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JOINT
STANDING
COMMITTEE
HEARINGS

EDUCATION
PART 5
1287 – 1590

2011

CHAIRMEN: Representative Fleischmann
Senator Stillman

VICE CHAIRMEN: Senator Fonfara
Representative McCrory

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SENATORS: Boucher, Bye, Suzio

REPRESENTATIVES: Giuliano, Ackert, Carpino Cook, Davis, Genga, Grogins, Hamm, Hovey, Johnson, Kiner, Kokoruda, Kupchick, Lavielle, LeGeyt, Lesser, Lyddy, Mikutel, Miller, Nafis, Molgano, Reynolds, Rojas, Sanchez, Srinivasan

REP. FLEISCHMANN: I would ask that if you're focused on that and talking with Massachusetts officials, that you take those discussions outside, and that you're careful not to block the doors. That is in contravention of both fire safety codes and common sense. And the little system -- those doors lock if you stand right in front of them and then people can't get into the room.

I'd like to call as our first witness the attorney general of the state of Connecticut, a man who has given up his hair for a good cause, George Jepsen.

A.G. JEPSEN: Thank you, Representative Fleischmann. It's great to be back.

SB1138

I appreciate the opportunity to comment on

Raised Bill No. 1138, an act concerning the strengthening of school bullying laws. I commend the Legislature and strongly support strengthening the school bullying laws to include cyberbullying. I have submitted written testimony that is somewhat longer than what I'm reading today, but I'm providing now a summary of that testimony at this time.

The National Education Association estimates that more than 160,000 children miss school every day because of fear of attack or intimidation by other students. In addition, 6 out of every 10 American teenagers witness bullying in school at least once a day. Bullying affects nearly 1 in 3 American school children in grades 6 through 10, and 83 percent of girls and 79 percent of boys report experiencing harassment at one time or another.

In Connecticut, more than 1,000 cases of bullying have been reported since 2002. Bullying no longer exists solely within the confines of school. With the use of cell phones, Internet technology and social networking sites, teenagers and pre-teens are more vulnerable to the dangers of bullying and harassment on one of the most dangerous playgrounds out there, that is, the Internet.

According to a 2009 Cyberbullying Research Center report, approximately 20 percent of the students sampled reported experiencing cyberbullying in their lifetimes and approximately 20 percent of students admitted to having cyberbullied someone themselves.

While school administrators cannot always control what students do outside of the school, this legislation helps administrators control cell phone and Internet technology use

in schools, teach children how to protect themselves on the Internet and create a safe environment for children to learn.

This bill also expands the scope of schools' jurisdiction to address bullying. I applaud the bill's provision addressing bullying outside the school setting -- excuse me, the bill also requires professional training for teachers, administrators and pupil personnel. Such training is essential.

The bill would be even stronger, however, if it were amended to enumerate the categories of those students most often subject to harassment. Adding race, religion, sexual orientation and gender identity would provide clear guidance to school administrators and let the most vulnerable students know that they are protected.

According to the National Education Association, anti-bullying policies that do not enumerate the specific classes of protected students are generally less effective when it comes to creating school climates that are free of bias and harassment.

As the United States Supreme Court noted in Romer v. Evans, enumeration is the essential device used to make the duty not to discriminate concrete and to provide guidance for those who must comply.

I have always been a strong defender of civil rights and equality under the law. As a lawyer, as a parent and as a person, I am proud to stand up and say bullying and harassing behavior is wrong. Students, regardless of their race, religion, sexual orientation or gender identity, must know that they are protected. We can't ignore the

problems. We must solve them. Our children are depending on us.

Thank you again for your efforts. I look forward to working with you and the Committee on this important matter.

REP. FLEISCHMANN: Thank you. Thank you very much for your testimony, which was obviously very well-timed.

A.G. JEPSEN: Thank you.

REP. FLEISCHMANN: A couple of questions, and then happy to entertain others from the Committee.

First, you are the Attorney General and you have great attorneys on your staff. We did our best in defining cyberbullying, to make sure that we captured the various elements -- ensured there was a nexus with education and didn't in any way tread upon people's First Amendment rights.

I'm just checking in with you to see whether your -- you and your staff feel that we -- we did so in a way that -- that works.

A.G. JEPSEN: I thought the definition is a workable definition.

REP. FLEISCHMANN: Thank you. And then, with regard to an issue you raised about enumeration, making clear, you know, certain intents and motives of children who may be engaging in bullying -- so, you are not the only person here today -- you're not the only person in Connecticut who's raised this issue. There are some challenges, though, when you're speaking about children. In general, we focus on actions. It can be difficult to start to focus in on -- on intent, when you're talking

about a minor, and I'm just wondering if you could speak to that challenge.

A.G. JEPSEN: Um, children have intent as well. It's not excluded as a legal matter. And, also, it's a factual question as to whether the bullying is directed on the basis of one's -- you know, the categories enumerated, so that that's a factual question that really doesn't necessarily go to intent. It doesn't have to go to intent. Intent can be part of it, but if somebody is bullying on the basis -- and the clear meaning of the words are based on sexual orientation, for example, or gender identity or race, it's a factual question.

REP. FLEISCHMANN: Thank you. That's very helpful, and I think the Committee may circle back to you to try and make sure that if we do go in the direction of enumeration, we manage to make it clear that we're looking for a certain pattern of objective facts, so that we're not getting into that more difficult, murky and sometimes legally challenged question of a minor's intent. So, that's very helpful.

Other questions from members of the Committee?

Representative Lavielle.

REP. LAVIELLE: Thank you so much, Mr. Chairman.

Good to see you, and thank you so much for your testimony.

I have a concern about enumeration, and you obviously -- you will have far, far, far infinitely more experience with the notion of protected classes than I do, nevertheless, I have the concern.

Children are often bullied because they are short, because they are overweight, because they speak with an accent, because they get good grades and other reasons --

A.G. JEPSEN: That would have been Representative Fleischmann.

REP. LAVIELLE: I'm sorry?

A.G. JEPSEN: The good grades.

REP. LAVIELLE: You can engage in some bullying now.

A.G. JEPSEN: I thought you were referring to the fact that I was short. I was the smallest kid in my class when I was 16. Back to the fact finding queries, you know.

REP. LAVIELLE: Was that bullying?

But I -- it concerns me to be -- and I hope you can enlighten me on this or reassure me or something -- to be too specific about, um, defining the, uh, cases in which this is most likely to occur, because there are so many others -- when a child is perceived as being just that little bit different, for whatever reason, from the rest of his or her classmates, this can occur. And we've all seen it.

So, if -- I'm concerned that if you try too hard to define a certain number of cases, then you're limiting the very rigorous exercise of this enforcement to those cases.

So, could you explain how it works?

A.G. JEPSEN: I think if it's drafted properly and it makes clear it's including but not limited

to that concern, it shouldn't be an issue. And if you wanted to extend the examples to weight, height -- it's intended to be illustrative. It's not defining or limiting.

REP. LAVIELLE: Well, thank you for that answer. I would just -- I would -- my only concern would be that it might distract attention away from the other cases and focus the attention of school personnel on the particular ones, but thank you for your answer.

Thank you, Mr. Chairman.

REP. FLEISCHMANN: Thank you, Representative, and I think that much of the language that's been proposed includes the phrase "including but not limited to," which I think is what the Attorney General is alluding to.

Are there other questions of the Attorney General?

If not, thank you so much for your testimony, your time and your advocacy.

A.G. JEPSEN: Thank you.

REP. FLEISCHMANN: We go to Senator Michael McLachlan, to be followed by Senator Edith Prague. And if neither of those Senators are currently --

SENATOR PRAGUE: I'm here. I'm here.

REP. FLEISCHMANN: Oh, excuse me, Senator Prague. I'm sorry I didn't see you heading to the microphone.

SENATOR PRAGUE: Thank you, Representative Fleischmann and members of the Education Committee.

For the record, I'm Edith Prague, the Senator from the 19th District. I'm here to testify in favor of your bill, Senate Bill 1138.

You know, bullying in the schools has become such a terrible problem with students not only using physical bullying, verbal bullying, but now it's on the Internet. This cyberspace bullying is totally, totally out of control. I'm so happy to see this strong anti-bullying bill before this Committee.

Last year I was called by a parent about their daughter, who really wasn't going to school because of the bullying, emotionally had really devastated this young woman.

So, this is a tough bill. I'm glad to see it. I particularly like Section 6 of the training that is going to be mandated for school personnel. And I think that -- what is it, the first Wednesday in January or something, is going to be set aside for every school to have an anti-bullying program offered to the students in the schools across the state. Good for you. You really are doing a great job, and this is one of the many things that you're doing this year that I fully admire and support.

Thank you very much.

REP. FLEISCHMANN: Thank you for that helpful testimony, Senator.

Are there questions or comments?

If not, thank you -- oops, Senator Stillman.

SENATOR PRAGUE: Thank you.

SEN. STILLMAN: Thank you, Senator Prague, and, as we say, good bill ought to pass.

SENATOR PRAGUE: Yep, good bill ought to pass.

SEN. STILLMAN: We have your vote on that one. Thank you.

REP. FLEISCHMANN: In a case of perfect timing, the next person on our list is the esteemed Majority Leader of the State Senate and the co-introducer of this measure before us, Senator Martin Looney.

SENATOR LOONEY: Thank you very much, Mr. Chairman.

Good afternoon, Senator Stillman, Representative Fleischmann, members of the Committee. I am Martin Looney, State Senator from the 11th District. Thank you for this opportunity to testify in support of Raised Bill 1138: An Act Concerning the Strengthening of School Bullying Laws.

And I believe that the potentially harmful effects to a child being bullied in school cannot be overstated. And I believe that we can all agree that -- on that, and if the U.S. Department of Education confirms that the potential harm goes well beyond lowered academic achievement and increased absenteeism, children who are bullied suffer depression, post-traumatic stress, general deterioration in physical health, anxiety, loss of self-esteem and a number of other negative consequences, including sometimes being tempted to and committing suicide, at the worst extreme.

Therefore, I believe that our educational system's most urgent imperative is to prevent school bullying to the greatest extent

possible. I believe that the legislation proposed in Senate Bill 1138 will strengthen the Bullying Statute that we passed a few years ago.

In 2008 we took strides in the direction of dealing with this scourge by passing a law requiring school districts to adopt detailed, formal anti-bullying policies, but we need to strengthen our laws, in part, because school bullying laws have been outflanked by the lightning quick evolution of technology and social media, and we now must adapt accordingly.

In 2008, no one could have foreseen the coming prevalence of Facebook, Twitter, other forms of electronic social media and communication that now can have a devastating effect on students engaged in bullying by that means. And our students, as we know, are vulnerable to this, because so many young people are actively engaged in the use of these electronic forms.

So, in addition to cyberbullying, the bill also expands the definition of school bullying to include certain other behavior that may occur off school grounds. So, if a child is being bullied by another student anywhere outside of school and that bullying either creates a hostile environment for or infringes on the rights of the bullied student at school, it will now be treated as school bullying. And just in the past year, both Massachusetts and New Jersey have gone in this direction, with expanded anti-bullying statutes.

And the next significant step taken by Senate Bill 1138 is -- to strengthen our laws and improve our school climate is to require

annual training for all school employees in preventing, identifying and responding to bullying. And this should include every adult who has regular contact with students, whether directly employed by the school or, instead, by a contractor. It can be a coach, school bus driver, cafeteria worker, not just a teacher or administrator that witnessed bullying behavior. All must be attuned to this.

And under the bill, the State Department of Education would be required to provide this training under its discretion. It can be either in person or through an online module. It would make a real difference in our schools if all school employees annually complete, either in person or on line, training on bullying prevention and fostering safe school climates.

Next, the bill addresses the issue of bullying prevention and fostering safe school climates by ensuring that districts and schools have the significant number of adults regularly thinking about these issues and who are specifically devoted to implementing safe school plans and strategies.

And this is critically important and modeled on the New Jersey bullying law. Section 9 of the bill requires that each district appoint a Safe School Environment Coordinator from its existing employees and that each school designate a Safe School Environment Specialist from its existing employees. And with regard to that section of the bill, also, while line 361 and 62 specify that the Safe School Environment Coordinator be a school Guidance Counselor or psychologist, I would support broadening that language so that the principal is, instead, empowered to appoint any school

employee to that position, including him or herself, to give some greater discretion, flexibility in meeting the mandates of the statute.

These are -- and if the bill is enacted, the individual at each school currently responsible for investigating bullying should be able to keep that role and now take on the title of Safe School Environment Coordinator as well.

These are a number of key issues in the bill. It also contains several other critical improvements in our current bullying laws. School employees are required to report bullying the same day they witness it, and the writing within two days, to the school's principal or Safe School Specialist, who must then investigate in a timely manner. Retaliation or discrimination against individuals who report bullying would be prohibited. One day each school year would be designated as Safe School Awareness Day and beginning teachers and administrators would be required to undergo specific training before receiving certification.

Finally, school employees are given civil immunity for their good-faith actions in reporting and responding to bullying, so that they will not be deterred by fear of litigation.

I want to thank the Committee for raising this important bill and thank you for your interest and attention today. Thank you very much.

SENATOR STILLMAN: Thank you, Senator Looney. It's because of your forward thinking that this bill is here today. This was a bill that you sent to the Committee and asked us to move

forward, and appreciated the opportunity to work with you on this to make it an even better bill.

Certainly, if this bill moves forward, we'll probably be looking at making a few changes. You've suggested a few in your testimony, and I appreciate that.

Anyone have any questions of Senator Looney?

Representative Fleischmann.

REP. FLEISCHMANN: Just briefly, I wanted to thank you for the leadership you've shown on this issue, for the time that you and your staff have dedicated to assisting the Committee in moving this forward. And I was curious to ask, you represent a diverse urban district. Are there specific instances that have arisen in your area that -- that led you to -- to decide to get out front on this issue?

SENATOR LOONEY: Nothing in particular, except that I think everyone has heard some instances of school bullying that often had tragic consequences, especially when it became, like, a festering sore, going on for a long time, leading often to tragic consequences for the children involved.

So, I think, then, looking at -- we often study legislation adopted in other states, and then seeing what had been done in Massachusetts and New Jersey, I thought it pointed in the direction of things we could do to improve our Bullying Statute on the act initially passed three years ago.

REP. FLEISCHMANN: Thank you. And, you know, to me it's in some ways even more powerful that you've taken this leadership role without

something horrible happening in your city, because the fact is that our goal should be to be proactive and to get something like this on the books before there are instances that lead more and more legislators personally to feel like we've got to do it right away. Better to nip those in the bud, and I thank you for your leadership.

SENATOR LOONEY: Well, thank you. I think we pursued that last year, also, with the concussion legislation, because -- legislation in other states had to be named after a tragic incident of some child who died as a result of an undiagnosed head injury. And I think we all agree that it's better to move on those issues before we have a tragic case in Connecticut that the law has to be named after.

SENATOR STILLMAN: Thank you. Well said. One quick question, Senator Looney, since you are an attorney. There's the very last section of the bill, starting on line 416, which talks about a no claim for damages, etc., for students, parents or guardians or any other person who reports an act of bullying.

As an attorney, how important is that? And as -- you know, in all the roles that you play -- because I know you also are a teacher in higher education -- and was wondering, do you believe this will go a long way towards helping parents and children feel as though they're not in any danger themselves by reporting this?

SENATOR LOONEY: Yes, Madam Chair. I think this is important to indicate specifically that we are -- that as long as people are acting in good faith, in other words, not making malicious accusations or unsupported claims,

they should not be fearful of suddenly finding themselves in a -- on the defensive and being -- being sued. But as long as, again, there is -- it's sort of analogous to the Good Samaritan statutes that we passed in other areas, that someone who is acting in good faith should be able to do so without being intimidated by the threat of having litigation directed at that person who had acted responsibly.

SENATOR STILLMAN: Thank you. I know that there are many -- we all know children are -- when they're fearful already, it does give them a little hope to know that -- that there won't be more retaliation. So, thank you, sir.

Any other questions of Senator Looney?

SENATOR LOONEY: Thank you, Madam Chair.

SENATOR STILLMAN: Oh, Representative Kiner.

REP. KINER: Thank you, Madam Chair.

Thank you, Mr. Majority Leader, for your testimony here today. And, really, just a comment, and I just wanted to let you know that I appreciate your recommendation.

And for the Committee, I received an E-mail from my superintendent this morning with his concern that the requirement for what he says is yet another position, the School Safety Specialist, is just another mandate on them. And your recommendation to broaden the language so that the principal is instead empowered to appoint any school employee to that position, including him or herself, is well taken by me and something that I second. And I appreciate that recommendation.

Thank you.

SENATOR LOONEY: Thank you, Representative. Obviously, we're not trying to add any -- any undue burden on municipalities, and clearly want to give them the flexibility. If somebody is designated currently with having responsibility in this area, we can make that designation official through having them given that particular title and responsibility without adding additional personnel cost.

REP. KINER: I agree. Thank you.

SENATOR STILLMAN: Thank you. Anyone else? Any questions?

Thank you, Senator Looney. And, again, thank you for your very strong advocacy on -- in terms of this legislation and so many other issues. And we look forward to continuing to work with you on this.

SENATOR LOONEY: Thank you, Senator Stillman, and for your leadership on this -- on this, also, because I know that this Committee has always been one that's been highly responsive to the needs of children, and it's been often very farsighted in taking action to improve the public good. Thank you, Madam Chair.

SENATOR STILLMAN: Thank you, sir.

And if I may, I would also like to thank Joel Rudikoff, who's worked so hard on this bill, and Representative Abercrombie, who also has been a strong advocate and participant in writing this -- this bill.

With that, the next person to testify is Elaine Zimmerman, to be followed by Representative Abercrombie.

ELAINE ZIMMERMAN: Senator Stillman, Representative Fleischmann, members of the Committee, my name is Elaine Zimmerman. I'm with the Commission on Children and I'm here similarly in support of Raised Bill 1138.

We have had two suicides in our state resulting from bullying, Daniel Scruggs of Meriden, who was pushed, hit, choked, kicked, made fun of, had his belongings stolen and hung himself in his closet and Alexa Berman of Brookfield, who suicided as a result of cyberbullying and whose parents will be here today for this hearing in her honor, to talk about the wisdom of this particular legislation.

You have our testimony and recommendations. In deference to time and those who are here to testify, I just want to go through the list of what makes this bill, I think, systemic and important. It provides for training in a way that we have not done before and will be imperative.

We have cases where a young man was bullied, went to a teacher. The teacher totally understood and respected the situation, didn't know what to do, and hid him under her desk for lunch every day. We have one child who was bullied in Hartford. The mother went to the principal, totally cared, and the mother was told it was because of her separation with her husband.

so, people really want to help, but they don't have the information. And teachers again and again are candid with us, that they're not adequately trained. In the report that was required by SDE to look at what schools needed, the number one thing that schools said

around the whole state was they needed the training and they also needed to know what the best practices were, because there are, frankly, plenty of knee jerk practices out there, and then there are some that are research-based.

It is wonderful that we are expanding where bullying takes place, because a good bully does it where you don't see it. So, they're in the play yard, they're in the neighborhood. So, expanding both where this takes place outside of school grounds and also including training for those who are the bus driver, the cafeteria worker, is very important. So, including cyberbullying, including training, and then last but not least, creating speed -- creating a system where you have the specialist in the school, through staff employees that you already have, and having a regional and a whole school response with the superintendent will make this really happen.

We have not had adequate accountability in the bill that was history. We have 69 schools that still haven't submitted their reports to the State. No one's really been in charge. This bill sort of gives a facelift to that and some depth to it. We also recommend the enumeration.

I will tell you that I was with Kevin Jennings from the United States Safe Schools, person who is in charge of bullying for the country. He told us that our applications for safe schools was one of the worst in the country, it didn't have a system, it didn't provide the training, it didn't do what we need, so, this bill will compensate. And he also highly recommended that we put in enumerated categories.

So, I concur with Senator Looney, that that would enhance the bill. Thank you for the opportunity.

SENATOR STILLMAN: Thank you very much.

Questions?

Representative Liddy.

REP. LYDDY: Thank you, Madam Chair.

Thank you, Elaine, for being here and for your testimony.

You bring up a very interesting point, not only about the enforcement and the accountability of bullying laws and our policies in the classroom and outside of the classroom on the school grounds, but also the training issue, the mental health piece to this whole situation. I'm wondering if you could elaborate a little bit on some, maybe, best practices that you know of, in terms of training teachers and how that could fit into the roll out of this policy.

ELAINE ZIMMERMAN: Yes, thank you very much, Representative Liddy.

After Columbine, Janet Reno hired Delbert Elliott, a criminologist who's at the University of Colorado Boulder to advise her, because that was his course after the first large national incident that we became aware of death from bullying, to advise her on what was proven, what was replicable, what was efficient and what had really quality outcomes, and he came up with 12 programs.

The only bullying program he came up with was one designed by a fellow named Olweus from

Sweden in Scandinavia, and they had a series of so many suicides, they were trying to figure out why, and it was related to bullying.

We now know that the Olweus model has reduced aggression in schools by 50 percent. Yesterday, at President Obama's forum on bullying, two programs that were listed as proven included PBIS and the Olweus model. We have PBIS being used frequently in our school districts here. And the Olweus model also is being used by school districts here.

I had the privilege to live in Sweden and to work with Dan Olweus and to travel the country there, to see how they were doing what they were doing on bullying, and the model has the following components: Everybody needs to be trained, just like this bill provides. There needs to be a clear definition, just like this bill provides. There needs to be a team in charge of addressing all cases, so that it's individualized, because you may bully because you've got a lousy family and I may bully because I'm learning-disabled or I may bully because of some peer pressure.

So, there's different reasons why children bully. So, individualized response to the bully, help for the target, because he or she is the one who may become depressed and may drop out or not perform well in school from being bullied. So -- and it's a group construct, taking case-by-case each week or every two weeks, and that has worked profoundly well. Also, parent engagement, which this bill improves upon.

So, all the criteria of the best two models have been built into this, and I'm glad to get you the report.

REP. LYDDY: Thank you very much. One follow-up -- quick follow-up question. It's nice to hear that we're beginning to connect the dots between suicidality and bullying. I'm wondering if the Suicide Prevention Plan -- the State Suicide Prevention Plan or DCF or any of the other stakeholders have had any interest in or input into this particular proposal.

ELAINE ZIMMERMAN: That is a great question. I know that the Office of the Child Advocate -- because they have -- they are assigned to deal with the death of children -- has been very, very involved in this issue, so, the dots were connected there. I also know that Representative Abercrombie, who will be speaking shortly, because of her keen interest and commitment to make sure that we don't have suicides in this state, this led to her interest in bullying. So, she may be further able to address your question.

REP. LYDDY: Great, thank you very much.

Thank you, Madam Chair.

SENATOR STILLMAN: Thank you, Representative.

Representative Johnson.

REP. JOHNSON: Thank you, Madam Chair.

Thank you for your testimony today. I just wanted to follow up a little bit on what Representative Liddy was talking about. Just from your knowledge today, are schools in Connecticut having a coordinated approach, and do they involve the student body as well as the personnel?

ELAINE ZIMMERMAN: No.

REP. JOHNSON: So, they are not involving the student body?

ELAINE ZIMMERMAN: I think that it's not frequently the case that youth is involved. In the model that I was talking about with Representative Liddy, where you have a team that looks at cases, I have seen the Olweus model sometimes include a youth as a way. Also, in this model, where we, in this bill, talk about training, what we know is it won't work unless everyone's trained, because you could have one great teacher who knows what to do, but if the whole school doesn't know it, it won't be systemic and it won't sustain itself. The kid could get bullied in grade 2 and be saved in grade 5. But if you make sure to train both teachers and the students in the impact -- and that actually -- we may want to actually look at the language to make sure we are explicit that we're training -- I believe we are, but just to double-check that. We need to train parents, the teachers, the ancillary staff, support staff and the youth.

REP. JOHNSON: Thank you, because I think it's important to include the student body as well as the -- all the professionals.

ELAINE ZIMMERMAN: Absolutely.

REP. JOHNSON: All the professionals --

ELAINE ZIMMERMAN: We could build that up, too, yep.

REP. JOHNSON: -- in the system. Yep, thank you so much.

ELAINE ZIMMERMAN: Thank you.

SENATOR STILLMAN: Thank you, Representative Johnson.

Yes, Representative Srinivasan.

REP. SRINIVASAN: Thank you, Madam Chair. Thank you very much.

I definitely agree that the bullying laws have to be strengthened. No question about that at all. The concern or the question that I have for you is, as I read this, it is within the confines of the school system. The superintendent, you know, will designate who within the school is going to be running this particular program, moving forward, you know, when -- would you think that that's going to be enough or would you feel that, given the -- the scope -- unfortunate scope of all this is going to entail and involve, would the schools require more supportive staff and need more staff, and would that become an expense, as far as the school is concerned?

ELAINE ZIMMERMAN: Yeah, that's such a great question. I think that there are two pieces to this. I think that it is the case that a superintendent and a principal might benefit bringing in community expertise. In this model, if you have a team working, you could bring someone in, say, from the Youth Service Bureau to help sort of thing. So that in terms of seeing community members as assets, I think that you could, in and of itself, to how this bill is written, include them.

Is it possible for this to work optimally without community? Yes. In the Olweus Model, which I had opportunity to observe -- and then, frankly, I wondered if it was just good in Sweden; would something in Sweden work in

the United States?

But we've now seen the Olweus Model all over the United States. It is working in schools, maximally, and, actually, as I said, it was heralded yesterday, and it is a school model and without additional expense.

REP. SRINIVASAN: Madam Chair, if I could ask a follow-up question.

SENATOR STILLMAN: Surely, go right ahead.

REP. SRINIVASAN: Thank you, Madam Chair.

You know, bullying range -- there's a wide range of bullying and, as Representative Liddy said, goes all the way to, unfortunately, suicide -- going to that extent.

Given that depth of what bullying is all about, do you have recommendations as to what would be the -- if I can use the word "punishment" -- meted out to the people who are bullying? Is that also being looked at? Is that part of what this is all about? Thank you.

ELAINE ZIMMERMAN: You know, what we know is that the target ends up not eating, not performing well, often missing school, sometimes becoming a drop-out, sometimes becoming dramatically depressed, at its extreme, suicide.

The bully has a 7 times greater chance of becoming a felon, often ends up in prison in his or her 20s. So, from a preventative vantage point, your question is key, because we shouldn't just be helping the target. If we care about decreasing who is in our prisons and if we care about early intervention, we want also to help the bully. I know

Representative Abercrombie is keenly interested in this question and has been working on that: How do you help the bully?

In the Olweus Model, what happens in the team -- and so it can be built right into this legislation -- is that the target is helped and the bully is helped.

The literature tells us that psychotherapy does not help a bully, insight does not help a bully, behavioral interventions do, and particularly interventions that are sort of like sanctions. So, if you were the bully and you were a basketball player, you can't play three games. Sanctions plus why seems to have, according to the research, the best effect. And absolutely we must help the target and the bully, and -- the phrase is "the bystander," and that's the 80 to 90 percent of the children who aren't bullied or targeted but are observing it, because they're the ones that learn whether it's okay to be cruel and sadistic in our society or not.

REP. SRINIVASAN: Thank you, Madam Chair.

SENATOR STILLMAN: Thank you very much.

Any other questions?

Thank you, Elaine.

ELAINE ZIMMERMAN: Thank you.

SENATOR STILLMAN: Your testimony has been very helpful and insightful, and I appreciate your input. Again, the Commission plays an important role in education, so, you've given us some good things to think about. We appreciate that.

ELAINE ZIMMERMAN: Thank you, Senator Stillman.

SENATOR STILLMAN: Thank you.

Representative Abercrombie, to be followed by Representative Mushinsky.

REP. ABERCROMBIE: Good afternoon, Senator Stillman, Representative Fleischmann and distinguished members of the Education Committee.

My name is Katherine Abercrombie. I represent the 83rd District, and I am here in support of Senate Bill 1138. You have my written testimony. I was hoping that I could yield my time to Debra Berman, who has a story to tell, and I think it's very important to start this hearing with hearing her story, if that's okay with you, Madam Chair.

SENATOR STILLMAN: Thank you, Representative. I was actually going to move her up on the list when I was made aware that she was here. So, I have no problem accepting your yield, as they say. And, first of all, we want to thank Debra Berman -- Mrs. Berman -- for being here and we're very sorry -- sorry for what happened and your loss, and we look forward to hearing your insight as well on this bill.

Thank you. Please go right ahead.

DEBRA BERMAN: Thank you very much. My name is Debra Berman. I'm from Brookfield, Connecticut. I am the mother of a child who experienced intolerable bullying in middle school, and I am also an elementary educator. I submit my testimony in support of Bill S.B. 1138, An Act Concerning Strengthening of Bullying -- of School Bullying Laws.

I would first like to tell you about my daughter Alexa. She was a lovely girl, not just physically; that was the least of it. She was a dancer, a poet, an artist and a real humanitarian. She was the light of her family's life.

That light was extinguished on August 23rd, 2008, when she was just 14 years old. It was her dad's birthday and just three days before she was to begin high school, which was significant because she did not want to go. Alexa took her life that day. She hung herself in her bedroom. Although numerous factors likely led to this tragic outcome, the most prominent one was the cruelty heaped upon her by girls who had formerly been Alexa's friends.

For her entire eighth grade year, she was shunned, demeaned and made to feel worthless, both in school and at home via the computer, mainly through IMs and photos, photos showing activities the girls engaged in but excluded Alexa from.

The updated bullying legislation is critical if Connecticut hopes to prevent tragedies like Alexa's from occurring in the future.

I deem Alexa's suicide a quiet one. She did not jump off a bridge. There wasn't a large gang of bullies that were visibly tormenting her. Alexa's suicide did not receive a lot of press and there were no famous people stepping up to rail against such a tragedy, but her death was just as tragic and left her family just as devastated. It is these quieter suicides that are most prevalent in our communities. It is up to our schools to take the appropriate actions to stop them. This legislation attempts to do just that.

It is of the utmost importance that the cyberbullying clause be added to the bill. It is on the computer and other electronic devices that our youth feel empowered. Bill S.B. 1138 addresses education for all staff in the schools. This is essential. I say this both as an educator and a parent. It is important to note that the training in bullying prevention is just the first step. It will take a concerted effort on every single staff member's part to truly change the school's climate.

In Section 10, 222(g), No. 4, the bill states that schools would establish appropriate consequences for those who engage in acts of bullying. These consequences, once developed, must be publicized to all students and their parents. It is imperative that they be strictly adhered to once established.

On point No. 5 which calls for adequate adult supervision of common areas where bullying typically occurs, it is vital that this adult supervision include certified teaching staff, not just paraprofessionals, as is the norm.

Quite often, teachers are not aware of students who are bullied or the perpetrator, because they do not see the students in these unstructured settings.

Every single one of Alexa's teachers will tell you they were shocked that she took her life because she presented herself in class as a self-assured, outgoing and even carefree young lady. If they went into the cafeteria, they would have seen a much different girl.

Lastly, the legislation needs to include the responsibility of bystanders. Students are

afraid to speak up when they witness bullying, for fear of retaliation. The training must address the fact that studies have shown incidents of bullying decrease if reported. A correct response just might save a schoolmate's life.

If Bill S.B. 1138 passes, it will bring some measure of peace to our family, because we will know that Alexa did not die in vain.

Thank you for the opportunity to comment on such an important issue.

REP. ABERCROMBIE: And if I may just add two comments to that. You know, the first piece of legislation that we introduced back in 2002, which I was not a member of the General Assembly then, had to do with a suicide of a young man in middle school in my district.

Here we are in 2011 and still having our young people die because of being bullied to suicide. I think the time has come for us as a state to wake up. There are many districts that are doing the right thing on this issue, but I have to tell you, there was a report released from the State Department of Ed. last year that said there were still 46 districts that have not complied with our 2008 legislation that we did. And I'm here to say, shame on them.

We all have a responsibility to protect kids. They deserve to go to school and feel safe, and not all our children are. And I thank this Committee for raising this bill and I urge passage of this bill.

SENATOR STILLMAN: Thank you, Representative. Thank you, Mrs. Berman. And, again, we

appreciate you sharing a little bit of Alexa with us. And I'd like to think she's listening today. So, our deepest condolences to you and your family.

DEBRA BERMAN: Thank you very much.

SENATOR STILLMAN: Any questions for either Representative Abercrombie or Mrs. Berman?

Thank you again.

Next, Representative Mary Mushinsky. Not here?

Mr. Sykes?

If Representative Mushinsky does not come in, then we'll go right to some students who are here to testify, after Mr. Sykes.

Welcome, sir.

FRANK SYKES: Good afternoon, Senator Stillman, and Representative Fleischmann is not here, so.

SB1138

Good morning. I'm a representative of the African-American Affairs Commission and the Commission, for those who don't know, is an advocate for the African American community but, I mean, I'm speaking on -- you know, for the interest of everyone on this -- on this bill. I speak as a representative of the agency and also as the parent of a six-year-old.

The Commission -- we support the overall intent of this bill but with some minor concerns. Strengthening anti-bullying legislation is important for creating safer school environments and improving student academic achievement.

The reasons often given for poor academic performance are lack of early childhood education, lack of after school programs and mentors. Bullying is not often the headline, however, bullying is an equally important reason for school failure. It causes dropping out of school, isolation, violence, and even suicide. Each day in this nation it is estimated that 160,000 students miss school for fear of being bullied, and the bullying statistics surveys show that 77 percent of students are bullied mentally, verbally and physically.

For the African American -- for African American students, the drop out rate is significantly higher than the average. Bullying is totally unacceptable in the school environment -- in the school environment or off school grounds.

One of the concerns we have is that reports sent to the Department of Education regarding bullying complaints are very general. There needs to be more specificity regarding race, ethnicity, student profile, for example, whether they have special needs and other important indicators. This information, we believe, will assist the State Department of Education to identify trends, patterns in school bullying and ultimately assess the nature and severity of the problem.

Another concern is that students of immigrant parents and children with special needs must -- may be the most vulnerable. A Connecticut study confirms these findings, reporting that more than 50 percent of all complaints involved a student with an individualized education program or a disability.

While evidence on the impact of bullying on immigrant students is limited, there is consensus that individual differences in behavior, skin color, religion and culture are strong determinants in who gets bullied and who doesn't. There is language addressing culture in the bill, however, we believe stronger cultural sensitivity training is needed not only for staff and students, but especially parents.

It is our understanding that the Commission on Human Rights and Opportunity has developed informational material to educate parents about bullying. This is a good first step, however, all parents need to be informed and educated about different student behaviors, conditions, especially in the area of cultural tolerance.

Finally, we are not fully confident in the system in which the reporting of incidents to the State Department of Education is conducted by school staff. While we respect the hard work that staff put in daily, we are concerned that there is a conflict of interest. As such, incidents may be under-reported to avoid the stigma of the school being unsafe. We would prefer to see a neutral, independent authority perform this function. In any event, we are supportive of the bill, because it strengthens school safety policy, fostering a more productive learning environment.

And I thank you for the opportunity to testify.

SENATOR STILLMAN: Thank you very much, sir.

Questions of the gentleman?

Representative Johnson.

REP. JOHNSON: Thank you, Madam Chair.

And thank you for your testimony today. You indicated that you think that there should be stronger language in the bill with respect to cultural tolerance.

Do you have any recommendations with respect to the types of materials that should be included as part of this type of a program?

FRANK SYKES: Yeah. I mean, that's a good question. You know, I just think that there is a general sense of xenophobia, you know, in our nation at this time. And I think, also, as you can see, that there is certainly a shift in the demographics. You're seeing a lot more immigrants, you know, come into the nation.

The last census report that was just released show, you know -- reflect that. And I just think that there needs to be -- more parents need to be educated about, you know, different cultures, okay, because this is what is happening in the classroom. These are the -- I mean, I'm trying to figure out a word -- the new student, you know, population that is out there.

And maybe -- I mean, you know, the schools can have some sort of workshops, you know -- to organize workshops on it, you know. But, I mean, most of the time when we talk about this issue -- I mean, the statistics overwhelmingly show that, you know, the students who are picked on -- at least a good, significant number of them, you know, have some -- come from different cultures.

I know of -- I mean, situations myself where I've heard of families where the child is picked on because of the child's name, okay? There was an incident in Philadelphia where a boy was picked on -- I believe he was, like, 11 or 12, and he was picked on and he was hung upside down, and the reason they did this -- this was off school campus, and one of the reasons they did this was because -- just because his mother was from Liberia, okay? And this was, by the way, done by, you know, African American students.

I mean, the situation that we talk about with -- I mean, there's a case -- lady who was -- the girl who committed suicide, I believe she was from Ireland, you know, originally. I'm also hearing reports that there is anti-Islamic sentiment in areas of New London, where I believe they have a huge Islamic community.

So, you know, this is why I'm saying that, you know, there needs to be some -- you know, this situation needs to be addressed, you know. And I'm not quite sure how that will be conducted, but I think -- I'm just giving you an example -- I think workshops could help, I mean, some partnership with, maybe, the local libraries in the respective towns could do that.

REP. JOHNSON: Thank you.

Thank you, Madam Chair.

SENATOR STILLMAN: Thank you, sir.

Anyone else?

Before I call on Senator Suzio, I'd just like to react to your comment. As someone who

lives in the New London area, I can tell you that I was a little taken aback by what you just stated about the Islamic community.

We have a very open relationship.

FRANK SYKES: Right.

SENATOR STILLMAN: And I am not aware of -- of a -- an atmosphere of people not respecting each other. I mean, you're going to find some of it in every community, but certainly not to the degree that you -- you may have mentioned. If it is true, I'd certainly like to know more about it.

FRANK SYKES: I'm not -- I'm not -- you know, again, I'm saying some of these rumors that are coming forth -- I mean, I have no way to substantiate it, but this is information that, you know, we have been, you know -- reported -- you know, have been reported, you know, to myself. And I'm not -- I'm not -- I hope I'm not, you know -- you know, saying that it's like -- it's what do you call? I know -- I don't want to use the word scourge or anything or the severity of that. I'm not in a position to determine how severe that -- that is there. This is what -- I'm just telling you what I've been -- what has been reported, that's all.

SENATOR STILLMAN: Senator Suzio.

SENATOR SUZIO: Thank you, Madam Chair.

I'd be interested in hearing what your perspective or understanding is with respect to bullying, as far as it's related to gangs and, you know, more organized than just kind of casual, you know, one-on-one.

Do you have any -- can you elaborate or give me more information about that?

FRANK SYKES: With respect to gangs?

SENATOR SUZIO: Uh-huh.

FRANK SYKES: Specifically?

SENATOR SUZIO: Uh-huh.

FRANK SYKES: I'm not, you know, aware. I know that there is certainly, you know, gang violence, you know, out there, and I will suspect that, you know, there are certain -- in some cases -- connections where, you know, you may have a student who may be bullied on -- on -- you know, on school grounds and -- or maybe they cannot bully the student on school grounds and, therefore, the incidents occur off school grounds. And sometimes it could be, you know, gang-related in some cases, but I don't have, you know, any -- what do you call -- hard evidence, per se, but I wouldn't be surprised if that's certainly happening. You know, like for instance, in the case in Philadelphia, I would not be -- I would not be, you know -- I wouldn't be surprised that that may actually be happening.

SENATOR STILLMAN: Thank you, Senator.

Any other questions?

Yes, Representative, go right ahead.

REP. LAVIELLE: Thank you, Madam Chair.

Thank you for your testimony.

FRANK SYKES: Thank you.

REP. LAVIELLE: I'm curious about one thing and I -- actually, this is just in the nature of a clarification for me. I want to make sure that I understand you properly.

When you were talking a while ago about certain incidents in certain cases, I -- I thought that I understood that you might be suggesting that the view of the sorts of people who might be -- the general view of the sorts of people who might be susceptible to bullying might be a bit narrow and that there are -- there are quite a few other groups of people, children, whatever, who you feel are also susceptible to regular bullying.

Did I misunderstand you or did I --

FRANK SYKES: I'm not -- I'm not clear on your question. If you can be a little more --

REP. LAVIELLE: Yeah, you were mentioning cultural differences.

FRANK SYKES: Yes, that's true.

REP. LAVIELLE: And certain other national differences and so on and so forth. And I wanted to be clear about whether you thought that those were or were not covered in the general discourse that we often hear applied to bullying and so on.

FRANK SYKES: In other words, whether it's not covered in the bill or the language --

REP. LAVIELLE: Well, if we were to look at typical cases, which we often describe in the United States as race, religion, sexual orientation and so on. And I -- I wondered if you felt that there were extensions of that that we -- because I'm not trying to put an

interpretation on your words. I'm really trying to understand what you might have said, because I think it's -- I think it's insightful.

FRANK SYKES: Right, no. I mean, all I am saying is that I just, you know -- there is certainly -- I just -- I just know -- I know that there is a -- culture plays a role in, also, who gets -- who gets bullied and who, you know -- you know, it does.

You know, when -- it's based on what -- the perceived differences by the students, and they are able to discern that. And, unfortunately, it sometimes leads to a student being picked on because of what they see of something which they are either not familiar with or they are not -- they're not used to seeing. And, so, that particular student stands out and is a person who is an easy target. That's basically what I mean by that.

REP. LAVIELLE: I was interested that you brought that up, because it -- that's been my experience as well. I've noticed that often, and not only among children, frankly.

FRANK SYKES: Right.

REP. LAVIELLE: But I wanted to point it out and ask you about it, because it's -- I have a concern that I mentioned earlier --

FRANK SYKES: Right.

REP. LAVIELLE: -- that there may be a tendency to restrict the general view, to watch more closely cases that we can recognize more easily.

FRANK SYKES: Right. I'm in agreement with that.

And I also feel that a lot of this, similar to the bullying that goes on -- I mean, even when -- you know, a lot of it is sometimes under-reported, where a lot of students may -- I mean, may not -- you know, may not simply report it, even while it's going on.

And that's a nice thing also that could also help, if they have, like, a -- what you call -- I mean, I think Representative Fleischmann had mentioned the issue of being proactive.

So, I think that if maybe you even have like, maybe, mental health, you know, counselors meeting with, you know, students on a periodic basis, for instance, that can also, you know, sort of like, maybe, diffuse any situation, rather than wait till the -- you know, the student -- because what happens is that students react differently. Some students may just simply isolate themselves, like -- you know, and they isolate themselves and then, all of a sudden, they explode and no one understands why.

