of the most effective ways to positively affect students' behavior it has the ability to positive transform the whole school environment.

Take a look at some our students' campaigns over the past few years to read some of the student and advisors reflections about the effectiveness of their campaign at [www.growingponoschools.com](http://www.growingponoschools.com)

Please pass SB 845 to ensure that Hawaii's schools strive hard to create safe & nurturing learning environments so all students have the opportunity to learn and grow into strong, capable and compassionate future leaders.

malama pono,



Sara Ka'imipono Banks



**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [EDU Testimony](#)  
**Cc:** [aandrea99@aol.com](mailto:aandrea99@aol.com)  
**Subject:** Submitted testimony for SB845 on Feb 4, 2015 13:30PM  
**Date:** Tuesday, February 03, 2015 6:36:50 PM

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**SB845**

Submitted on: 2/3/2015

Testimony for EDU/HSB on Feb 4, 2015 13:30PM in Conference Room CR229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Andrea Quinn	Individual	Support	No

Comments: Please specifically mention secular and atheist children in the prohibition against bullying in your bill. Bullying of nontheistic children is widespread. It is truly shocking to hear what Christian kids say and do to atheist kids, threatening them with violence, or telling them they don't belong in this country, or that they're going to burn in eternal hell, etc. Please protect ALL of Hawaii's keiki, not just those religious.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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