But if there is a way by which, you know -- there is a mechanism to intervene earlier, and maybe through, you know, things like, you know -- you know, as I'm saying, mental health counseling for the students on a periodic basis, hopefully, that could also help, I think. I mean -- so --

REP. LAVIELLE: So, you're talking about the sort of preemptive action that we sometimes see in the workplace?

FRANK SYKES: Right. I think it has to be proactive. I just think that we're a lot -- we are we more reactive in our approach. We wait for an incident to happen, and then we

take action and come up with a whole list of recommendations. But if we are a little bit more proactive -- and that's why I talk about the cultural issue that, you know, maybe we may need to educate people on the differences that exist and will continue to exist.

And based on how we can see the demographic landscape changing, these differences will be there currently and in the future. It's going to even be -- there are going to be even more -- more of those differences will be with us. And, so, parents need to be aware of that.

REP. LAVIELLE: Thank you. I think that's very insightful. Thank you very much.

Thank you, Madam Chair.

SENATOR STILLMAN: Thank you, Representative Lavielle.

Anyone else have any questions for the gentleman?

Thank you very much.

FRANK SYKES: Thank you, Senator Stillman.

SENATOR STILLMAN: We have a group of four students who want to come up and testify together. Are they here? There they are. Katie Peters, Adam Olberg, Mary Hamula and Lydia Post. If you just -- actually, that extra chair over --

Welcome to all of you. Before each of you speaks, if you'd just identify yourself for the record, we'd appreciate it. We do have copies of your testimony, though.

KATIE PETERS: I'm Katherine Peters.

Representative Fleischmann, Senator Stillman and members of the Education Committee, my name -- oh.

My name is Katherine Peters and I am a junior at Newtown High School and serve my school on the student government. I'm here to testify in favor of Bill No. 1138, that is designed to help foster safe school climate by strengthening and expanding Connecticut's school bullying laws.

Earlier this year, student government discussed in detail the concerns that we have regarding bullying in all schools. We firmly believe that all students should have the absolute right to attend school without the fear of intimidation or experiencing potential physical harm.

We authored a memorandum to our state representative, Representative Liddy, who has demonstrated, in a very short period of time, that he is a true supporter of our community and education in Connecticut. I am extremely pleased that he took our memorandum and considered our point of view and included our suggestions in some of the amendments that are being addressed in this proposal, his Section 9 specifically supporting -- Section 9 that identifies the staff member as a District Safe School Environmental Coordinator. This position identifies a single point of contact for the school district, parents, families and friends, and will enable the school community to have an expert as a resource available to them, to assist them in dealing with bullying and its prevention.

Being sensitive to these most challenging economic times, this suggestion, if

implemented, would have a minimal monetary impact on the school district around the state. It would require some additional responsibilities for this position and, additionally -- and additional professional training, with the suggestion that this role be filled by someone already on staff.

While I personally have never been a victim of bullying myself, I have witnessed it and I've seen the negative effect it has had on others who are trying to get an education.

It is unfortunate that bullying is everywhere, but through the collective efforts of strong legislation and resources in every school district, I'm confident that we can work together to help all students have the experience in school that they deserve.

I appreciate the work of the Education Committee and their thoughtful consideration of this important bill and urge that you support it and move it forward to a full legislature for approval.

I again want to thank Representative Liddy for listening to us and advocating for this important change.

SENATOR STILLMAN: Thank you very much.

Who's next?

LYDIA POST: My name is Lydia Post and I am a junior at Newtown High School. I'm here to share my experience with bullying and my favorable opinion for Bill No. 1138.

My bullying experience started in seventh grade and I had always had a really close group of friends. One -- starting spring of

early 2007, they started -- began saying things like, "I hate red, red is fat, red should die," anything along the lines of that.

I never really knew what red meant, so I never asked. It was brought to my attention one day that I was red. And when I asked about it and I questioned them about it, they didn't deny it. They just laughed in my face and walked away yelling insults back at me.

The following week, they took the bullying to a new level. The bathroom walls were covered in insults and drawings of me. The desks in every room were covered in horrible remarks, often in Sharpie, so they could not be removed.

I had lost every single friend I had ever had and I did not know why. This may seem like petty middle school drama, but to me, my life seemed to be falling apart, because every friend I had ever had confided in me -- who I ever confided in turned against me. I had a very close relationship to my mother, and I told her everything. She encouraged me to tell a teacher or a guidance counselor, and I thought that telling an adult at school would only make the bullying worse. What I didn't realize was that it would have been much more effective that a teacher make them stop instead of trying to make them stop myself.

I retaliated in anger, which did not help. In circumstances like these, I realized the best thing to do is ask help from an adult.

Looking back on this, I realized that no -- that no person should go through this. It has affected me still to this day. It is -- it is -- I obtained an insecurity that I still have not gotten over and it made me realize

that I can't trust people as easily as I should have. No -- no student, no teenager should be able to go through that.

You don't want -- you don't want the people of your society not being able to trust people like that. You don't want them to not have the insecurity that they should grow up. But also I'm glad I went through this, because it matured me, in a way, and it made me -- not all things happen for a reason, but no matter what, you'll always learn from them.

Thanks.

SENATOR STILLMAN: Thank you very much. We really appreciate your willingness to share your experiences and your opinions.

Next?

ADAM OLBERG: Good afternoon, Madam Chair and members of the Committee. SB 1138

My name is Adam Oelberg. I am a sophomore in Newtown High School in Newtown, Connecticut. I am not here to offer any personal stories concerning the harassment of a close friend, nor can I share my own encounters with bullying, as I have been lucky enough to avoid such unpleasant circumstances.

However, I am here because a countless amount of students all over the state cannot say the same. On behalf of those 42 percent of students who claim they have been bullied by means of the Internet alone, I, like many others, recognize the threat imposed by bullying. Perhaps due to an increase in modern technology, it is much greater today than it was several decades ago. In fact, according to a recent study by Yale

University, bully victims are between 2 and 9 times more likely to consider suicide than nonvictims, an action that kills more than 4,000 teens annually.

Not only are the increasing rates of teen suicides due to bullying inconsistent with the values and individual liberties this country promises to protect, but they challenge these young adults and children's fundamental rights of safety.

Many students view attending their local educational facility as a risk to their basic welfare and emotional health, which might explain why approximately 160,000 students stay home from school every day for fear of being bullied.

In reality, however, the rise of cyberbullying has made these victims exposed even within the privacy of their own homes. And when they log onto their computers to read what comments that peers have posted, they are sitting at a screen in the dark by themselves. They have no support system. It is understandable how, when teens see an extensive list of malicious remarks as soon as they check their social networking profiles, their vulnerability and emotional insecurity escalates.

Hence, it must be a priority that such a support system be encouraged in an environment where the actions of adolescents can be, in most cases, supervised and regulated, as well as in a way that extends past the classroom. Thus, the implementation of a more strictly defined state of -- more strictly defined statewide requirement with regards to the way bullying is handled in schools should be an imperative step towards providing American youth with a peace of mind and comfort

necessary to reach their full potential with respect to both their well-being and performance.

In conclusion, we cannot allow the ignorance, insensitivity and pure hatred of an overwhelming and growing teenage influence to dictate or judge the value of the lives of their peers.

A bill such as this might easily be, with both current and preventative solutions in mind, the motivational force that ends this flaw within the schooling systems and communities of Connecticut.

I thank you for your time and consideration in addressing this pressing matter.

SENATOR STILLMAN: Thank you, Adam. Appreciate all those statistics, too. You've done some research and they are very important to this discussion. So, thank you very much.

Go right ahead.

MARY HAMULA: Hi, my name is Mary Hamula. I'm seventeen-years-old and I'm a junior at Newtown High School. I'm here to offer my support on Bill 1138 and to share my personal story of my experiences with bullying and cyberbullying.

My experience started the winter of my sophomore year. I had a tight-knit group of friends that I had made from cross-country and track and I was in a relationship with someone in that group as well.

Mid-January I ended the relationship without telling any of my friends, because I didn't think it would be that big of a deal. I was

dead wrong. The next day none of my friends would talk to me. They flat out ignored me and snickered whenever I tried to talk to them. I tried to find out what was wrong, but none of them would tell me.

Finally, one of the girls just told me that they flat out did not like me anymore. I tried to talk it out with them, but they would shy away from any confrontation. It only got worse as time went on. I would try and try to fix things, but they would ignore me and use it as a joke.

I found a whole Facebook conversation between two of the girls calling me ugly and selfish. They would even use my name as an adjective, calling each other a Mary when they were pretending to fight.

I started to getting anywhere between 10 and 40 form spring questions a day from the people in that group, calling me horrible names like whore, slut, fat, emo, loser and worthless. I received anonymous text messages telling me to kill myself, and I would often come into school to find my locker got all covered in gum.

What hurt the most about all this is that they were my friends. They had been there for me and knew my secrets and I had really trusted them. To have them turn on me like they had made me feel alone and helpless, which is probably what they wanted.

And then my ex-boyfriend and the girl who had been hardest on me began to date and they would grab each other's hands when I walked by and sat right in front of my locker every morning.

But looking back, what stands out to me the most is that I let it continue. I said nothing and I let them get to me from behind their computers and gossip. And then I heard about Phoebe Prince.

Phoebe, in case you didn't know her story, was a fifteen-year-old girl who lived in South Hadley, Massachusetts and committed suicide in 2010, after being relentlessly bullied by her peers. She was called names and even had an energy drink thrown at her head while walking home from school.

Three of my close friends live in the town where Phoebe lived, and one of my friends was even a pall bearer at her funeral. It's made her story so close to my heart. I felt like I really knew what Phoebe had been going through, because I felt that I was going through something so similar. I felt so sad that the world had lost her for such a stupid reason.

Caring about what happened to Phoebe gave me the strength to realize that what was happening to me was not right, and I had to do something about it. Finally, I developed the strength to stand up to the girl who had been meanest to me throughout the year. I pulled her aside in the morning and had a face-to-face confrontation with her all about the things that she had done wrong to me and how it made me feel.

She denied everything to my face. That is when I realized how stupid I had been. She had struck fear into me for or almost a year and, yet, she was being nothing but a coward.

This gave me the new strength -- this gave me a new strength that I have never had before.

After confronting her, the mean behavior nearly stopped. They tried to get to me, since I had become sort of their inside joke, but the confrontation had proven to them that I wouldn't deal with it anymore.

I had beaten the people that had kept me down for so long and I proved to myself that if I believed in myself, I could be unstoppable.

Being bullied the way that I was gave me new motivation to help other people who may have been experiencing the same thing. I knew that it was up to me to stop what happened to me and what happened to Phoebe from happening to someone else.

I created a program in my school that has evolved into a class that is taught to all freshmen and sophomores in my school that goes off of the program, the statewide program called "If It's Mean Intervene."

It teaches high school students to respect each other and to watch what they say. I also hope to institute a program in my school that will educate students on depression and suicide, in honor of Phoebe. I also am involved in Student Government, Student Council, State's Junior Council and Junior Statesmen of America in my school.

I love making a difference in my community and I tutor children on Sunday afternoons as well.

If I hadn't gone through the experience of bullying, I might not be as strong as I am today. However, that certainly does not make what these kids did to me right.

Passing this bill will mean that each and every one of you is helping to prevent another

innocent teenager from feeling the way that I felt, and it can even mean saving lives.

I encourage all of you to vote on behalf of this bill and I thank you for listening.

SENATOR STILLMAN: Thank you very much.

Thank you, all of you, for being here today. And I want to thank your high school, Newtown High School, for allowing you to be here. At least I hope they know you're here.

If not, you're now on TV.

They'll find out. But most importantly, thank you for advocating on behalf of -- of, you know, kids like you throughout the country who can't, but more importantly here in Connecticut as well.

For those of you who've withstood the onslaught of bullying, I congratulate you for turning things around and making something -- a positive out of something that obviously is negative.

So, thank you very much and we wish you good luck. And I'm sure you'll be following the bill, to make sure that it moves forward and is passed. And feel free to reach out to other elected officials and ask them to support this bill as well.

Does anyone have any questions?

Representative Liddy, what a surprise that you wanted to ask something.

How nice of you to recognize his good work.

Representative Liddy, go right ahead.

REP. LYDDY: Thank you, Madam Chair. I also want to recognize their teacher and Student Government Advisor, Larry Salomon, who is standing over there next to the Channel 3 camera. Wave.

I just wanted to say how very proud I am of each and every one of the students that are here today. This is not a very -- this is not an easy topic to discuss for adults, never mind students who are in your position, who have been bullied, who have seen friends who have been bullied.

And I think we need to do a better job at this table, as leaders, in modeling the behavior that we expect of our students. You know, whether it be through political campaigns or on TV, we have to do a better job at showing you the best way to behave and to support one another.

So, I want to say thank you very much for your insight. You all did a great job.

And just for the Committee's edification, they came to me with this issue. This wasn't something that I initiated. This is something that the students in Newtown High School actually set as a priority for them and for our community, and I think that is extremely admirable and I very much appreciate your leadership on -- on this topic.

So, thank you very much.

SENATOR STILLMAN: Thank you, Representative.

Anyone down there?

Senator Boucher.

SEN. BOUCHER: Thank you, Madam Chairman.

And thank you for being here today. I think you're expressing the sentiments of many students throughout our state. Many of us have students from high school and junior high that have brought this issue up as well, some of them have focused on cyberbullying, others of the general topic itself.

One of the questions I have for you, if you wouldn't mind, since you're closest to this issue, for a lot of others, do you feel that this issue has become more prevalent or is it -- has it always been there and now it's being -- becoming -- brought to light more, it's becoming more public, as reports of students hurting themselves have hit the media?

MARY HAMULA: I think that it's always been an issue ever -- pretty much forever. And with the technological advances that have happened in cyberbullying, it becomes such a prevalent issue. I feel like it's being brought more to light and especially with the (inaudible) TV, it kind of hurdles it towards the media. But I think it's something that's always been there. It's just something that now we're choosing to recognize because we see it as such a problem.

SEN. BOUCHER: Well, you answered my second question. Is it the fact that we now have the social media and technology to such a degree that it's no longer isolated amongst small group of friends, but can spread virally throughout the school and sometimes outside of the school system as well?

And, also, do you find that there is a certain

characteristic, the type of student that is the bullier? In other words, are there certain characteristics that always seem to be prevalent in the -- and is there a lot of copycatting that occurs with, say, one person leading the pack, so to speak, and others joining on?

MARY HAMULA: I think the sort of leading the pack mentality, that definitely happens, especially with my personal story. It was one girl who felt so strongly and then turned everyone else into her point of view. But I don't think there's really certain characteristics. I think in any given situation, it can be someone different.

I think stereotypically, I suppose, it's the more popular person or the leader of a group who kind of sets the mentality for everyone else, but I think in any situation it can be anyone.

SEN. BOUCHER: Well, I really commend you for standing up to it and confronting it as strongly as you did. It's really hard to do, the younger you are.

We actually sign up for and volunteer to be the targets of bullying, oftentimes, from groups that really don't agree with a position we might take. But at your age, you know, it is purely a situation where there's a lot of young people that are being the target. And how you learn to deal with that, it either can strengthen you, and, as you've shown, it can destroy individuals. And it's unfortunate that we have to raise this to this degree that -- you know, these issues cannot be, you know, taken care of closer to home and that there's a lot of good modeling that takes place closest in the family, so that this sort

of thing doesn't get out of hand.

Thank you very much for bringing it here. We hopefully will have total bipartisan support to bring something forth. Thank you.

SENATOR STILLMAN: Thank you, Senator.

Representative Hovey?

REP. HOVEY: Thank you, Madam Chair. I happen to be part of the representation for Newtown, and I think my question is for Lydia.

Lydia, one of the things that I've, you know, kind of consistently been told about Newtown schools is that they really pride themselves on their respect for diversity and differences. And, in fact, my own stepdaughter went to Newtown High School. She's now off in college. But I was always impressed with her friendships and kind of the way they treated each other.

And, so, I'm really kind of distressed about your situation, and all of your situations, but I know, as an adult, we always are kind of walking the line around how much involvement should we impose and does it help or does it make it worse?

And, so, from your perspective, I want to know, what do you believe the adult responsibility is in helping alleviate this issue?

LYDIA POST: I think it's the adults' responsibility to wait till this person who is being bullied, the victim -- wait till they're ready to come to you. I mean, if there's -- if you try and force your help upon them, it's going to make them pull away and that force --

and that might cause them to retaliate in a different way. And, so, I think you should tell, like -- you know, support them as much as you can without exactly forcing your help upon them, and if that person is ready, they will accept your help. And if -- I guess it depends on the person, whether or not they are willing to accept your help.

REP. HOVEY: So, what about that, um -- that young person who is very vulnerable, and in being so vulnerable just doesn't have the ability or any of the kind of -- I mean, obviously, you four have, at some level, some, you know, fortitude or you wouldn't be up here speaking in front of this Committee.

I mean, part of that is feeling empowered to tell your story, and there's the strength that goes with that, but there are some young people who are so vulnerable that I wonder, even if they go to an adult and the adult kind of props them up and gives them, you know, some ways of managing the situation -- I wonder what we do for that young person that is not able to find any kind of inner strength to defend themselves, to move through the situation in a positive manner, because I do believe those are our young people who really take it to that next step that we're all so, so concerned about.

LYDIA POST: I think it's the responsibility of adults to instill that confidence and strength in a child from a very young age, because if they don't feel that from a very young age, then they won't -- they won't be able to -- they won't take it with them as they grow older.

As I said before, I have a really strong relationship with my parents and they always

taught me to be the most confident person I can be, and that really helped me get through this, instead of retaliating in ways that others have.

So, I think it's the responsibility of adults and teachers and people like that to tell kids, from a very young age, that no matter what happens, you can get through it, just be the most confident person you can be.

REP. HOVEY: Thank you. And thank you all for coming today, but it really does drive home, in your comments, that this is not just a school issue, this is a school/community issue, and we need to be educating everyone.

Thank you very much.

SENATOR STILLMAN: Thank you, Representative Hovey.

Anyone else?

Representative Kokoruda. Did I mess up your -- it's okay? Good.

REP. KOKORUDA: You said it perfectly. Thank you, Madam Chairman.

I want to thank you all for today, for very brave testimony. I think we all feel that you're representing all the high schools in Connecticut.

My question to you and, really, to piggyback on what was just said, we've talked about what schools could do and what this bill could do even more -- more about bullying. And you've -- you've talked about a program that you've started, which is wonderful.

What about your community? How is your

community addressing this? And if they're not, what do you think your community outside of school could be doing? Do you have any suggestions, or is Newtown outside of school addressing this in any way?

LYDIA POST: Well -- well, from what I've seen, most of the anti-bullying programs that we have in our school is usually started up by a student. I haven't really seen anything from the teachers, from the staff, from parents. It's usually derived from a person who has been bullied and they do not want to see that happen to them -- or, I mean, to any other person.

So -- and inside our community, we do have programs where, you know, kids, you know, get to know each other, get together, form friendships, but when it comes to bullying and trying to prevent that, I haven't really seen anything be created by anyone but the students.

REP. KOKORUDA: Do you have a youth service board? I mean, are they addressing this outside of school? Is there anything like that in your town?

LYDIA POST: I have not seen anything like that.

REP. KOKORUDA: Okay, all right. Thank you.

SENATOR STILLMAN: Thank you. Thank you, Representative.

Representative Davis.

REP. DAVIS: Thank you, Madam Chair. I just kind of want to follow up in that area.

I know -- my wife is a health and physical

education teacher in another school system. As a matter of fact, she taught for six months in Newtown in the 1980s, but that's a different story. She does have, as part of her curriculum, in part of the health class, a curriculum on bullying.

Is that not taught in your classes in school?

KATIE PETERS: In the health classes it's taught, I believe, freshman year and our Guidance Department goes around and gives presentations to guidance classes that we have every -- like, we have 10 of them a year, each grade level besides seniors. And there are certain groups -- there was a group, specifically, about cyberbullying that did come into guidance classes and discussed issues with cyberbullying and, like, the new problems that are caused due to technology.

REP. DAVIS: All right. Now I want to take this back just a little bit further.

Do you recall or are you aware of when our younger students are first taught about bullying or how they should respond?

I know you said you have a very good relationship with your parent and -- but we now have or should have in our schools programs that work with -- or even our elementary school kids, on how to deal with bullying or what -- even to be able to identify bullying.

Are you aware of that, if it happens, or should we be doing more?

Thank you, madam.

MARY HAMULA: I know that in -- I don't know about

the elementary schools, but I know that in our intermediate schools, where my little sisters are in there is a program that they have. I'm not exactly sure what it's called, but it teaches tolerance towards people of different cultures and it teaches not to bully based on those types of things. And I think this is the first or second year it's been in effect, so, it's relatively new.

REP. DAVIS: So, we're starting to do a better job.

Thank you. Thank you very much.

Thank you, Madam Chair.

SENATOR STILLMAN: Thank you, Representative.

Any other questions?

Representative Lavielle.

REP. LAVIELLE: Thank you, Madam Chair, and thank you all very much for being here today. It's always very good to hear from the people who are the most concerned by bills that we're discussing.

You've gone into this a lot, so, forgive me for just asking a kind of all encompassing question like this, but what would you really like to see done, just in term of action? If you could say, "Please, make this happen," what would it be?

MARY HAMULA: I can't really speak for all four of us, but I know specifically for me -- and I'm sure they feel this way as well -- definitely to have the staff educated better than they are, I guess, what they need to do if they see bullying, what they need to do if they think it's happening in the school, specifically,

because I know that a lot of times they don't know exactly what to do or it's not brought to their attention and they're not exactly sure.

And I don't really know how this would work, but, like, some way to, like, see cyberbullying other than it being reported, because a lot of times the victims of cyberbullying aren't strong enough or they're too scared to report it. And that's where a lot of the problem lies, is we don't know that it happens because it's online, it's not in the schools and it's not brought to the attention of the administrators and the people in the schools, and that's where the problem really lies.

Something needs to be done about that as well.

REP. LAVIELLE: Thank you.

SENATOR STILLMAN: Would -- would any other students like to answer the question?

REP. LAVIELLE: If you don't mind, Representative, if I jump in and ask them that.

SENATOR STILLMAN: Certainly not. Thank you very much.

REP. LAVIELLE: You're obviously not shy.

KATIE PETERS: I think for me the biggest issue is that students who are bullies, I believe now they get in-school suspension and -- so, they do not need school there -- you are -- say, if I was bullied, the person who was bullying me would still be in school with me. That does not really give me a sense of comfort or security, in that I still have to see them at school. And if they get in-school suspension for five days, that's all they get, maybe like

a talking to.

But what other preventions can we do to discourage people from bullying and -- because I think that's -- like we were talking about, we talk to the victim, but not so much the bully, and I think that definitely needs to be done.

REP. LAVIELLE: Thank you. Anyone else?

Excuse me, Madam Chair. I'm superseding your --

SENATOR STILLMAN: That's okay. We don't mean to put you on the spot, so, don't --

REP. LAVIELLE: Well, I don't know and I didn't mean to do that, either, but I would like to tell you that your remarks sound conspicuously like thoughts that we hear in the real world. So, the amount of thought that you're giving to this, I can tell you, certainly prepares you for what you're going to encounter as well when you leave school, and I think that's a great achievement on your part. Thank you so much.

SENATOR STILLMAN: Thank you, Representative.

Representative Mikutel, followed by Senator McKinney.

REP. MIKUTEL: Quick question here. Did you or did your parents -- this is for any one of you -- go to the -- like you say, go to -- bring this matter to the attention of the administrators in your school right away?

Because I heard you say that you kept it to yourself, you didn't talk to people. But who -- who did bring it to the attention of

the administrators right away -- right away?

MARY HAMULA: I'm a little confused.

REP. MIKUTEL: Did you -- when did you bring this matter to the attention of your school administrators, if at all?

Because I heard you say you didn't bring it to the attention of anyone.

MARY HAMULA: Not right away for my -- my fear? I didn't because I wasn't really aware that what was happening to me was bullying, because I was so unaware of what it was and what constitutes all of it. But after I realized what was going on, I told my parents about it and they were going to bring it to the attention of administrators, but a close friend of mine actually E-mailed one of our vice principals and let him know what was going on, and he received an E-mail back but no other punishment was really entailed, so --

REP. MIKUTEL: What was that again, no punishment was followed from that?

MARY HAMULA: None of the people who ever bullied me were ever brought -- were ever punished at all in my school district, and it was brought to the attention of one of my vice principals and some of my teachers as well.

REP. MIKUTEL: Well, that seems to be -- gets to be one of the problems here. Everybody seems to be walking away from this problem, who have responsibilities to correct the situation.

You're not going to resolve this problem if the school administrators throughout the state aren't going to comply with the current law and aren't going to follow up on it.

So, Madam Chair, there's a real problem with a lack of accountability on the people who are to be held accountable under the current law. But what is also disturbing is -- even beyond that, is the fact that while you were being bullied, all of you, many people knew you were being bullied and nobody wanted to, quote, get involved, all your peers.

How many of your peers stepped in and said, "You know, we shouldn't be doing this"?

I mean, nobody wanted to get involved. Do you want to speak to that a moment?

ADAM OELBERG: I feel like the point that's trying to be addressed by comments like this is that the current policies that are used to enforce bullying -- like, legislation -- the way that bullying should be treated in schools, are not being followed through completely and that they shouldn't be sort of -- continued to be like (inaudible).

However, I do feel as though one of the main reasons why it's like this and a lot of the attention about these bullying cases aren't really expanded as well as they should be or brought to the attention of people that they should be is because people, students, teachers, administrators alike, have trouble recognizing the problem of bullying.

And people feel these mean comments and things like this, they attribute bullying to -- and although this is an even worse case, people committing suicide over comments on the Internet. But even though that is a big problem, and that will be addressed in this bill, I'm pretty sure. There are a lot of people who are bullied in everyday life that

don't directly go to this extent, but they don't recognize that even though they aren't going to be extremely exposing bullies, and I feel like with legislation like this, that makes bullying -- bullying laws more strict and more defined, that one of the side effects of legislation like this would be that people are being more educated about bullying, and that they will be able to recognize bullying. And, so, more action, more proaction rather than reaction could be taken in issues like this.

REP. MIKUTEL: Well, that's fine but, you know, we can pass all the laws we want, and unless people know right from wrong, all the legislation isn't going to do that much good.

I know bullying when I saw it. When I was in high school, I knew when someone was being bullied. I didn't need -- I didn't need a piece of legislation to tell me that this kid was being bullied. It's just some common sense here.

I think a lot of the problem is people -- it's a tough issue. People don't want to get involved. I mean, when -- I can think way back to high school when we had kids who were being bullied and nobody stepped in, and the teachers knew what was going on and -- and that's the situation.

What you're telling me today is what I experienced many years ago in my high school. And it's a shame that it's still going on the way it is, and it won't be -- won't be resolved without legislation, unless people step up to the plate and be accountable and -- and help out their fellow students, because that's what it's all about. A lot of these students, they need to step up and support

their own students.

SENATOR STILLMAN: Thank you, Representative.

I think this bill goes a long way towards resolving some of those issues, because -- well, it has opportunities in there so that not only your teachers, but anybody who works in the school will receive some training so that they can recognize this and know what to do. And there's no doubt that there are people who are afraid to step forward. That's certainly not your fault, but certainly your experiences put you in a very different place, so that if you do experience it, you know what to do.

So, you know, Representative Mikutel is just expressing some of his frustration, I think, over the system, and all of ours, so -- what's that phrase, "You can bring" -- "you can lead a horse to water, but you can't make him drink." So, I think that's somewhat appropriate to this. And I don't mean that as a segue to Senator McKinney, but, Senator, would you like to -- you're a guest here today and we're delighted to have you here, if you'd like to ask a question.

SENATOR McKINNEY: Thank you. Actually, I just -- I was in my office and heard these fine students from Newtown, and as the State Senator from Newtown, I wanted to come and congratulate you for coming up here. Thank you for coming up here.

Thank the Committee for raising this bill, and hopefully we'll get some action done on it this year, but just your continuing education of all of us is very important, you know. As the parent of three kids -- the oldest is in high school, the youngest is 10. I marvel at

how much more they know about technology than we do and how the technology with text messaging and E-mails and chat rooms and the ability to be anonymous in doing it has really made kids more vulnerable to cyberbullying.

So, your willingness to come forward today and speak about all these issues is great, and I think the rest of the Committee and people watching on TV know why Representative Liddy and Representative Hovey and I are so proud to represent Newtown, because you've done a great job today. Thank you very much.

Thank you.

SENATOR STILLMAN: Thank you, Senator, I appreciate your kind remarks.

Anyone else have any questions?

Thank you very much. You can now chalk this up to another educational experience that you've survived.

That you've survived. We really do appreciate your sharing your time with us.

And we have one more student, Logan West.

Welcome.

LOGAN WEST: Before I would begin, though, I would like to say thank you for this opportunity to show my support for this bill. I'm hoping that hearing my personal story will emphasize the need to elevate our legislation. SB 1138

I am Logan West and I am a sixteen-year-old resident of Southington. My first experience with bullying was when I was in the seventh grade and I was 12 years old. I guess you

could say the reason I was bullied was racially motivated.

I'm a mixed race. My mom is black and my dad is white, and that is something I happen to be very proud of. However, many of my peers do not see it this way. The black girls said I wasn't black enough and the white girls said I wasn't white enough.

Being that my school and town are not very racially diverse, I felt that that left me with a huge target on my back. I was essentially tortured for two years, both in and outside of school. I remember a group of girls ganged up on me while I waited in the rain for the school bus to take me home. They were yelling obscenities, saying mean and nasty things and calling me names, mutt, little miss want to be white and others too painful to repeat. At the same time, they kicked, pushed and shoved me and jabbed me all over my body with their umbrellas. I was scared, afraid and did not know what to do. I had become their punching bag and I didn't want to tell anyone because I thought the girls would find out and terrorize me even more.

The outside situations were easier to handle. I simply stopped going to social events. I didn't go to school dances, birthday parties or join any school clubs. I even dropped out of our school dance team because I was too afraid that the bullies might be there, too. I knew that I was missing out on what could have been great experiences, but I had to stay away because I couldn't take the chance of being the target of their rage.

What bothered me most is that I was bullied at school and from 7th to 9th grade, did not feel

safe in a place where I'm supposed to learn and flourish. I was verbally and physically abused on the school ground, tripped in hallways, pushed down stairs and spat at on the bus.

I was always taught that when you are in over your head, you should tell an adult, and I did. I reported what was going on to my teacher, and when it did not seem to be getting resolved, I told my mother. She even called the school and spoke to the principal. They said that they would try to address it but, basically, their hands were tied because of the way the laws were written. Apparently meeting and discussing my situation with the school principal was not considered an official complaint. Because my mom -- excuse me -- because my mom didn't make a written complaint, my situation was being ignored by school administrators.

The same day that my mom called and talked to the principal, the situation escalated. My bully punched me in the face. She always said, "I'm going to get you," and that day she did. I was shocked to be physically attacked in the school cafeteria while teachers and students looked on.

I was even more shocked that on the same day I was abused, a girl in Hartford school was sliced in the face with a box cutter by her bully. I originally felt alone. But once I heard someone else's story, I instantly felt a bond with someone I had never met. I wasn't the only person being bullied and I wasn't the only target.

As heartbroken as I was for what happened to me, I am thankful I didn't receive any physical scars. Mine are internal, forever

inside of me and always reflected in the decisions that I make and the way I look at this world.

This did not have to happen and I know that the bully could have been stopped. During these two years of my life, I lost myself and withdrew from my community.

I eventually realized that avoidance and withdrawal only stifled my growth. Now I have decided to be an ally rather than a bystander, so youth in my school can prevent bullying. We need to be proactive and ensure that all schools are required to include anti-bullying programs.

I am begging you to take this seriously, so that we children can feel safe in the schools. You are the next step to stomping out bullying and I especially want to say that I'm in favor of this bill because I know I felt that the staff in my school lacked the education that they needed on how to prevent this (inaudible) prevent bullying.

So, I think that by teaching school administrators and staff as well as the students on how to prevent such a serious issue, that we can make the change.

It's clear that bullying merits attention and it's time Connecticut take a stand against it.

SENATOR STILLMAN: Thank you very much. I must say, you speak very well. You present yourself well for someone who's 16.

LOGAN WEST: Thank you.

SENATOR STILLMAN: Very impressed, but I'm also very saddened by your story but, in the long

run, you won. So, keep that in mind.

LOGAN WEST: Thank you.

SENATOR STILLMAN: You're the winner here.

LOGAN WEST: Thank you.

SENATOR STILLMAN: And I am disturbed by the comments, obviously, that your mother's concerns that she tried to address with the school principal were pretty much ignored by that reaction. So, I find that very disturbing, and it's our hope that we'll get to people like that and make them understand what it is they need to do and -- and fix that problem as well.

Does anyone have any questions? Why don't we start down there with Representative Kupchick, then we'll go to Senator Boucher.

REP. KUPCHICK: Thank you very much for coming up to testify. I'm sure, as the legislators have said, it's not something easy to talk about.

What happened, though? I wanted to know what happened eventually? Did the school step up? Was there some kind of mediation between the bully?

LOGAN WEST: Well, originally, when the issue -- when I first brought the issue to our school administrators, they put us in a counseling room and they kind of left us by ourselves for a good half an hour. And we kind of just sat there and looked at each other, didn't really say much. And when our counselor came back in, she said to us, "Well, here's the deal. You basically just have to be friends."

And I kind of looked at her and said, "There's

no way I can be friends with this girl, like, she's terrorizing me every single day I come to school. There's no way I can be friends with her."

And she told me that if I wasn't willing to be friends with her, then I was a part of the issue. So, I tried to be friends with her. I tried to be nice, but it still didn't change anything.

And once the situation escalated to the point where she actually hit me, they had our classes switched, so that way we're never in any of the same classes. Of the seven classes I had every day, she was in six of them. So, there was never really a chance that I could escape being tortured by her.

So, eventually, they did change our schedules so we didn't have to go to -- to be near each other all the time, but it still made it hard, because every time I walked down the hallway, she was there. If we were in school for our lunch break -- our grade sat together, so, she was still there.

So, even though they did change some things, it still made it hard to go to school and feel comfortable each and every day.

REP. KUPCHICK: And, if I might -- no teacher, no other student ever just said, "Knock it off," while this was happening, or anybody --

LOGAN WEST: The one teacher that I did speak to was who I really felt close to -- told me "Girls will be girls." And some of my closest friends tried to get involved, but their only thing was that they felt that if they stood up, that they would eventually be involved in it and that the bully would do the same thing

to them.

So, as much as they tried to support me and tried to tell me that "Oh, everything will be okay," they still suffered, because they didn't want to run the risk of having it happen to them.

So, I essentially felt alone, because my teacher wouldn't -- wasn't really willing to help me. I went to the school and they told me be friends with this girl. And then now my friends are too scared to help out. So, it made it really, really hard.

REP. KUPCHICK: I'm really sorry that you had to go through that. I know it's -- and like another representative said, you know, we are going to try to strengthen things but, at the end of the day, if people don't do something, stand up for other people -- and, obviously, there's adults in this building and they have an obligation to make sure you're in a safe and secure environment and you're not threatened in any way.

And, like the chairman said, I'm very discouraged to hear that, that this happened to you. But thank you so much for coming.

LOGAN WEST: Thank you.

SEN. BOUCHER: Thank you. And I likewise commend you for the poise and grace you show, and you certainly have grown up to be an articulate and beautiful young woman.

LOGAN WEST: Thank you.

SEN. BOUCHER: And, obviously, you'll be very successful and what they -- you know, there's that saying that, you know, "What doesn't kill

you makes you stronger."

LOGAN WEST: I know.

SEN. BOUCHER: And obviously that is the truth. But I am very curious and also disturbed about the lack of -- of response that you received from the adults.

When you were physically abused, was there any outcome, any -- any retribution that occurred after that?

LOGAN WEST: Um, she hit me -- well, we were during lunch, so it was kind of in the doorway when she hit me, so, everybody in the cafeteria could see it.

One teacher did come up to us and kind of like separated us and said, "You guys have to go to the office." So, even though she kind of like pushed us apart, we both ended up going to the exact same place and sitting right next to each other, waiting for the principal.

But teachers really didn't say much about it. Even then, I felt that they didn't really do much, like, "You saw a girl hit me in my face and all you could do is push us apart and say, 'Go to the principal's office.'"

So, I felt let down a little bit, because -- "All of you stood there, and when I, like, told you what was going on" -- "my mother told you guys what was going on, and now you're actually witnessing what's going on" -- and still nothing was being done.

SEN. BOUCHER: Again, very disturbing. So, you don't know of any counseling that this individual really was required to take as a result of all of this?

LOGAN WEST: No.

SEN. BOUCHER: You heard some of the other students. When asked a very good question about "What would you like to see done?" -- there was a -- two comments I thought were very strongly stated, and that is that staff needs better training on how to stop bullying or how to deal with bullies, and the other was if there is an in-school suspension, they'd rather see them have an out of school suspension.

Do you have anything to add or -- to that?

LOGAN WEST: I do like those two comments, but I have to say that when it comes to the consequences, I feel that zero tolerance policies actually need to be enforced.

I know that our school had one, but they didn't follow it. So, in my opinion, when a bully gets a warning, that is more than enough to tell them that they need to stop. So, to have a bully keep going and going and going, till they're using physical force is shocking to me.

But I think that rather than just having a standard set of rules where, you can say, "You get a warning, then you get suspended, then you get expelled," the cases vary. So, you can have a bullying situation where a kid is just laughing at another child on the bus, to where children are actually being beat up on their way home.

So, I feel that the consequences truly have to fit the circumstances so that way, nobody feels like it's unfair that they got suspended when they're beating up on someone. That --

in the end, the victim needs to feel like the person who was bothering them got what they deserved.

So, I feel that the consequences really need to be harsher than they truly are.

SEN. BOUCHER: Thank you, Senator.

SENATOR STILLMAN: Questions from Senator Davis.

REP. DAVIS: Thank you, Madam Chair. I just want to ask you a question concerning your emotions as this progressed.

When you first started to report this, did you get the impression that people were blaming you for causing the bullying or blaming you for making this girl do things to you?

LOGAN WEST: In a sense, yes. I was never bullied before then. I was generally a shy girl, so, I didn't -- I didn't feel that I had said anything wrong to her. I didn't feel that I had done anything wrong, but my biggest thing was the more it went on, the more I considered changing myself to be what she wanted me to be. She told me I needed to speak differently. She told me I needed to act differently, to dress differently, I had to hang out with a different group -- a different group of friends. So, I tried to be that person, and it wasn't me.

So, each morning when I woke up and got dressed for school, I wasn't dressing for me, I was dressing to please her. Each time I behaved in school, I wasn't behaving like Logan, I was behaving like somebody else, because I wanted so badly to be what this girl wanted me to be, hoping that she would leave me alone.

So, I -- when -- my emotions were a roller coaster, that I went from blaming myself to blaming her to -- at one point I was even blaming my mother for not -- like, I felt that she could have done something more, and I know she couldn't have at the time. I was just so frustrated that I felt that somebody needs to do something.

And, in the end, I ended up feeling that I needed to blame my school, because as much as I told you, not much was done. So, it was a very, very hard time for me, especially emotionally.

REP. DAVIS: So, the bullying was just part of what this was doing to your whole life. It was making you be somebody who you didn't feel comfortable with your own skin?

LOGAN WEST: Absolutely.

REP. DAVIS: Yeah. This is what I think causes many further issues that involve bullying.

I asked the students before about some of their early experiences. Had you -- before you had been bullied, had you ever heard about bullying or what you should be looking for or anything along those lines?

You were how old, 14, you said?

LOGAN WEST: I was 12.

REP. DAVIS: 12. Had you been taught anything about the problems of bullying or how to deal with bullies, before you had the incident happen to you?

LOGAN WEST: The most I knew about bullying was

from the beginning of the year assembly, when they go over the handbook and tell you that bullying is not allowed. That was all I knew about bullying.

I had no idea what exactly bullying was. I didn't know how to find a bully. I didn't know how to prevent a bully, who to talk to if I was being bullied. I knew nothing about it. All I knew was that bullying wasn't allowed.

So, when this whole situation was happening, I just thought she was being rude. I couldn't necessarily, like, pinpoint, go, "Yeah, she's bullying me." I didn't know what it was, because I wasn't properly educated on what bullying was.

REP. DAVIS: So, finally, Madam Chair, do you think it would be helpful if we started working with children at a much younger age, letting them know what bullying is about and some of the things that they could do?

LOGAN WEST: Absolutely, because when students are young, they soak like a sponge, that you can soak it all in if you're talking to them about it. So, I think if they grow up knowing what bullying is and how to stop it, then eventually you can stop the cycle of bullying. Because if you try to teach a girl who is in her junior year of high school that she should stop bullying, she's already fixed in her ways. She's not going to try to change it.

When you're talking to a first grader and tell them that they shouldn't be mean to other people, then you go into second graders and third graders and kind of progressing and telling them the consequences of their actions and trying to -- even telling people stories about real-life bullying issues and how

horrible it really can be, I think we can make a difference with it.

So, start when they're young and you can really change the future.

REP. DAVIS: Thank you.

Thank you, Madam Chair.

SENATOR STILLMAN: Thank you, Representative.

Any other questions?

Thank you, Logan, very much.

LOGAN WEST: Thank you.

SENATOR STILLMAN: We wish you great success in the future.

LOGAN WEST: Thank you.

SENATOR STILLMAN: Thank you. Next --

Thank you.

Representative Mushinsky here?

REP. MUSHINSKY: Yes.

SENATOR STILLMAN: To be followed by David Maloney.

REP. MUSHINSKY: Thank you, Madam Chair and members of the Committee. I was in another hearing room when you called my name.

I'm Mary Mushinsky from the 85th District, in support of Raised Bill 1138, Strengthening of School Bullying Laws.

I'm here in support of long-overdue

legislation, Strengthening the State's Bullying Law, which I sponsored first in 2003, after the suicide death of an eleven-year-old child who had been mercilessly bullied by fellow students.

I regret that in the eight years since the first bullying law, children have gained access to new ways of tormenting each other. Specifically, they can now harass fellow students away from school by using the social network of electronic communications. So, we need to respond and update the law.

Adolescents can be capable of great cruelty without monitoring and guidance from adults and the establishment of rules in a prevention plan to protect these vulnerable students.

In my own district, a renowned private school found it had to take action against six students who posted derogatory sexual accusations on Facebook against classmates they did not like. The material quickly spread throughout the campus community and the school had to temporarily restrict access to Facebook and dismiss the students.

In the past year, the Northeast United States has experienced suicides on college campuses provoked by malicious attacks on student sexual orientation. In addition to these cases, we know from research that students who are different from the norm are more frequently targeted. In particular, those with developmental or physical disabilities.

Students under daily attack as you've just heard from the witnesses before me, cannot concentrate on their studies and, under significant stress, are at higher risk of suicide.

We adults have the power and the responsibility to protect these vulnerable students, at least in the public schools, which are under our jurisdiction.

This bill is a sweeping expansion and update, with the important addition of cyberbullying. It's important that no matter what else happens to the bill, bullying by electronic communication remain in the bill, even if a fiscal note delays other requirements.

The concept of repeated use should also be retained in the definition of bullying, to distinguish it from a single incident. And other important features which you have included in the bill, which are very, very good are the addition of acts outside the school setting, as they do impact the student at school; the development of a Safe School Plan; a more rapid response and review of reports; documentation of records to compare the responses between schools; protection of reporters of bullying; training of employees, as the training can significantly reduce bullying incidents -- some studies say by at least half -- a statewide model plan; and the addition of bullying prevention to in-service training and to beginning teacher training; and the designation of a responsible coordinator for schools, which would avoid this problem of buck passing.

These tools should allow us to determine if the incidences of bullying are declining, which should be our goal.

My own family, within the past year, lost a young high school student to suicide. It was my nephew. And while we will never -- never know for certain the cause of the suicide, we

do know that students' brains are still developing, and they may not yet have the coping skills that allow them to deflect stresses as well as adults.

I thank the Education Committee and the chairs for raising this bill and allowing students to learn in a safe environment.

SENATOR STILLMAN: Thank you, Representative. Appreciate it. I'm sorry for your loss.

Is there anyone with any questions?

You raised some good points, and I hope we've covered most of them in the bill.

Representative Fleischmann.

REP. FLEISCHMANN: Mary, I just wanted to thank you personally and on behalf of the Committee for your sharing not only your testimony, but your story.

You know, one of the challenges that has always been there around this topic is that it is so difficult and so painful, it is very hard for people to come forward, and, so, we really appreciate your willingness to do that.

REP. MUSHINSKY: Thank you. Thank you for raising the bill.

SENATOR STILLMAN: Thank you very much.

David Maloney, to be followed by Cindy Dubuque.

DAVID MALONEY: Good afternoon. My name is Dave Maloney. I'm the Assistant Director of the Connecticut Association of Schools. SB 1138

As you know from the information in front of you, we've represented over 1,100 schools at all levels, across the state, advocating for the very best interests for all of our member schools and their communities.

CAS applauds the work undertaken by the Legislature, and we look forward to working with you and the many partners across the state on this vital concern.

I'm also a father, a former teacher, coach and school administrator. In all of those roles, I've had extensive experience over the past 38 years dealing with today's topic.

While serving as the Assistant Principal at Branford High School, my primary focus was to build a community of learners, through a comprehensive series of action plans designed to create a school climate that ensured the physical, emotional and intellectual safety of every member of our community of learners. With the dedication of our faculty and student body, along with the parent community, Branford High School was one of four schools across the United States to be recognized by Operation Respect for our positive school climate.

Our challenge back then, and continues to be to this very day, is to design a systematic framework, a positive school climate with positive behavioral interventions and supports.

Decades of research have provided excellent guidance for school leaders on all the aspects of bullying and mean-spirited behaviors. Our focus must be on the newly developed National School Climate Standards, social skills instruction, positive school cultures,

engaging instructional practices and continuous positive and active supervision of student behavior and learning.

Every stakeholder must be actively involved, adults as well as students and community members. No uniform, no metal detector, no security guard, no camera, no school safety specialist can do what a systematic framework of trained educators, parents and students can do to ensure the safety and well-being of our children.

CAS supports this legislation, with some modifications. Should we use the best research, evidence-based practices for preventing hateful, hurtful, unkind and mean-spirited behaviors? The answer is yes.

Should we focus on a systematic program on positive school climate, starting with professional development, school climate surveys, data collection, action planning, monitoring and adjustment? The answer is yes.

Should we require each local and regional board of education to direct, implement and report their improvement plans with regard to school climate initiatives? The answer is yes.

The Connecticut Association of Schools stands ready to assist you and the Department of Education in developing and implementing this important work.

Connecticut has an opportunity to enact legislation that could lead the nation in this endeavor. We urge you to consider these modifications and to pass this act. We cannot wait one day longer for a student to stay home for fear of being harmed at school.

Thank you.

SENATOR STILLMAN: Thank you, sir. Thank you for your testimony.

Questions for the gentleman?

Thank you. That was very comprehensive. We appreciate the suggestions as well.

DAVID MALONEY: You're welcome.

SENATOR STILLMAN: Cindy Dubuque, to be followed by Cal Heminway.

CINDY DUBUQUE: Honorable Committee members, my name is Cindy Dubuque. I appreciate the opportunity to comment on Raised Bill 1138.

I commend the Legislature and strongly support training for school personnel and the creation of a Safe School Awareness Day.

I would like to tell you about a girl I know. This girl had many challenges as a child. She had difficulty hearing and was labeled by some as mentally retarded. When she started school, classmates would pick on her, steal milk out of her lunch box and ignored her on the playground.

As she progressed in school and was no longer deemed retarded because her hearing issues were addressed, other children continued to taunt her, isolate her and make her feel unwanted. Her only friend in elementary school was her teacher.

In middle school, a group of students would follow her down the hallway singing the song, Walk Like a Man, Talk Like a Man." In

addition, they would whisper words to her, calling her manly and dike. Since she did not know what dike meant, but assumed it was something terrible, she felt confused, lonely, and ashamed.

In high school, some of the girl's teachers were openly homophobic and would promote anti-gay rhetoric in the classroom. At this point in time, this girl's self-esteem was very low. While she did not skip school or get poor grades, she felt withdrawn, depressed and began to have suicidal thoughts. That girl was me.

As an adult, I made a decision that I would do everything in my power to help students feel valued and protected. As an educator, I have witnessed teachers stop racist and sexist comments in the classroom, while they allowed anti-gay comments, such as "faggot" and "that's so gay" to be used freely.

As an educator, I have heard teachers and administrators admit that they are afraid to stop the use of anti-gay language, for fear of being accused of promoting a gay agenda in school.

As an educator, I have stopped students from using the words "faggot" and "dike," but then have become a target, subject to rumors and taunts. In one school, a student whispered "dike" under his breath as I walked by.

Training teachers on how to address bullying is essential to creating a safe learning environment. In addition, schools must create a climate of tolerance and respect which fosters academic achievement for all students.

A Safe School Awareness Day will help,

however, we can do more to protect students. Adding enumerated categories that include race, religion, sexual orientation and gender identity will provide teachers and administrators the tools they need to address hateful and biased language. Enumeration shields educators from becoming targets and helps them to feel more comfortable with enforcing policies, protecting the most vulnerable students. Enumeration also lets the most vulnerable students know that they are valued and protected.

I would like to say to any students who are being bullied that I know what it feels like to be isolated. I know how much it hurts to feel alone. You are not alone. There are so many people that you don't know who care about you and want to help you. It gets better and we're making it better for you.

Thank you.

SENATOR STILLMAN: Thank you very much, Cindy. Appreciate your -- your ability to come here and share your life story with us. And you said you're an educator, where do you teach?

CINDY DUBUQUE: I have a Master's in teaching and I did substitute teaching -- I'm actually a social worker now, because I couldn't handle being in the schools because of being taunted by students. It was very difficult.

SENATOR STILLMAN: Wow. That's -- you're making quite a statement on something that we all needed to hear and, hopefully, we can take some action about a -- suggestion on enumeration is a good one. We've been talking about that, as to what to do and then I've received a lot of phone calls in my office asking us to do that, so -- but I'm glad that

social work now has a great advocate for -- for people who need your assistance, so, thank you very much.

Any questions?

Senator Boucher.

SEN. BOUCHER: Thank you so much. I think you made such a great case of -- for catching this early, early, before you get to the point now where it becomes a real obstacle for individuals when they're adults. So, thank you very much for coming, and I know it sounded like it was very difficult for you to testify today.

CINDY DUBUQUE: Thank you.

SENATOR STILLMAN: Senator Fleischmann.

REP. FLEISCHMANN: I'd just like to add the Committee's thanks and to say that not only do I think you present the testimony that's very helpful to a lot of children who are out there now, but you've shown the spotlight on something that some people still think is acceptable, which is to somehow imply that someone's sexual orientation has anything to do with what kind of jobs they should hold and what kind of job they can do educating our children. And, so, for all those reasons, I wanted to say thank you for sharing your story. I know it wasn't easy.

CINDY DUBUQUE: Thank you.

SENATOR STILLMAN: One more. Yes, Representative.

REP. KUPCHICK: Thank you, Madam Chairman.

Thank you for your testimony, and you

addressed this a little bit, but if you've taken a look at the bill, does it go far enough? Does it do -- does it do what it needs to do?

CINDY DUBUQUE: I think that the -- the enumeration part is the sticking point for me. And I know that Representative Lavielle -- Lavielle, sorry -- asked the attorney general about this question of will some students be left behind if we have an enumerated policy, and the answer is no.

If you don't have an enumerated policy, children are going to be left behind, because the bottom line is there are -- teachers are afraid to stand up.

If you're in a district where people are racist, then a teacher is going to be afraid to stand up for the child of a different color.

If you're in a district where people are homophobic, then teachers are going to be afraid to say something, for fear of being targets themselves. I think enumeration is essential to this bill.

REP. KUPCHICK: Thank you very much. I just want to thank you for your courage. Thank you.

SENATOR STILLMAN: Representative Lavielle.

REP. LAVIELLE: Thank you, Madam Chair.

And thank you, and you certainly have had guts to come in here --

CINDY DUBUQUE: Thank you.

REP. LAVIELLE: -- and talk to us. Thank you very

much for doing that. And I'm very sympathetic to what you said and I -- let me ask you this: If you enumerate and try to enumerate as extensively as possible and then there's -- there's something that has been left out, for example -- let me use a colloquialism here -- a geeky kid, okay, or a nerd, the commonly used word --

CINDY DUBUQUE: Right.

REP. LAVIELLE: -- who -- that's the thing that differentiates this child from others in his or her class and that isn't enumerated because it's sort of a personal characteristic.

Do you think it would be possible because that particular characteristic isn't listed, that teachers or administrators, those who are responsible, might have a tendency to think, "Well, that's not here, this kid can handle it. This kid doesn't have anything that's as bad as all these other kids" -- and I don't mean to use --

CINDY DUBUQUE: Right.

REP. LAVIELLE: -- that's not a judgmental word, that's a -- I'm just trying to articulate -- "that's as much of a difficulty as these other things," and, therefore, that child would not get as much attention.

CINDY DUBUQUE: I think the answer is no, and here's why. It's not socially acceptable to pick on the nerdy kid and it's not socially acceptable to pick on the overweak child, and I think that there are times when it is socially acceptable to pick on the gay kid or the gender nonconforming kid or the Muslim kid or the Jewish kid or the African American child. And that's where the problem therein

lies.

I think what would most probably address your concern is the training aspect, and that the training needs to go far enough to say, "Yes, we have these enumerated categories and they are meant to," you know, "protect the most vulnerable students."

They provide a shield to educators, so that they can say what they need to say, but this is not an inclusive and exhaustive list. Obviously we want to create a safe school environment for all children, and I think it's a cultural change.

Right now I think students go to school in a climate that is -- it's like a dog-eat-dog world out in school, and I've seen it. I've seen children pushed into lockers and have intervened and I've seen kids make fun of each other. And it's cool to pick on the kid who might seem a little bit different, but it's even cooler to shove a kid into a locker and call him a faggot.

And what's troubling to me is half the times kids don't even know what they're saying, and that kind of goes to what you asked earlier today about intent. But, again, as the attorney general said, it's about actions in that case.

But I think if we make it very clear, through enumeration, that these specific classes are -- it's not going to be tolerated, to deal with that. It also addresses the fact that educators have their own biases, whether they themselves are racist or sexist or homophobic or have religious phobias in that regard. And it forces them to stand up at a time when they may not want to.

I hope that addresses your question.

REP. LAVIELLE: Well, it does, and I really appreciate your perspective on -- I -- you know, there are -- and I guess there are contexts where different things are more socially acceptable than others and, you know, it's -- it's hard to judge which are which. And it would -- I think the ideal thing -- and we can't do it, it's very Utopian -- would be to enumerate everything and, unfortunately, we can't.

But I appreciate hearing your point of view. Thank you.

CINDY DUBUQUE: Thank you.

REP. LAVIELLE: Thank you.

SENATOR STILLMAN: Representative Johnson?

REP. JOHNSON: Thank you, Madam Chair.

And thank you for your testimony today. And my comments were similar to Representative Lavielle's with respect to the enumeration, because you wouldn't want to leave out a category, but I think that perhaps it could also be addressed that you could have the enumeration and also have a catch-all phrase, perhaps, that would -- would take care of any other new groups that might become the target of some kind of, you know, discrimination of some sort.

CINDY DUBUQUE: Right, and "included but not limited to" is a good phrase to use.

SENATOR STILLMAN: Thank you so much for being here today.

CINDY DUBUQUE: Thank you.

SENATOR STILLMAN: Thank you as well.

Anyone else have any questions?

Thank you, Cindy.

CINDY DUBUQUE: Thank you.

SENATOR STILLMAN: Good luck.

Next is Cal Heminway, to be followed by Liane Roseman.

SB 1138

CAL HEMINWAY: Senator Stillman, Representative Fleischmann, members of the Committee, I'm Cal Heminway. I am the Chair of the Board of Education in Granby, former Chair of the CREC Council. I'm immediate past-President of CABE, and joined my board in 1981.

I'm somewhat conflicted this afternoon, speaking on this bill really in favor of it, but having some real concerns, as a local elected official, finding ways to implement it in the way in which it is intended and originally written.

You have my written testimony. I'm going to diverge from that, if I can.

Bullying, as we see it, at least in my district locally, is probably most heavily affected in terms of its prevention, through a positive school environment, and we work very, very hard, really K-12 or pre-K-12, to inculcate the entire system, from custodians to teachers to teachers' assistants to administrators, in creating that environment which, in many ways, illustrates also to the

kids that inappropriate behavior, whether it's bullying or anything else, is something that's not tolerated.

The other problem that I have with the way the statute is written, not so much in terms of the definition of bullying and the -- the -- the concerns with it, but that it's not put in a broader context, at least from an implementation perspective.

We deal -- we ask our principals and our assistant principals, usually as our disciplinarians, to deal with such things as bullying, on a daily basis, but in the overall context within the school climate and with other components of that as well.

So, seeing such a thing as a Safe School Environment Coordinator being mandated by statute, essentially, as a one-fit -- one-size fits all approach, is one that -- and from within existing staff, is -- is difficult for us to comprehend, as consistent with the overall structure that we have within the district today and, I would suggest, within all districts today.

So, I would ask you, at least on behalf of the School Board members, to consider the implementation in the context of allowing us the capacity to describe what works best in our districts to implement the direction that you want us to take and, in that way, in that sense, we would fully support the direction and the implementation.

Just one last parenthetical note, and that is we are suffering significant budget issues at the local level, and have been for a number of years throughout the state. We would love to see the resources that are used for this

situation, to the extent that they can be made available, be in the area of training, and probably directed at the State Board -- the State Department of Education.

Thank you.

REP. FLEISCHMANN: Thank you, Cal, for your testimony. And just to be clear, we're envisioning making available to your district, to all districts, some training that would be over the (inaudible) so that there would be minimal cost implications for you or the State, but an ability for people to see precisely what we're talking about if they're working at a school.

Other questions for -- Senator Stillman.

SENATOR STILLMAN: Thank you, Mr. Chairman.

Thank you, sir, for being here today and expressing some concerns you have but, more importantly, expressing that you're supportive of the bill. I think you said that when you sat down, in general.

I'm a little concerned with -- in all due respect, with your comments and your testimony that "the mandate on the" -- "that the districts appoint a Safe School Environment Coordinator is of a particular concern, as the creation of such a position" -- it goes on and on and -- but, anyway -- and you also talk about how your concern is going to -- what's the word I want here -- "demanding local districts assign the proposed increased responsibilities from existing school staff will have expense implications."

Can you share with us why someone who's already existing school staff and could be

appointed as a coordinator or the head of a team within a school will have expense implications?

CAL HEMINWAY: With all due respect, Senator, when I read "within existing staff or based upon available appropriations," that means to me that the people who wrote the bill don't have any money and they're trying to find a way to fund it.

I know that in my experience on my Board of Education, when we add additional responsibilities, people expect additional compensation for that. And depending upon the size of the district, the capacity for an individual to assume and accept additional responsibilities may be problematic.

We see this as certainly something we want to do, and we would just ask you to look at the implementation component of this thing in a way that allows us, at the local level, to describe and implement an organization that works best for us at the lowest possible cost.

My district two years ago had a 1.6 percent increase in budget. Last year it was flat. This year it will be flat again for 2012. We are laying people off. We are not looking for additional responsibilities, when we are unable to really support those that we have now, in the way that we'd like to.

That's why -- the language might sound a little bit strong, but I think it's realistic, in today's environment, to be frank with you, that, yes, it would cost us more.

SENATOR STILLMAN: Well, I -- I appreciate the position that the school districts are in. I happen to represent seven of them.

CAL HEMINWAY: Fortunately, I only represent one.

SENATOR STILLMAN: And as the chair of the Committee -- and certainly as the Chair -- co-Chair of this Committee, I understand the -- we can only stretch education funding so far.

On the other hand, I wouldn't be surprised if there are people that are already in your schools doing this kind of thing, and we're just going to give them some more tools, so that they can do this job better.

And we're not asking for one person to do a whole district. It would just be the principal to assign someone within that school building. And there's a cadre of personnel, and if you have not just one person, but a team of people, that can always help in spreading the work load out.

So, I would hope that a concern such as that wouldn't prevent -- and if this bill passes, and I certainly hope it does, I certainly hope that doesn't prevent a school or a school district from implementing the law.

Thank you.

REP. FLEISCHMANN: Thank you, Madam Chair.

Are there other questions from members of the Committee?

If not, thank you -- oh, Representative.

REP. KOKORUDA: Thank you. Can I just ask -- I understand your concern from -- all towns or Boards of Ed. budgets are being, you know, limited, to say the least.

CAL HEMINWAY: That's a nice way to put it.

REP. KOKORUDA: Yes. Well, what was that -- I heard today's (inaudible) there's a new increase, so, I guess we're all learning to live with that.

But wouldn't you agree that when this bill goes through -- and I think we're all pretty comfortable hoping that it will -- that the environment for teachers and administrators in their schools will be so much better; this will actually also help them besides the students?

CAL HEMINWAY: The problem I have -- and I think I tried to express myself on it at the beginning of my remarks -- is that the way it's written, the implication is that you have a coordinator that's dealing just exclusively with bullying.

That's not the way we operate. They deal with student behavior of many types, and allow us to do that in such a way that we can be inclusive of the bullying requirements and the increase -- requirements that would be required of this bill. Although, quite frankly, I think that in a good school environment, the bill should have no impact at all, in terms of student behavior, if you're doing -- if we're doing the right job, hopefully.

But it doesn't imply through what you tell us we have to do in the shall, shall, shall, shall shalls that are in the bill, that it forces us into a one-size fits all administrative approach. That's my point. Allow us the flexibility, so that I can do what I want in Granby and the people in New Britain or Hartford can do what they want to

do and achieve what you're asking us to do in the most cost-effective and effective manner that's possible.

REP. KOKORUDA: Thank you.

REP. FLEISCHMANN: Any further -- Representative Johnson.

REP. JOHNSON: Thank you, Mr. Chair.

And thank you for your testimony today. When you talk about a one-size fits all, I'm looking at the statute and -- the proposed bill, rather, and in Section 2, it talks about using the positive -- the prevention and intervention strategy, and I'm just wondering, what -- are there many, many different types of strategies that schools use all throughout the state? And if so, are they all used in different ways? And if they are, which ones are more effective and which ones are not working?

Obviously, we've heard lots of testimony from schools that probably are better funded than, perhaps, many of the schools in the more urban areas, and I'm wondering which types of programs do you think work better than the ones that are listed here in this bill?

CAL HEMINWAY: I'm not -- I'm not talking to programs, I'm talking to organization. I would hope that the resources that are made available or are available within the State Department of Education and, for that matter (inaudible) to the extent that they would get involved, would be able to share those best practices with each other, so that the best ones are utilized, absolutely.

REP. JOHNSON: Because it seems to me that the --

that the -- this is fairly broad language -- that you would be able to use what's available and already developed.

I'm not sure I understand what you're saying, in term of the limiting -- limiting the ability of the school to provide a program that would address this issue.

CAL HEMINWAY: We're limited to the extent of the resources that we have available to use.

What I'm suggesting is when you look at the bill as it's written, it is a bit prescriptive. And all I'm suggesting is, to the extent that you can make it less prescriptive by describing what you want us to do from a policy perspective and leave to us -- which is really our primary responsibility as school boards -- the capacity to write the policy and then have it implemented at the local level in the most cost-effective and proficient manner.

REP. JOHNSON: Thank you for your testimony.

Thank you, Mr. Chair.

REP. FLEISCHMANN: Thank you, Representative.

Are there any further questions?

Hearing none, thank you very much for your testimony and your service.

Now, it's been brought to my attention we have a couple things going on. One, we have a couple of assistant principals from East Hartford High School who have to catch transportation in 15 minutes, so, I'd like to call them forward. I think it's David DeCarli, and his colleague can introduce

himself when he comes forward. And then John Fote.

So, gentlemen, thank you for coming in.

We'll have one other quick modification, then we'll come back to the order as previously described.

DAVID DeCARLI: Good afternoon. Thank you, Representative Fleischmann and members of the Education Committee. My name is David DeCarli. I'm Assistant Principal at East Hartford High School, and I am with John Fote, who is First Assistant Principal at East Hartford High School.

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Our testimony today looks to present what we feel are best practices that we use at East Hartford High School.

At our school, we realize that curtailing bullying/harassment is an enormous task. However, it remains our goal to deliver an intense program of ongoing education, prevention and support to our students.

Educating young people that words can hurt and that you are not alone is a message we deliver daily. East Hartford High School takes each suspected offense seriously and school administration will suspend, arrest and possibly expel.

We are most proud of the coordination between our proactive and prevention components. Since the bullying packet that we submitted electronically, that I believe you have in front of you, and we also brought copies -- the bullying packet and specific procedures have been instituted. We are at an all-time low for repeat bullying offenses.

Now students know school administration will handle all acts of bullying and/or harassment in and out of school when it impacts the educational process. And, so, what we did was we broke down what we do into three realms. We realize that no two bullying incidents are alike, and, so, we provided you with a list of activities within a proactive and a reactive framework.

Under the proactive framework, we continually reinforce our positive behavior intervention strategies, policies and philosophies. We have activities focusing on what it means to be safe, responsible and respectful.

We have an advisory program we refer to as our Connections Program, dealing with personalization and getting kids connected with individual teachers in a different way than the normal educational environment.

Professional development seminars we hold in-house for our staff involving bullying. We have presentations for students. We have an anonymous tip line and an information line to provide us information. We have clubs and groups representing specific student interests and issues, as brought forward by students.

Additionally, we look to create a future Bullying Task Force within the school. I'm currently in meetings right now with a staff member who brought that forward to me, and that bullying task force looks to bring in both students and staff in looking to address issues that appear in school.

I want to turn the second half over to Mr. Fote, who can address the bullying packet.

REP. FLEISCHMANN: Thank you.

And, Mr. Fote, I realize that you outrank Mr. DeCarli, but the bell has gone off, so, if you could -- if you could try and be concise, and then I'm sure there will be questions.

JOHN FOTE: Sure. As Mr. DeCarli alluded to -- excuse me -- we're pretty proud of our bullying packet that we have put together and, again, focusing on ongoing education, prevention and support.

We really -- we talk the talk and walk the walk at East Hartford High School. When situations come up, we take care of them. We adopt a first things first philosophy. No matter what happens or what I have scheduled for that day or any of our assistant principals, we stop what we're doing, because the words of a young person are important to us, so, that becomes our first and our most important focus for the day.

We try to treat each student like they're our own child. We try to look to that student like, you know, that is our own child, and we take it seriously.

And then the last thing that we do is we follow our plan of action, and that plan of action is our bullying packet. It's pretty detailed, but basically encompasses what we do. We identify the type of bullying/harassment that's going on. We have nine different categories. And then what really makes this consistent is we have a detailed rubric that explains and defines the things that happen within each situation or occurrence.

We have a bullying continuum that's there

that's listed. We also have a contract, a student contract and a parent contract that needs to be signed.

We also -- when we investigate, we have written prepared statements by all parties involved. But I think the most powerful part of that is that we bring the school research -- the school police officer into that forum and he basically informs the student that a repeat offense will happen -- if it does happen, this will be the consequence. It's been a huge part in -- to our program.

I can honestly say, as Dave attested to, that we are very proud that our repeat offenders are virtually -- well, it virtually never happens again.

So, just to conclude, again, I think we're very active and we also take a lot of pride in making sure we stop a bullying/harassment in our school system.

REP. FLEISCHMANN: Thank you very much for your testimony and for what you do.

First, I'm just curious. The whole kind of rubric that you described and the approach that you have, is that drawn from the work of Professor Sugai at UConn or was that the starting place and then your school kind of took its own path to develop these added details?

DAVID DeCARLI: Yeah, I would say that the case -- it was a combination of what we do through the PBIS program, which is the work of Dr. Scott as well as what we do within the confines of our Board of Education regulations and how it applies to this department.

REP. FLEISCHMANN: And my other quick follow-up, if we were to enact the legislation that's before us today, would there be any requirement that -- would there be any need, that you could see, at your high school to be hiring additional personnel?

DAVID DeCARLI: At our high school currently? No, I would say we would not see any need to hire additional staff for that.

JOHN FOTE: We have behavioral managers that help support each assistant principal. We have social workers that also support us. We almost have, like, house teams, so, we have that ongoing support for students.

I mean, there's much, much more that we do to make sure that, you know, the victim knows he's not alone. We also try to educate the person who's committing the act of bullying and, so, we just don't, you know, file it once it's done. We pursue it and make sure that it stops.

DAVID DeCARLI: I think we even look to use the current positions of individuals. For instance, we have a PBIS coordinator at our school. We would look to enhance that position as a school safety coordinator, in conjunction with, you know, my role.

REP. FLEISCHMANN: Also, your school has actually been before us before to talk about what you're doing and really offer yourself up as an example and a resource to other schools.

Could you remind us how many years now you've been using positive behavioral intervention and supports, and what the impetus was for your moving to that model and making it such

an integral part of how your school operates?

DAVID DeCARLI: We have been using PBIS at the high school now for seven years. This is my fifth year with it personally. And we look to use that model because, understanding the research and investigating roles that positive behavior support plays in creating safe school climate, that was the one that we thought fit best with what we can do at East Hartford High School, and in the district in and of itself.

So, we have a team, a district-wide team and we're using it in the schools in general. And, so, it really has become a consistent message from elementary to middle to the high school, that we continue always to be -- and each school defines that -- at the high school, to be safe, responsive, respectful, and the other schools have versions of that. But it's a consistent message on a daily basis.

REP. FLEISCHMANN: Thank you.

Other questions from members?

Representative Genga.

REP. GENGA: Thank you. Thank you for your testimony. And I've worked with these gentlemen, retired from the school four years ago. But I know when PBIS came along, I said, "This is great, it's exciting," and I remember volunteering to be on the Committee, and seeing the results today, should be a great model for other school systems, the proactive types of programs and situations.

And I think you still have the student assistant council --

DAVID DeCARLI: Yep.

REP. GENGA: -- to handle the behavior problems --

DAVID DeCARLI: Yep.

REP. GENGA: Okay -- on a -- in a positive manner.

I like the idea -- I read here in your policy where the student has to sign and a parent has to sign. Is that at the beginning of the school year when you handout your policy manual?

DAVID DeCARLI: When students start up the beginning of the year, yes, they are given the student handbook, and that is signed off on.

The other component of the bullying packet is if there is an incident of bullying, we will have a parent meeting immediately. And at that time, there is an additional signature, educational process that's enacted.

REP. GENGA: I think the message you're sending and have been sending is a great one, education first. That's what our job is, and to educate, providing safety and providing prevention and providing positive behavior.

Keep up the great good work. Thank you.

DAVID DeCARLI: Thank you.

REP. FLEISCHMANN: Representative Johnson.

REP. JOHNSON: Thank you, Mr. Chair.

And thank you for your testimony today and your work in this area. It sounds like it's working out very, very well. I have a few questions.

Did the -- when you instituted the positive behavioral support system, did that come the Board, your Board of Education? And how did it -- what was the -- what was the process that you used to put this into effect?

DAVID DeCARLI: Seven years ago I was not in a position to determine how all that came about. I took it over five years ago, as I mentioned. I know that within the high school -- I can speak within the framework of the high school -- we had a committee, as Representative Genga alluded to, that looked to go out and get trained in the tenets of the model. And then from there, they were brought back to the school to teach and train other individuals in the school. That would be staff. And then we have slowly looked at what other schools have done and what works best for us.

This is one of the first years that we have started to employ student representatives of PBIS to be part of our committee. So, it's not just administrators and staff, we're also getting students involved as well.

REP. JOHNSON: Does it -- does your board have a policy that includes the PBIS?

DAVID DeCARLI: The Board of Education? I don't believe so, but I could check that out for you.

REP. JOHNSON: And -- and, so, they don't have a policy -- you have a student handbook that's generated -- that you generated on your own; it didn't come from the policies of the board?

DAVID DeCARLI: Oh, no, I'm sorry. The student handbook that we give out to the students at

the beginning of the year is generated from the Board of Education, yes. It's representative of its policies.

We also -- through the PBIS Committee, we have our own handbook. And I'm sorry, I misunderstood. So, we have our own handbook that describes what we do at East Hartford High School in the framework of PBIS on -- that the committee at our school designed.

REP. JOHNSON: And have you noticed a decrease in aggression from the students, or did you have aggression in students and how has that impacted student behavior over the last seven years -- five years.

DAVID DeCARLI: Yes. I did not bring that data with me. I'd certainly be able to provide that with you -- provide that to you, if you wish.

REP. JOHNSON: I would like that very much.

DAVID DeCARLI: From what I've seen is we have -- we have seen a decrease in both out of school suspensions as well as incidents, what we describe as incidents, which may or may not result in discipline. Those are incidents that are tracked through our security team, through behavior managers, through referrals to the office, from teachers and/or parents.

So, we have seen a marked decrease as a result of the PBIS and our continued involvement in creating a safe school culture. But I can -- I can make a note here to get you that information.

REP. JOHNSON: Good. And do you have a student resource officer that works in conjunction with this or --

DAVID DeCARLI: The school resource officers? Yes, we have two that are associated with our school.

REP. JOHNSON: And about what's the size of the population in your school?

DAVID DeCARLI: Approximately 1800.

REP. JOHNSON: 1800.

JOHN FOTE: The -- just if I can interject, too. You know, this -- the whole PBIS model, there's so many components to making it successful, but I think the big thing is we've been able to use our people in-house to support our students. Behavior managers play a huge part in de-escalating things for our students, having them reflect in writing or interviewing. And I think what happens is establishing a relationship with our students has really helped our students mature.

You know, we all have that maturity clock. We just sometimes don't know when it's going to strike. But I think what's happening is by fostering the strong relationships with our students and then trusting these adults who are good with students has helped us a lot, too.

REP. JOHNSON: Do you think that this bill encourages or inspires more of a connection with the student body in addition to providing training for the professionals in the school?

JOHN FOTE: I do, but I really think it's -- I think it's really important. However, I think it's the people in your building, you know, coming together as a team and recognizing that you've got to do something about it, you've

got to take everything seriously, and you have to have a system.

I think when you make rational decisions because you follow a system and you follow the rubric and you keep it -- the system mainstreams, and you use all your supports, I think that's what really works.

REP. JOHNSON: Thank you so much.

Thank you, Mr. Chair.

REP. FLEISCHMANN: Thank you.

Other questions?

If not, thank you very much for your testimony and for your -- the great work you're doing at East Hartford High School.

DAVID DeCARLI: Thank you very much.

REP. FLEISCHMANN: Thank you very much for your testimony and for the great work you're doing at East Hartford High School.

DAVID DeCARLI: Thank you very much.

REP. FLEISCHMANN: So, the other -- sort of slight change in order. The very first person to sign up to testify today accidentally put down the wrong bill number and, so, we're going to call her up now, Ann Marie Duffy of the Connecticut Association of School Psychologists.

She will be followed by Liane Roseman, who's been very patient, and I appreciate her patience.

ANN MARIE DUFFY: Good afternoon, Representative

Fleischmann and the members of the Education Committee. My name is Ann Marie Meacham Duffy, and I'm here on behalf of CASP, the Connecticut Association of School Psychologists, to present testimony regarding their support of Senate Bill 1138.

CASP supports this legislation and the positive effect that Senate Bill 1138 could have on school age children in Connecticut. Section 1, Subsection (a)(2) through (5) expands bullying to include cyberbullying.

Bullying has seen a marked increase over the past few years, beyond the act of verbal abuse to the use of social networking sites, texting, sexting and other forms of technological means of communication.

CASP is in support of Subsection (b)15 through 16(a), (b) and (c), addressing incidences of bullying that happen off school grounds, and/or outside school hours. Bullied outside school finds its way into the school building and could have a negative effect on the student's academic performance for feelings of safety in school.

Issues that occur outside school have led to more students feeling harassed, bullied or ostracized for accusations, real or malicious, of being a bully.

CASP is in support of Section 6, requiring annual training of school personnel in the prevention, identification and school response to bullying.

We support the emphasis on developmentally appropriate strategies to prevent bullying and to implement immediate and effective intervention aimed at stopping bullying.

We agree training should include information about interactions and relationships between students committing bullying, victims of bullying and bystanders who witness bullying.

CASP is also in support of Section 9, subsection (b), regarding the appointment of a school psychologist or counselor to serve in the proposed role of Safe School Environmental Specialist. Through the scope and breadth of their training, school psychologists are uniquely qualified in the assessment and evaluation of children's social and emotional needs and the effect of bullying on them.

CASP is in full support of Section 9, 2(f) for students -- for members of the Safe School Environment Team to educate students, school employees, parents and guardians on issues related to bullying, including cyberbullying.

Today's teens have the skills and knowledge to use electronic bullying devices to send messages or photographs without the need to see their keys. They can even use a cell phone in their pocket or under a desk in such -- in school cell phone free zones such as the classroom.

They have the ability to maintain -- gain authorized use and use personal accounts under false pretense. Facebook, E-mail, Twitter would be a few examples of these accounts.

Issues that occur outside school have led to more students feeling harassed, bullied or ostracized for accusations.

REP. FLEISCHMANN: Thank you very much for your testimony.

Are there questions?

Hearing none, thank you for your patience as well.

ANN MARIE DUFFY: Thank you for moving me up.

REP. FLEISCHMANN: Liane or Liane Roseman, to be followed by Gary Jones.

LIANE ROSEMAN: Good afternoon, Representative Fleischmann and honorable members of the Committee. SB1138

My name is Liane Roseman. I am testifying today as the mother of children in grades 4 and 8, as a co-Chair of GLSEN Connecticut, a chapter of the Gay, Lesbian and Straight Education Network, and also as a straight ally.

GLSEN is a national education organization focused on creating safer schools for all students, regardless of sexual orientation or gender identity and expression.

GLSEN supports strong and comprehensive anti-bullying and harassment protections to ensure students can learn in a safe and respectful environment, and we recognize that the Legislature shares our desire to protect marginalized and vulnerable students. Therefore, we suggest that the definition of bullying should include enumeration that makes it explicitly clear that students should be protected from bullying and harassment based on frequently targeted characteristics.

We propose the following language: "Bullying means the repeated use by one or more students of a written, verbal or electronic communication or a physical act or gesture,

including but not limited to a communication or gesture based on any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity and expression, or a mental, physical, or sensory disability, or by any other distinguishing characteristic or association with a person or group with one or more of the above-mentioned actual or perceived characteristics."

Enumeration protects all students. The strengths of an enumerated law is that it underscores that those students who research shows are most likely to be bullied and harassed and least likely to be protected by non-enumerated anti-bullying and harassment laws and policies, are, in fact, protected, as well as all other students.

Furthermore, our research shows that students who live in states or school districts with enumerated laws and policies are provided greater protections across the board.

Students who attend schools with policies that enumerate categories report less bullying and harassment than students who do not. In fact, LGBT students in states without enumeration have the same experience of bullying as students who live in states without any anti-bullying and harassment laws at all.

Enumeration is essential if laws are to be implemented. The Supreme Court of the United States noted in Romer vs. Evans that "enumeration is the essential device used to make the duty not to discriminate concrete and to provide guidance for those who must comply."

Enumeration gives teachers and other educators

the tools they need to implement anti-bullying and harassment policies, which makes it easier for them to intervene to prevent bullying. Students reported that teachers were significantly more likely to intervene always or most of the time in states with enumerated policies as compared to states with either non-enumerated policies or no policies at all.

Enumeration that includes sexual orientation and gender identity removes all doubt that LGBT youth are protected from bullying and harassment. Evidence shows that school officials often do not recognize that anti-LGBT harassment and discrimination are unacceptable behaviors or do not respond to the problem due to prejudice or community pressure without the cover of a specific law or policy.

Comprehensive policies with enumeration help ensure safety and reduce absenteeism. Students from schools with an enumerated policy are 50 percent more likely to feel very safe at school. Students without such a policy are three times more likely to skip a class because they feel uncomfortable or unsafe.

We urge you to add enumeration to ensure this bill provides meaningful protection to all of Connecticut's students.

Thank you for your time and for your leadership on the important issue of school safety.

I'm happy to answer any questions you might have.

REP. FLEISCHMANN: Thank you very much for your testimony and your leadership.

Are there questions?

If not, thank you again.

LIANE ROSEMAN: Thank you.

REP. FLEISCHMANN: Gary Jones, to be followed by Donna Schilke.

GARY JONES: Good afternoon. Thank you very much for giving me the opportunity to testify before you today.

My name is Gary Jones, and I'm the Director of the Connecticut office of the Anti-Defamation League. I'm here to testify in support of Raised Bill 1138. We have submitted rather lengthy written testimony, so, I'm going to try to be brief and summarize some of our main points in, hopefully, less than three minutes.

First of all, thank you very much for all your work in crafting such a comprehensive bill and for listening and taking into consideration ADL's recommendations throughout the process. We support the bill and are pleased that it adopts many of the provisions ADL includes in our model anti-bullying statute.

Bill 1138 will substantially strengthen Connecticut's existing Anti-bullying Law. There are a few provisions in the bill that we think are of particular importance in making the Anti-bullying Laws as strong as possible, and we have three recommendations that we believe would make it even stronger and more effective.

Here's our first recommendation. We believe that the definition of bullying in Bill 1138 should include the enumerated categories that

you heard from a couple of other people testifying before. So, we should include enumerated categories where specific motives for bullying, such as race, color, religion, national origin, ethnicity, disability and sexual orientation would be specifically listed.

The bill's addition of cyberbullying to the definition of bullying is of critical importance and, as we learned from listening to the students, reflects the reality of how our students communicate nowadays.

The bill includes very strong and effective language and standards for the evaluation of conduct taking place off school grounds in the section spelling out what must be included in each district's plans.

Here's our second request for you to consider: We think it is important that these standards be incorporated into the definition of bullying itself so it is clear that when these standards are met, conduct off school grounds will constitute bullying that the school is empowered and obligated to address.

The bill's listing of 18 specific elements that must at a minimum be included in safe school environment plans is important to create consistency in bullying policies across the state. Similarly, the requirement that the Department of Education develop or recommend model safe school environment plans will provide important guidance to school districts and will further ensure the consistency of a statewide understanding of bullying.

The mandatory annual training of all school employees is a welcome and much-needed

addition to the law, as teachers, administrators, coaches, counselors, bus drivers, etc., are all on the front lines of student conduct. We believe, however, that the bill should not allow the requirements to be fulfilled simply by the dissemination of written materials.

Thank you.

REP. FLEISCHMANN: Thank you. Appreciate your testimony, your advocacy.

Just one question. So, I happen to know that when you're not testifying before the Legislature, you're an able attorney, and I have trouble following how it is that you feel that moving language that we already have in one place in the bill to another spot -- in this case, I think it was language about cyberbullying which is now in Section 2 -- into Section 1 -- how that would in any way change the impact of the legislation before us.

GARY JONES: Well, I think the point is that when you have a definition, it is important to include the components of what satisfies the definition in that definition.

So, I don't want to suggest, Representative Fleischmann, that if others -- if others point to this and said that we're probably covered, that they're necessarily wrong, but we think the definition is the right place to describe explicitly what bullying is.

And the point that we're trying to make is, though we're very happy that conduct off school grounds is going to be deemed to be bullying, it just seems a little awkward, its placement in the description of what has to be

included in the plan, and if it is bullying, which we think is the intention of -- of the draft -- drafters, then we think it is clearer and sends a more straightforward message if we actually include it directly in the definition.

But I wouldn't take the position that it not being -- the definition means we wouldn't interpret it to be part of the law, we just think it's clearer and sends a better message to people who are trying to implement the law, because people look at definitions for understanding what they're supposed to do, and this way will make it crystal clear, in our opinion.

REP. FLEISCHMANN: Thank you. That's very helpful.

Any other questions for the witness?

If not, thank you very much for your testimony and your advocacy.

Donna Schilke, to be followed by Kathleen Barrett.

DONNA SCHILKE: Good afternoon, Representative Fleischmann and members of the Education Committee. My name is Donna Schilke and I'm the principal of Smith Middle School in Glastonbury, a grade 7 and 8 school of over 1132 students right now, a member of the Connecticut Association of Schools for many, many years, and I thank you for the opportunity to speak on Bill 1138.

The school -- our school's role is to educate students and, obviously, this can be best accomplished in a safe environment. I think we all agree with that.

Beyond book learning, schools are also responsible for teaching ethics, values, health, social skills and issues that go beyond our training and education, but our overall goal is always to create a safe environment for all and to prepare students not only with academic knowledge, but also with life skills of tolerance and understanding.

We want to lead our children to be productive and capable adults, but we also need very much so to protect those who might feel fearful in a school setting by giving them the tools to handle certain situations and educating them on how to be self-advocates and to come forward with their issues. And this can be done most successfully when an entire school community accepts responsibility to ensure a climate of safety and acceptable behavior for all.

Expectations must be clearly stated, and I will say here from the top, everyone must know how to respond to a given situation. Everyone must model correct behavior and act appropriately to quickly stop inappropriate behavior. Schools must teach tolerance and understanding of differences and communicate expectations clearly. It has to be embedded, ongoing and part of the accepted practice of a school's climate and community. It falls short to have one day to recognize some kind of activity or event and, really, we need to be aware of this and working on this every single day.

Hiring a person, a school -- a safe school environment expert or setting up a committee really does not solve a problem that overseeing a positive school community every day within the community can accomplish.

And I applaud your listening to the comments made here that perhaps administrators can, indeed, nominate or select a person for that role, rather than bringing someone into a system -- a new position.

Laws can be shaped, and have been, to assist school leaders in creating this positive climate. We can assist schools by offering training through Connecticut Association of Schools or the state Department of Ed., in the following areas: We need to share already successful programs -- and you did hear East Hartford High School -- and I would hope that in a minute we'll talk about a few of our programs -- that do work and have been proven effective. PBIS certainly is one.

We should provide training or workshops that give us some new ideas or new research from leaders in this field. And sometimes those programs could be school-to-school. Let others hear about what's working. We don't always have that -- that link, and I think that's important. Recognize and publicize model schools. Support the ancillary programs that are so important to bullying, the youth and family services programs, the school resource officer, and allow staff to facilitate mental health programs.

I attached, I think, to this letter over 20 initiatives that we have tried to be proactive with in our community, in our school, and probably one of the most important ones that I don't think was mentioned too much today is our educating the parents to the use of technology. And we have really kind of forced that to the point where it has been very successful, letting them know what the kids are using on the Internet, what they're doing

with Facebook. That's extremely important.

I obviously don't have the time to read through all of these. They have worked. Our referrals -- last year between September and January, we actually dropped in 100, just general referrals, not just bullying, after initiating some of these programs and making it be a positive environment.

REP. FLEISCHMANN: Thank you for your testimony and your good work that you've been doing.

DONNA SCHILKE: You're welcome.

REP. FLEISCHMANN: Are there questions?

Representative Lavielle.

REP. LAVIELLE: Thank you, Mr. Chairman.

Thank you very much for your testimony.

DONNA SCHILKE: You're very welcome.

REP. LAVIELLE: I have a question that I'm -- I'm curious about, because you're familiar with -- with different sorts of models, and much of what I've heard in here today is very reminiscent to me.

I come from the many years in the corporate world, and although I recognize that there are many great dissimilarities, some of it is reminiscent of some of the training initiatives that are offered to all employees in the interest of ensuring good workplace behavior and so on and so forth.

And what I'm curious about is, is there material in that vast amount of training documentation and programs that's out there in

the workplace -- is there any that's at all applicable to the school context to -- in the interest of not spending and spending and spending and reinventing the wheel?

DONNA SCHILKE: Very simply, one of the things I know that corporate still does is mediation, How do you mediate disputes between colleagues, between a boss and a worker? That's certainly something we do with our staff and with the students, and that's an important start. PBIS, which is not used in the corporate world, but positive behavioral supports incentives. It's different on the corporate level than it would be in an education level. That proves effective. Positive behavioral kind of rewards for students -- for staff who are doing the right thing changes people's attitudes toward what they're doing in the climate of a building. So, that's very important.

We had ADL training for our staff several years ago, and we update that frequently. What is sexual harassment? Students at this age level, middle school, do use terms and words that they really don't know the understanding of, they truly do. They hear it from other places. Another issue. But if we can educate them and parents as to what's going on and what they're hearing, that's important.

So, I think the education piece is queue, and I think on an education level, for us it would be the PBIS, the positive rewards, the peer mediation, how to work in a team, how to work in a group, understanding cultures that are different, but you have to make it happen.

It's not happening unless it happens in the schools, so -- and I think bringing the

community in is very important. Our school resource officers are a huge support for us. Family and youth services groups in a community, huge support, and they need all to be together.

REP. LAVIELLE: Well, also -- and one of the things that rang home to me was some of the training that goes on in corporations regarding whistle blowing. People who do not feel comfortable when something really terrible has happened -- talking about it.

DONNA SCHILKE: Right. And we teach -- through the training, the bullying training, students know what the word perpetrator, victim, ally and bystander mean. And after we've brought the programs in, our anonymous reports increase greatly for about a month. And then as we took care of each individual case, they decreased again.

And I think students understand are you an ally or are you a bystander? They know what that means. And they also know that the anonymity of their report will be -- will be kept. So, we do the very best that we can.

I do want you to -- there are schools and administrators who do jump in right away, who do not let this go on and on. I have to say that as I sit here -- and if we miss one child, and obviously we have -- I heard this today, too -- we've done something wrong and we're not doing enough, but we are trying very hard.

We do read the law. We do understand the law. And I do believe the climate of the school starts at the very top and works its way down. And we all have to be in this together, but there are schools and there are communities

where this is happening.

REP. LAVIELLE: Thank you.

Thank you, Mr. Chairman.

REP. FLEISCHMANN: Thank you.

Senator Bye.

SEN. BYE: Thank you, Mr. Chair.

Good afternoon, thank you for coming today.

DONNA SCHILKE: Good afternoon. You're welcome.

SEN. BYE: Because we -- I have a middle school principal before me, and I was just reading an article last night about some of the bullying around LGBT students, that, in fact, it's worse in the middle school than the high school.

DONNA SCHILKE: Uh-huh.

SEN. BYE: How do you manage that in your school culture?

DONNA SCHILKE: Again, I'm going to go back to the word "education." We certainly address it on an individual basis as it arises, but we don't have an LGBT group. We do at the high school, there is at the high school. Middle school, the feeling is that the students are a little bit young to understand where they are. But every year we do have groups of students who come through guidance, usually, or school psychologists, talking about identity, where do they fit, and we're not sure of where they fit and where they belong.

And we do, at that point, make sure that they

have an outlet and someone to speak with them, and we do let parents know very honestly and very transparently what's happening. Sometimes they're angry and sometimes they don't receive that news well.

It is our role to do that. Where they take it from there is theirs. So, we acknowledge, we react positively, we give students an outlet, someone or some group where they can talk about how they're feeling and what's happening. That we do.

We have social skills groups, small groups of students who need additional training in how to deal with some of the social issues, and we try to keep that very small with a school psychologist ongoing.

SEN. BYE: Yeah. I mean, I think this is one of the worst areas where kids are bullied the most.

DONNA SCHILKE: Absolutely. And the word "gay" is used --

SEN. BYE: Right.

DONNA SCHILKE: Right. And they need to understand -- and, again, they don't always understand. Sometimes they do, sometimes they don't. It's our job to tell them what that means and how it's offensive.

SEN. BYE: And -- and I would just ask, you know, as you're -- as you evolve -- because we're all evolving on a lot of issues in a lot of areas. The importance of a middle school GSA has been brought up, because there's more bullying that goes on in middle school, actually, by data, than --

DONNA SCHILKE: Okay.

SEN. BYE: -- goes on in high school. I think, like you're saying, the issues are different. The age is different. It's got to be done in a developmental, appropriate way --

DONNA SCHILKE: Right, context.

SEN. BYE: It's different than high school, but just as we go forward, I think it's worth at least considering. We're starting one in West Hartford at one of our middle schools and another middle school is more reticent. We'll wait a little longer -- we wouldn't be reticent here.

DONNA SCHILKE: I think I need to read a little more on it.

SEN. BYE: Yeah. And GLSEN has some good resources still ESM --

DONNA SCHILKE: Thank you.

SEN. BYE: -- but thank you.

REP. FLEISCHMANN: Any other questions?

Senator Boucher.

SEN. BOUCHER: Thank you, Mr. Chairman.

And thank you for being here. I think you bring the school's perspective, which is very necessary. I know there is frustration on some people's parts, that we even have to address this in this formal context and in a legislative way, and it's unfortunate that it's moved in that direction.

You've heard some of the testimony by the

students. I think their number one concern was that staff isn't reacting and that they need more training and, yet, you've stated that there is training available and maybe even after the training, to actually see if, in fact, that training goes into practice, and whether or not it is -- there's no question that siblings pick on each other and tease each other and hurt each other and so forth, but when you come to a school environment, you hope to create a school environment that is safe for everyone. And where that sort of behavior is, is sort of put in its place and is shown to be inappropriate and why it's inappropriate, so that you hope to reach a zero tolerance, if you can.

You can't be anywhere -- everywhere at the same time, but our concern is we're hearing that this sort of thing can happen right in front of professionals, the teachers, and they don't react appropriately. And, so, you know, I don't know if you have anything further to add to that --

DONNA SCHILKE: I think when legislation comes about, a topic like this, that you're right, we're sorry that it had to get into a legal -- it's going to help the schools. It will strengthen us in our reaction in what we can do.

I do think some teacher training programs in the university level need to address this issue. And there will always be -- reality is there will always be adults comfortable with dealing with this and not comfortable with dealing with this type of issue, but they need to know that there's somebody right next door in the room next to them that is if they're not. And that's the piece that we need to encourage. Same with students and parents.

SEN. BOUCHER: Well, I think your comment about teacher preparation, they have a lot on their plate, there's no question. But there's always room for this area, particularly when it comes to controlling a classroom and student behavior and keeping a school environment conducive to learning for everyone, where they feel safe and not threatened, so that they can be open to learning, which is our number one goal in that as well.

But the teacher training aspect of it is the good point to be made. Thank you.

REP. FLEISCHMANN: Any other questions?

Representative Carpino.

REP. CARPINO: Thank you, Chairman.

I understand that this is a real problem, and I have some experiences with my own -- in my own district, but I have a very specific middle school age question for you.

Do you -- how often do you find that kids who are engaged in bullying, whether it's cyber or otherwise, don't necessarily realize what they're doing is wrong, because they weren't taught at home, in the community and they -- you're the first ones to educate them.

I understand that there are some that are legitimately doing it out of malice or spite, but if you could tell me, in your experience, what you find for kids who don't understand what they're doing is wrong and if you're successful in telling them and reeducating them -- if it has been successful.

DONNA SCHILKE: I would say with the seventh graders, coming sixth grade to seventh grade, probably a good 80 percent of the cases that we deal with are students who have no idea what they've done. And that's where the resources of -- if it's a serious situation, if it's an inappropriate picture or something that's sent over the -- I get the parent permission to have the SRO speak to them about the seriousness of what they've done. Not to arrest them or -- but to tell them that not only is there a school rule here, this has now gone over the world -- over the Internet to the world, you've lost control.

That really hits home with them and that supports the school in its attempts to do it, but it's from a different facet, an education piece from the police department that's very helpful for us.

I would say as students get toward eighth grade, they're more savvy, but the parents really know what's going on, it's a gang or mentality of a group, it's -- the old fight one-to-one is now 5 to 1, and everybody can see it and sometimes you jump on a bandwagon to be part of an acceptable group. So, you're always dealing with that issue.

I would say these students, eighth grade or ninth grade, are more aware. However, by educating the parents, we get them right away in September, Seventh Grade Night, Open House, they're there to see teachers, and as they're sitting there, on comes a 20-minute video. And then we do another evening. It's been really, really helpful.

Numbers of parents who now really monitor Facebook, we tell them how to go on and put parental controls on all of these things.

They're shocked by what they see. It's good kids from good communities. You know, faces and names are blacked out. They see what's really there. It's pretty vivid and it's been very successful, I will tell you, very successful.

And we work hand-in-hand with our police department on that. And then we do offer evening presentations beyond. We're now doing that at the sixth grade level, and next week the high school is doing it for the first time for a parent group.

So, in my estimation, sixth grade is a good time to start.

Once they're on the computer and no one is at home, you're not sure what's happening.

REP. CARPINO: Thank you.

Thank you, Mr. Chairman.

REP. FLEISCHMANN: Any other questions?

Hearing none, thank you for your testimony and your good work.

DONNA SCHILKE: Thank you very much.

REP. FLEISCHMANN: We move to Liz Tregoning, to be followed by Elizabeth Connelly. Oh, I'm sorry. I apologize. Kathleen Barrett, to be followed by Liz Tregoning, to be followed by Elizabeth Connelly.

And I appreciate all of the politeness among members of the public making sure that their order is properly followed, even if some of us behind the microphone are not paying close enough attention.

KATHLEEN BARRETT: Thank you.

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Good afternoon, Representative Fleischmann and honorable members of the Education Committee. I come here today to testify as a former school counselor, and I'd like to add to that, a former elementary school counselor who saw and was powerfully moved by the devastating impact of bullying on child development and on school success.

The faces and the stories of the children with whom I worked are very present with me as I speak to you today. They inspired me to do whatever I could do personally to try and make a difference. I became a school counseling professor for that reason, and I did my doctoral dissertation research on bullying in young children for that reason, and they're the reason that I'm here today.

I'm confident that you've heard a lot today, and you'll hear more about the impact of bullying. For children who are victimized, the experience leaves scars that last a lifetime, and some of you probably bear those scars.

For children who witness bullying but are unable to respond to help, another kind of scar is carried into an adulthood -- into adulthood. And for those children who step into these patterns as hurtful bullying behavior early in life, we know that without interventions, these patterns will likely continue into adulthood. For all of these children and for all of our children, we need to respond, and we appreciate your doing so and would urge you to support this bill.

S.B. 1138 recognizes the importance of

prevention. First and foremost, schools need to establish a formal policy to prevent bullying, and this can't be a recommendation or a guideline. It needs your help to be a mandate.

Children need to learn to be part of school communities that value civil behavior, emphasize individual rights and embrace diversity. Part of this involves giving children the social skills that they need, developing empathy, managing emotions, social problem solving and assertive and respectful communication skills. These skills are taught best when they're taught, when they're begun at the earliest grade levels.

As a school counselor and a school counseling professor, I know that school counselors play a special role in this regard, and schools that -- schools must identify sound prevention strategies, in my opinion, using the tools that research shows to be effective ones, like the Olweus Model or the Committee for Childrens Steps to Respect Program. And schools need to regularly collect data to see what they're doing is working.

We need everyone involved in the school community to be -- to make this effort a successful one. All adults in the school need to be trained to recognize and respond to bullying, and in my experience, a lot of bullying takes place outside of the adults. Simply saying to children that they need to make a report isn't enough, when the person who hears that report may respond poorly.

What children hear are things like this: Attitudes that bullying is a part of growing up, that somehow it helps us to be stronger, that it's no big deal, that walking away is

the right thing to do, and especially that children may have brought it on themselves, because it takes two. All these are responses that children that I knew and worked personally with received when they reached out for help.

When definitions aren't clear and the teacher or an administrator tells a child that they're overreacting because it was just teasing or not really bullying when it was, in fact, we let them down profoundly. And children learn to stop reaching out quickly and often suffer in silence and humiliation for years.

REP. FLEISCHMANN: Ms. Barrett, we do have your written testimony. If you could please sum up.

KATHLEEN BARRETT: Sure, I will. Thank you very much.

I -- I appreciate especially your encouragement for schools to develop specific systems to respond to bullying that include teens and include an individual identified to be accountable to those teens and to the work of the school and that data collection and data and awareness of data is essential to schools being successful and in making -- in making a difference here.

So, thank you.

REP. FLEISCHMANN: Thank you. I'm proud to be a neighbor of St. Joseph's College.

KATHLEEN BARRETT: Thank you.

REP. FLEISCHMANN: Are there any questions for the witness?

If not, thank you very much for your testimony --

KATHLEEN BARRETT: Thank you.

REP. FLEISCHMANN: -- and your expertise and devotion to this issue.

KATHLEEN BARRETT: Thank you very much.

REP. FLEISCHMANN: Now Lisa Tregoning, to be followed by Elizabeth Connelly.

LISA TREGONING: Good afternoon, Representative Fleischmann and the distinguished members of the Education Committee.

My name is Lisa Tregoning and I'm the program manager for Safe Schools and Bullying Prevention Services of the Governor's Prevention Partnership and currently the only Olweus trainer here in the state of Connecticut.

For over 20 years our nonprofit organization has provided resources and services so that young people in our state can grow up free from substance abuse, underage drinking, violence, bullying and being able to take their place in our future work force.

I'm here to offer my views on specific aspects of the Senate Bill, 1138, and to give recommendations based on first-hand knowledge and what I know are best practices for bullying prevention.

This afternoon we've heard many devastating stories and how it's affected people and students negatively. And I know that we understand there is a direct link of student achievement and feeling safe and we know that

if students don't feel safe, they're not there paying attention in the classroom. And we also know, from when I've been in schools, to understand that many schools lack direction and lack the funds to be able to create that positive school climate that we're looking for.

The Governor's Prevention Partnership believes that by using existing resources and leveraging state, federal and private/corporate support, we can do this and do it through a comprehensive approach, and much of that comprehensive approach is included in the bill as raised.

And we especially support including time-sensitive reporting and investigations by school staff, as described in Section 1, the development of a statewide survey, and the use of data-driven decision-making to increase the likelihood of effecting long-term change, and a safe school environment specialist and a team.

And on the side with that, I know there was a lot of debate on who should be that specialist. In my work in schools, I think it's the one who is ready to be a cheerleader and is very excited about the work and is ready to be there as a support.

And mandatory in-service bullying prevention training to all staff, as said in Section 6.

Now, I also want to support and add some clarification regarding Section 4, in which the Department of Education will establish a statewide Safe School Environment Resource Network.

We know that some schools are able to do it

and some schools are having trouble with that. What we would like to do is to be able to be a resource for this network resource, because we are hoping that -- schools are spending so much time right now in searching on what are some good programs, we feel that if we have that network, we would be able to ensure that trainers and training programs are of high quality and evidence-based.

And once data is received from school surveys, the network can analyze trends and prepare the meeting for future training needs of schools, and the network can also create partnerships between state departments, local school districts, nonprofit community organizations, in order to be well-prepared for federal or private grant opportunities.

And, finally, the network can channel national resources, such as the National School Climate Standards and Best Practices from other states.

We have had extensive --

REP. FLEISCHMANN: We, too, have your written testimony; if you could please sum up.

LISA TREGONING: Okay.

REP. FLEISCHMANN: If you could --

LISA TREGONING: So, with this, we are glad to serve as a resource for the Safe School Environment Resource Network and believe that we can better serve schools by coordinating resources and ensuring science-based practices.

Thank you.

REP. FLEISCHMANN: Thank you for your testimony. Thank you for helping me know how to pronounce Olweus but, more importantly, I want to clarify something in your testimony.

You talked about being a resource for the resource network. Are you interested in speaking for the Governor's Prevention Partnership?

LISA TREGONING: Uh-huh.

REP. FLEISCHMANN: You're saying you'd like the partnership to be the actual resource network, or are you saying you'd like to be part of that resource network? Because those are two very distinct ideas.

LISA TREGONING: Uh-huh. Well, what we have been in the last couple of years has been the informal clearinghouse, that we know in school climate that all organizations, they cannot be that everything for school climate work. And, so, we offer services, at the Governor's Prevention Partnership, to help create infrastructure. And when we -- when schools call us, we refer them to organizations that have science-based practices.

REP. FLEISCHMANN: So, that was a "Yes, we'd like to be the network" or "no, we'd like to be part of the network"?

LISA TREGONING: Yes, yes, we would like to be that network.

REP. FLEISCHMANN: Okay, thank you.

Are there other questions for the witness?

Hearing none, we go on to Elizabeth Connelly.

LISA TREGONING: Thank you.

REP. FLEISCHMANN: And thank you very much.

Welcome.

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ELIZABETH CONNELLY: Good afternoon, distinguished members of the Education Committee. My name is Elizabeth Connelly and I'm the Communications and Media Coordinator for the Governor's Prevention Partnership. I'm here today to read you a letter on behalf of the student from Enfield that was a victim of cyberbullying.

"While on vacation last year, my boyfriend at the time was talking to another girl inappropriately. When I returned home and was at school the next day, the kids at the lunch table behind me kept screaming, 'Your boyfriend is cheating on you.' Turns out the girl he was talking to was at the table and told her friends what had happened. This went on for about a week. I was able to ignore what they were saying until one day they said they weren't surprised he was cheating on me because I was fat and disgusting. When they said that, I felt a mixture of things. I was mad, sad, hurt and confused. That night I unfortunately added fuel to the fire. I went onto Facebook and messaged the girls, saying we were in high school, 'can we please grow up and stop?'.

One of the four girls didn't like what I said. Both of us started to fight over the Facebook message. She was calling me a cow and a whale and she said she was going to put me in the hospital. Instead of stopping it, I let my anger get the best of me and I said, 'fuck that.' This only made things worse.

"From that night in December until March, I didn't tell anyone what was going on because I was afraid to get called a snitch or to have things get turned against me. I was also embarrassed and ashamed that this was going on. Every day on the bus, during lunch and in the halls, these few girls would say terrible things to me. Between classes they would block my way and push me around. They even had their friends say stuff to me. Outside of school, on Facebook and even if I went for a walk by my house, they would moo at me, tell me I shouldn't go to their school or even be alive.

"One day in March I was waiting outside of class with my boyfriend and these kids were telling him to dump me because I was inhuman and a whale. At that point, I had been putting up with this almost every day for four months and I had reached my breaking point. For the first time, I finally told an adult what was going on. After talking to an adult, the bullying slowly began to stop. The girls and I began mediation at the school, and I'm even friends with some of them today. It's been a year since all of this happened, but I'm still affected by it. When it was actually happening, I didn't want to do a lot. I got really depressed, my grades dropped and I didn't want to hang out with my friends, because I felt like they didn't understand. Because of this I am no longer friends with my three best friends from that time.

"People don't realize the consequences of their actions and how they affect others. You may not think a little comment or a fight over Facebook is a big deal, but it is. Over the Internet, everyone can see it, and when that happens, anyone can get in on it.

"Cyberbullying is why many teens contemplate, attempt or even commit suicide. I've never told anyone this before, but when all this was going on, I constantly thought about doing it myself. To feel like everyone is against you and you have nobody on your side is the scariest thing ever. Losing your best friends and your self-confidence hurts more than anything and makes you question everything, even living. Cyberbullying is wrong no matter how funny it seems at the time.

"I want people today to realize the seriousness of cyberbullying. I want more education and awareness in the schools about how harmful cyberbullying is. I also think that there should be more education available for students and teachers on how to prevent cyberbullying and how to help somebody out in a situation like this.

"Finally, I want there to be stricter laws in Connecticut on cyberbullying. Some cases of it can be very serious and result in suicide. If that happens, I believe that the people responsible for the emotional abuse caused by cyberbullying should be held responsible for their actions. Students are dying in the name of free speech, as students and adults use social medias to intimidate, harass, demean, ridicule and spread rumors about others. By enforcing laws on cyberbullying, it shows that people are taking the issue seriously and are working for a change. Cyberbullying is the beginning of hate which, left unchecked and unpunished, will only escalate. Thank you."

REP. FLEISCHMANN: Thank you for that very powerful testimony. I'd like to thank you for your courage and your thoughtfulness in offering that testimony.

I think there are hundreds, maybe thousands of children who will be helped by hearing from you what you went through, and it takes a lot of courage to -- to share something like that, and we really very much appreciate it.

REP. FLEISCHMANN: Thank you for that very powerful testimony. I'd like to thank you for your courage and your thoughtfulness in offering that testimony. I think there are hundreds, maybe thousands of children who will be helped by hearing from you what you went through, and it takes a lot of courage to share something like that. We really very much appreciate it.

Are there questions from members of the Committee?

Senator Boucher.

SEN. BOUCHER: Thank you, Mr. Chairman.

And thank you again for your testimony. The issue of cyber bullying is really a big concern because just as it's powerful to change governments even in different places in the world, it can really affect a student's entire life during that period of time. And you suggested that we strengthen our oversight over that. That -- that's the big problem. Where do you -- I mean, how -- how would you suggest, maybe, that we look at that aspect? Because it is very difficult to restrict the Internet.

LISA TREGONING: Um, I actually didn't suggest that. I'm just reading the letter from another student. Um, so --

SEN. BOUCHER: You're stumped, I guess.

LISA TREGONING: Yes.

SEN. BOUCHER: The question stumps you. I fully understand this is someone else's testimony that you're putting together. But have you thought about it yourself? Do you agree with the person whose letter you're reading?

LISA TREGONING: Um, to a certain extent, yeah, I do agree. I do believe cyber bullying does need to be handled in some sort of situation. It's just because it's the Internet, it's hard to be able to really pin down how to control.

SEN. BOUCHER: It's also difficult for legislators as well to consider how you grapple with that very large issue. But thank you for coming forward. It was very compelling testimony.

REP. FLEISCHMANN: Thank you. And my apologies. You read that letter in such a powerful way that -- and the hearing has been long enough that I lost track of the beginning of your testimony where you said that you were reading a letter. So, but please do thank that student and let them know how much we appreciate it.

Are there other questions?

If not, thanks again.

LISA TREGONING: Thank you.

REP. FLEISCHMANN: Charles Barrett, to be followed by Jose Olmeda.

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CHARLES BARRETT: That was about quick. Good afternoon, members of the Education Committee. My name is Charles Barrett, and I live in Farmington. I am a student at the University of Connecticut school of social work in West Hartford, and I am a member of the national

association of social workers. I am here to testify in support of proposed Bill 1138.

A report published in the journal of the American Medical Association April of 2001 found that the prevalence of bullying amongst the nation's youth to be substantial. The authors found that almost 30 percent of the nationally representative sample of youth in grades 6 through 8 reported involvement in bullying either as victim, bully, or both. A study published in the July edition of the American Journal of Orthopsychiatry found that 49.5 percent of student participants had reported being bullied online, and 33.7 reported having bullied others while online. Another study published in the October 2009 edition of the journal of adolescent health found that within the two-month period leading up to the survey conducted with their study sample, 20.8 percent of respondents reported involvement in physical bullying, 53.6 percent in verbal bullying, 51.4 percent in social bullying, and 13.6 percent in cyber bullying.

Recent news stories featuring victims of bullying have received the attention of national news outlets. We could cite statistics and point to news stories for many of the day. But what we will lose is the personal effects bullying has on an individual.

I sit before you as an adult who was bullied as a child. From the ages of 6 to 14, I suffered at the hands of bullies. I came from a home in which both my parents worked, and due to several factors I felt I could not turn to them for help. I turned to the school I attended. The school administrators made me feel as if bullying was the natural order of things. "Boys will be boys" was something I

heard quite often. I was told to fight back and stand up for myself. These pieces of advice assumed that I had not yet tried to do such things when, in fact, I had. Due to bullying and the reactions by school administrators, I felt that I was bullied because of something inherently wrong with me. After all, they made me feel this was the natural order of things. I became distrustful, scared, and reclusive. I stopped participating in class and it hampered my ability to learn. At school I didn't feel safe, and that should not be the natural order of things.

I was lucky, though. I had family and friends that were able to provide me with enough support to see my way through the persistent bullying. I was able to get respite from the bullies long enough to grow and progress both socially and in terms of my education. I worry for the children who do not have such respite and support. In this day and age of social networking, it could only be more difficult for victims of bullying to escape and find respite in a safe place free from bullies. I worry that victims of bullying will convince themselves there is something inherently wrong with them. It is for this reason that I support proposed Bill 1138. By passing such legislation, you send a message to children who are bullied, there is nothing wrong with them, and that this is not the natural order of things.

You send in the message they're worth more to the world than they realize. I thank you for your consideration on this important issue.

REP. FLEISCHMANN: Thank you for your very candid and powerful testimony.

Are there questions from members of the Committee?

If not, thank you again.

CHARLES BARRETT: Thank you very much.

REP. FLEISCHMANN: Jose Olmeda, to be followed by Kimberlee Simko.

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JOSE OLMEDA: Good afternoon, ladies and gentlemen. My name is Jose Olmeda, and I am a long-time resident of East Hartford, Connecticut. My son is living proof that the law of bullying must be improved. All school staff and individuals who interact with children need to be trained and understand what bullying and how to handle it. My son has always been a well-behaved and good academic student. But three years ago my son was unjustifiably labeled a bully at the age of 10 because the principal in East Hartford did not want to hear my concerns. He ignored my concerns and did nothing to address the situation. But when my son reacts, everything was turned around, and now my son was labeled the bully.

As parents we were never informed of any actions to be taken until they were already taken. The principal with the superintendent's approval put a letter in my son's educational file stating that he was a bully. We asked for a meeting, but they came up with a million excuses, and they still refused to remove the letter. They told us that it was the law, and that they had to put that letter in his file and it could not be removed.

At the end of the school year, they came up with another excuse as to why the letter should remain in his file. I believe that my

son was used as a scapegoat in order to enforce the bullying mandate. I also believe that the bully in this case was and is the principal. He exercised his authority without any concern for the damage he was causing to a child. The town and Board of Education and numerous other representatives have refused to hear me out, but just shrug me off by saying, they cannot do anything for my son.

I believe that bullying laws are needed, but individuals who interact with children need to understand the law and not just rush to label kids without justifiable reasons. A process should be in place in all situations. Parents must be involved in the solution and not allow the principal or the superintendent to be judge and jury. After all, we are all talking about children. Bullying is a serious issue for all involved, and one should -- and one person should not be allowed to make the final decision. Administrators need to be held accountable, but they should not be allowed to abuse their authority.

What is really sad and heart breaking is that my son is the one with the bully label on his file. But to this day he is the one that continues to be a bully -- to be bullied. I welcome any assistance from anyone who can help me in removing this letter from my son's educational file. I am not solely advocating for my son, but for all the children of the state of Connecticut. This situation is a reality, and it needs immediate and urgent attention. Action is needed now because tomorrow may be too late. I thank you for your time, and I pray that for my son's future you remember his story when passing future school bullying laws. Enjoy the rest of your day.

REP. FLEISCHMANN: Thank you for your testimony.

Senator Stillman.

SENATOR STILLMAN: Thank you, Representative Fleischmann.

You know, obviously you care very deeply for your son. We all do for our children. Can you share with us what -- what caused this to be -- to happen, as to why he was -- why there is a letter in the file that says he's a bully?

JOSE OLMEDA: Yes.

SENATOR STILLMAN: I don't think that was in your testimony.

JOSE OLMEDA: Oh, okay. First of all, if I may, I made headlines because when I ran out of sources, I went directly to The Courant. There was a big article back in November about, I would say about two years ago, and it stated, "Is he a bully or being bullied?" And I -- I am a parent that I give 150 percent to my child. I drop him off at school, and I pick him up. I am involved in school activities, anything that I need to do for the school, I'll be there. The principal himself and I, we had a good connection. He knew me very well. He saw me being one of the first individual in the morning and saw me as being one of the last persons to leave the school premises because I have a police background, and I know that you never know who might be around for these other kids, okay. If there was a problem, he should have contact me. He didn't because he knew there was not no problem.

The problem was that there was another

gentleman, a young guy who was in the school, and the young man -- I don't want to say anything negative because I have my son. As a matter of fact, this is the young man. He's a commander now in public safety academy. I brought a picture of him, okay. Thank you, ma'am. You know? And I approached the principal and I indicated to him what was going on, and he was not too pleased. He was very upset, as a matter of fact. And I mentioned to him what was going on, that there was a child in his classroom that was bullying him, and that he did not want to come to school any more. And he said to me, "Mr. Olmeda, this young man has problems and I would like your son being well known --" because my son is well known in the school and everything "-- that he helps this young man place himself with the class." And I -- and I -- I'm not a psychologist, but yes, I said to the principal, "this is not my son's job. It is the job of the school system to take care of this matter." And apparently those words probably did not hang in too well with him.

But what was also happening in the classroom, my son was going to school, and at the same time I noticed -- one of the kids that was in his class said, "Mr. Olmeda --" because I also -- I dedicate myself to my son and other kids. I'm a baseball coach for over 30 years, okay. And I'm always involved with children. Children are the most precious thing. Sometimes as parents, we really don't realize it, but they are, okay. And I dedicate all my time, all right.

So, when I found out that my son was taking a bookcase and dividing himself from the other students because this kid was constantly harassing him and calling him, if I may,

"white cracker," you know, and all these -- all the words, my son just divided himself from the -- he was not getting the necessary education. I approached the teacher, and she didn't say much because that was her -- her first year there. But I approached the student, and again, he said to me, you know, the other kid -- the other child is entitled to an education. And I said, and so is mine.

But anyway, I continue -- I continue and patience is my virtue. I have all the patience in the world. There's no need for me to get angry. I know how to approach stuff, you know, and I -- I have a very high self-esteem and I know how to approach people and I know how to deal with them. And I kept telling him, "This is happening, this is happening." I even went to the town. I spoke to one of our -- the Board of Education members, and I told him, "What can I do?"

I went as far -- my son was being harassed by the principal. Every little thing that my son did, the principal just wrote it down. I was coming to a point -- I was coming to a point to have the principal arrested, okay. But this continued and it continued. Finally, my son, he snapped. And then my son started doing exactly -- not exactly the same thing, but just what he tried to do was get back to the kid. So, then, now my son was the bully. Finally they put a letter in his file, and they stated that they will remove the letter, okay, at the end of the year. At the end of the year the letter was not removed. Why? Because the day before the last day of school -- this is what the principal said -- that there was an altercation between my son and another kid. It was not an altercation. What had happened was they were playing kickball, and they were fighting for the ball

or whatever, and he used that, that there was an altercation. And he called me at home and said, "Can you come pick up Joel? You know," this and that. I said, "Sure." The first thing I said to him was, "Is that letter going to be removed?" He said, "That has no impact --" he did tell me that the letter has no impact on him, don't even worry about it.

Well, when I called the superintendent, the superintendent calls me -- I mean, tells me, "I'm sorry, I won't be able to remove your letter." And I said, "Why?" "Because your son had an altercation." I said, "I'm not aware of it. I haven't received any notice." That has been the story now for three years, okay. I realize -- I realized that, you know, that my son probably, you know, did the wrong thing when he said to the kid, "and you have ugly shoes." But, you know, these kids that are being bullied just come to a point where they cannot handle it any more. It happens day in and day out, okay. It's like -- let me say something if I may. It's like the president said yesterday, I'm bullying. He said, bullying can have destructive circumstances. We don't have to accept it.

That's what happened to my son.

SENATOR STILLMAN: Thank you. How is your son doing now?

JOSE OLMEDA: My son continues to be an honor student because he listens to me, okay.

SENATOR STILLMAN: Well, thank goodness you're there as his father.

JOSE OLMEDA: But at the same time, ma'am, and gentlemen, I have to live with that letter being there until he graduates from high

school because no one can do anything. Am I correct?

SENATOR STILLMAN: You know, I assume you've spoken with your local legislators and said --

JOSE OLMEDA: I have spoken -- you name it, I have. And the same thing that gets back to me is, you know, "Talk to the Board of Education." The Board of Education -- you hear all the time in the newspaper, and anything that happens, the Board of Education is involved in making decisions to either let go of a teacher because of sexual harassment... of anything. And in my town, in East Hartford -- and I'm not saying that everyone is the same -- my Board of Education will not give me an appointment to listen to what I have to say. This is what has prompt me to come here.

SENATOR STILLMAN: Well, I wish I could -- you know, we're a Committee --

JOSE OLMEDA: I understand.

SENATOR STILLMAN: I'm sorry, but I appreciate your circumstance and hopefully your Board of Education members will listen and maybe they'll change their minds and meet with you.

JOSE OLMEDA: I hope so, too, you know, because, you know, this young man right here one day can be one of your leaders, okay. You never know. One day --

SENATOR STILLMAN: That's right.

JOSE OLMEDA: He could probably be sitting here just like all of you are.

SENATOR STILLMAN: Thank you.

JOSE OLMEDA: That's what we don't know. But, you know what -- or he wants to run for Congress or anything. And, you know what might come up? Always the dirt. Weren't you labeled one time in your life a bully? Think about that.

SENATOR STILLMAN: Thank you.

REP. FLEISCHMANN: Thank you very much. Are there any other questions?

If not, thank you for your testimony. And just to reassure you, your son's file is protected under federal law. No one will be able to get into that if he runs for Congress.

JOSE OLMEDA: Thank you, ladies and gentlemen.

Kimberlee Simko to be followed by Richard Dellinger.

KIMBERLEE SIMKO: Good afternoon. Today we come together to change school climate legislation with regard to policies that govern bullying. The first question I asked myself when I saw the E-mail proposing 1138 was, "Why did this take so long?" For the past seven years I have been personally involved in working with the two Naugatuck superintendents to change bullying policies in our school system. I have worked tirelessly to ensure that each of the then 11 schools instituted bully busters type education to the children as well as the teachers. But much to my disappointment, time away from the classroom to attend anti-bullying workshops became a financial issue for school administrators, so the training that the teachers so desperately needed fell by the wayside. The passing of 1138 will never allow that to happen again.

Seven years ago in fifth grade, my son was

beaten on for protecting a mentally challenged child while in school. He was subsequently taunted unmercifully for his entire fifth grade year. He not only sustained a broken growth plate in his left foot, but watched as the children who bullied him came to our home and stoned our dog. I remember holding him in my arms and promising him that I'd fight for his right to be in a safe place where no child should ever have to face what he endured. But much to my disappointment, school administrators simply claimed that their hands were tied with how much they could do legally, and protecting my child on the school bus and in the lunchroom became a daily chore for me. The passing of 1138 will assure that our administrators have policy that can be enforced and give them the legal right to take it to the next level.

We must begin this level of education at a very early age where rules are learned and ramifications for inappropriate actions are clearly defined and with the passing of 1138 finally enforced. Twenty-two months ago while playing frisbee in PE class, my son was once again targeted. He was purposely and violently assaulted, suffering a horrible concussion.

The student doing the bullying had been recently removed from a tech school for anger management issues and dropped into the public school system. But because his "track" record from his previous school was ignored, he began his "reign of terror" all over again. My son, a first degree black belt, honor student, and Corps Commander of the high school's JROTC program has lost countless opportunities for scholarships in this his senior year because of his inability to perform better in class and on his SATs. All of this driven by a

bully who has had little or no punishment for his actions.

My son continues to deal with stress headaches, vision loss, and perfect study patterns driven by the concussion, neck and shoulder pain, and now a failed attempt at financing his education. Some fair deal, huh? Six months later the child verbally assaulted my son again during the changing of classes and because this time it was caught on tape, his actions finally resulted in a suspension. But because it was not in the same school year, the case was treated as new versus ongoing. The slate was "wiped clean," and the 10 school suspension rule began all over again...never resulting in a much deserved expulsion. The passing of Bill 1138 will not allow the track records of these "bullies" to be dismissed at the close of each school year, but instead be dealt with accordingly.

As I sit here today, I'm curious as to why we simply don't institute a zero tolerance bullying policy to mirror the one that currently exists for drugs in school. Allow me to provide a synopsis of how this works. If you get caught with drugs in school, you get expelled for the school year and a criminal record becomes part of your resume. Simple enough. This great country that we live in spends billions of dollars in aid along with the men and women in our armed forces to stop dictators across the world from "bullying" their people. We step in and save humanity because it is simply the right thing to do. Period. No questions asked. No objections tolerated. Yet, in this great country of ours, we cannot stop this "disease" that takes children's lives and causes horrific situations like Columbine and Virginia Tech to look like a troubled student

had a bad day. Bullying ultimately causes students to strike out against others and leave a blemish on our education system that we can never recover from. But this bill could be our beginning to enable us to move toward a zero tolerance policy that we so desperately need for our children, for our children's children, and for the hurtful moments that exist in each one of our minds when we, too, were growing up.

Today is about simply doing the right thing. My now 18 year old son currently in counseling to get the black out off his shoulder from the two bullying incidents he was subjected to simply states what needs to be addressed, and quote, "it's not the kids that bullied me that I'm really angry with. It's the adults that did nothing about it. They did nothing to protect me and put a stop to it."
Today each one of you has the opportunity to make a change for the better. Today when you pass this bill, you will become an unsung hero. And tonight when you place your head upon your pillow, you will be able to say, "Today was a good day because I made a difference in the life of a child." Thank you.

REP. FLEISCHMANN: Thank you very much for your testimony. And I'll have you know that the reason that we have this Section of the bill that eliminates that reset from year to year relates to stories like the one that you've shared. So, thank you.

Are there questions from members of the Committee?

If not, thank you again for your testimony and your patience.

KIMBERLEE SIMKO: Thank you.

REP. FLEISCHMANN: Richard Dellinger to be followed by Janet Parlato.

RICHARD DELLINGER: Senator Stillman, Representative Fleischmann, members of the Committee, ways going to say good afternoon. It seems like evening, but for you it may seem like evening.

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Thank you for listening to me. My name is Richard Dellinger. I'm the principal of the Amity Middle School in Bethany, one of the two middle schools in the Amity Regional School District No. 5. We are a member of the CAS, the Connecticut Association of Schools. I'm currently in board and been active for the past seven years. I welcome this opportunity to help shape legislation that can assist school leaders and create even more positive school climates that can prevent not just bullying, but also meanness, cruelty, humiliation and harassment. Our most recent efforts at my school came from a survey to all eighth graders in April of 2007. This instrument, the Social and Health Assessment, SAHA, was developed and administered by the Yale school evaluation research team. And it revealed the following about peer victimization at our school. 65 percent reported that year that kids called them names or swore at them one time or more. 59 percent had made fun of them for some reason one time or more. 20 percent were hurt physically in some way one time or more.

We looked at these results and tried to come up with an action plan. And every year we try to get reliable and valid data. Discipline data supplied by the state, but also our using Survey Monkey. Last year we utilized an

instrument developed by Dickon Pownall-Gray, a successful businessman, who was actually bullied himself who established "The Surviving Bullies Charity." His approach to this issue is a degree -- to the degree of bullying is to do it in a safe and confidential manner, using an assessment instrument. He then provides immediate psychological support to the victims while training students "bystanders" to also provide support.

We did this in a way -- and I won't elaborate -- to try to -- we actually sometimes, as much as people think administrators don't, we did this to try to pull out from students anything that they would. And if we had the funding to do this, I would have liked to do it every year. We had a grant to do it, and it helped us -- give us great data, but it was -- and it's a terrific program, particularly in terms of his emphasis on bystanders. From that we had another action plan, and some of the things we've recently done included last August when our school psychologist provided a workshop to all district bus drivers, providing them with strategies and procedures, because according to the information we did develop, that was one of the highest areas where bullying occurred. This year we provided all middle school teachers "Safe Schools Training," particularly focusing on the issues from the Gay and Lesbian and Straight Education Network. And as another aside, I would just say from our experience, particularly from students going through middle school to high school, I would encourage you to include the race, religion, gender, and sexual orientation language.

From our experience, those -- particularly groups have had a history of being

discriminated against. And from what we get from students, they want a specific language and education particularly at the middle level. Four years ago we also initiated a summer reading program where all middle school students read about bullying as part of the required reading. We initiated annual Internet safety instruction by our media specialist and frequently involve the FBI and state police. We expanded after-school activities, adding all kinds of teams and clubs. We enhanced classroom presentations by school guidance counselors and health teachers on bullying and peer harassment. We continue to maintain a robust character Education Committee which promotes healthy school climate and organizes character education assemblies for all students, usually two or three times a year. We continue to support students in small groups with counselors, psychologists on themes about academic stress, stress management, decision making, handling peer pressure, and improving social skills.

Student council has become involved with using better word and also participate in a CAS leadership conference every year, this year at Wesleyan University. We continue to provide rigorous and engaging curriculum where all students are successful.

REP. FLEISCHMANN: Principal Dellinger, we do have your written testimony. If you could summarize.

RICHARD DELLINGER: The results from the survey that we did last year to all students showed that I think the approach is working. However, just recommendations in terms of legislation, I'd like you to consider, again, focus on school climate, not just bullying, but expanding it. I think it's very

important. My main things, and I heard this here, one of the things when I looked through the legislation, my main concern was this issue of creating a safe school environment specialist. I actually think by doing that, you would have been weakening the principal's position and actually weakening the efforts against bullying.

I also have a little concern about the Committee removing the safe school environment specialist. I think helps that -- having that person actually chair that Committee I think would have been made the -- made the program much more difficult to be effective. So, I think that -- and I -- but I do believe that -- that Committee should have more flexibility and actually more influence by the school principal since he's in charge.

I just want to again encourage you to include students. I know the riveting testimony today. Our experience is involving student governments and student leaders more teach students more to empower students and assist the victims. Because although there's a lot of testimony today that teachers don't care, I really don't think that's the case. I think they're just very busy, often focused on other things. We have a lot of referrals into our school by staff, particularly from kids, but everyone is very busy. I want to thank you once again for this opportunity.

REP. FLEISCHMANN: Thank you. Just one very quick question.

RICHARD DELLINGER: Sure.

REP. FLEISCHMANN: So, the bill before us says that the principal shall designate a school environment specialist. It doesn't say that

the principal couldn't choose him or herself as the specialist. So, I'm just wondering why you would object to that in any way. You could designate yourself as your school's school safety specialist.

RICHARD DELLINGER: I think -- you know, could designate -- could be stronger. I think the principal has to be the -- ultimately the one in charge of the climate of the school. And for this kind of issue with these kind of issues, I think the principal or his designee could. Creating the name of this person I think is a distraction. And I think when things come up, when people get -- in the end it's going to be the principal of the school that's going to get the call. I think it would be stronger by keeping it the principal of the school.

REP. FLEISCHMANN: Okay. Well, that's an interesting perspective. I hadn't heard that before. We'll be thinking about that.

Are there other questions or comments from members of the Committee?

If not, thank you for your testimony.

RICHARD DELLINGER: Thank you.

REP. FLEISCHMANN: And for your good work in your school.

Janet Parlato, to be followed by Ray Rossomando.

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JANET PARLATO: Thank you, Senator Stillman and Representative Fleischmann for allowing us to speak.

My name is Janet Parlato and along with my

colleague Jim Sachs, we're assistant principals at (inaudible) high school which is a member of the Connecticut Association of Schools. As all school administrators know, our students are experts in popular culture. From reality shows dealing with the underside of life to the vast array of social networking media available, with its tremendous power for connecting with others in positive, and as we heard today, very often negative ways. It is safe to say that in the realm of school and in our experience particularly, Facebook is not a friend of assistant principals and deans of students statewide.

We appreciate the efforts of the Committee in emphasizing the necessity of safe and positive school environments, and we hope that some revisions to this raised bill along with future legislation will support school districts in creating and growing proactive measures to eliminate the meanness and vitriol that can sometimes take root in the school culture. Through careful consideration of relevant research about the development and maintenance of positive school climates, Connecticut's legislation can set the standards both envied and followed by the rest of the nation.

JIM SACHS: At our school we have worked diligently at fostering a positive school climate --

REP. FLEISCHMANN: Excuse me. Could you just identify yourself for the record?

JIM SACHS: Yes, Dan Sachs, assistant principal, Berlin high school.

REP. FLEISCHMANN: Thank you. Thank you for your testimony.

JIM SACHS: At our school we have worked diligently at fostering a positive school climate and we feel it is a central component of diminishing the frequency of meanness and bullying. The administration feels confident that the protocols and programs described below regularly help us support any student who feels that he or she has been put in an uncomfortable situation with regards to another student's behavior or actions.

We feel confident that the programs developed and endorsed by our school personnel at all levels aimed at the student body that they are most familiar with have made it possible to create a very positive school environment.

Some of those programs are a school-wide group analysis of school climate needs on a scheduled professional development day; the expansion of our mentoring program approved by our entire staff to include upper class men as mentors; excellent relationships being built between the administration and our SRO and constant communication regarding students in crisis who are reporting any type of distress; an SAT or student assistant team that meets weekly to discuss and support any student in distress, a method created by which students can report any issue that makes them uncomfortable and an administration committed to assisting the students the very same day and contacting the parents as well. We also have a research peer mediation program available to any student.

The administration of the school feels that their training, knowledge of students in attendance at the school, and familiarity with the community along with the excellent working relationship with law enforcement puts them in the best position to investigate bullying

allegations, acts of meanness, and general student conflicts.

JANET PARLATO: We believe strongly that the analysis of and support for safe and respectful school climate should be part of every school's overall continuous improvement plan. Additionally, every staff member in the building should be considered a safe school environment specialist. Adding this responsibility to seriously overburdened school psychologists and counselors diminishes its effectiveness, when in fact it truly should be a whole school effort.

As stated aptly by the New England Association of Schools and colleges, the entire school community must consciously and continuously build a safe, positive, respectful and supportive culture that fosters student responsibility for learning and results in shared ownership, pride, and high expectations for all.

REP. FLEISCHMANN: Thank you. Let me start with a -- both of you thanked the chairs and the Committee for allowing you time to testify. It's your right. You are Connecticut residents. We serve you. So, it's not anything we're doing for you. We appreciate your patience and the work that you do in the schools.

I'd just like to ask you a question about a final point you made there. So, it doesn't seem to me that there is necessarily any contradiction between the idea that everyone who works at a school needs to take some responsibility for the school environment and have awareness of what's happening in the school. And the notion that there will be designated -- a specific person who is

overseeing that issue, and making the person who is making sure the plans are moving forward, plans are getting executed, everyone is getting proper training. I don't necessarily see any tension there, and I'm just wondering why you would object to someone being designated as the school, you know, climate coordinator, and whether there isn't a danger that if we don't have someone who is given the responsibility that in some schools less responsible than yours, no one takes responsibility.

JIM SACHS: Well, I do think that your previous comment during another testimony that the principal can designate himself or herself really changes some of our concern. But I'll add that when you increase the amount of personnel that are investigating, it does also increase the confidentiality issue and gives us concern. So, I feel that since the administration and the administrators, the principal's designees know the students and the cases and the relationships between the students as well as they do, it kind of puts an unnecessary burden on some of them starting at ground -- you know, like step one to investigate when we have a lot of information already. So, it creates almost a secondary administrative level.

REP. FLEISCHMANN: Well, just to be clear, we're not talking about any new appointments here. We're talking about a designee. So, I would expect in general it would usually be the principal or vice-principal like one of you, and you seem both well qualified to undertake the role.

Are there other questions from members of the Committee?

Thank you very much for your testimony and for the good work you do in Berlin.

JIM SACHS: Thank you.

JANET PARLATO: Thank you.

REP. FLEISCHMANN: Ray Rossomando to be followed by Sally Biggs.

RAY ROSSOMANDO: Good afternoon, chairman Fleischmann, members of the Education Committee.

My name is Ray Rossomando. I'm a legislative coordinator for the Connecticut Education Association, representing 45,000 teachers and retired teachers in the state. I'm here today in support of Senate Bill 1138, an act concerning the strengthening of school bullying laws. We thank the Committee for raising this bill and providing an opportunity to hear our thoughts on addressing bullying in our schools. We believe that the underlying bill offers a great framework for involving the whole school in addressing bullying, an approach that research supports. As Senator Looney and Attorney General Jepsen noted in their testimony and was underscored by the brave young adults who testified earlier today, bullying is more pervasive than some may realize and its implications are profound, going beyond just a learning environment. The good news that we have all become more aware of what had previously been a problem that you talked about as an issue of public interest.

There has been more sunlight and more research. We now know that we can make a difference. The available research confirms some of the things that we've heard earlier today, that many students may not actively

seek out help from teachers when dealing with a bullying situation from the get go. And we've learned that there is a gap in research regarding whether students seek out assistance from other school staff. Yet we know the problem is a whole-school problem.

Our parent organization, the National Education Association, released a study recently specifically looking at bullying in our schools and staff perceptions of policies that could address the issue. The NEA study surveyed school personnel, including personnel other than teachers, who are often in a position to see student interactions outside of the classroom in unstructured settings. I have attached the executive summary of this study to my testimony, and I have provided a link in my testimony to the entire study for anyone who wishes to read the full version and so it would provide copies upon request.

From this study we learned that, although 92 percent reported that their district had implemented bullying prevention policies, only 55 percent of teachers and 46 percent of other staff had received training related to the policy. So, we are pleased to see that there is a training component in this bill and we hope that that continues to be retained throughout the process, knowing the challenges of the budget. And the study notes that if there is one area most in need of training, it is how to intervene in cyber bullying. School staff reported most often witnessing verbal, social, and physical bullying. These actions are more easily observed than cyber bullying, which makes the identification and intervention of cyber bullying all the more daunting.

In conclusion, this study combined with other

work by teachers showed us that the problem can be addressed. For prevention, whole-school awareness and connecting this to the issue is very key. For victims, we know that if there are adults who students can turn to talk to about bullying, the effects can be minimized. To accomplish both of these training is important and we're glad to see it in the bill.

REP. FLEISCHMANN: Thank you for your testimony, and it's good to know given the past phases of your career and all the research and work you've put into legislation previously, that you think this bill is well drafted.

Are there questions or comments from members of the Committee?

If not, thank you very much for your testimony.

RAY ROSSOMANDO: Thank you.

REP. FLEISCHMANN: Sally -- yes, Sally Biggs, to be followed by David -- Jordan Grossman.

JORDAN GROSSMAN: Sally Biggs is not here.

Thank you. I have a new appreciation --

REP. FLEISCHMANN: Could you please -- could you please offer your name and --

JORDAN GROSSMAN: Jordan Grossman.

SENATOR STILLMAN: Okay.

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JORDAN GROSSMAN: Thank you. I have a new appreciation, after sitting for 4-1/2 hours, for what you do. So, thank you. And I know it's an important issue that we're here to

discuss, but I've got to commend you for the job that you do.

Good evening. I've been waiting all day to say good evening. I'm Dr. Jordan Grossman, and I'm happy and proud to say that I'm the principal of Canton Intermediate School. I'm also a board member of the Connecticut Association of Schools and a commission member for the Commission for Children. I am here to ask you to make modifications of raised Bill No. S.B. 1138, an act concerning strengthening school bullying law. I ask you to modify the legislation to include the requirement -- the requirement that school districts develop and implement policies and plans that will foster safe school climate. In addition to reporting bullying, each school and district should have to report progress on maintaining a positive school climate.

The Connecticut Association of Schools offers schools the opportunity to conduct a self-assessment to measure school climate. There is research that would support that if schools have a good climate, then school achievement will rise. I encourage Committee members to look at this assessment as a model when you are considering this new legislation. This assessment looks at indicators in five broad categories. Self and healthy environment, a welcoming environment to students and visitors, stakeholder involvement and planning in decision making, parent, community, and student involvement in the school, active participation in a variety of programs.

In 2010, Canton Intermediate School was recognized with an exemplary school climate practices. We are comprised with a set of values and principles that are deliberately

incorporated into a school community which maintains, increases (inaudible) cultures and climates that foster student achievement based on important individual differences of children. It is so important that schools develop a sense of community where students feel that they have a safe place to learn.

In closing, with Facebook, Twitter, and other electronic forms of communication in the hands of our children, it is not just the time to look at bullying. It is the time to look at the entire issue of school climate and culture. Thank you.

REP. FLEISCHMANN: Thank you. And may I say it is really refreshing to have an administrator come before us and say this new set of requirements is strong, but not strong enough. You can do more. That's unusual here at the Education Committee, and I really appreciate all that you're doing at your school to make sure there's a good school environment.

Are there questions from members of the Committee?

Senator Boucher.

SEN. BOUCHER: Thank you, Mr. Chairman.

Yes, thank you for your testimony. There was also other testimony that's being presented that talks about also violence against teachers by students in a manner that's extending the bullying situation and even statute. Do you have any -- any remarks to that effect? And also to the degree that we go in that direction, where would the liability on schools fall and would we be creating another situation where costs could be increased substantially due to various

accusations on both sides?

JORDAN GROSSMAN: Let me just clarify. You're talking violence -- teachers against -- teachers bullying students?

SEN. BOUCHER: No, students bullying teachers, yes. There are some cases of that, exactly.

JORDAN GROSSMAN: You know, that's a difficult question to answer, and there would definitely be within rules and regulations already within school on student discipline and the code with student discipline of respect and disrespect, that there would probably be enough in there that there could be disciplinary consequences against a student bullying a teacher. I have not heard of, per se, bullying against a teacher. I've heard of -- more of disrespect against a teacher.

SEN. BOUCHER: That's good to hear. It may be that, you know, you are representing a younger age group versus a junior high or high school.

JORDAN GROSSMAN: We're an elementary school.

SEN. BOUCHER: Well, it's a good place to be. Thank you very much for your testimony.

JORDAN GROSSMAN: I've also been at the high school, so, I know. I was an assistant principal of a high school.

REP. FLEISCHMANN: What a whole some exchange. Are there any other questions?

If not, thank you very much for your testimony and your good work in Canton.

JORDAN GROSSMAN: Thank you.

REP. FLEISCHMANN: Anita Schepker, to be followed by Nancy Von Euler.

ANITA SCHEPKER: Good evening, Senator Stillman, Representative Fleischmann, and members of the Education Committee. My name is Anita Schepker and I'm an attorney today and here on behalf of the Connecticut Psychological Association. I'll be quite brief. I think you have the testimony of two members of the Connecticut Psychological Association that was presented to you. The first is from Dr. Virginia Schiller, who is not only a member of the association, but also the representative on the advisory Committee to the office of the child advocate and the clinical instructor at the Yale child study center, and also the testimony of Dr. Nika [sic] Lasher. And both Dr. Lasher and Dr. Schiller have been here before you and testified up at the legislature on many occasions on different issues, including on school bullying.

I'm just going to quickly point out what they say. The association is in strong support of this legislation. In terms of Dr. Lasher's testimony, she points out that the expansion from in school and out of school is a very important distinction to make. And also I think she points to the science and the research that the provisions that you've put into Senate Bill 1138 are supported by all the comprehensive multifaceted bullying prevention programs that are to be implemented under this proposal. And she goes on to list -- and I won't list it for you because it's in the testimony -- what's needed in the elements of a comprehensive bullying program, which I think you have in your bill.

In terms of Dr. Schiller's testimony, she goes

in a different direction to point you to websites so that you can implement bullying programs school systems can very effectively, with little cost. The publication is "Bullying Prevention Is Crime Prevention." You've heard about the BPIS [sic] system. And also the other model that she references, which is the all have a as bullying prevention program, and you've heard a lot about that today from other folks. Finally, I think you should note that Dr. Schiller says one of the most important things that you've added to this legislation is that inclusion of cyber bullying in this piece of legislation.

I want to end by saying that Connecticut Psychological Association has always been up here, is here as a resource if you need to ask them about any questions, not just school bullying, but any other issues relative to psychological and behavioral health. We're here to help. Thank you.

REP. FLEISCHMANN: Thank you. That final statement seems very appropriate for the Connecticut Psychological Association. And, of course, we have our own resident school psychologist on the Committee when we need local assistance.

Are there questions for Ms. Schepker?

If not, thank you very much for your testimony and your patience.

ANITA SCHEPKER: Thank you.

REP. FLEISCHMANN: Nancy Von Euler, to be followed by Robyn Kaplan-Cho.

NANCY VON EULER: Thank you. My name is Nancy Von Euler. I live in Southport, Connecticut. Until this year, my children attended the SB1138

Fairfield public schools. In the 12 years I had children in Fairfield schools, I was an active parent volunteer, a member of PTA leadership, and frequently attended Board of Education meetings. I think it's fair to say that I have a high level of awareness of the district's issues and initiatives.

As a parent concerned with bullying in our schools, I attended a recent Fairfield Board of Education Subcommittee meeting, at which a revision to the district's bullying policy was being discussed. At the conclusion of the discussion, I had an opportunity to comment on how critically important I thought it was that the board thoughtfully review its policies, procedures, and practices to ensure that they reflected not just state and federal requirements, but also best practices. I handed out copies of the U.S. Department of Education's recent "Dear Educator" letter regarding bullying prevention policies and practices as well as the guidance from the Office of Civil Rights on the district's legal obligations when it comes to bullying and harassment.

I followed up with a letter to the full board pointing out areas where the policy the board was being asked to approve did not meet the standards included in both of those documents. When it came to a vote, the policy was approved as-is. To my knowledge, this was done without any review of bullying incidents in the district, any parent or student surveying on school climate, any review of current best practice or model policies. In short, without any reflective process.

I share this to illustrate how vitally important it is that the state law be strengthened. As Kevin Jennings, Assistant

Deputy Secretary and head of the Office of Safe and Drug-Free Schools said when he came to Connecticut recently to speak on the subject of bullying, "What gets measured gets done." The bill you are being asked to consider significantly strengthens the requirement that the Connecticut Department of Education and local districts not only implement better, more effective practices, but also that they measure, record, and report the impact of that work. Amongst the improvements are the requirements that districts engage important constituencies in bullying prevention, planning, and implementation, assigned responsibility for this work within districts and schools, and report on progress.

The bill appropriately expands the definition of bullying to include cyber bullying and other out of school that may affect the school climate. The bill charges the State Department of Education with a task of identifying and sharing model policies, plans, and training to increase the likelihood that local bullying prevention work represents best practices, not best intentions. These are important steps forward.

What this bill does not yet do is enumerate protected categories. Listing protected categories, such as race, religion, disability, sexual orientation, and gender identity, does not just protect these groups, but strengthens anti-bullying policies for all students. I am please today say that the policy revision that Fairfield approved in January did take this important step and Connecticut's law needs to follow suit. Doing so communicates clearly that in Connecticut we have a commitment to providing schools where every child feels safe, secure, and respected.

When considering this bill, some of you will worry about adding an additional burden to already over-burdened districts; but the cost of not doing this bullying prevention work effectively is so much greater than the cost of doing it. The impact on school success, the emotional scars, and in the worst cases the tragic loss of lives -- you can't quantify those costs. We all know that the silent bystanders share some responsibility for the perpetuation of bullying; so, we need to ask ourselves, "Am I going to take a stand, or am I going to stand by silently?" Thank you.

REP. FLEISCHMANN: Thank you. And may I say it is really impressive to have a parent who has no formal role right now in the school system so knowledgeable about this issue, both at the state and federal levels.

Are there questions? Representative Kupchick.

REP. KUPCHICK: Thank you, Mr. Chairman. Excuse me.

I would like to thank you, Nancy, for coming up. Nancy is a constituent of mine. And I can testify that she has been very involved with our school system.

Do you think having this policy will sort of prod our policy Committee in town and maybe other policy committees opt boards of education to do the work that needs to be done? Do you think this really helps it? In the case of our board maybe not following some of the best practices, do you think this would really be a big help; or do you think there should be anything else added to it that would make it more helpful?

NANCY VON EULER: It's my hope that it will -- it will prod them to look more carefully at their policy. My feeling was when they -- when they were reviewing their policy recently, that because it met the letter of the current law, they didn't feel any -- under any obligation to look beyond that. So, I think it is really important that the law as you vote on it does everything you feel it needs to do. I think it goes a long way forward, and I think the involvement of constituencies in the work of bullying prevention is really important.

Our district is not engaging parents in this work, not engaging students in this work. I think they'd know that they had a problem if they were doing that, and they'd pay more attention.

REP. KUPCHICK: Thank you very much for your testimony. Thank you for coming up today.

REP. FLEISCHMANN: Any other questions from members of the Committee?

If not, thank you very much for your testimony.

We're moving now to Senate Bill 1139, and Robyn Kaplan-Cho.

ROBYN KAPLAN-CHO: Good afternoon, Senator Stillman, Representative Fleischmann, members of the Committee. My name is Robyn Kaplan-Cho and I work for the Connecticut Education Association advising teachers about their rights and responsibilities. I'm going to switch gears a little bit, although not all that much, because we're still talking about a disturbing topic in school.

CEA supports Senate Bill 1139 because it

KATIE NICKERSON: Thank you.

REP. FLEISCHMANN: We now move to Dale Bruckhart to be followed by Sandra Straub and they will be testifying on Senate Bill 1138.

DALE BRUCKHART: Good afternoon, Senator Stillman and Representative Fleischmann and members of the Education Committee. My name is Dale Bruckhart. I'm the vice president of sales and marketing for Digital Backoffice. Digital Backoffice is a privately held for-profit corporation located in Milford. We have a significant business in the public sector doing business especially with K12 schools.

Over the past decade our management team has observed K12 schools and especially public schools struggle with the integration of pedagogy and enterprise technology. The private sector long ago recognized the benefits of information technology and designates a chief information officer, or information technology director, a job title commonly given to the most senior executives in an enterprise. And that person is responsible for the information technology and computer systems that support the goals of the enterprise.

The CIO typically reports to the chief executive officer or the chief technology officer or the chief financial officer. Nowhere in Bill Number 1138 do we see a reference to information technology directors, managers or CIOs, which exist in only a handful of Connecticut's schools. IT management personnel in our K12 schools are unprepared to implement the proposed provisions of this bill. They're not even at the table. And worse, they're not aware of the demands which will be placed upon them if

this bill should become law.

On behalf of the information technology industry we recommend that the committee engage information technology professionals in this discussion at the state and local levels and include the local IT directors in the process of ensuring e-safety on school property and in educational services delivered in the cloud. In short, this bill makes no provision for key players in preventing cyber bullying, the IT directors and representation from the IT industry.

Thank you.

REP. FLEISCHMANN: Thank you.

It's my understanding that current reporting on bullying and reporting that would be contemplated in the measure before us is already accounted for in various types of forms that schools and school districts must submit to the State Department of Education.

So I'm just wondering where exactly you see the, you know, chief technology officer or chief information officer fitting in here.

DALE BRUCKHART: Well, there is none.

REP. FLEISCHMANN: Excuse me?

DALE BRUCKHART: There is none. There is no -- the IT directors in most schools that we deal with are generally treated like janitorial staff. In fact, if you look at the represent -- at the testimony you've had today you've seen representations from CABE, from CES, from all these other organizations. Have you seen anybody representing the IT workers in the schools?

REP. FLEISCHMANN: Well, I guess that is the role that has fallen to you today.

DALE BRUCKHART: That's why I'm here.

REP. FLEISCHMANN: Are there other questions from members of the committee?

Representative Carpino.

REP. CARPINO: Thank you, Chairman.

More of a two-part question, if I may? One, what type of ownership would the CIOs of the schools or districts seek? And I asked you as the only representative I've heard today from the discipline.

And two, are there specifics that you haven't heard covered today or discussed that you would like us to consider? And if so, could you please provide them?

DALE BRUCKHART: Well, for example, in the bill on line 107 there's a reference to, prohibit bullying through the use of any electronic device or an electronic mobile device. How do you propose to do that?

REP. FLEISCHMANN: Excuse me, I'd like to interject. So it's not the job of witnesses to ask questions of legislators.

DALE BRUCKHART: I understand.

REP. FLEISCHMANN: Rather you are to respond to questions from legislators. And in fact, this is -- would be an instance of cyber bullying that a student or parent would be able to report to their school district, whether it be a teacher or administrator.

But if you would please answer --

DALE BRUCKHART: If I could just follow up a little bit further.

REP. FLEISCHMANN: If you would please answer questions, as opposed to posing them, that's our standard format.

DALE BRUCKHART: In corporate IT departments corporations typically control the use of their resources very tightly. My wife works at a hospital. They're not even allowed Internet access. Their computer is strictly for work.

The IT department's role is to manage the enterprise, manage the goals of the enterprise and to make sure that the resources are used for that purpose. We don't see that in schools. My definition of most school IT departments and environments is, it's the wild wild west. People go wherever they want. Things are filtered, and in fact, our company provides the filtering devices that are used on the Connecticut Education Network. However the use of the technologies often times is very loosely controlled and has very little to do with education.

REP. CARPINO: Okay. Thank you.

REP. FLEISCHMANN: Any other questions for the witness?

Representative Kokoruda.

REP. KOKORUDA: Well, I have really good news for you. In my town our IT director, he is part of senior staff. No program like this would ever be instituted without his -- him being

directly involved.

DALE BRUCKHART: I'm glad to hear that (inaudible).

REP. KOKORUDA: And he's at the table on every decision. As a matter of fact, he's running the meeting, I'm sure (inaudible).

DALE BRUCKHART: I wish that was the case in other schools.

REP. KOKORUDA: I just thought you'd like to know.

DALE BRUCKHART: Yeah. No. I agree with you.

REP. KOKORUDA: He's hardly a janitor.

Thank you.

REP. FLEISCHMANN: Any other questions?

If not, thank you very much for your testimony and your patience.

DALE BRUCKHART: Thank you.

REP. FLEISCHMANN: And that brings us to Sandra Straub. Welcome.

SANDRA STAUB: Thank you. Good evening, Senator Stillman, Representative Fleischmann, members of the committee. It's my first time before you. My name is Sandra Staub and I'm the legal director for the ACLU of Connecticut. And I'm here to oppose as written Raised Bill Number 1138, An Act Concerning the Strengthening of School Bullying Laws.

I'm going to start with the first paragraph of my testimony and then I hope to demonstrate with an example my concern as what I hope to be a humble constitutional expert on the

problems with this bill. I don't represent myself to be an education expert.

The ACLU of Connecticut is as concerned as anyone with the equal protection of all students, including those who are bullied and harassed in schools and we urge you also to consider the categories as earlier witnesses have of race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity or disabilities when you are working on this legislation.

While the schools need to take steps to address in-school conduct that amounts to harassment via the Internet, this bill unnecessarily, and I assume, unintentionally runs afoul of constitutional rights of parents and children. We like what many of the witnesses have testified about already and I'm not going to enumerate them, but they basically run along the category of prevention and education, anonymous reporting, letting parents report bullying, requiring staff to act quickly. We don't oppose any of that. What we oppose is the definition of bullying and the mandate to schools that you have in sections A1 and B -- in particular, 13, although there are other spots.

So I will take an example from earlier testimony. I don't know anything about the facts of this case, but a man testified before you today that his son got in trouble for saying that someone had ugly shoes. And you could take that statement or another statement that is even uglier and more hateful that incorporates racial epithets or other worse language, but it's just speech, not a threat.

And that student home on the Internet, on a text, on a cell phone text or in a voicemail

before the advent of Internet, calls a friend, an ex-boyfriend, someone else and says this hateful, hurtful, emotionally harming thing over the phone, over the Internet, on a text to another person who's a student. That student is emotionally harmed by this. That student goes to school and it causes disruption in the school because the student is showing this message to other students.

Under this as written the school is required to prohibit the continuation and perpetuation of this speech. And that's the problem that we have with 1138. It runs afoul of the parental right to control the child's conduct in the home and it runs afoul of the child's First Amendment rights in the home.

Thank you.

REP. FLEISCHMANN: Thank you for your testimony.

I'm curious. Much of the language that you're citing is actually patterned after language that is on the books in Massachusetts and there is some parallel language in several other states. Is the ACLU filing legal challenges against those states for their laws on cyber bullying.

SANDRA STAUB: I think ACLU affiliates around the country are concerned with language like this in cyber bullying statutes. And in fact, pending in the Second Circuit here is our appeal to a trial judge's ruling specifically about this issue.

Before you had this statute you had an attempt by a school to reach into the home and discipline a child for language that was spoken in the home via Internet. It didn't physically threaten harm. It didn't harass,

but it was considered to be disruptive of the educational mission.

And so we're challenging on these two basis, parental rights and First Amendment.

REP. FLEISCHMANN: I'm aware of that case. I happen to think the ACLU has taken a position I agree with on that case and that case really has very little to do with the bill before us because there was not a student threatening another student or affecting that other student's educational process.

So let me frame it this way. It seems to me that Section 1, Subsection A1, which defines bullying, has multiple prongs that clearly connect the student's communication to either harm of the student physically, or disruption of their educational process. So there's a clear nexus that's created, that there is harmful speech to a student, a minor who is an individual who is supposed to be protected by the school.

And it is only that type of speech that is involved, not something that would be critical, say, of a school administrator. Not something that would be a joke that someone didn't like. It would have to meet the test clearly laid out in that subsection. So I'm just wondering given that nexus that's created in this bill, why the ACLU would be opposed.

SANDRA STAUB: I respectfully disagree. I could be reading this incorrectly, but my reading of Section 1A is that bullying means -- and these are alternative prongs, A, B, C, D and E are "or" items -- so the first one is bullying means, repeated electronic communication or a physical act or gesture.

So it could be electronic communication that, A, causes -- and then you skip "physical or," you get to emotional harm, that causes emotional harm to another student. So my concern, my primary concern is that language right there, because the language that's at issue in the Donninger case could be directed at another student, cause disruption in the school to the mission and cause emotional harm to another student by the name calling.

And I'm not saying that the school should turn the other way and not deal with climate issues, but to discipline and prohibit that speech I think is unconstitutional.

So that's exactly -- to say that someone, the school must prohibit that bullying when that bullying is defined as communication that causes emotional harm to another student. It's not connected to anything else.

REP. FLEISCHMANN: So let's pursue that hypothetical.

We had testimony today. It was presented by an adult who was reading a letter from a child -- I'm not sure if you were here for it -- and that child via Facebook and the web was called a whale, a cow, was told that her boyfriend either was or should be cheating on her because she was so disgusting. I mean, all sorts of horrendous things that essentially led this child to suicidal ideation.

It's your position that this committee should not take any stance on such speech and does not have the power to take any stance on such speech even if it harms the child's ability to attend school and get an education?

SANDRA STAUB: I do not think that we are saying

that this committee can't do anything with respect to that speech. I think when I listened to the testimony -- and you can correct me again if I'm wrong.

There was a lot of testimony, but when that letter was written what helped the situation for that student and got her out of that suicidal ideation stage, from what I heard, was the school -- her finally getting up the courage to report it, which would be encouraged by the other provisions in this legislation and in these types of policies.

And then the school had the students get together and talk and meet. I think she used the term, "mediation program," or "peer mediation program." That is not speech prohibition. That is speech encouragement.

And so what I'm concerned about in this language under 13 -- under -- of Section B is it mandates a prohibition which is not the way to address it. So I'm not saying it can't be addressed. It just can't be addressed with a prohibition under B, Subsection 13 which is --

REP. FLEISCHMANN: Could you give me a line? Because I'm aware of reporting. I'm not -- I don't see how the speech could be prohibited. I mean, we're talking about response to speech that's already happened.

So could you show me where your finding a prohibition?

SANDRA STAUB: I'm sorry. I got this version of it last night and I don't have the line items, but if you went from B, Section B, it goes after -- it starts after the definitions.

And each, each prong of that is preceded by --

A VOICE: (Inaudible.)

SANDRA STAUB: Oh, thank you.

REP. FLEISCHMANN: There's a prohibition in lines 96 and 97, discrimination or retaliation against an individual who reports acts of bullying. So we're saying, you can't go ahead and, you know, do anything to harm the whistleblower who has reported the act of bulling. So that's a clear prohibition.

SANDRA STAUB: And I agree. That's another important protection, but this is -- if I read the language -- this is a different bill that was just handed to me, so it doesn't give me the line. If I read the language in the way that I just --

REP. FLEISCHMANN: Well, let's just make it easiest. If somebody from the committee could please --

So you should be looking at LCO Number 4185, Raised Bill 1138, which --

SANDRA STAUB: This is 1139. I'm sorry.

REP. FLEISCHMANN: Okay. Well, it's -- we have a lot of bills, but we'll get you the right bill.

SANDRA STAUB: It actually caused a bit of panic when I looked at --

REP. FLEISCHMANN: Yeah. May I say that's completely understandable.

SANDRA STAUB: I'm very, very, very sorry.

REP. FLEISCHMANN: So let's -- I'd like to give you

time to go ahead and reorient yourself with the proper bill before you and then go ahead and try and answer the question.

SANDRA STAUB: Representative Lyddy kindly just showed me where it was. And it's line 97, but it's combined with the outset of part B, which -- so you have to look at the first line of part B, which is line 44 and 45 which says, each local and regional school board of education shall develop and implement a safe school environmental plan to address the existence of bullying in its schools. Such plans shall, and then you have a colon followed by a list of enumerated things that it must do.

And then you get to lot number 13 which is at line 97 -- thank you. And it says, which shall prohibit the continuation and perpetuation of bullying of a student through the dissemination of hurtful or demeaning material by any other student.

And so it's that prohibition that -- of all the language in here, that combined with the definition in bullying that allows bullying to be emotional harm that causes the ACLU of Connecticut great concern.

REP. FLEISCHMANN: So I think there's a well-established body of law that says when teachers and administrators are overseeing a school during the school day and there are miners in that school, they are acting in loco parentis. They're acting in the role of parents.

And so they have a higher level of responsibility than, say, someone who's working in a university where all of the students are often age of majority. So in

this case we're not talking about someone who is acting in loco parentis trying to protect a minor.

Are you telling me that in that circumstance it is your opinion that that adult or set of adults do not have the power to stop the hurtful speech toward another child?

SANDRA STAUB: I'm familiar with the line of cases that you talk about and there are limits. And the quote that I'm talking about comes from a case called Gruenke, which related to school mandated pregnancy tests. And this is just the principle. I want to answer the question of the specifics of this here with two different examples.

But parental rights trump the schools even on school premises in loco parentis. In other words, warned the court it does not mean that it displaces parents. Now that's one quote. Okay. Then you have a problem of where the speech is occurring.

If my daughter, who's 16, texts her friend and/or her boyfriend or X -- I'm not saying she's ever done anything awful. So --

REP. FLEISCHMANN: We're talking hypotheticals. We will not hold your daughter responsible. Don't worry.

SANDRA STAUB: Hypotheticals. I don't want to get in trouble with my daughter. But anyway, if she texts her boyfriend and says something mean and hurtful and emotionally harmful at ten o'clock at night and the school learns of it the next day because he brings it in -- and he's got his friends and is upset and distressed at all that -- I'm not saying the school needs to turn the other cheek in terms

of dealing with this issue. I'm saying that the school can't prohibit that speech because that speech occurred in home, not school sponsored, not school activity.

And it -- just because it's on some kind of cyber mechanism doesn't mean that it extends the school's reach an authority into the home and that's my concern.

Now if you took that same message and she had -- I don't even want to use her as a hypothetical -- had said something harm -- harmful, physically harmful, I'm going to bring a gun to school tomorrow and I'm going to get back at you. Let's say that's the text. That's a whole different situation. That's probable cause to report a crime. That's, you know, I'm not saying definitely in that situation, you want to look at the circumstances, but it's a whole different ball of wax and you have an obligation to act on that.

REP. FLEISCHMANN: Okay. So I'll just finish my line of questions here because I think I've got clarity now on your position.

So if in line 10, emotional harm were removed and so the focus were on physical harm and then the focus was also on the potential infringement on another child's rights or disruption of the child's educational process, your concerns would be addressed, but at present the inclusion of emotional harm along with physical harm makes you think there's a First Amendment issue. Is that a fair summary of your position?

SANDRA STAUB: That's a fair summary of the main thrust of my position. I think this -- the safest language in terms of the issue of

disruption is that a school -- I mean, the language here is right in terms of the school's reach can go outside of school grounds when there's disruption in school, when there's that threatening message. When there's something, you know, physically harmful going on.

But there is real controversy over the second prong, which is educational mission. And one of the educators who submitted testimony from a high school in -- Woodland Regional High School actually has a sentence in her testimony relating to this. The educational mission doesn't extend into my daughter's bedroom or in anybody's daughter's bedroom.

In other words, if something is happening in the home and something needs to be done in order to discipline that speech and there's an educational component to teaching her about what's right and what's wrong, it seems to me the school's obligation is to tell the parent so the parent can do something about it. So I wouldn't go so far as to say if it disrupts the educational mission or is inconsistent with the educational mission that the school can go and reach out into that home and do something about it.

So there's two different things. One is the disruption prong in one is the educational mission prong.

REP. FLEISCHMANN: Well, thank you. I understand your position. There are children in this country who have committed suicide over things that have happened on the Internet with their fellow students and some of it has occurred while they were not in school and some of it while they were in school. And meanwhile the child's grades dipped. Their academic

struggles became greater and then they committed suicide. It's happened in this state. It's happened in other states.

So I -- that's the reason that this measure, one of the many reasons this measure is before us, is because while you're questioning our reach and whether we should address emotional harm, in fact it's a palpable enough issue to have caused deaths in this state and in this country and that's why we've drifted it in this way. But we'll certainly take your testimony into account.

Representative -- Senator Boucher.

SENATOR BOUCHER: Thank you very much, Mr. Chair.

And also thank you for your testimony. You do raise some significant points, but I wanted to ask you if you would be more comfortable with this legislation if it wasn't about a one-time situation, but it was a pattern that was created that would produce this very negative outcome.

SANDRA STAUB: Uh-huh.

SENATOR BOUCHER: Usually the matter isn't about a one-time situation typically, unless of course it is a truly violent situation. But if there was a pattern that could be shown then I think that, you know, we do have a certain responsibility to address a pattern that is -- so negatively impacts an individual, but you make a good point in how far you go and at what age appropriately.

Sometimes very young children can make statements that they're not even yet aware and haven't developed emotionally and mentally and so forth. But over time -- and we do -- have

seen some egregious situations with some very young children -- have been stigmatized and I'm, you know, for a very long time and maybe too young to do so.

So it is -- you're right. There is a fine line here at times, but I think what we're hearing is a pattern that is of great concern.

SANDRA STAUB: I want to -- there might be something instructive in -- I have a background. I used to be a prosecutor actually up in the district where the Prince case is pending and I actually called the DA there who I used to work with to see if he would give me some insight, but I couldn't reach him.

My understanding of the facts in cases like the one in South Hadley and others are that there were repeated incidents and there were threats. And I'm not sure I'm familiar enough with those facts to say somebody ignored them. So I applaud the efforts to try to get a response, a climate. As some of the other witnesses were applauding you earlier, it's just -- it's about going too far.

And I think some of the law -- when I was a prosecutor -- on stalking might be instructive, which is we couldn't prosecute. The legislation wouldn't work if it was just this kind of emotional harassment. It had to have some overt threat or act combined with this repeat behavior. And stalking, you know, became an okay thing to prosecute for once they put those things together, the repeated acts and one overt statement that was threatening.

SENATOR BOUCHER: So you're saying then if it was, the person was followed repeatedly over an

extended period of time, that even though they may not have laid a hand on someone, that that would qualify.

SANDRA STAUB: Right. Right.

SENATOR BOUCHER: Thank you.

REP. FLEISCHMANN: Senator Bye.

REP. BYE: Thank you, Mr. Chairman. Appreciate it.

I just want to go down this path a little bit more based on my experience on school boards. And I think there are a number of us who've served on school boards here.

In that service on school boards we could expel children for behavior that happened outside of school. So if a child got in a fight at a ski mountain on a weekend and punched another kid, they could be disciplined in school for that and it was considered, you know, creating a menace, you know.

And if someone was caught with more than four ounces of marijuana off school campuses on a Saturday night or with a pipe by a police officer, that extended into our expulsion hearings and students were expelled based on that.

Now how is what you're talking about different when you say it's happening in the home so it's outside the reach? Help me understand.

SANDRA STAUB: Well, the Supreme Court of the United States has tried to lay out these distinctions. So you have one case where a student not in a school sponsored activity in the evening gives an obscene gesture to his teacher and the Supreme Court finds, you know,

that speech, that the school can't regulate. It's outside of the purview of the school.

Whereas you have a case in Alaska of the young men who unfurled the banner, bong hits for Jesus -- I don't know if you know that case -- but that it was appropriately disciplined because it was a school sponsored activity at the parade for the torch for the Olympic event. So I think there is a distinction in cases that say -- so I don't know about any one school board policy over another, but we would look at something like that because of the constitutional protections.

REP. BYE: I always wondered about it when I was on the school board, but it was explained that we had the reach and ability to do that by our attorneys. So I think, you know, there it's complicated.

SANDRA STAUB: It's complicated. I think we can agree it's complicated and I'm here just because -- and I'm glad to stay as long as you want, but because to think about that complication on the language.

REP. FLEISCHMANN: Any other questions for the witness?

Representative Lyddy.

REP. LYDDY: Thank you, Mr. Chair.

I apologize. I just really do have one quick question that Senator Bye prompted. The issue of repeated incidents or trying to develop a better. I do think we have to be very cautious with trying to establish what a pattern looks like because as we know it may just take one action to interrupt the educational opportunity of a student.

And so should a young girl or a young boy receive a text message that could possibly set him or her into a certain particular state that he or she was not able to go to school and learn the next day, I would suggest that that would interrupt that person's educational opportunity and it would very much be a school issue.

Would you agree or disagree with that?

SANDRA STAUB: I think it is a school issue. I'm not sure -- it would depend on the circumstances about whether or not the school would be okay to mandate a prohibition on that type of speech or discipline for that speech. It depends on the context.

But I think if you've created a safe environment for people to report something like that then you're going to be in the business of preventing future harm. But that doesn't mean you have to go so far as to infringe First Amendment rights. In fact, I think education speaking is the most significant tool you have.

REP. LYDDY: Okay.

Thank you, Mr. Chair.

REP. FLEISCHMANN: Other questions.

If not, thank you very much for your testimony.

SANDRA STAUB: Thank you. May I take the bill?

REP. FLEISCHMANN: You may. You may. We print more than one copy and we believe in your right to talk about the bill and to read it

properly. So --

SANDRA STAUB: Thank you so much.

REP. FLEISCHMANN: Are there any other folks present who wish to testify on the bills before us today? If you'd please come forward and give your name and town and bill that you're testifying on.

JIM COLANDREA: Good evening. I'm a resident of Cromwell, Connecticut. My name is Jim Colandrea and I'm a social studies teacher at Guilford High School and I'd like to speak about Raised Bill Number 1138.

When serious incidents occur there's little debate on what to do, but what about this phenomenon called bullying that has been defined as overt acts? Acts that are overt have always been responded to and it's the covert acts that prevent -- so much challenge for administrators and teachers. Most bullying behaviors do not occur in the presence of adults.

As a veteran teacher of ten years I have sometimes felt uneasiness about the class, but when I question students regarding my suspicions they would answer with nondescriptive responses and I would only later discover that they were harassing one another.

To offset this perceived lack of corporation by students the State Legislature has adopted a bullying policy with a low threshold for action. Police, they need probable cause to make a arrest. School administrators need reasonable suspicion to search students' belongings, but they only need to establish that bullying behavior has more likely than

not occurred to assess disciplinary actions.

I wonder if administrators are hesitant to use such a tool when investigating bullying behavior. A student is removed, their education impaired and most likely they return worse off than when they left only to repeat the same type of behavior.

I don't deny the responsibility to create a safe learning environment for all students, nor do I deny the severe outcomes of bullying behavior that are left unchecked. We need only to look at the many high-profile suicides that resulted from alleged bullying behavior. It's in these cases, there were systemic failures. Students, teachers and school administrators and parents all bear some responsibility.

I support the bill's provision to mandate training for all adults regarding the prevention of and response to bullying behavior, but I wonder if creating a one-size-fits-all policy regarding school bullying is necessary.

Recently the Connecticut General Assembly has passed legislation that forces schools to adopt school-wide research-based interventions to improve academic performance. More and more research is showing the connection between affective and cognitive processes in student achievement. Schools are making tremendous progress adopting frameworks that are tiered. 80 percent of the students respond well to tier one services and 20 percent require additional interventions. Schools are just beginning to develop, affective supports. Allow them the opportunity to fully infuse these frameworks into their school communities.

Should student behavior violate criminal law local authorities can affect an arrest use the state's juvenile justice system to remediate behavior. Duplicating systems already in place is inefficient and it creates confusion. With all children who are 17 years old or younger so to be recognized as juveniles, alignments between agencies and services they offer will help keep Connecticut a fiscally responsible government.

Schools do many good things for students. Allow administrators more latitude in developing a school policy that responds to the needs of each school community. Tailored approaches sometimes -- excuse me, tailored approaches allow for ingenuity, creativity and the opportunity to reflect the values of each unique community.

Thank you.

REP. FLEISCHMANN: Thank you very much for your testimony.

Are there questions for the witness?

If not, thank you for your testimony and for your great patience. You get the prize for the person who waited longest.

With that I hereby declare this public hearing adjourned.

SB 1138

My name is Jim Colandrea and I am currently a social studies teacher at Guilford High School. I have advanced degrees in public policy and educational leadership and I am also a part-time police officer for the town of Clinton. I come before you as a concerned citizen and want to thank you for the opportunity to address you. Amidst the revolutions that are occurring in the Middle East, I feel privileged to speak before you concerning the topic of bullying, school climate, and culture.

As a former full-time police officer I understand the importance of having a viable criminal justice system. I rarely had any contact with 80% of my town's population. Knowledge of the laws was enough for their compliance with law. However I did have frequent interactions with approximately 20% of the population and for some individuals contact was on a reoccurring basis. These people unfortunately did not have access to the same support systems and the decisions that they made often times violated law. An arrest would be made, the case adjudicated, and the cycle would begin again. There is much research that speaks to group dynamics and its members' compliance to norms of

behavior. Many of you are quite familiar with the 80-20-1 rule. 80% comply, 20% resist but may comply eventually and then there are the 1-percenters. No matter what you do, they will not comply.

Similar to towns, schools are mini-communities and as such, the same trends in behavior occur. A review of many schools' discipline data will show that 80% of the students regularly follow the rules, 20% need more assistance, and 1% of students present the most challenging and difficult obstacles to overcome. When serious infractions occur, there is little debate on what to do. Weapons charges, acts of violence, and sale of narcotics often result in some form of removal from school services. But what about this phenomenon called bullying. It has been defined as "overt acts with the intent to ridicule, harass, humiliate, or intimidate another student." Acts that are overt have always been responded to, it is the covert acts that present such a challenge for administrators. Most bullying behaviors do not occur in the presence of adults. As a veteran teacher of 10 years, I have often felt that there was something unsettled amongst the class but could not directly point to any one cause for it. When I questioned students regarding my suspicions

they would answer with non-descriptive responses. To offset this perceived lack of cooperation by student victims, many schools have adopted a low threshold for action. Police need probable cause to make an arrest, school administrators need reasonable suspicion to search a student's belongings, but they only need to establish that bullying behavior has occurred MORE LIKELY THAN NOT, to assess disciplinary actions. I wonder if administrators are hesitant to use such a tool when an investigation of bullying behavior may result in disciplinary action. How will the new law impact this? And if they did act based on a situation, what outcome will occur? A student is removed, their education impaired, and most likely they return no better off than when they left only to repeat the same type of behavior.

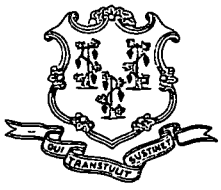
I don't deny the responsibility to create a safe learning environment for all students nor do I deny the severe outcomes of bullying behavior that are left unchecked. We need only look to the many high profile suicides that resulted from alleged bullying behavior. In these cases there were systemic failures, students, teachers, school administrators and parents all bear some responsibility. So what is the

purpose behind the legislation that is under consideration? Is it to adopt no tolerance policies that would, in fact, make it easier for punishment and removal of an offender, or should school officials provide appropriate interventions that will mitigate such behavior from occurring in the first place? I support the bill's provisions to mandate training for all adults regarding the prevention of and response to bullying behavior however, I disagree with creating a "get tough position" regarding school bullying. There are tools already available in schools that should seamlessly be a part of a response to a student in need.

Recently the Connecticut General Assembly has passed legislation that forces schools to adopt school-wide research based interventions to improve academic performance. More and more research is showing the connection between affective and cognitive success. Schools are making tremendous progress adopting frameworks that are tiered. 80% of the students respond well to tier 1 services, 20% require additional services, and 1% presents the most challenging cases. Schools are just beginning to develop affective supports. Allow them the opportunity to fully infuse these frameworks into their school communities.

I feel that an additional mandate simply becomes another policy-island that focuses too much on negative student behaviors and not enough on the positive. Allow administrators more latitude in developing a school policy that responds to negative student behavior as suggested by the invitation by community members to participate.

Thank you for your attention.



STATE OF CONNECTICUT

OFFICE OF VICTIM ADVOCATE
505 HUDSON STREET, HARTFORD, CONNECTICUT 06106

Michelle S. Cruz, Esq.
State Victim Advocate

Testimony of Michelle Cruz, Esq., State Victim Advocate
Submitted to the Education Committee
Friday, March 11, 2011

Good afternoon Senator Stillman, Representative Fleischmann and distinguished members of the Education Committee. For the record, my name is Michelle Cruz and I am the Victim Advocate for the State of Connecticut. Thank you for the opportunity to provide testimony concerning:

Raised Senate Bill No. 1138, *An Act Concerning the Strengthening of School Bullying Laws*

The physical and emotional well being of our school children must be paramount for a successful educational experience by our children. According to the National Crime Prevention Council, each day 160,000 children stay home from school to avoid bullying behavior. Clearly, as a nation, we are not doing enough to address this issue. In 2010, there were at least fourteen suicide deaths of school children directly linked to bullying. Although Connecticut has attempted to address the problem of bullying behavior in our schools, Raised Senate Bill No. 1138 will significantly improve the deficiencies and provide more consistency in the response to bullying throughout the schools in our state.

Before any of us new better, bullying was commonly referred to as "a right of passage" or "just boys being boys". We now know the long lasting and devastating effects that bullying behavior can have on victims, bystanders and even bullies. Victims of bullying struggle with issues of self-esteem, isolation and fear. Bystanders, or individuals that witness bullying, are affected as they feel helpless and fear they may become the bully's next target. A recent study conducted by the Family and Work Institute reported that one-third of children are bullied at least once a month, while six out of ten teens witnessed bullying at least once a day.

Additionally, and just as troubling, is that when bullying behavior is not addressed as children, bullies themselves learn that threats and aggression are acceptable behaviors and often carry those behaviors into adulthood. One study conducted by Fight Crime: Invest in Kids, nearly sixty percent of boys, who researchers identified as bullies in grades six to nine, were convicted of at least one crime by the age of twenty-four, while forty percent had three or more convictions. Think about the number of lives that could have been very different, victims and bullies, had the behaviors been addressed as children.

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Unfortunately the children who are most susceptible to self harm as a result of bullying are those who feel they don't have a voice for a myriad of reasons, including the results of sexual abuse, dysfunctional home environment and so on. These same children are more likely to become the victims of bullies and also, simultaneously, may arguably be more severely affected by bullying. It's this population who will remain silent despite the "procedures in place" and the "resources" available for they already feel their voice is muted and are distrustful of the system. If we are really to change the pattern of bullying then we need to look for ways to encourage these children to come forward by creating access to help through processes that allow them to feel safe.

I commend the Committee for putting forth a comprehensive proposal that addresses the many facets of bullying, including the improved definition, procedures for responding to bullying behavior, training and education for school employees, opportunities for parents and the public to provide input and a statewide day of awareness for the observance of bullying. I would like to make two recommendations for the Committee's consideration. The first, a requirement that the Department of Education establish a statewide toll free bullying hotline that would be available to children who, for whatever reason, do not feel safe reporting bullying behavior to their respective school officials. Unfortunately we have seen the devastating affects that result when bullied children feel they have no options. A simple hotline, available 24/7, may be the last effort taken by a bullied child, which ultimately could save the life of that child.

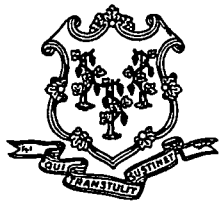
Finally, the second recommendation is for the requirement of each school in the state to provide a "STOP THE BULLY BOX" that would be easily accessible, confidential and secure. The box would be nothing more than the equivalent of a suggestion box; a tool available to all school children, not just those that may be bullied, to report bullying or comment on the response to bullying. Although the concept may sound archaic given all of the technological capabilities of today, this box would serve as a resource for a child that is just not comfortable verbally communicating concerns or fears.

Again, I would like to commend the Committee and urge a favorable report on Raised Senate Bill No. 1138. Thank you for consideration of my testimony.

Respectfully submitted,

Michelle S. Cruz

Michelle Cruz, Esq.
State Victim Advocate



State of Connecticut

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March 11, 2011

Senator Stillman, Representative Fleischmann, and distinguished members of the committee,

I am State Senator Michael McLachlan, and I am here to speak in support of Senate Bill 1138, ***An Act Concerning the Strengthening of School Bullying Laws.***

I am particularly interested in provisions in this bill that will include the history and meaning of Veteran's and Memorial Days in the public school curriculum, as well as the study of the Founding Documents of our nation in the high school curriculum. These provisions where originally Senate Bills 141 and 426, respectively, which I introduced.

Children in this state receive days off from the school year on both Veteran's and Memorial Days; however, if you were to ask a child why they have a day at home they do not know. They do not know about the sacrifices that have been made by thousands of men and women over the years for their freedoms, and that we take these days to thank them. Students need to understand why they have the freedom to speak their minds without getting trouble, the right to be whoever they want to be when they grow up, and the right to get an education. Additionally, they need to know that these individuals deserve our utmost respect and honor.

I also believe it is important that we teach students the importance of our nation's Founding Documents. When our nation was created our Founding Fathers outlined a type of nation that was completely different from any other in the world. Our nation was founded on principles that were never incorporated into government before. Our federal system was unlike any governance that had been seen before. There should be an emphasis placed on the documents which proclaim the uniqueness which is our nation.

Our goal in education our state's students should always be expanding the field of knowledge that they are receiving, in order to nurture the whole child. Our students should not only be introduced to academic subjects, but also learn to be civically minded members of society. Our students are our future, and in order for them to know our future, they need to know our past.

I urge the committee to support this bill. Thank you.

Testimony before the Education Committee
In Favor of Senate Bill 1138
March 11, 2011

Good afternoon Senator Stillman, Representative Fleischmann, and members of the Education Committee. My name is Alicia Woodsby, and I am the Public Policy Director for the National Alliance on Mental Illness, or NAMI-CT. We are the largest member organization in the state of people with mental illness and their families.

I am here to testify in support of SB 1138, "An Act Concerning The Strengthening of School Bullying Laws".

Bullying exists in Connecticut's schools, as well as beyond the schools walls with student use of electronic communications devices. It interferes with student health, safety and achievement at all grade levels. One in four Connecticut high school students—and a full 35 percent of 9th graders—were bullied at school in the past year.

Connecticut high school students who report being bullied are more likely to: lose sleep, miss school because they feel unsafe, have property stolen at school, carry a weapon to school, be depressed, and attempt suicide. The changes to the school bullying laws proposed in Senate Bill 1138, An Act Concerning The Strengthening of School Bullying Laws, are important improvements.

However, bullying is not a single, discreet issue. Rather, it is a symptom of a much larger and pervasive problem: poor school climate. Other symptoms of such a climate include, but are not limited to, school violence, suspensions and expulsions, and high student dropout and suicide rates. Creating a positive school climate is an essential part of reducing not only bullying, but also of addressing these other problems. This does not happen by accident; it requires commitment of staff, intentional policies and practices, and ongoing maintenance.

Consequently, we believe that while it is important to prevent bullying, efforts to do that must be undertaken without losing sight of the fundamental need to continue to work to bring about positive school climates. There are evidence-based strategies that work, but many schools do not use them as intended, if at all. We urge that any new initiatives that are required of school districts and the state to prevent bullying also acknowledge the importance of, and incorporate strategies to bring about, a positive school climate.

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We understand that SB 1138 proposes a number of mandates on school districts and the state, and it is not clear where the money would come from to support those mandates that are unfunded. However, based on a body of research linking safe, respectful learning environments to positive student outcomes, it is reasonable to expect that promoting positive school climate and preventing bullying in Connecticut schools will result in: (1) the reduction in dropout and suspensions; (2) improved student health and academic achievement; (3) the narrowing of the achievement gap; (4) a decrease in crime; and (5) a better prepared workforce.

Thank you for your time. I would be happy to answer any questions you might have.

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Written testimony submitted by Lisa Phillips to the Education Committee in support of Raised S.B. 1138, An Act Concerning the Strengthening of School Bullying Laws. Friday, March 11, 2011

I was born and grew up in East Hartford, Connecticut, graduating from East Hartford High School in 2000.

I know first hand the devastating effects bullies can have on their victims. In elementary school I was put on medication which caused me to gain weight. Boy, did I pay the price for that weight gain. I also had a learning deviation, so I had classes away from the main class room, which contributed to making me an easy target for bullies.

I was bullied in the East Hartford School system from elementary school, at Thomas S. O'Connell Elementary School, until my freshman year at East Hartford High School.

At O'Connell Elementary School the mother of one of my classmates called me a tank in front of my classmates. Later that day, when my mom picked me up from school and I told her what was said to me, I burst into tears. My mom spoke to the principal and asked for help, but it did no good. The school did nothing. The school acknowledged that Mrs. Ramsey was a known problem and that my mom wasn't the first parent to ask for help because of her.

My mom thought that if she explained to Mrs. Ramsey how painful what she said to me was, and told her about my medication and the unfortunate side effect of gaining weight it might help. The woman wouldn't speak to my mom, and she actually threatened to call the police on my mom for coming to her front door without permission.

Some of the kids at Thomas S. O'Connell Elementary School who heard Mrs. Ramsey call me a tank teased me about it unmercifully for many years. It was terrible having to listen to their taunts. I tried to turn a deaf ear and tried to act like it didn't hurt, but it did hurt. It hurt a lot. It was scary that no one at the elementary school would protect me.

One evening when we were at an elementary school event I pointed out one of the bullies to my mom and older sister. My older sister, who at that time was in middle school and very tall, walked up to him, looked down at him and said "So you're the *little* kid picking on my sister." Then simply turned and walked away. Thanks to my sister he never bothered me again.

When I was in middle school, there was one morning at the bus stop the bullying, by one boy in particular, was so severe toward another girl and me that a man driving the recycle truck on his rounds through the neighborhood stopped and waited with us until the bus arrived to pick us up.

That night I told my mom about what had happened. The next day, after she drove me to school, she called the principal to let him know what had happened and contacted the other girl's parents to suggest they also contact the principal. This time something was done. The consequence to the boy who bullied us was that he could not ride the bus for one month.

The bully's parents called the other girl's parents and asked to meet with them to discuss the situation. His parents talked (bullied) the other girl's parents into calling the principal and

withdrawing their complaint. The bully's parents then convinced (bullied) the other girl's parents to call my mom and tell her to withdraw her complaint because it was inconvenient for them to drive their son to and from school. As you can imagine, that did not sit well with my mom. She stood by me and refused to back down. She told the other girl's parents that she understood it was inconvenient for the bully's parents to have to drive their son to and from school each day. She reminded them that if he had behaved properly he would still be able to ride on the bus.

Through all my years of being bullied, while I was at school in the bullies' presence, I tried to put my best face forward and not let them know how much their taunting hurt. I tried to let it roll off my back. I won't kid you, it all hurt. It was terrible. I dreaded going to school.

Please do everything you can to strengthen Connecticut's school bullying laws and protect Connecticut's kids from bullies.

Thank you.

Lisa Phillips

Education Committee
March 11, 2011

TESTIMONY OF

GEORGE A. COLEMAN, ACTING COMMISSIONER OF EDUCATION

ON

RAISED BILL 1138

AN ACT CONCERNING THE STRENGTHENING OF SCHOOL BULLYING LAWS

The State Department of Education (CSDE) **supports the intent** of Raised Bill No. 1138, *An Act Concerning the Strengthening of School Bullying Laws* in the interest of providing a safe and healthy school climate to diminish bullying for students and staff.

Students and staff must be able to attend school and work in an environment where they are physically, emotionally and intellectually safe and healthy. Therefore, CSDE recommends that the focus of this bill be more on improving school climate as a whole, which encompasses diminishing bullying. CSDE's recommendation would be to include the term school climate when discussing plans, policies and assessments.

Also, in aligning with national guidelines, CSDE recommends that the terms bullying and harassment be used together to ensure the recognition of interrelated concepts. Each time the term "bullying" is used, it is recommended that it references both "bullying and harassment."

Section 1

The CSDE has concerns with the current definition of "bullying". Drawing from the best of our nations anti-bullying laws, the CSDE recommends a more comprehensive and clear definition of bullying, such as,

> any use by one or more students or school employees of a written, verbal or electronic communication or a physical act or gesture directed against another student or school employee that any reasonable person would conclude that: (A) causes physical or emotional harm; (B) damages property or reputation; (C) creates a hostile environment; (D) infringes on an individual's rights; or (E) is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening, or abusive educational environment for another individual.

CSDE also recommends that definitions of "school climate" and "harassment" be included, such as the following:

- *School climate* means the quality and character of school life with a particular focus on the quality of the relationships within the school community, adult to adult, adult to student and student to student.

- *Harassment* means the any physical or verbal hostility toward someone with legally protected status. Such status pertains to race, color, religious creed, sex, age, national origin, ancestry, marital status, sexual orientation, disability (including past or present history of mental disability), physical disability, learning disability, mental retardation, genetic information, prior criminal conviction, or other lawfully protected status. Such hostility can be severe, persistent or pervasive."

The CSDE also supports the intent of having plans to address school climate and identified teams to carry out the work; however this proposed language would create an unnecessary burden and duplication of existing district-wide efforts to address bullying prevention and positive school climates. The CSDE recommends that the proposed language requires districts to develop school climate plans within their existing school improvement / strategic plans. By incorporating this work into existing plans, it will increase accountability and transparency as these are public documents, often posted on the district website; and developed by school and districts teams including administrators, educators, support staff, students and families. Additionally, many of the elements described in Section 1 (b) could be further developed as guidelines rather than through legislation.

Section 2

The CSDE supports the need for comprehensive assessment of school districts' current school climate. The assessment of school climate is essential to diminishing bullying, rather than assessing the prevalence of bullying. Creating and implementing common school climate assessments can currently be accomplished with minimal to no fiscal impact. There is a national movement toward assessing school climate rather than surveying for levels of bullying. (i.e. USDOE Office of Safe and Drug Free Schools Competitive Grants, National School Climate Standards, etc.). Many districts and schools throughout Connecticut are already assessing school climate and using these data to inform their district and school improvement plans. Requiring districts and schools to assess school climate (which necessarily includes a focus on bullying) would mirror and complement current national and state trends and will ultimately benefit students.

The CSDE has concerns with the establishment of a separate safe school environment team as this would create an unnecessary burden and duplication of existing district-wide efforts to address bullying prevention and positive school climates. As mentioned previously, CSDE recommends that school districts develop school climate plans within their existing school improvement/strategic plans.

Section 3

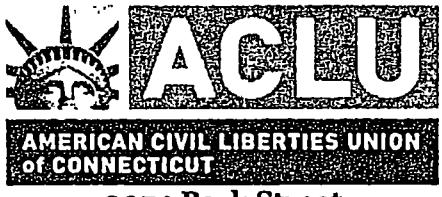
CSDE is opposed to collecting and reviewing Safe School Environment Plans, as resources would be better spent on improving school climate assessments and prevention efforts.

Section 6
The CSDE supports the need for the Department to provide annual training to school employees through a variety of means, as listed within this section of the bill; however CSDE has concerns that this section of bill does not cite that CSDE is required to provide annual training to school employees "within available appropriations".

Section 8
The CSDE has concerns with changing the requirement from "encouraged" to "shall" as additional resources would be required to implement this section.

Section 9
The CSDE supports the intent of this section, however, opposes the requirement of each district appointing a safe school coordinator. CSDE recommends this task be accomplished through existing school teams that are charged with addressing school climate without incurring additional cost for the districts.

Therefore, the CSDE **supports the intent** of Raised Bill # 1138, with the above recommendations.



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To: Education Committee Members

From: Sandra J. Staub, ACLU-CT Legal Director

Written Testimony Opposing
Raised Bill No. 1138
An Act Concerning the Strengthening of School Bullying Laws

Good afternoon Senator Stillman, Representative Fleishmann and members of the Education Committee. My name is Sandra Staub. As the Legal Director for the ACLU of Connecticut, I am here to oppose Raised Bill No. 1138 An Act Concerning the Strengthening of School Bullying Laws.

The ACLU of Connecticut is as concerned as anyone with the equal protection of all students, including those who are bullied and harassed in school on the basis of race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity or disabilities. While schools need to take steps to address in-school conduct that amounts to harassment via the internet, this bill unnecessarily and perhaps unintentionally runs afoul of the Constitutional rights of parents and children.

A parent's right to make child rearing decisions is fundamental. The United States Supreme Court has long protected the integrity of the family unit from governmental interference. Parents have knowledge of and authority over their children, uniquely qualifying them to discipline and educate their own children in their own homes.

Simply plugging the phrase "cyberbullying" into the current statute on bullying policies will encourage and allow schools to regulate children's speech and conduct while they are in their own homes. This bill suggests that schools have the authority to invade the family circle to replace the individualized disciplinary choices of the parents with the institutionalized punishments of the school. This invasion of the family unit infringes on parents' due process right to raise their children.

The First Amendment provides children as well as adults with free speech rights. Children benefit from exposure to and participation in the marketplace of

ideas. In order to serve their educational purpose, schools are given a limited ability to regulate students' speech in school, in school sponsored activities or when the student speech is part of school sponsored speech but only if the speech fits within very narrowly defined circumstances. However, schools may not act to control what children say in their own homes without infringing on the free speech rights of the children and cutting them off from the vital educational benefits of participating in the marketplace of ideas.

Schools do not need this bill and the power to reach into the family home to deal with cyberbullying. Schools already have a much more effective tool: education. By encouraging an atmosphere of respect and by teaching children to deal with conflicts appropriately, schools can prevent bullying problems before they arise. By providing counselors to speak with troubled children, schools can help address the problems that lead to bullying, by helping victims and by addressing the issues that lead children to engage in bullying behaviors. By working with social networking websites, schools can work to address cyber-bullying problems at their source, and by meeting with parents to discuss any problems that arise with their children, schools can address any bullying issues that arise by collaborating with parents in order to come up with solutions to prevent bullying.

It is true that cyberbullying is a problem. But it is a societal problem, not an educational one, and to turn schools into internet police simply because of their proximity to children merely distracts from the duty of schools to teach children better ways of dealing with conflict.

As for those situations that require more serious intervention, our legal system already provides for that intervention. Criminal laws forbid speech that harasses or threatens imminent bodily harm. Civil rights laws mandate that schools take action to prevent discrimination and harassment. Civilly, injunctions and damages are available to address libelous or defamatory speech. These laws are as applicable to children as to adults. Against this background, schools do not need to violate the rights of students and parents to deal effectively with cyber-bullying.

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March 11, 2011

Testimony

Raised Bill No. SB 1138 An Act Concerning Strengthening School Bullying Laws

Digital BackOffice is a privately held for profit corporation, headquartered in Milford, CT. A significant portion of our business revenues are derived from the public sector, especially K-12 schools.

Over the past decade our company management team has observed all K-12 schools especially our public schools, struggle with the integration of pedagogy and enterprise technology. The private sector recognized the benefits of information technology years ago, and designates a chief information officer (CIO), or information technology (IT) director, as a job title commonly given to the most senior executive in an enterprise responsible for the information technology and computer systems that support enterprise goals. The CIO typically reports to the chief executive officer, chief operations officer or chief financial officer.

Nowhere in Bill No. 1138 do we see a reference to information technology directors, managers, or CIO's which exist in only a handful of Connecticut schools. The IT management personnel in our K-12 schools are unprepared to enforce the proposed provisions of this bill. They're not even at the table and worse not even aware of the demands to be placed on them if this bill becomes law.

On behalf of the information technology industry we recommend that this committee engage Information technology professionals in this discussion at the state and the local level, and include the local IT directors in the process of ensuring e-safety on school property and in educational services delivered in the cloud.

Regards

Dale Bruckhart
V.P. Public Sector Sales and Marketing

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Testimony to Education Committee Regarding SB #1138

My name is Nancy von Euler. I live in Southport, CT. Until this year, my children attended the Fairfield Public Schools. In the 12 years I had children in Fairfield schools I was an active parent volunteer, a member of PTA leadership, and frequently attended Board of Education meetings. I think it is fair to say that I have a high level of awareness of the district's issues and initiatives.

As a parent concerned with bullying in our schools, I attended a recent Fairfield Board of Education subcommittee meeting at which a revision to the district's bullying policy was being discussed. At the conclusion of the discussion, I had an opportunity to comment on how critically important I thought it was that the Board thoughtfully review its policies, procedures, and practices to insure that they reflected not just state and federal requirements, but also best practices. I handed out copies of the U.S. Department of Education's recent "Dear Educator" letter regarding bullying prevention policies and practices, as well the guidance from the Office of Civil Rights on districts' legal obligations when it comes to bullying and harassment. I followed up with a letter to the full board pointing out areas where the policy the Board was being asked to approve did not meet the standards included in both of those documents. When it came to a vote, the policy was approved as is. To my knowledge, this was done without any review of bullying incidents in the district; any parent or student surveying on school climate; any review of current best practice or model policies – in short, without any reflective process.

I share this to illustrate how vitally important it is that the state law be strengthened. As Kevin Jennings, Assistant Deputy Secretary and Head of the Office of Safe and Drug-Free Schools said when he came to Connecticut recently to speak on the subject of bullying, "What gets measured, gets done." The bill you are being asked to consider significantly strengthens the requirement that the CT Department of Education and local districts not only implement better, more effective practices, but also that they measure, record, and report the impact of that work. Amongst the improvements are the requirements that districts engage important constituencies in bullying prevention planning and implementation; assign responsibility for this work within districts and schools; and report on progress. The bill charges the state Department of Education with the task of identifying and sharing model policies, plans, and training to increase the likelihood that local bullying prevention work represents best practices, not best intentions. These are important steps forward.

What this bill does not yet do is enumerate protected categories. Listing protected categories, such as race, religion, disability, sexual orientation, and gender identity, does not just protect these groups, but strengthens anti-bullying policies for all students. I am pleased to say that the policy revision that Fairfield approved in January **did** take this important step and Connecticut's law needs to follow suit. Doing so communicates clearly that in Connecticut we have a commitment to providing schools where ***every*** child feels safe, secure and respected.

When considering this bill, some of you will worry about adding an additional burden to already over-burdened districts; but the cost of not doing this bullying prevention work effectively is so much greater than the cost of doing it. The impact on school success, the

emotional scars, and, in the worst cases, the tragic loss of lives – you can't quantify those costs. We all know that the silent bystanders share some responsibility for the perpetuation of bullying; so you need to ask yourself – "Am I going to take a stand, or am I going to stand by silently?"

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Legislative Testimony
March 11, 2011

Dr. Jordan E. Grossman
Principal of Canton Intermediate School
Canton, CT
Board of Member form the Connecticut Association of Schools
Commission Member for the Commission for Children

Good afternoon, I am Dr. Jordan Grossman and I am the proud Principal of Canton Intermediate School. I am also a Board Member for the Connecticut Association of Schools and Commission Member for the Commission on Children. I am here to ask you to make modifications of Raised Bill No SB1138 An Act Concerning Strengthening School Bullying Law. I ask you to modify the legislation to include the requirement that school districts develop and implement policies and plans that will foster safe school climate. In addition to reporting bullying, each school and district should have to report progress on maintaining a positive school climate.

The Connecticut Association of Schools offers schools the opportunity to conduct on a self assessment to measure school climate. There is research that would support that if schools have a good climate, than school achievement will rise. I encourage committee members to look at this assessment as a model when you are considering this new legislation.

The assessment looks at indicators in five broad categories: Safe and healthy environment;

- A welcoming environment to students and visitors;
- Stakeholder involvement in planning and decision-making;
- Parent community and student involvement in the school;
- Active participation in a variety of programs.

In 2010, Canton Intermediate School was recognized with exemplary school climate practices. We are comprised with a set of values and principles that are deliberately incorporated into a school community which maintains, increases, creates cultures and climates that foster student achievement based on individual differences. It is so important that schools develop a sense of "community" where students feel that they have safe place to learn.

In closing, with facebook, tweeter, and other electronic forms of communication in the hands of our children, it is not just the time to look at bullying, it is the time to look at the entire issue of School Climate and Culture.

SB 1138

The National Education Association (NEA) has a long history of involvement in bullying prevention efforts. In the mid-1990s, the NEA membership mandated that the Association create a training program for its members on student-to-student sexual harassment and bullying. In response, NEA developed curricula on these topics and has continuously offered such training since that time.

Still, it's possible that what we think we know about bullying isn't all we need to know. With 3.2 million members nationwide, the NEA is in an ideal position to address the critical issue of bullying through its current programs, while simultaneously advancing the field through rigorous research. Finding the right answers is critical to NEA's mission of ensuring a quality education for every student.

This study of staff members' perceptions of bullying represents an important step in enhancing our understanding of the perspectives of teachers and education support professionals. To our knowledge, it represents the first large-scale nationwide study examining different staff members' perspectives on bullying and bullying prevention efforts.

We hope these findings will inform the creation of professional development and training materials tailored for different school staff, as well as for those working with various groups of students across different grade levels and community contexts. Bullying robs students of their opportunity to learn. It is our shared responsibility to ensure that every child can attend a safe public school.

Dennis Van Roekel
President

John L Wilson
Executive Director

Executive Summary

Bullying affects nearly 30 percent of school-aged youth on a monthly basis (Nansel, Overpeck, Pilla, Ruan, Simons-Murton, and Scheidt, 2001). Research indicates that many of these students will experience academic, interpersonal, and physical and mental health problems as a consequence of their involvement in bullying (O'Brennan, Bradshaw, and Sawyer, 2009; Swearer, Espelage, Vaillancourt, and Hymel, 2010). These findings on the impact of bullying on students and on the school environment illustrate a need for improved bullying intervention and prevention efforts in schools across the country.

The National Education Association (NEA) has a long history of involvement in bullying intervention and prevention.[1] With 3.2 million members nationwide, the NEA is in an ideal position to both address the critical issue of bullying through its existing programs and to advance the research on staff members' perceptions of and involvement in bullying intervention and prevention. Toward that end, the NEA recently drew upon its membership to launch a national study of school staff members' perceptions of bullying. The study's overall goal was to identify strengths and areas of need related to bullying in order to inform the next phase of intervention and prevention, both within the NEA and in collaboration with other agencies. This report summarizes study findings in an effort to promote collaboration in schools across America.

The data were collected from a nationally representative sample of 5,064 NEA members—including 2,163 professional staff (Teachers[2]) and 2,901 education support professionals (ESPs[3])—in April 2010 using either a Web- or phone-based survey. The sample was designed to allow for comparisons across grade level and job category, with particular emphasis on ESPs, who have been largely overlooked in previous research on bullying (Bradshaw, Waasdorp, and O'Brennan, 2010a).

Data from the survey indicated that members perceived bullying to be a problem in their school; they witnessed bullying frequently and students reported it to them in large numbers. Although approximately 43 percent of NEA members perceived bullying to be a moderate or major problem at their school, over half of the members surveyed

[1] In the mid-1990s, the NEA membership mandated that the Association create a training program for its members on student-to-student sexual harassment and bullying. The NEA developed and constantly updated training curricula on these topics and has continued to conduct such training since that time.

[2] 'Teachers' includes classroom teachers, special educators, remedial/ESL, librarians, counselors, and other professional staff. Because the majority of the professional staff group was teachers, this entire group is referred to as Teachers, with a capital T, throughout this report.

[3] 'ESPs' includes paraprofessionals, maintenance staff, clerical staff, school transportation staff, food service staff, security staff, health and student services, technical staff and skilled trades staff, and other non-teaching support staff

(62%) indicated that they had witnessed bullying two or more times in the last month and 41 percent indicated that they had witnessed bullying once a week or more. Teachers reported witnessing significantly more students being bullied at their school in the past month than did ESPs. Teachers also viewed bullying as a significantly greater problem at their school than did ESPs. Although more Teachers (45%) than ESPs (35%) indicated that a student reported bullying to them within the past month, both groups of staff members indicated equally that parents had reported bullying to them (16%). Staff working in middle schools and in urban areas were more likely to report that they had frequently witnessed bullying (66% and 65%, respectively) and were more likely to perceive it as a serious problem (59% and 54%, respectively).

Bullying takes many forms, with school staff reporting that verbal (59%), social/relational (50%), and physical (39%) forms were of greater concern in their school than was cyberbullying (17%). The most common form of bullying reported to both Teachers and ESPs was verbal bullying, whereas cyberbullying and sexting were the least likely to be reported. Members also reported that bullying based on a student's weight (23%), gender (20%), perceived sexual orientation (18%), or disability (12%) were of concern in their school. Although Teachers generally reported feeling more comfortable intervening with different forms of bullying than did ESPs, all staff members reported being the least comfortable intervening in bullying situations related to sexual orientation and gender issues.

There was a discrepancy between the existence of school district bullying policies and staff members' self-reported training on these policies. Although the vast majority of school employees (93%) reported that their district had implemented a bullying prevention policy, just over half of all staff (54%) had received training related to the policy. Furthermore, ESPs were significantly less likely to report that they had received training on their policy (46%) than Teachers (55%). Staff in urban schools, where the rates of staff-reported bullying were highest, were less likely to report the existence of district policy (88%) and less likely to have received training on the policy (51%). Over 80 percent felt their district's policy was adequate, and approximately 80 percent thought it was clear and easy to implement.

Although school staff reported a willingness to intervene in bullying situations, less than 40 percent of staff reported being directly involved in formal bullying prevention activities. Across all school levels and communities, nearly all participants (98%) said they thought it was "their job" to intervene when they witnessed bullying incidents. Overall, however, only 58 percent reported that their school had implemented formal bullying prevention activities such as school teams, a committee, or a prevention program. Even fewer reported the presence of such prevention activities in schools located in urban areas (47%) and in high schools (51%). Teachers (42%) were significantly more likely to indicate direct involvement in bullying prevention activities than were ESPs (27%). The lowest overall level of staff involvement was in high schools (24%).

An important predictor of staff members' willingness to intervene in bullying situations was their perception of connectedness to the school, defined here as "the belief held by adults in the school that they are valued as individuals and professionals involved in the learning process." Staff who were more connected to their school were more likely to feel comfortable intervening in all forms of bullying Staff with higher feelings of connectedness were also more likely to report being comfortable intervening in several different types of bullying situations. Both Teachers and ESPs—particularly the

latter—reported high levels of connectedness. Two factors were significantly correlated with greater comfort intervening in bullying situations: 1) having effective strategies and 2) perceiving that others in the school were also likely to intervene. These two factors remained significant across all examined forms of bullying and of bullying that targets special student populations.[4]

Although the majority of all staff reported that they already had effective strategies for handling bullying situations, several professional development needs were identified. For example, cyberbullying and sexting were identified as areas where all staff needed additional training. More ESPs reported needing professional development on how to intervene in situations involving physical bullying, verbal bullying, relational bullying, and sexting than did Teachers. With regard to special populations, areas of greatest need for additional training related to sexual orientation, gender issues, and disability, with ESPs reporting a greater need than Teachers. ESPs were more likely than Teachers to report that they had resources available to them when faced with a bullying situation.

Taken together, these findings provide great insight into school staff members' perceptions of bullying, including the unique perspectives of different groups of ESPs (e.g., school transportation staff, food service staff, security staff) who are often overlooked in the literature. To our knowledge, the NEA Bullying Study is the only large-scale nationwide study that examines different staff members' perspectives on bullying intervention and prevention. As such, it helps to elucidate the specific needs of various groups of adults who work in schools across the country. These findings may also inform the creation of professional development and training materials tailored for different school staff, as well as for those working with special populations of students across different grade levels and community contexts.

[4] 'Special student populations' is used here to include groups that are the target of bullying due to some particular identifying factor, such as sexual orientation, disability, or weight, for example.

CEA
Advocating for teachers and public education

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Testimony of

Ray Rossomando
Connecticut Education Association

Before the
Education Committee

Re: ***SB 1138 An Act Concerning the Strengthening of School Bullying Laws***

March 11, 2011

Good afternoon Senator Stillman, Representative Fleischmann, and members of the Education Committee. My name is Ray Rossomando, Legislative Coordinator for the Connecticut Education Association, representing 45,000 active and retired teachers across the state.

We testify today in support of the goals and framework sought in *SB1138 An Act Concerning the Strengthening of School Bullying Laws.* We thank the members of this committee, as well as Senator Looney, for their leadership in addressing this important issue.

CEA strongly supports bullying prevention policies, especially those that enhance awareness among students and staff. Addressing bullying has been a major initiative of our national organization, the National Education Association (NEA), which earlier this month released a national study on bullying conducted in partnership with Johns Hopkins University. I have attached the executive summary of this report, which studied school employees' perspectives regarding bullying incidents and district polices that could help address the problem.[1]

We agree with President Obama, who while standing side-by-side with our teachers, announced his anti-bullying initiative yesterday:

> *"Bullying can have destructive consequences for our young people. And it's not something we have to accept. As parents and students; teachers and communities, we can take steps that will help prevent bullying and create a climate in our schools in which all of our children can feel safe."*

We have supported the legislature's efforts to address bullying, including the state's first state-wide bullying policy enacted in 2002 (PA 02-119) and its revisions ever since. We support the goal of this bill to enhance protection and to ensure policies keep pace with the changing technologies that serve as a medium for bullying. And, we support a framework that involves more school personnel in bullying prevention.

While we support such goals, we believe that there are portions of the bill that require further review. As the NEA research illustrates, appropriate training of staff is a key ingredient to bullying prevention. School personnel surveyed in NEA's research particularly noted a need for training in how to intervene in cyber-bullying and sexting. We suggest that the benefits and provision of staff training in bullying prevention/intervention be considered in any final action on this bill.

Regarding oversight of investigations of bullying incidents, SB1138 changes current law by taking such investigations out of the hands of a building administrator (or other appropriate school personnel) and putting them, specifically, into the hands of a designated guidance counselors or school psychologists. This raises three concerns:

1) School counselors are expected to be unbiased supporters of the children under their guidance. For this reason they normally refrain from disciplinary matters involving student-to-student conflicts. There is a concern that if a counselor is required to investigate matters involving the actions of one student against another a chilling effect could result, hindering the trust between counselors and their students.

2) Current law provides for investigations to be conducted by an administrator, among other potential school employees. The proposed legislation eliminates the possibility that a more sensitive investigation, or one that may include an investigation of another school employee, could be referred to an administrator.

3) The development of school polices, including those ensuring the safety of students, is a task best done with input by all stakeholders – teachers, students, parents, and administrators. However, oversight of the school environment, policies, and safety of students, is ultimately an administrative responsibility that should not be exclusively devolved to subordinate school employees.

The bill also requires the Superintendent to appoint a district staff member as the "Safe School Environment Coordinator". It requires each school principal to appoint a school psychologist or guidance counselor as a "Safe School Environment Specialist". And it requires special education teachers and other specific employees to serve on a "Safe School Environment Specialist Team". Each of these positions will likely require a significant amount of time and, as the NEA study would notes, enhanced training.

Many employees may have an interest in serving, while others may not be able to do so due to their workload or other obligations. Yet, the bill appears to require appointees to serve whether or not they wish to do so and practically mandates service of special education teachers, school counselors and psychologists (the latter of which is already designated as a teacher shortage area). We believe that Safe School Environment positions should be funded, posted, and awarded to interested candidates pursuant to their districts' respective bargaining agreements.

There is a third concern regarding SB1138 as drafted. There are various areas of the proposal that leave unclear the linkage between an incident of bullying and the interests of the school district. These raise questions regarding employee responsibilities when bullying is suspected across district lines – situations increasingly possible given the expansion of cyber and mobile technologies that this proposal seeks to address. These blurred jurisdictional lines result in unclear expectations for school boards and their employees.

One example of these blurred inter-jurisdictional lines appears in the definitions. The bill defines the phrase *"outside of the school setting"* as *"a location, activity or program that is not school related, or through the use of an electronic device or a mobile electronic device."* It does not define "outside of the school setting" within the constellation of the board's interest. This becomes problematic when parts of the definition are used elsewhere in the bill.

Section 1 subsection (b) requires school boards to implement plans for addressing bullying. Such plans are required to prohibit certain acts. More specifically, lines 103-108 require a school board to have a plan that prohibits bullying on school grounds or at school sponsored events – a requirement that is welcomed, justified, and enforceable. The prohibition also extends to bullying *"through the use of an electronic device or an electronic mobile device"*. The rationale for such prohibition is clear and also justifiable. However, the language does not define use of an electronic device within the constellation of the board's interest. The language appears to require school boards to prohibit cyber-bullying that may occur outside of the school environment and even involve perpetrators or victims outside of its jurisdiction. This latter provision not only raises a question regarding enforceability, but also raises questions relating to what is asked of school personnel to investigate, report, and record such incidents.

CEA supports policies that promote appropriate responses to any suspected incidents of student bullying and urges the committee to carefully review this jurisdictional question with an eye toward ensuring victims and perpetrators of cyber-bullying do not inadvertently fall through the cracks.

We thank the proponents of this legislation for your continued work on reducing school bullying and look forward to working with you in the furtherance of this goal.

Thank you.

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[i] The full study, *Findings from the National Education Association's Nationwide Study of Bullying: Teachers' and Education Support Professionals' Perspectives* is available at: http://www.nea.org/assets/img/content/Findings_from_NEAs_Nationwide_Study_of_Bullying.pdf

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Findings from the National Education Association's Nationwide Study of Bullying:

Teachers' and Education Support Professionals' Perspectives

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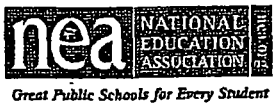

Great Public Schools for Every Student

Testimony - SB1138

An Act Concerning the Strengthening of School Bullying Laws

By - Richard Dellinger, Principal, Amity Middle School, Bethany Campus, 190 Luke Hill Road, Bethany, CT

Good afternoon. My name is Richard Dellinger and I am the principal of the Amity Middle School - Bethany (AMSB), one of two middle schools in the Amity Regional School District #5. We are a member school of the Connecticut Association of Schools (CAS). I am currently a member of the CAS Board of Directors and have been actively involved with CAS for the past seven years. I welcome this opportunity to help shape legislation that can assist school leaders to create even more positive school climates that can prevent not just bullying, but also meanness, cruelty, humiliation, and harassment.

Our most recent efforts to improve the school climate at AMSB came from a survey administered to all eighth graders in April, 2007. The instrument, the Social and Health Assessment (SAHA) was developed and administered by the Yale School Evaluation Research Team. It revealed the following about peer victimization at AMSB: 65% reported that during that school year other kids at school called them names or swore at them (1 time or more); 59% had made fun of them for some reason; and over 20% were hurt physically in some way. Our response to these findings was as follows:

- We gathered reliable and valid data on the school climate. Discipline data is analyzed on a yearly basis using the data provided to the state on the annual ED 166 report. In addition, most years we survey all students and staff using SurveyMonkey about the school climate. Last year we utilized an instrument developed by Dickon Pownall-Gray, a successful businessman, who established "The Surviving Bullies Charity." His approach is to assess the degree of bullying, in a safe and confidential manner for each student in out school. He then provides immediate psychological support to the victims while training student "by-standers" to also provide support. His program was promoted through CAS. His website, which has many resources, is at: http://www.survivingbullies.com/.
- Last August our school psychologist provided a workshop to all district bus drivers and provided bus drivers with strategies and procedures for dealing with peer victimization.
- This year, we provided all middle school teachers "Safe Schools Training" particularly focusing on student issues from the Gay, Lesbian and Straight Education Network (GLSEN).
- Four years ago, we initiated a summer reading program where all middle school students read about bullying behavior as part of their required summer reading. Incoming seventh graders read *The Revealers* by Doug Wilhelm and incoming eighth graders read *The Outsiders* by S.E. Hinton. Book talks are held with all staff and students in September about bullying.
- We initiated annual internet safety instruction to students – by our media specialist who frequently involves speakers from the FBI and state police.
- AMSB expanded after-school activities by adding a spirit team, a fall volleyball team, a fall acting club, and other activities to encourage team cooperation and school involvement.
- We enhanced classroom presentations by school guidance counselors and health teachers on bullying and peer harassment by revising the guidance curriculum.

- We continue to maintain a robust Character Education Committee which promotes a healthy school climate and organizes character education assemblies for all students. This year's assemblies included an assembly by Len Cabral, an African/American story teller, who tells stories about tolerance and a Jim Lehman, Anti-Bullying Dance ensemble scheduled for next Friday.
- We continue to provide support to students in small groups by school counselors/psychologist on themes of increasing academic success, stress management, decision making, handling peer pressure, improving social skills and improving self esteem.
- The Student Council became involved with "Use a better Word" and other student initiatives to improve school climate.
- We continue to provide a rigorous and engaging curriculum where all students are successful.

The results of this total school-climate approach have been encouraging. According to the survey from January 2010, administered by "The Surviving Bullies Charity," only 4% (8 students) reported being physically bullied; 5% (9 students) reported experiencing someone intentionally spreading rumors or trying to hurt their feelings; 14% (19 students) reported seeing acts of bullying. All forms of bullying were lower at AMSB than any other school who administered this particular instrument.

Based on our experience at AMSB, I would offer the following suggestions in terms of the new legislation:

- Focus on school climate, not just on bullying.
- Use the best research...the most recent CAS Bulletin, reported on a study from the University of California which suggested that students in the middle of the social hierarchies at their schools, rather than the most popular or the most socially outcast, are more likely to be bullies.
- Gather reliable and valid data on school climate.
- Hold districts accountable for school climate.
- Use CAS and programs it promotes, like "The Surviving Bullies Charity" and the CAS Exemplary School Climate Assessment which was created by the CAS Middle Level Professional Studies Committee.
- Do not create a separate school environment committee...make it part of school improvement plans that include creating safe, respectful, positive school climates.
- Do not create a safe school environment specialist...it is the principal's responsibility for school climate. Students report issues to staff with whom they are most comfortable, school counselors usually are the "first responders."
- Do not have just one day devoted to Safe School Awareness; it should be embedded in the school improvement plan and on-going curriculum and instruction.
- Involve student governments and student leaders more. Teach and empower students to assist victims and confront acts of peer victimization.

Thank you once again for this opportunity to help shape legislation that can assist school leaders to create even more positive school climates so Connecticut can lead the nation.

Bullying In Schools Legislation Testimony, Friday, March 11, 2011

Today we come together to change school climate legislation with regard to polices that govern bullying. The first question I asked myself when I saw the email proposing S.B. 1138 was, "Why did this take so long?"

For the past 7 years, I have been personally involved in working with the two Naugatuck Superintendents to change bullying policies in our school system. I have worked tirelessly to ensure that each of the then 11 schools instituted "bully busters" type education to the children, as well as the teachers. BUT much to my disappointment, time away from the classroom to attend anti-bullying workshops became a financial issue for school administrators, so the training that the teachers so desperately needed fell by the wayside. The passing of S.B. 1138 will never allow that to happen again.

7 years ago, in 5th grade, my son was beaten on for protecting a mentally challenged child while in school. He was subsequently taunted unmercifully for his entire 5th grade year. He not only sustained a broken growth plate in his left foot, but watched as the children who bullied him came to our home and stoned our family dogs.

I remember holding him in my arms and promising him that I'd fight for his RIGHT to be safe in a place where no child should ever have to face what he endured...BUT, much to my disappointment, school administrators simply claimed that their hands were "tied" with how much that they could do LEGALLY...and protecting my child on the school bus and in the lunchroom became a daily chore for me. The passing of S.B. 1138 will ensure that our administrators have policy that can be enforced and give them the legal right to take "it" to the next level.

We must begin this level of education at a very early age, where rules are learned and ramifications for inappropriate actions are clearly defined and with the passing of S.B. 1138, FINALLY enforced.

22 months ago, while playing frisbee in P.E. class, my son was once again targeted. He was purposely and violently assaulted, suffering a horrible concussion.

The student doing the bullying had been recently removed from a tech school for anger management issues and dropped into the public school system. But because his "track" record from his previous school was ignored, he began his "reign of terror" all over again. My son, a first degree black belt, honor student, and Corps Commander of the high school's JROTC program, has lost countless opportunities for scholarships in this his senior year because of his inability to perform better in class and on his SATS. All of this driven by a BULLY who has had little or no punishment for his actions. My son continues to deal with stress headaches, vision loss, imperfect study patterns driven by the concussion, neck and shoulder pain, and now a "failed" attempt at financing his education. Some fair deal, huh?

6 months later, the child verbally assaulted my son again during the changing of classes, and because it was caught on tape, his actions finally resulted in a suspension.

But, because it was NOT in the same school year, the case was treated as NEW verses ONGOING. The slate was "wiped clean" and the 10 school suspension rule began all over again...never resulting in a much deserved expulsion. The passing of S.B. 1138 will not allow the track records of these "bullies" to be dismissed at the close of each school year, but instead be dealt with accordingly.

As I sit here today, I'm curious as to why we simply don't institute a ZERO TOLERANCE BULLYING POLICY to mirror the one that currently exists for drugs in school. Allow me to provide a synopsis of how this works: If you get caught with drugs in school, you get expelled for the year and a criminal record becomes part of your resume. Simple enough. This great country that we live in sends billions of dollars in aid along with the men and women in our Armed Forces to STOP dictators across the world from "BULLYING" their people. We step in and save humanity because it is simply the right thing to do. Period. No questions asked. No objections tolerated. Yet, in this great Country of ours we cannot stop this "disease" that takes children's lives and causes horrific situations like Columbine and Virginia Tech to look like a troubled student had a bad day. Bullying ultimately caused those students to strike out against others and leave a blemish on our education system that we can never recover from. BUT, S.B. 1138 could be our beginning to enable us to move toward that ZERO TOLERANCE policy that we so desperately need...for our children, our children's children...for the hurtful moments that exist in each one of our minds when we too were growing up...

Today is about simply doing the right thing. My now 18 year old son, currently in counseling to get the "black cloud off his shoulder" from the two bullying incidents that he was subjected to, simply states what needs to be addressed: and I quote, "It's not the kids that bullied me that I'm really angry with, it's the adults that did nothing about it. They did nothing to protect me and put a stop to it".

Today, each one of you has the opportunity to make a change for the better. Today, when you pass S.B. 1138, you will become an unsung hero. And tonight when you place your head upon your pillow, you'll be able to say, "Today was a good day...today, I made a difference in the life of a child".

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SB1138

Good Afternoon Ladies and Gentlemen, my name is Jose Olmeda and I am a long time resident of East Hartford, Connecticut.

My son is living proof that the law on Bullying must be improved. All school staff and individuals who interact with children need to be trained and to understand what is bullying and how to handle it.

My son has always been a well-behaved and good academic student but three years ago my son was unjustly labeled a bully at the age of 10 because the principal of O'Connell School in East Hartford did not want to hear my concerns. He ignored my concerns and did nothing to address the situation but when my son reacts everything was turned around and now my son was labeled a bully. As parents, we were never informed of any actions to be taken until they were already taken. The principal with the superintendent's approval put a letter in my son's educational file stating that he was a bully. We asked for a meeting but they came up with a million excuses and they still refused to remove the letter. They told us that it was the law and that they had to put that letter in his file and it could not be removed. At the end of the school year they came up with another excuse as to why the letter should remain in his file. I believe that my son was used as a scapegoat in order to enforce the bullying mandate. I also believe that the bully in this case was and is the principal. He exercised his authority without any concern for the damage he was causing to a child. The town's board of education and numerous other representatives have refused to hear me out or just shrugged me off by saying they can not do anything for my son. I believe that bullying laws are needed but individuals who interact with children need to understand the law and not just rush to label kids without justifiable reasons. A process should be in place. In all situations, parents must be involved in the solution and not allow the principal and/or the superintendent to be the judge and jury after all we are talking about children. Bullying is a serious issue for all involved and one person should not be allowed to make the final decision. Administrators need to be held accountable but they should not be allowed to abuse their authority.

What is really sad and heartbreaking is that my son is the one with the bully label in his file but to this day he is the one that continues to be bullied. I welcome any assistance from anyone who can help me in removing this letter from my son's educational file. I am not solely advocating for my son but for all the children of the State of Connecticut. This situation is a reality

and it needs immediate and urgent attention. Action is needed now because tomorrow may be too late.

I thank you for your time and I pray that for my son's future, you remember his story when passing future School Bulling Laws. Enjoy the rest of your day.

Charles Barrett
1485 Farmington Ave #8
Farmington, CT 06032

Testimony regarding Proposed S.B. No.1138: An Act Concerning the Strengthening of School Bullying Laws

Members of the Education Committee:

My name is Charles Barrett and I live in Farmington. I am a student at the University Of Connecticut School Of Social Work in West Hartford and I am a member of the National Association of Social Workers. I am here to testify in support of Senate Bill 1138, An Act Concerning the Strengthening of School Bullying Laws.

A report published in The Journal of the American Medical Association in April of 2001 found that the prevalence of bullying amongst the nation's youth to be "substantial". The authors found that almost 30% of the nationally representative sample of youth in grades 6 through 8 reported involvement in bullying; either as victim, bully, or both. A study published in the July edition of the American Journal of Orthopsychiatry found that 49.5% of student participants had reported being bullied online and 33.7% reported having bullied others while online. Another study published in the October 2009 edition of the Journal of Adolescent Health found that within the two month period leading up to the survey conducted with their study sample, 20.8% of respondents reported involvement in physical bullying, 53.6% in verbal bullying, 51.4% in social bullying, and 13.6% in cyber bullying. Recent news stories featuring victims of bullying have received the attention of national news outlets. We could cite statistics and point to news stories for much of the day but what we will lose is the personal effects bullying has on an individual.

I sit before you as an adult who was bullied as a child. From the ages of 6 to 14 I suffered at the hand of bullies. I came from a home in which both my parents worked and due to several factors I felt that I could not turn to them for help. I turned to the school I attended. The school administrators made me feel as if bullying was the natural order of things. "Boys will be boys" was something that I heard quite often. I was told to "fight back" and "stand up for myself"; these pieces of advice assumed that I had not yet tried to do such things, when in fact- I had.

Due to bullying and the reactions by school administrators I felt that I was bullied because of something inherently wrong with me. After all, they made me feel as if this was the natural order of things. I became distrustful, scared, and reclusive. I stopped participating in class and it hampered my ability to learn. At school, I didn't feel safe and that should not be the natural order of things.

I was lucky; I had family and friends that were able to provide me with enough support to see my way through the persistent bullying. I was able to get respite from the bullies long

enough to grow and progress both socially and in terms of my education. I worry for the children who do not have such respite and support. In this day and age of social networking it can only be more difficult for victims of bullying to escape and find respite in a safe place free from bullies. I worry that the victims of bullying will convince themselves that there is something inherently wrong with them.

It is for this reason that I support Senate Bill 1138, An Act Concerning the Strengthening of School Bullying Laws. By passing such legislation you send a message to children who are bullied that there is nothing wrong with them and that this is not the natural order of things. You send the message that they are worth more to the world than they realize.

I thank you for your consideration on this important issue,

Charles Barrett, MSW Student

Testimony for Education Committee
On Raised Bill 1138, *An Act Concerning the Strengthening of School Bullying Laws*

By Elizabeth Connelly, Communications and Media Coordinator
The Governor's Partnership to Protect Connecticut's Workforce
DBA The Governor's Prevention Partnership
March 11, 2011

Good afternoon, Senator Stillman, Representative Fleischmann, Senator Fonfara, Representative McCrory, Senator Giuliano, Representative Boucher and distinguished members of the Education Committee. My name is Elizabeth Connelly and I am the Communications and Media Consultant for The Governor's Prevention Partnership. For over 20 years, our non-profit organization has provided resources and services so that young people in our state can grow up free from substance abuse, underage drinking, violence, and bullying and be able to take their place in our future workforce. I'm here today to read a letter on behalf of a student from Enfield that was a victim of cyber-bullying.

While I was away last year, my boyfriend at the time was talking to another girl inappropriately. When I returned home and was at lunch the next day, the lunch table behind me kept screaming "your boyfriend is cheating on you!" Turns out the girl he was talking to was at the table and told her friends what had happened. I pretty much ignored what they were saying. This went on for about a week until one day they said, "they weren't surprised he was cheating on me, because I was fat and disgusting." When they said that, I felt a mixture of things. I was mad, sad, hurt, and confused. The girls saying this stuff were on my bus and they started to say it on the bus too. That night, I unfortunately added fuel to the fire. I went onto Facebook and I messaged the girls saying that we were in high school, can we please grow up and stop. One of the four girls didn't like what I said. Both of us started to fight over the Facebook message I had sent, and over Formspring. She was calling me a cow and a whale. She also said she was going to put me in the hospital. Instead of stopping it, I let my anger get the best of me, and I said stuff back. I know now that I made things worse by saying those comments on Facebook, because things took a turn for the worse. From that night in December until March, I didn't tell anyone what was going on. I didn't tell anyone because I was afraid to get called a snitch or to have things get turned against me. I also didn't tell anyone because I was embarrassed and ashamed that this was going on. Every day when I got onto the bus, these few girls would say terrible things to me. In the halls after every period, they had their friends say stuff to me too. At lunch they continued to say things to me. On the bus, on Facebook, on Formspring, and even if I went for a walk by my house because they lived near me... they would moo at me, call me Shamu the whale, block my way in the halls, and push me out of the way. They said they weren't surprised that my

boyfriend was cheating on me, that I was fat, and that I shouldn't even go to this school, or even be alive.

One day in March, I was waiting outside of my class with my boyfriend and these kids that the girls were friends with, were telling my boyfriend to dump me because I was inhuman and a whale. At that point, I had been putting up with this almost every day for four months. Hearing what they had just said caused me to break down and to lose it. For the first time, I

finally told an adult what was going on. Even after talking to an adult at the school, it still continued to happen, but it slowly stopped. My boyfriend at the time, me, and the four girls involved had mediation with our school social worker and the Vice Principal at my school. The mediation worked, and I am even friends with some of the girls now.

Even a year after all this happened, I am still affected by this. When it was actually happening, I didn't want to do a lot. I got really depressed, my grades dropped, and I didn't want to hang out with my friends, because I felt like they didn't understand. Because of this, my friends and I fought a lot and I am no longer friends with my three best friends at that time. People don't realize the consequences that their actions and how they affect others. You may not think a little comment or a fight over Facebook is a big deal, but it is. Over the internet, everyone can see it. And when that happens, anyone can get in on it.

That is why many teens contemplate, attempt, or even complete suicide...because of cyber bullying. I've never told anyone this before, but when all of this was going on I constantly thought about doing this myself. To feel like everyone is against you and you have nobody on your side is the scariest thing ever. Losing your best friends and your self confidence hurts more than anything, and makes you question everything, even living. No matter how alone you feel, or how you feel like you have no one, you always do. You have your real friends, school teachers, your family members, or even a school social worker at schools. Cyber bullying is WRONG, no matter how funny it seems at the time. It can have serious affects on someone and serious consequences for the bully. I want people today to realize the seriousness of cyber bullying. I want more education and awareness in the schools about how harmful cyber bullying is. I also think that there should be more education available for students and teachers on how to prevent cyber bullying and how to help out in a situation. People need to know how to be there for somebody in a situation like this and to prevent suicides because of cyber bullying. Finally, I want there to be stricter laws in Connecticut on cyber bullying. Some cases of it can be very serious and result in suicide. If that happens I believe that the people responsible for the emotional abuse caused by cyber bullying should be held responsible for their actions. Students are **dying** in the name of 'free speech' as students and adults use social medias to intimidate, harass, demean, ridicule, and spread rumors about others. By enforcing laws on cyber bullying, it shows that people are taking the issue seriously and are working for a change. Cyber bullying is the beginning of hate, which left unchecked and unpunished, will only escalate.

Testimony for Education Committee
On S.B. 1138, *An Act Concerning the Strengthening of School Bullying Laws*

By Lisa Tregoning, Program Manager
The Governor's Partnership to Protect Connecticut's Workforce
DBA The Governor's Prevention Partnership
March 11, 2011

Good afternoon, Senator Stillman, Representative Fleischmann, Senator Fonfara, Representative McCrory, Senator Giuliano, Representative Boucher and distinguished members of the Education Committee. My name is Lisa Tregoning and I am the program manager for safe schools and bullying prevention services of The Governor's Prevention Partnership. For over 20 years, our non-profit organization has provided resources and services so that young people in our state can grow up free from substance abuse, underage drinking, violence, and bullying and be able to take their place in our future workforce.

I am here to offer my views on some specific aspects of Senate Bill No. 1138, *An Act Concerning the Strengthening of School Bullying Laws* based on my first-hand observations with schools that I have worked with over the last year and a half and also based on what I know of best practices for bullying prevention.

Background

The Partnership's long-time work in Connecticut's schools with administrators, staff, and students in the area of creating positive school climate and bullying prevention has given us first-hand knowledge of how the effects of bullying behavior can hinder the academic, social and emotional development of our children. In 2009, the most recent statistic we

have for Connecticut, just under one third of high-school students report having been bullied in the past year. If we were to include cyberbullying, the number would be much greater.

Based on a body of research, we know that safe, respectful learning environments result in positive student outcomes, including reduced dropout rates, increased academic achievement and reduced juvenile and adult crime. The Governor's Prevention Partnership believes that, by using existing resources and leveraging state, federal and private/corporate support, four key recommendations can be realized in Connecticut. These include:

(1) Establishment of common school-climate improvement standards

(2) Coordination of statewide data collection

(3) High-quality and widely available professional development opportunities for school staff

(4) Development of a strong statewide network to coordinate training and ensure science-based programs.

We applaud the fact that this bill is about creating positive climates in school buildings through a comprehensive approach, which will result in reduced bullying incidents.

In the bill as raised, we especially support and urge the following:

1. Time sensitive reporting and investigation by school staff as described in Section 1.
2. Development of a statewide survey and use of data-driven decision-making to increase the likelihood of affecting long-term change and having a positive impact on school climate and bullying, as described

in Section 3.

3. A trained school team in place, as described in Section 9, to address bullying and school climate and to serve as the vehicle for positive school-level change. With administrator participation, the team collects and analyzes school data, assesses gaps and needs regarding practices and programs, manages reporting and investigation of bullying incidents, plans school-wide events, oversees staff training and manages their school's strategic plan for climate improvement.
4. Mandatory, in-service bullying prevention training for all teaching staff, administrators and pupil personnel including paraprofessionals, as described in Section 6.

I also want to support and add some clarification regarding Section 4, in which the Department of Education will establish a statewide safe school environment resource network. It has been our experience that some schools and school districts are doing quite well with creating a comprehensive approach to bullying prevention and have found and are using effective programs and trainings on their own. There are other school districts, however, that don't know where to turn for reliable information. So, as we see it, there are several benefits to establishing such a statewide network which include:

- Schools would have one place to turn to get information on effective training opportunities and resource information rather than having the burden of searching for resources individually.
- The network would ensure that trainers and training programs are high quality, evidence-based, well-coordinated and

available in all areas of the state.

- Once data is received from the school surveys, the network can analyze trends and prepare for meeting future training needs of schools.
- The network can create partnerships between state departments, local schools districts and nonprofit and community organizations in order to be well-prepared for federal or private grant opportunities. In addition, the network can accept private donations on behalf of the state's schools and also assist schools with seeking funding from their local foundations and businesses.
- Finally, the network can channel national resources, such as the National School Climate Standards, and best practices from other states.

The Governor's Prevention Partnership has over 10 years of experience in establishing and maintaining statewide networks. We have the Connecticut Mentoring Partnership, which coordinates training and resources for over 150 mentoring programs in the state, and performs all of the functions that I just outlined for mentoring programs. We host the Safe Schools Advisory Committee and would be glad to serve as a resource for the safe school environment resource network. We believe that schools are better served by coordinating resources and ensuring science-based practices.

Thank you.

JOINT
STANDING
COMMITTEE
HEARINGS

EDUCATION
PART 6
1591 – 1898

2011

My name is Kathleen Barrett

I consider it an honor and a privilege to be able to testify regarding S.B 1138

I come to testify today as a former school counselor, who saw and was powerfully moved by the devastating impact of bullying on child development, and school success. The faces and stories of the children with whom I worked are very present as I speak these words to you today. They inspired me to use whatever tools I had to try to make a difference I chose bullying to be the topic of my doctoral dissertation work because of these children I left school counseling to become a school counseling professor because of them I come to you today, because of them.

My guess is that if I asked you all to close your eyes and remember an experience you had or witnessed involving bullying during your school years, you'd be able to do so. My guess too, is that there would be a strong emotional component to your memory. I'd ask you to hold onto that today as you hear testimony about S.B. 1138 and that you use the power you hold as legislators to bring our state a step closer to becoming a place where all children can feel safe in their school environments.

I am confident that you have heard, or will hear a great deal about the impact of bullying For children who are victimized, this experience leaves scars that last a lifetime. Some of you probably bear those scars. For children who witness bullying but are unable to respond to help, another kind of scar is carried into adulthood. For children who step into these patterns of hurtful bullying behavior early in life, we know that without intervention, these patterns likely continue into adulthood. For all of these children, for all of *our* children, we need to respond You have an opportunity to do so in supporting this bill.
Specifically...

1. S.B 1132 recognizes the importance of prevention. First and foremost, schools needs to establish formal policy to *prevent* bullying This cannot be a recommendation or a guideline – it needs your help to be a mandate. Children need to learn to be a part of school communities that value civil behavior, emphasize individual rights and embrace diversity Part of this involves giving children the social skills they need, including supporting the development of empathy, managing emotions, social problem solving, and assertive and respectful communication skills. As a school counselor and school counseling professor I know that school counselors play an essential role in this regard – especially so on in earliest school years. Schools must identify sound prevention strategies – in my opinion – using the tools that research shows to be effective ones, like the Olweus model, or the Committee for Children's Steps to Respect – and to regularly collect data to see that they are working.

2. We need everyone's involvement to be successful in this effort. S.B. 1138 specifies that all adults in schools need to be trained to recognize and respond to bullying. In my experience, a lot of bullying takes place outside the eyes of adults, and simply saying to children that they need to make a report is not enough, when the person who hears that report may respond poorly. Attitudes such as that bullying is part of growing up, that it somehow helps us be stronger, that it is no big deal, that walking away is the right thing to do, or that the child must have somehow brought it on themselves because "it takes two"...are all

responses commonly heard by children who reach out for help. When definitions are not clear and a teacher or administrator tells a child that they are over-reacting because it was just teasing, or not really bullying when in fact it was, we let them down profoundly. Children learn to stop reaching out quickly and often suffer in silence and humiliation. S B 1132 calls for clear definitions and clear response, we need to make that a reality.

S.B.1138 calls for the creation of the systems that will support school's efforts to address bullying in calling for a statewide safe school resource network to train and to analyze data. Bullying has been invisible in schools for far too long and current existing vagueness or inconsistency from school to school in definition has perpetuated the problem and served as an obstacle in both our understanding of prevalence, and especially, our ability to be accountable and determine what works. For this reason, data collection – by all schools – and visible to all stakeholders, for better or for worse is an essential element in identifying and in responding to this problem. I would encourage attention to the city of New Haven, which admirably instituted a district wide climate survey, involving students, parents, and teachers, and posts results on a website accessible to all. In seeing S.B. 1138's attention to the creation of a statewide resource, I see this attention to gathering data uniformly as its most valuable potential contribution. S.B.1138 calls for schools to identify both a team, and a single responsible individual, a safe schools environment coordinator – this is essential School counselors are uniquely able to lend their talents here – please help protect them from budgetary axes.

I applaud S.B. 1138's attention to parents, and remember so well, the pain of a parent who tries to help her child, but cannot. Some of you may know this pain. I remember this pain. It is for the parents, as well as for the children, that I come and testify and ask your help today.

Finally, schools are social institutions, the first communities outside of family that children experience, and the first setting in which we prepare them to become civil and responsible adults in our world. Changes proposed here have potential to have an impact that reverberates profoundly into our future

Thank you sincerely.

BULLYING PRESENTATION AND LAWS

SB 1138

A school's role is to educate students and this can best be accomplished in a safe environment. Beyond book learning, we are also responsible for teaching ethics, values, health, social skills, and such issues that go beyond our training in education. Our overall goal is always to create a safe environment for all and prepare students not only with academic knowledge, but also with life skills of tolerance and understanding, leading children to be productive and capable adults. We also need to protect those who might feel fearful in a school setting by giving them the tools to handle certain situations and educating them on how to be self advocates. This can be done most successfully when the entire school community accepts responsibility to ensure a climate of safety and acceptable behavior for all. Expectations must be clearly stated. Everyone must know how to respond to situations, model correct behavior and act appropriately to quickly stop inappropriate behavior. Schools must teach tolerance and understanding of differences and communicate expectations clearly. This has to be embedded, ongoing, and part of the accepted practice of a school's climate and community. It falls short to have a one day event to recognize something that we should be aware of and working on every day. Hiring a safe school environment expert and creating a safe school committee do not solve the problem that overseeing a positive environment every day within the whole community accomplishes

Laws can be shaped to assist school leaders in creating positive climates to prevent any form of harassment or unwanted behavior in schools. Laws can assist schools by offering training through CAS or SDE to assist administrators and educators in:

1. Sharing already successful programs in place in schools
2. Providing workshops offering fresh ideas or new research from leaders in the field or colleagues
3. Assisting schools on how to store, track and use data within their buildings and between transition years as students move from one level to another.
4. Recognizing and publicizing model programs in schools
5. Supporting ancillary programs that can assist schools with solutions to bullying and educate and communicate with families (school resource officers, Youth and Family Services clinicians, school counselors, and psychologists).
6. Allowing support staff to facilitate mental health programs and initiatives for students and families

Rather than focusing on the consequences for bullying, we must focus on the problem so we can get to the root of the matter. Research has shown that a positive approach is most conducive to successful change. Schools need to be able to determine and assess when real bullying occurs and is an ongoing safety concern and move forward from there.

Connecticut could be a leader in this positive approach by following the State Board of Education Position Statement, February 2010, as well as by following the national standards for addressing bullying. Continued support from SDE of Positive Behavioral Interventions and Supports (PBIS) and Scientific Research Based Interventions (SRBI) is a successful way to reinforce our goal of a positive school climate for all.

Donna Schilke, Principal
Smith Middle School
Glastonbury, CT

BULLYING PRESENTATION 2011

WE BELIEVE THE SCHOOL'S RESPONSIBILITY IT TO MAINTAIN AN ATMOSPHERE OF SAFETY FOR ALL MEMBERS OF THE SCHOOL COMMUNITY

BE PROACTIVE VIA EDUCATION AND COMMUNICATION

- **Clearly Stated Policy:** Online and in student handbook
- **Internet Safety Night for Parents**: Presented by police
- **Internet Safety Presentation for Parents at Open House**: Presented by police
- **Student Handbook**: Reviewed with all students the first 2 days of school
- **School's Core Values**: Respect, Responsibility, Safety, Honesty (signage everywhere)
- **Administrative Council Meetings** – bi-weekly to create a positive climate and to discuss at-risk students and how to assist them. Council includes SRO, Youth and Family Services (also meet 1-on-1 with students during the school day), and school personnel.
- **Anti-Defamation League (ADL)** Assembly for grade 7 with follow-up, guided breakout sessions
- **DIRT Assembly** for 8th graders, addressing the core reasons for substance abuse such as self esteem, depression and a desire to find purpose in often chaotic life.
- **In-House "Just Kidding" Program** for grade 8 students
- **Adult-Student Mentor and Advocacy Program** (students assigned or informal)
- **Peer Mediation:** Students are trained for a full day on how to mediate with other students
- **Girls' Groups:** Organized by teachers; sponsored by YFS; full day self-esteem building and decision making workshop
- **LEAP** (Leaders Engaged in Action Program): Student leaders selected from a broad spectrum trained to carry out action programs throughout the year
- **Mentor Assistance**: 1 to 4 teacher to student ratio
- **Guidance and School Psychologists**: Social groups to help students develop social skills
- **Monitor Lunchroom**: Are students sitting alone?
- **School Resource Officer (SRO):** educating students in the classroom; acting of referrals; meeting with parents and students one-on-one.
- **Camera System:** Students are aware of this!
- **Parent Education:** Smith Parent Advisory Council (SPAC) serves as a forum for having conversation with police and helping them to communicate with their children. Also, parents informed in health classes and by DARE.
- **Formal Teacher Training**
- **Tracking Data** of students bullying and being bullied
- **Anonymous Reporting:** Quick and timely investigation of any reports of bullying
- **Outreach Social Worker (YFS):** Housed at Smith Middle School and able to make home visits and work with students

CONSEQUENCES FOR BULLYING:

- **Alternate Learning Classroom (ALC):** Learning reflection
- **SRO Referral:** Parents and students connect about gravity of incident. Can lead to student arrest or diversion program
- **Schedule Changes**
- **Bus Removal** (buses are monitored by cameras)
- **In-School Suspension (ISS) or Out-of School Suspension (OSS)**
- **Saturday Detentions**

Donna Schilke, Principal
Smith Middle School
Glastonbury, CT

Testimony of Gary Jones
On Behalf Of The
Connecticut Regional Office of the
Anti-Defamation League

IN SUPPORT OF
RAISED BILL NO. 1138
AN ACT CONCERNING THE
STRENGTHENING OF SCHOOL BULLYING LAWS

March 11, 2011

My name is Gary Jones and I am Connecticut Regional Director of the Anti-Defamation League (ADL). The Anti-Defamation League was founded in 1913 with a mandate to fight the defamation of the Jewish people and to secure justice and fair treatment for all. Today the ADL is one of the country's leading civil rights and human relations organizations, committed to combating hatred and bigotry in all forms.

On behalf of ADL, I am here today to express our support for Raised Bill No. 1138, An Act Concerning the Strengthening of School Bullying Laws, and to recommend how we believe some provisions of the bill could be strengthened even further.

ADL has long been at the forefront of national, state, and local efforts to deter and counteract intolerance and hate. For many years, ADL has been concerned about bullying and, more recently, cyber-bullying. Through our A WORLD OF DIFFERENCE® Institute and other educational initiatives, ADL delivers over 200 highly interactive and challenging diversity and anti-bias programs throughout the state in schools, community organizations, campuses and workplaces, reaching over 25,000 people last year in Connecticut alone. Our work with students has shown us the extent and scope of bullying in Connecticut's schools. ADL has developed curricula and programming for teachers, students and the community relating to bullying, and created a model anti-bullying statute that is being used across the country in the drafting of anti-bullying prevention laws.

Anti-bullying legislation is critical to securing safe learning environments for Connecticut's children. Research has shown that harassment and bullying can have devastating consequences and pose significant threats to student safety and academic achievement. Children who are bullied are more likely to suffer from depression, loneliness, anxiety, low self-esteem and even thoughts of suicide. Children who bully are more likely than their peers to engage in physical violence, vandalism, smoking, drinking alcohol and school absenteeism. A strong and comprehensive anti-bullying law is therefore crucial to ensure that children can learn and thrive in a safe school environment.

In Connecticut, we are fortunate to have an anti-bullying statute as part of our state's law. Bill 1138 contains many of the provisions contained in ADL's model statute and, with the recommendations set forth below, would strengthen Connecticut's existing anti-bullying law in

important ways, making the law more effective in preventing and responding to bullying and in making our schools safe.

Enumerated Categories

Bill 1138 clarifies conduct that constitutes bullying and, importantly, eliminates the requirement that bullying consist of more than one act during the school year, which may allow school officials to "wipe the slate clean" and ignore bullying incidents that had taken place in a prior school year.

We believe, however, that in addition to these improvements, Bill 1138 should include in the definition of bullying enumerated categories, where specific motives for bullying such as race, color, religion, national origin, ethnicity, disability and sexual orientation would be listed.

Last fall, the US Department of Education Office of Civil Rights published a list of provisions from the best anti-bullying laws in the country. Among them was North Carolina's *School Violence Prevention Act*, which includes a comprehensive list of perceived characteristics that may motivate bullying or harassment, and thus make certain groups particularly vulnerable to this type of destructive behavior. Inclusion of enumerated characteristics in state anti-bullying policies does not affect protection for all other students. This approach has been adopted by a number of other states, including Illinois, Iowa, Washington, and Oregon. According to the US Department of Education Office of Civil Rights, the enumeration of specific characteristics is one of the key components of state anti-bullying laws.

Recent research has shown that school anti-bullying policies that include enumerated categories play a role in reducing bullying and harassment and thus make for a safer learning environment. A national survey of students aged 13 to 18, conducted by the Gay Lesbian and Straight Education Network (GLSEN), has shown that students in schools with bullying and harassment policies inclusive of sexual orientation or gender identity are less likely than other students to report a serious harassment problem at their schools. We at ADL know that hatred based on bigotry and stereotypes affects communities in a serious way and it is very important that anti-bullying legislation reflect this concept.

Cyber-Bullying

Bill 1138 strengthens the definition of bullying in significant ways to improve the ability of schools to address and prevent bullying. Perhaps most important is the addition of cyber-bullying to the definition of bullying.

Most young people today consider e-mailing, text messaging, instant messaging, and blogging a vital means of self-expression and a central part of their social lives. While the Internet brings substantial value to young people both socially and educationally, it can also bring trouble. An increasing number of young people are misusing online technology to bully, harass, and even incite violence against others. Cyber-bullying is ubiquitous, often anonymous, and can rapidly escalate and intensify as countless and unknown others join in.

Students, parents, teachers and administrators must be prepared to handle bullying in this new age of technology. Despite the prevalence and impact of cyber-bullying, many adults are unaware of the scope of the problem because they are not familiar with new technologies, because parents frequently have limited involvement in and oversight of online activity, and because young people generally do not discuss their online behavior.

One constant is that schools remain the place where targets and perpetrators convene, and remain the focal point for bullying and cyber-bullying. Anti-bullying legislation that does not include electronic communications cannot be effective in today's world. Bill 1138 recognizes this reality and properly includes cyber-bullying in Connecticut's definition of bullying.

Conduct Off School Grounds

Through ADL's extensive anti-bias educational programming, we have heard the stories of many young people who have been targeted by bullying. It is clear from these accounts that bullying, and cyber-bullying in particular, is not limited to the confines of the schoolyard, and that conduct that takes place outside the school setting indeed has serious consequences and a profound impact on a student's ability to learn.

Today, online technology plays an increasing and sometimes exclusive role in the way young people communicate and interact and children readily have access to cell phones and the Internet at almost any time of the day. Incidents of bullying and harassment do not stop at the school gates. With this new reality, any effective anti-bullying law must address off-campus bullying and cyber-bullying that interferes with the school's educational mission and environment, whether this takes place in a classroom, in a hallway, in an off-campus school sponsored activity or on a computer at home. The US Department of Education Office of Civil Rights has also recognized this provision as a key component of states' anti-bullying laws.

Bill 1138 takes an important step in addressing conduct off school grounds, directing schools to include in their safe school environment plans provisions addressing bullying outside of the school setting if such bullying "(A) creates a hostile environment at school for the victim, (B) infringes on the rights of the victim at school, or (C) substantially disrupts the education process or the orderly operation of a school."

While Bill 1138 sets forth appropriate and valuable standards addressing this issue, we believe that the language included in the requirements of safe school environment plans should be incorporated *specifically in the definition in bullying*. Explicit inclusion of these standards will avoid confusion and provide clarity as to when a school can and should act in connection with such conduct, and will preclude challenges to a school's anti-bullying efforts that suggest a school may not act because conduct took place off school grounds or involved the use of a student's personal electronic device.

Safe School Environment Plans

Bill 1138 requires that each local and regional board of education develop and implement a safe school environment plan, and sets forth eighteen specific elements that must, at a minimum, be

incorporated in each district's plan. The enumeration of these requirements is important to create consistency in bullying policies across the state, creating a statewide framework and understanding of bullying through which incidents are viewed and addressed. Moreover, standard criteria will make the Department of Education's collection and reporting of information about district plans and bullying incidents a more meaningful tool in the effort to combat bullying throughout the state.

Bill 1138 also requires the Department of Education to develop or recommend model safe school environment plans. A model plan will provide important guidance to school districts as they engage in the complicated and sometimes difficult task of creating effective and workable plans to address and prevent bullying in their schools, and will further ensure the consistency of a statewide understanding of bullying.

School Employee Training

Bill 1138 requires the Department of Education to provide annual training to school employees and new teachers. This measure is critical, since teachers, administrators, school psychologists, athletic coaches and even bus drivers are on the frontlines of student conduct and are most likely to observe and identify incidents of bullying in the course of their work. Without properly trained staff, bullying is likely in many instances to go unnoticed or be addressed ineffectively.

However, while such training can effectively be provided in person or through on-line courses, we believe that the training requirement should not be fulfilled by the "dissemination of reading materials." Without appropriate accompanying training, a review of written materials will not adequately prepare staff for the complex challenges inherent in the prevention of and response to bullying. We recognize the limited resources with which the Department of Education will undertake annual training and support efforts by the Department to work with others who could help provide in-person or on-line training as appropriate and necessary. We are concerned, however, that the dissemination of written materials alone will not ensure that school employees receive or read the material or that they have the opportunity to explore the difficult and complicated issues that arise in real life incidents of bullying.

For these reasons, ADL urges the Committee to consider these recommendations and to support Bill 1138 with the modifications set forth above relating to enumerated categories, conduct off school grounds and the dissemination of written training materials.

Gay, Lesbian and Straight Education Network
Testimony before the Connecticut Legislature Joint Committee on Education

Re: Hearing on an Act Concerning the Strengthening of School Bullying Laws (Senate Bill 1138), Testimony Provided by Liane Roseman, GLSEN Connecticut Co-Chair

March 11, 2010

Good afternoon Senator Stillman, Representative Fleischmann and members of the Committee. My name is Liane Roseman. I am testifying today as the mother of children in grades 4 and 8, as a Co-Chair of GLSEN Connecticut, a Chapter of the Gay, Lesbian and Straight Education Network (GLSEN) and also as a straight ally. GLSEN is a national education organization focused on creating safer schools for all students regardless of sexual orientation or gender identity/expression.

GLSEN supports strong and comprehensive anti-bullying and harassment protections to ensure students can learn in a safe and respectful environment, and we recognize that the Legislature shares our desire to protect marginalized and vulnerable students. Therefore, we suggest that the definition of bullying should include enumeration that makes it explicitly clear that students should be protected from bullying and harassment based on frequently targeted characteristics. We propose the following language:

> Bullying means the repeated use by one or more students of a written, verbal or electronic communication or a physical act or gesture, including but not limited to a communication or gesture based on any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic or association with a person or group with one or more of the abovementioned actual or perceived characteristics, ...

1. Enumeration protects ALL students. The strength of an enumerated law is that it underscores that those students who research shows are most likely to be bullied and harassed and least likely to be protected by non-enumerated anti-bullying and harassment laws and policies are in fact protected, as well as ALL other students. Furthermore, our research shows that students who live in states or school districts with enumerated laws and policies are provided greater protections across the board.[i]

2. Students who attend schools with policies that enumerate categories report less bullying and harassment then students who do not. In fact, LGBT students in states without enumeration have the same experience of bullying as students who live in states without any anti-bullying and harassment laws.[ii]

3. Enumeration is essential if laws are to be implemented. The Supreme Court of the United States noted in Romer v. Evans that "enumeration is the essential device used to make the duty not to discriminate concrete and to provide guidance for those who must comply." Enumeration gives teachers and other educators the tools they need to implement anti-bullying and harassment policies, which makes it easier for them to intervene to prevent bullying. Students reported that teachers were significantly more likely to intervene always or most of the time in states with enumerated policies, as compared to states with either non-enumerated policies or no policies at all.[iii]

4. Enumeration that includes sexual orientation and gender identity removes all doubt that LGBT youth are protected from bullying and harassment. Evidence shows that school officials often do not recognize that anti-LGBT harassment and discrimination are unacceptable behaviors, or do not respond to the problem due to prejudice or community pressure without the cover of a specific law or policy.[iv]

5. Comprehensive policies with enumeration help ensure safety and reduce absenteeism. Students from schools with an enumerated policy are 50% more likely to feel very safe at school. Students without such a policy are three times more likely to skip a class because they feel uncomfortable or unsafe.[v]

We urge you to add enumeration to ensure this bill provides meaningful protection to ALL of Connecticut's students. Thank you for your time, and for your leadership on the important issue of school safety. I'm happy to answer any questions you might have.

---

[i] Harris Interactive and GLSEN (2005). *From Teasing to Torment: School Climate in America, A Survey of Students and Teachers.* New York: GLSEN

[ii] Kosciw, J. G , Diaz, E M. and Greytak, E A. (2008) *The 2007 National School Climate Survey: The experiences of lesbian, gay, bisexual and transgender youth in our nation's schools.* New York: GLSEN

[iii] Harris Interactive and GLSEN.

[iv] Id

[v] Id

Written Testimony of
AnnMarie Meacham Duffy, M.S.
Certified School Psychologist
Secretary, Connecticut Association of School Psychologists
SB 1138 ***AN ACT CONCERNING THE STRENGTHENING OF SCHOOL BULLYING LAWS***
March 11, 2011
Education Committee

Good afternoon Senator Stillman, Representative Fleischmann, and the distinguished members of the Education Committee. My name is AnnMarie Meacham Duffy and I am submitting the following testimony on behalf of the Connecticut Association of School Psychologists (CASP).

I'm here today to testify to CASP's support of Senate Bill 1138, An Act Concerning the Strengthening of School Bullying Laws.

CASP is in support of this legislation and the positive effect that SB 1138 can have on school-aged children in Connecticut. Section 1 subsection a (2-5) which expands bullying to include cyber bullying as well as include any future developments in electronic communication. Bullying has seen a marked increased increase over the past few years with the use of social networking sites, texting, sexting and other forms of verbal and technological means of communication

CASP is in favor of Section 1, subsection a. (2-5) as it expands bullying to include cyberbullying and to include any future developments in electronic communications.

CASP is in support of Subsection b. (15-16 A,B,C) addressing incidences of bullying that happen off school grounds and/or outside school hours. Bullying that happens outside school find its way into the school building and can have a negative effect on a student's academic performance or feelings of safety while in school.

CASP is in support of Section 6 requiring annual training of school personnel on the prevention, identification and school response to bullying. We support the emphasis on developmentally appropriateness of strategies both to prevent bullying and to implement immediate and effective interventions aimed at stopping bullying. We agree training should include information about interactions and relationships between students committing acts of bullying, recipients/ victims of bullying and by-standers who witnesses bullying. Such annual training also needs to emphasize vigilance spotting bullying,

CASP is in full support of Section 9 subsection (b) regarding the appointment of a school psychologist or counselor to serve in the proposed role of Safe School Environment Specialist. Through the scope and breadth of their training, School Psychologists are uniquely qualified in the assessment and evaluation of children's social-emotional needs and the effect of bullying on them. It is important for school psychologists to be an integral part of every school's response and issues that arise from bullying, including cyberbullying.

CASP is in full support of Section 9 (2) (f) regarding the education of students, school employees, parents and guardians of students on issues relating to bullying including cyber-bulling by members of the Safe School Environment Team. We feel this education needs to be done yearly. Information relating to bullying could be disseminated through the use of social networking sites as Facebook, Twitter and e-mail as well as more traditional means -trainings, parent group meetings, newsletters and student/ local newspapers.

Today's teens have the skills and knowledge to use electronic communication devises to send messages or photos without the need to see the keys. They can even use a cell phone that is in their pocket or under a desk in such cell phone free zones as the classroom. They have the ability to gain unauthorized access and use personal accounts under false pretenses. Facebook, email, twitter would be a few examples of these accounts. Issues that occur outside school have led to more students feeling harassed, bullied or ostracized for accusations- real or malicious of being a bully.

CASP CONNECTICUT ASSOCIATION OF SCHOOL PSYCHOLOGISTS
AFFILIATED WITH THE NATIONAL ASSOCIATION OF SCHOOL PSYCHOLOGISTS

Written Testimony of
AnnMarie Meacham Duffy, M.S.
Certified School Psychologist
Secretary, Connecticut Association of School Psychologists
SB 1138 ***AN ACT CONCERNING THE STRENGTHENING OF SCHOOL BULLYING LAWS***
March 11, 2011
Education Committee

Good afternoon Senator Stillman, Representative Fleischmann, and the distinguished members of the Education Committee. My name is AnnMarie Meacham Duffy and I am submitting the following testimony on behalf of the Connecticut Association of School Psychologists (CASP).

I'm here today to testify to CASP's support of Senate Bill 1138, An Act Concerning the Strengthening of School Bullying Laws.

My testimony is specifically in regards to Section 1 subsection a. (2-5) expanding 'bullying' to include cyber bullying and including any developments in electronic communications; Subsection b. (15-16 A,B,C) addressing incidences happening off school grounds/ after school hours; Sec. 6 (NEW) that requires annual training to school employees on prevention, identification and response to school bullying. Training covers (1) developmentally appropriate strategies to prevent bullying among students in school and outside of the school setting, (2) developmentally appropriate strategies for immediate and effective interventions to stop bullying, (3) information regarding interaction and relationship between students committing acts of bullying, students against whom such acts of bullying are directed and witnesses of such acts of bullying; and Section 9 (b), (c) and 2 (f).

CASP advocates for the needs of children and the best interest of students. The School Psychologists' training in child development and teacher consultation lends itself to developing a developmentally appropriate response. School Psychologists often mediate between students in prevention and/or minimizing the impact of conflicts. School psychologists now function in leading groups

and/or working individual with children on issues that impact their daily functioning.

CASP recognizes bullying is often a covert act (including looks, flipping of hair, sexting, etc.) that can lead to damaging results without swift action on the part of school systems. Today's students are well versed in social networking. Texting is so automatic students are able to text in their pockets, under desks, etc. making it almost impossible for adults to note its occurrence. It is the role of the school psychologist working in school districts, particularly at the upper grades to help students work through the emotional disruption to the learning environment.

We need clear and distinct guidelines for school administrators on what constitutes bullying and training for school personnel. Such training needs to be provided to school staff annually, in the same way we have annual Title IX training. This should be done by individuals, such as school psychologists, school social workers, school counselors, who have training in working with individuals with emotional needs, in conjunction with school administrators.

CASP is in favor of Section 1 subsection a. (2-5) as it expands 'bullying' to include cyber bullying and include future developments in electronic communications.

CASP supports Subsection b. (15-16 A, B,C) addressing incidences that happen off school grounds/ after school hours. This clarifies the school's purview in regards to electronic bullying and specifically permits schools to address cyber bullying.

CASP supports Section 6 that requires annual training for school employees on prevention, identification and response to school bullying. Training covers (1) developmentally appropriate strategies to prevent bullying among students in school and outside of the school setting, (2) developmentally appropriate strategies for immediate and effective interventions to stop bullying, (3) information regarding the interaction and relationship between students committing acts of bullying, students against whom such acts of bullying are directed and witnesses of such acts of bullying]. Such annual training also needs to emphasize vigilance spotting bullying.

Section 9 (b), (c): School psychologists are uniquely trained to play the role of the proposed Safe School Environment Specialist based on training and experience of being called upon to address bullying. Current practice of school psychology includes many functions of the proposed Safe School Environment Specialist including chairing school team meetings, identifying and understanding the function of student behavior, and collecting and maintaining confidential records relating to student behavior.

CASP endorses the training of school personnel and parents/ guardians of student on issues relating to bullying detailed in Section 9 (2) (F). Communicating incidences and school response to bullying could be disseminated through both social networking and public service announcements on school access channels as well as more traditional methods such as addressing parent groups, newsletters and student/ local newspapers.

Today's teens have the skills and knowledge to use electronic communication devises to send messages or photos without the need to see the keys. They can even use a cell phone that is in their pocket or under a desk in such cell phone free zones as the classroom. They have the ability to gain unauthorized access and use personal accounts under false pretenses. Facebook, email, twitter would be a few examples of these accounts. Issues that occur outside school have led to more students feeling harassed, bullied or ostracized for accusations- real or malicious of being a bully.

TESTIMONY OF CINDY DUBUQUE
PROPOSED BILL 1138: AN ACT STRENGTHENING SCHOOL BULLYING LAWS
MARCH 11, 2011

Honorable committee members, I appreciate the opportunity to comment on Raised Bill No. 1138, An Act Concerning the Strengthening of School Bullying Laws. I commend the legislature and strongly support training for school personnel and the creation of a Safe School Awareness Day.

I would like to tell you about a girl I know. This girl had many challenges as a child. She had difficulty hearing and was labeled by some as mentally retarded. When she started school, classmates would pick on her, steal notes out of her lunch box, and ignore her on the playground. As she progressed in school and was no longer deemed retarded because her hearing issues were addressed, other children continued to taunt her, isolate her and make her feel unwanted. Her only friend in elementary school was her teacher. In middle school, a group of students would follow her down the hallway singing the song "walk like a man, talk like a man". In addition, they would whisper words to her, calling her manly and dyke. Since she did not know what dyke meant, but assumed it was something terrible, she felt confused, lonely and ashamed. In High School, some of this girl's teachers were openly homophobic and would promote anti-gay rhetoric in the classroom. At this point in time, this girl's self esteem was very low. While she did not skip school or get poor grades, she felt withdrawn, depressed and began to have suicidal thoughts. That girl was me.

As an adult, I made the decision that I would do everything in my power to help students feel valued and protected. As an educator, I have witnessed teachers stop racist or sexist comments in the classroom, while they allowed anti-gay comments such "faggot" and "that's so gay" to be used freely. As an educator, I have heard teachers and administrators admit that they are afraid to stop the use of anti-gay language for fear of being accused of promoting a "gay agenda" in school. As an educator, I have stopped students from using the words "faggot" and "dyke", but then have become a target, subject to rumors and taunts. In one school, a student whispered "dyke" under his breath as I walked by.

Training teachers on how to address bullying is essential to creating a safe learning environment. In addition, schools must create a climate of tolerance and respect which fosters academic achievement for all students. A Safe School Awareness Day will help. However, we can do more to protect students. Adding enumerated categories that include race, religion, sexual orientation and gender identity will provide teachers and administrators with the tools they need to address hateful and bias language. Enumeration shields educators from becoming targets and helps them to feel more comfortable with enforcing policies protecting the most vulnerable students. Enumeration also lets the most vulnerable students know that they are valued and protected.

I would like to say to any students who are being bullied that I know what it feels like to be isolated. I know how much it hurts to feel alone. You are not alone. There are so many people that you don't know who care about you and want to help you. It gets better, and we are making it better for you.

Connecticut Association of Boards of Education, Inc.

81 Wolcott Hill Road, Wethersfield, CT 06109-1242 - (860) 571-7446 - Fax (860) 571-7452 - Email admin@cabe.org

Testimony regarding SB 1138

An Act Concerning the Strengthening of School Bullying Laws

I am Cal Heminway, chairman of the Granby Board of Education. I am also a former Chair and member of the CREC governing Council and Immediate Past President of CABE. I would like to offer brief remarks regarding some aspects of the proposed legislation as it applies to local districts.

It should come as no surprise to you as members of the Legislature that inappropriate student behavior is of daily concern to teachers and administrators in every district in Connecticut. Clearly, bullying does nothing to contribute to a positive and safe school environment. While bullying is of concern, it in no way encompasses the totality of inappropriate student behavior. It is reality that human behavior cannot be regulated by fiat. While a comprehensive bullying definition is likely impossible to achieve, attempting to do so does properly focus our attention on the problem.

Governor Malloy addressed Connecticut Board of Education members on Wednesday, March 8. Included in his remarks was a pledge to avoid one size fits all solutions, over regulation, and needlessly adding to our burden locally. I would ask you to review this proposed legislation and reflect on whether or not it passes any of these avoidance tests. I read it as highly prescriptive, laden with administrative requirements, and offering local boards essentially no flexibility as to organizational approaches best suited to local needs.

The mandate that districts appoint a 'safe school environment coordinator" is of particular concern as the creation of such a position could possibly create a center for a single element of student discipline and thereby diminishing the principal's authority and flexibility.

Also as written it is clear that significant additional personnel, professional, and administrative expense would be required to meet the demands of the law. Based upon the Governor's proposed budget, the Department of Education would be hard pressed to administer the program based upon "available appropriations". Demanding that local districts assign the proposed increased responsibilities "from existing school staff" will have expense implications.

In a recent discussion of this issue with high school students from around the state, they had many positive suggestions of ways to reduce the amount of bullying. Their ideas focused on education of students and staff rather than additional bureaucratic requirements. In particular, they suggested:

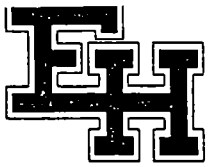
- Train and support students to help them make bullying by their peers unacceptable
- Insure that students know who to go to for help if they are bullied
- Support student self-esteem and enable them to respond to inappropriate conduct by their peers
- Utilize progressive discipline measures

While we are sympathetic to a more comprehensive bullying definition, we cannot support the fiscal, professional development, and prescriptive administrative demands that would be placed on districts. They would intrude upon local governance and would increase expense at the worst possible time. As written, it is clearly an unfunded mandate.

Cal Heminway, BOE Chair, Granby
March 11, 2011

Mr. Calabrese,
As a representative member of CAS, I am submitting the East Hartford High School testimony. Please see our attached documents. Additionally, we will be bringing copies of the Bullying Packet. Thank you for this opportunity and we look forward to speaking tomorrow.

David M. DeCarli
Assistant Principal
East Hartford High School



EAST HARTFORD HIGH SCHOOL

869 Forbes Street, East Hartford, CT 06118 (P): 860.622.5200 (F): 860.622.5223

Matthew Ryan Principal	David Decarli Assistant Principal House 12	John Fote First Assistant Principal House 11	Allison Anderson Assistant Principal House 10	Michelle Marion Assistant Principal House 9

Student Initial Agreement

Student:

I have received the "Bullying Policy to Students" according to the East Hartford Board of Education policy and administration has explained the expulsion process thoroughly.

Student Signature _____ **Date** _____

BOE Policy 5131.911(a)

EHHS Student/Parent Handbook

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Types of Bullying: DEFINITIONS

Teasing – name-calling, insulting, or other behavior that would hurt others' feelings or make them feel bad about themselves

Exclusion – starting rumors, telling others not to be friends with someone, or other actions that would cause someone to be without friends

Physical Bullying – pushing, slapping, grabbing, flicking, poking, pinching, tripping, or other violations of personal space

Severe Physical Bullying – punching, kicking, and similar behavior that could result in injury to others

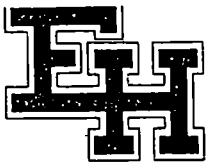
Extortion - Stole another student's money, damaged or destroyed personal property

Hazing - Forced another student to do something he/she did not want to do or threatening person to maintain silence

Verbal/Written threats of serious violence – threats of using a weapon, or other conduct which should be immediately reported to police

Harassment – racial, ethnic, or sexual name-calling or other severe harassment

Gesture Bullying-Shaking a fist at someone, threatening facial expressions, glaring or stare downs etc



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Bullying Discipline Rubric

Bully Behavior Code	Repeated Negative Behavior	First Incident	Second Incident	Third or More Incident(s)
Teasing	Called names, made fun of, spread rumors about, told lies or teased about looks or clothes	-Conference with Student -Bullying Contract Discussion/Signing -Parent/Guardian Contacted -Student's teachers contacted	-Conference with Student -Bullying Contract continuum maintained -Parent/Guardian Contacted -Bullying Contract Issued -Possible loss of EHHS activities -Possible SAT/ISS/OSS	-Bullying Contract continuum maintained -Student/Parent Conference -Possible ISS/OSS/Arrest -Possible loss of EHHS activities Possible Expulsion
Exclusion	Socially excluded, gave dirty looks at, spread rumors about or ignored a student	-Conference with Student -Bullying Contract Discussion/Signing -Parent/Guardian Contacted -Student's teachers contacted	-Conference with Student -Bullying Contract continuum maintained -Parent/Guardian Contacted -Bullying Contract Issued -Possible loss of EHHS activities -Possible SAT/ISS/OSS	-Bullying Contract continuum maintained -Student/Parent Conference -Possible ISS/OSS/Arrest -Possible loss of EHHS activities -Possible Expulsion
Severe Physical	Offensive Physical Contact (Hit, kicked, pushed, shoved around or locked indoors)	-Conference with Student -Bullying Contract Discussion/Issued - Student's teachers contacted -Parent Contact -ISS/OSS issued -Police Contacted	-Conference with Student -Bullying Contract continuum maintained -Parents Contacted - Possible loss of EHHS activities -ISS/OSS/Arrest -Police Contact ed	-Student/Parent Conference -Bullying Contract continuum maintained -ISS/OSS/Arrest -Possible Expulsion -Police Contacted
Extortion	Stole another student's money, damaged or destroyed personal property	-Conference with Student -Bullying Contract Discussion/Issued -Parent Contact -Possible loss of EHHS activities -ISS/OSS -Parents/ teachers contacted -Possible restitution	-Conference with Student -Parent/Student Conference -Bullying Contract continuum maintained -ISS/OSS/Arrest -Possible loss of EHHS activities -Police Contacted	-Student/Parent Conference -ISS/OSS/Arrest -Possible Expulsion -Possible loss of EHHS activities -Police Contacted -Restitution
Hazing	Forced another student to do something he/she did not want to do or threatening person to maintain silence	-Conference with Student -Bullying Contract Discussion/Issued -Possible loss of EHHS activities -SAT/ISS/OSS	-Conference with Student -Parent/Guardian Contacted -Bullying Contract continuum maintained - Possible loss of EHHS	-Student/Parent Conference -ISS/OSS/Arrest -Possible Expulsion -Possible loss of EHHS activities

BEGIN. BUILD. BECOME.

East Hartford high school brings together a diverse community in a safe, respectful environment where students begin the path to success in college and career, build on their skills and talents, and become informed, responsible citizens

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		-Parent Contact -Student's teachers contacted	activities -SAT/ISS/OSS -Possible police contact	-Police Contacted -Restitution
Harassment	Called names, harassed or made comments about (or actions) toward another student because of their race, religion, ethnicity, disability, sexual orientation or family	-Conference with Student -Parents Contacted -Bullying Contract Discussion/Issued -Possible loss of EHHS activities -SAT/ISS/OSS -Student's teachers contacted	-Conference with Student -Parent/Guardian Contacted -Bullying Contract continuum maintained - Possible loss of EHHS activities -SAT/ISS/OSS -Possible police contact	-Student/Parent Conference -ISS/OSS/Possible Arrest -Possible Expulsion -Possible loss of EHHS activities -Police Contacted
Threat to Humiliate/Slander **(Verbal/Written)**	Humiliated publically through total group exclusion, Internet or cell phone usage, or posting slander in public places (Social Networking)	-Conference with Student -Bullying Contract Discussion/Issued -Possible ISS/OSS -Student's teachers contacted -Parents Contacted	-Conference with Student -Parent/Student Conference -Bullying Contract continuum maintained - Possible loss of EHHS activities -ISS/OSS -Possible Police Contact	-Student/Parent Conference -ISS/OSS -Bullying Contract continuum maintained - Possible loss of EHHS activities -Possible Expulsion -Police Contacted
Gesture Bullying	Shaking a fist at someone, threatening facial expressions etc	-Conference with Student -Bullying Contract Discussion/Issued -Possible ISS/OSS -Student's teachers contacted -Parents Contacted	Conference with Student -Parent/Student Conference -Bullying Contract continuum maintained - Possible loss of EHHS activities -ISS/OSS -Possible Police Contact	Student/Parent Conference -ISS/OSS -Bullying Contract continuum maintained - Possible loss of EHHS activities -Possible Expulsion -Police Contacted

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East Hartford High School

Bullying Continuum Record

Name: _____ Date: _____

This student's referral to the office is for an incident of bullying behavior. The EHHS administrative/ counseling staff has reviewed the incident with the student. The student has been made aware of the seriousness of this behavior and has been reminded of the EHHS Bullying Policy, which includes the overarching goal of East Hartford High School, to prevent bullying and to create and maintain a safe and positive learning environment for all students. The administrator has judged the student's behavior according to the East Hartford high school Bullying Rubric and documented all details involving the bullying/harassment complaint. Action taken place and assigned consequences are noted. This Bullying Continuum Record will remain in the student's office folder for the remainder of this school year.

_____ Student Signature

_____ Administrator/Guidance Counselor Signature

Bullying Continuum Record

Date	Referred By	Bully Code	Details of Incident	Consequence	Parent Contact	Result/Other

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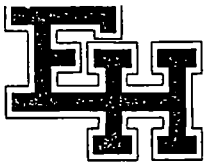

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Student & Parent/Guardian Anti-Bullying Contract

Everyone has the right to feel physically and emotionally safe at East Hartford high school. I will do everything I can personally, as a member of my school's community, to create and preserve a physically and emotionally safe environment.

Student's responsibility:

I completely understand the NO TOLERANCE BULLYING POLICY and will not bully, harass, humiliate, slander or demean my peers verbally and/or in writing where it causes them physical harm or mental distress. When I witness bullying, I will report it to a teacher or administrator.

_____ _____

Student's Name Grade

Parent/Guardian's responsibility:

I commit to encouraging my child to always respect others. I have instructed my child not to bully. I have further advised my child to report any bullying to the authorities.

_____ _____

Parent/Guardian Signature Date

Student Consequence Action Plan:

The parent/guardian understands that Bullying will result in the following disciplinary action:

_____ _____

Administrator Signature Date

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869 Forbes Street, East Hartford, CT 06118 (P): 860.622.5200 (F): 860.622.5223

Matthew Ryan **Principal**	**David Decarli** **Assistant Principal** **House 12**	**John Fote** **First Assistant Principal** **House 11**	**Allison Anderson** **Assistant Principal** **House 10**	**Michelle Marion** **Assistant Principal** **House 9**

Everyone has the right to feel physically and emotionally safe at East Hartford High School. Our expectation is that members of our school's community will create and preserve a physically and emotionally safe environment.

Proactive

- Reinforcement of our PBIS policies and philosophy
- Use of our Advisory Program
- Professional development seminars (in house) for staff
- Presentations for students
- Anonymous tip and information line
- Future creation of a Bullying Task Force

Proactive and Reactive

- Bullying Contract completion with parent and student
- Involvement of our School Resource Officer
- Counseling and/or mediation done through Student Assistance Center
- Monitoring and check-in, check-out with Behavior Managers

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Reactive

- Address student(s) and the situation immediately
- Interview students
- Written statements from all parties involved
- Request copies of evidence from witnesses
- Discipline administered in accordance with Board policies

BEGIN. BUILD. BECOME.

East Hartford high school brings together a diverse community in a safe, respectful environment where students begin the path to success in college and career, build on their skills and talents, and become informed, responsible citizens

EAST HARTFORD HIGH SCHOOL

869 Forbes Street, East Hartford, CT 06118 (P): 860.622.5200 (F): 860.622.5223

Matthew Ryan Principal	David Decarli Assistant Principal House 12	John Fote First Assistant Principal House 11	Allison Anderson Assistant Principal House 10	Michelle Marion Assistant Principal House 9

Making It Work

At EHHS we realize that curtailing bullying/harassment is an enormous task; however, it remains our goal to deliver an intense program of on-going education, prevention and support to our students. Educating young people that words can hurt and that you are not alone is a message we deliver daily. EHHS takes each suspected offense seriously and school administration will suspend, arrest and possibly expel. We are most proud of the coordination between our proactive and prevention components. Since the bullying packet and specific procedures have been instituted, EHHS is at an all time low for repeat bullying offenders. Now, students know school administration will handle all acts of bullying/harassment in and out of school when it impacts the educational process.

Suggestions

While no two bullying incidents are alike the following lists of activities within the Proactive/Reactive cycle have been extremely helpful in addressing the bullying/harassment issue.

Proactive

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Good Afternoon,

My name is Dave Maloney and I'm an Assistant Director with the Connecticut Association of Schools. As you know from the information in front of you, we represent over 1,100 schools at all levels across the state advocating for the very best interests for all of our member schools and their communities. CAS applauds the work undertaken by the legislature and looks forward to working with you and the many partners across the state on this vital concern.

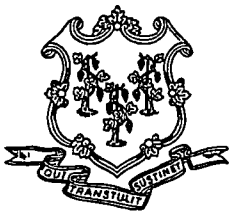
I am also a father, former teacher, coach, and school administrator. In all of those roles I have had extensive experience over the past 38 years dealing with the today's topic. While serving as Assistant Principal at Branford High School my primary focus was to build a community of learners through a comprehensive series of action plans to create a school climate that ensured the physical, emotional, and intellectual safety of every member of our community of learners. With the dedication of the faculty and student body, along with our parent community, Branford High School was one of four schools across the nation be recognized by "Operation Respect" for our positive school climate. Our challenge back then, and continues to be to this very day, is to design a systematic framework – a positive school climate with positive behavioral interventions and supports.

Decades of research have provided excellent guidance for school leaders on all aspects of bullying and mean spirited behaviors. Our focus must be on the newly developed National School Climate Standards, social skills instruction, positive school cultures, engaging instructional practices, and continuous, positive, and active supervision of student behavior and learning. Every stakeholder must be actively involved in this initiative, adults as well as students, and community members. No uniform, no metal detector, no security guard, no camera, and no school environmental specialist can do what a systematic framework of trained educators, parents, and students can do to ensure the safety and well being of our children.

CAS supports some modifications to the current proposal before you. Should we use the best research and evidence-based practices for preventing hateful, hurtful, unkind and mean spirited behaviors that we encounter? YES. Should we focus on a systematic program on positive school climate; starting with professional development, school climate surveys, data collection, action planning, monitoring and adjustment? YES. Should we require each local and regional board of education to direct, implement, and report improvement plans with regard to school climate initiatives? YES

The Connecticut Association of Schools stands ready to assist the Legislature and Department of Education in developing and implementing this important work. Connecticut has an opportunity to enact legislation that will lead the nation in this endeavor. We urge you to consider these modifications and pass this act. We cannot wait for one more student to stay at home for fear of being harmed at school!

6-25



State of Connecticut
HOUSE OF REPRESENTATIVES
STATE CAPITOL
HARTFORD, CONNECTICUT 06106-1591

REPRESENTATIVE MARY M. MUSHINSKY
EIGHTY-FIFTH ASSEMBLY DISTRICT

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Ranking Member
PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE

MEMBER
ENVIRONMENT COMMITTEE
FINANCE, REVENUE AND BONDING COMMITTEE
SELECT COMMITTEE ON CHILDREN

Testimony of Rep. Mary Mushinsky (85th) in Support of RB 1138, AN ACT CONCERNING THE STRENGTHENING OF SCHOOL BULLYING LAWS

Before the Education Committee — Public Hearing March 11, 2011

I'm here in support of long overdue strengthening of the state's bullying law, which I sponsored in 2003 after the suicide death of an eleven-year old child who had been mercilessly bullied by fellow students. I regret that in the eight years since then, children have gained access to new ways of tormenting each other—specifically, they can harass fellow students away from school by using the social network of electronic communications. We need to respond and update the law. Adolescents can be capable of great cruelty without monitoring and guidance from adults and the establishment of rules and a prevention plan to protect vulnerable students.

In my own district, a renowned private school found it had to take action against six students who posted derogatory sexual accusations on Facebook against classmates they did not like. The material quickly spread throughout the campus community and the school temporarily restricted access to Facebook and dismissed the students. In the past year, the northeast U.S. has experienced suicides on college campuses provoked by malicious attacks on students' sexual orientation. In addition to these cases, we know from research that students different from the norm are more frequently targeted--in particular, those with developmental or physical disabilities. Students under daily attack cannot concentrate on their studies, and under significant stress are at higher risk of suicide. We adults have the power, and the responsibility, to protect these vulnerable students, at least in the public schools under our jurisdiction.

The bill is a sweeping expansion and update with the important addition of cyberbullying. It is important that bullying by electronic communication remain in the bill even if a fiscal note delays other requirements. The concept of repeated use should be retained in the definition of bullying to distinguish it from a single incident. Other

important features include: the addition of acts outside the school setting (as they impact the student at school); development of a safe school plan; more rapid response and review of reports; documentation of records (to compare responses between schools); protection of reporters; training of employees (as training can reduce bullying incidents at least by half); a statewide model plan; addition of bullying prevention to in-service training; addition to beginning teacher training; and designation of a responsible coordinator for schools. These tools will allow us to determine if the incidences of bullying are declining, which should be our goal.

My own family lost a young high school student to suicide. While we will never know for certain the cause, we do know that students' brains are still developing and they may not yet have the coping skills that allow them to deflect stresses as well as adults. I thank the Education Committee for raising this bill and allowing students to learn in a safe environment.

Lydia Post
Junior, Newtown High School

SB1138

My name is Lydia Post. I am 16 years old and I am a junior at Newtown High School. My experience with bullying started in 7th grade. I had always had a tight knit group of friends and we did everything together. Starting early spring of 2007, they began saying things like "I hate red", "red is fat", "red should die", anything along the lines of that. I did not know what "red" meant and I didn't really care, so I never asked about it. I soon found out that they had labeled me as "red". When I asked them about it, they didn't deny it; they just laughed in my face and walked away yelling insults back at me.

The following week they took the bullying to a new level. The bathroom walls were covered in insults and vicious drawings of me. The desks in every classroom were covered in horrible remarks, often in sharpie so they could not be removed. I had lost every single friend I'd ever had and I did not know why. To you this may seem like petty middle school drama, but to me, my life seemed to be falling apart because every friend I had ever confided in turned against me.

I have a very close relationship to my mother and I told her everything, she consoled me and encouraged me to tell a teacher or guidance counselor. I thought telling an adult at school would only make the bullying worse. What I didn't realize was that it would have been much more effective that a teacher make them stop instead of trying to make them stop myself. I retaliated with anger which did not help. In circumstances like these, the best thing to do is to ask help from an adult. They can provide a mature perspective on the situation and help out in ways you never thought they could.

Looking back on this, even though it may have been one of the hardest thing I've had to go through, losing all my friends and obtaining an insecurity I haven't quite gotten over, I'm glad I went through this. It made me see who my true friends were. It also matured me and made me realize that not all things happen for a reason, but no matter what, you'll always learn from them.

Mary Hamula - Newtown High School Junior SB1138

It all started the winter of my sophomore year. I had a tight knit group of friends that I made from cross country and track, and I was actually in a relationship with someone in that group as well. Mid January, I ended the relationship without telling any of my friends because I didn't think it would be a big deal because the boy and I were still friends. I was dead wrong. The next day, none of my friends would talk to me. They flat out ignored me and snickered whenever I tried to talk to them. I tried to find out what was wrong, but none of them would tell me. Finally, one of the girls just told me that they flat out didn't like me anymore. I tried to talk it out with them, but they would shy away from any confrontation. It only got worse as time went on. I would try and try to fix things but they would ignore me and use it as a joke. I found a whole Facebook conversation between two of the girls calling me ugly and selfish. They even used my name as a adjective, calling each other a "Mary" when they were pretending to fight. I started getting anywhere between 10 and 40 form spring questions a day from the people in that group calling me horrible names like "whore", "slut", "fat", "bitch", "emo", "loser" and "worthless". I received anonymous text messages telling me to kill myself, and I often came into to school to find my locker dial covered in gum. What hurt the most about all this is that these were my *friends*. They had been there for me, knew my secrets, and I had really trusted them. To have them turn on me like they had made me feel alone and helpless, which was probably what they wanted. And then, my ex boyfriend and the girl who had been hardest on me began to date, and would grab each other's hands when I walked by them, and sat right in front of my locker every morning. But, looking back, what stands out the most to me is that I let it continue. I said nothing, and let them get to me from behind their computers and their gossip. And then I heard about Phoebe Prince. Phoebe, in case you don't know her story, was a 15 year old girl who lived in South Hadley, MA and committed suicide in 2010 after being relentlessly bullied by her peers. She was called names and even had an energy drink can thrown at her head while walking home from school. Three of my close friends live in the town where Phoebe lived, one of my friends was even a pallbearer at her funeral. This made her story so close to my heart. I felt like I really knew what Phoebe had been going through because I was going through something so similar. I felt so sad that the world had lost her for such a stupid reason. Hearing about what happened to Phoebe gave me the strength to realize that what was happening to me was not right, and I had to do something about it. Finally, with help of my therapist, I developed the strength to

stand up to the girl who had been the meanest to me throughout the year. I pulled her aside in the morning and had a face to face confrontation with her about all the things that she had done wrong to me and how it made me feel. She denied everything to my face. That's when I realized how stupid I had been. She had struck fear into me for almost a year, and yet she was nothing but a coward. This gave me a new strength that I had never had before. After confronting her, the mean behavior nearly stopped. They tried to get to me, since I had sort have become their inside joke. But the confrontation had proven to them that I wouldn't deal with it anymore. I had beaten the people who had kept me down for so long, and I proved to myself that if I believed in myself, I could be unstoppable. Being bullied the way I was gave me new motivation to help other people who may be experiencing the same things that I had. I knew that it was up to me to stop what happened to me and what happened to Phoebe from happening to someone else. So, I created a program in my school that evolved into a class that is taught to all freshman and sophomores called If It's Mean, Intervene. It teaches high school students to respect each other and to watch what they say. I also hope to institute a program in my school that will educate students on depression and suicide in honor of Phoebe. I also am involved with student government, student council, and Junior Statesmen of America in my school. I love making a difference in my community, and I tutor underprivileged children Sunday afternoons as well. I love knowing that I can make a difference, even though I am a teenager. If I hadn't gone through the experience of being bullied, I might not be as strong as I am today. However, that certainly doesn't make what these kids did to me right. Passing this bill will mean that each and every one of you is helping to prevent another innocent teenager from feeling the way that I felt, and it could even mean saving lives. I encourage you all to vote on behalf of this bill, and I thank you for listening.

Adam Oelberg - Sophomore Newtown High School

SB1138

Good morning, Chairman and members of the committee. My name is Adam Oelberg- I am a sophomore at Newtown High School in Newtown, Connecticut. I am here not to offer any personal stories concerning the harassment of a close friend, nor can I share my own encounters with bullying as I have been lucky enough to avoid such unpleasant circumstances. However, I *am* here because a countless amount of students all over the state cannot say the same. On the behalf of those 42% of students who claim they have been bullied by means of the internet alone[1], I, like many others, recognize that the threat imposed by bullying, perhaps due to an increase in modern technology, is much greater today than it was several decades ago. In fact, according to recent studies by Yale University, bully victims are between 2 and 9 times more likely to consider suicide than non-victims, an action that kills more than 4,000 teens annually[2].

Not only are the increasing rates of teen suicide due to bullying inconsistent with the values and individual liberties this country promises to protect, but they challenge these young adults' and children's fundamental right to safety. Many students view attending their local education facility as a risk to their basic welfare and emotional health, which might explain why approximately 160,000 students stay home from school every day for fear of being bullied.[2] In reality, however, the rise of cyberbullying has made these victims exposed even within the privacy of their own homes. And when they log onto their computers to read what comments their peers have posted, they are staring at a screen in the dark by themselves; they have no support system. It's understandable how, when teens see an extensive list of malicious remarks as soon as they check their social networking profiles, their vulnerability and emotional insecurity escalate greatly.

Hence, it must be a priority that such a support system be encouraged in an environment where the actions of adolescents can be, in most cases, supervised and regulated. Thus, the implementation of more strictly-defined statewide requirements with regards to the way bullying is handled in schools should be an imperative step towards providing American youth with the peace of mind and comfort necessary to reach their full potential, with respect to both their well being and performance. In conclusion, we cannot allow the ignorance, insensitivity, and pure hatred of an overwhelming and growing teenage influence to dictate or judge the value of the lives of their peers. A bill such as this might easily be, with both current and preventative solutions in mind, the motivational force that ends this flaw within the schooling systems and communities of Connecticut. I thank you all for your time and consideration in addressing this pressing matter.

5-25

SB1138

I am Logan West a 16 year old resident of Southington. My first experience with bullying was in the 7th grade when I was 12 years old. I guess you would say that the reason that I was bullied was racially motivated. I am of mixed race, my mom is black and my dad is white and this is something that I am very proud of. However many of my peers did not see it this way. The black girls thought I wasn't black enough and the white girls thought I wasn't white enough. Being that my school and town are not very racially diverse I felt like that left me with a huge target on my back. I was essentially tortured for 2 years both in and outside of school. I remember a group of girls ganged up on me while I waited in the rain for the school bus to take me home. They were yelling obscenities, saying mean and nasty things and calling me names – mutt, half-bread bitch, little miss wanna be white, and others too painful to repeat. At the same time they kicked, pushed and shoved me and jabbed me all over my body with their umbrellas. I was scared, afraid and didn't know what do. I had become their punching bag. I didn't want to tell anyone because I didn't want the girls to find out and terrorize me even more.

I was invited to sleep over parties...I thought they would be fun and that these girls were trying to be my friend, but it only turned out to be fun for the girls who wanted to make fun of me. At one party they passed around magazines that had pictures of me modeling in them. When I looked at the pictures, my face had been purposely cut out of everyone! You could see the other models faces clearly in each picture – but my face was gone! That same night while I was sleeping someone cut off one of my braids. I woke up with a chunk of hair missing! It was horribly short, uneven and embarrassing. I looked and felt like a fool. I no longer had a hairstyle – I just had hair! I was so angry I cried for weeks. It was devastating to realize that these girls didn't even consider me to be a real person- I was their trash.

The outside situations were easier to handle, I simply stopped going to social events. I didn't go to school dances, birthday parties, or join any school clubs. I even dropped out of our school dance team because I was too afraid that the bullies might be there too. I knew that I was missing out on what could have been great experiences. But I had to stay away because I couldn't take the chance of being the target of their rage.

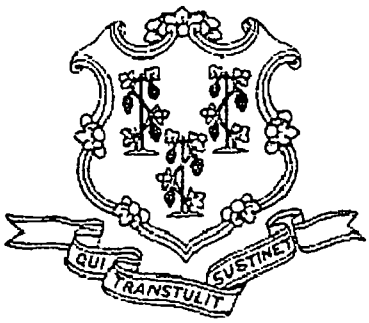
What bothered me most is that I was bullied at school and from 7th to 9th grade did not feel safe in a place where I am supposed to learn and flourish. I was verbally and physically abused on school grounds - tripped in hallways, pushed down

the stairs and spat at on the school bus.

I was always taught that when you are in over your head you should tell and adult- and I did. I reported what was going on to my teacher and when it did not seem to be getting resolved I told my mother. She even called the school and spoke to the principal. They said they would try to address it but basically their hands were tied because of the way the laws were written. Apparently, meeting and discussing my situation with the school principal was not considered an "official complaint." Because my mom didn't make a written complaint – my situation was being ignored by school administrators. That same day that my mom called and talked to the principal the situation escalated- my bully punched me in the face. She always said "I'm gonna get you" and she did. I was shocked to be physically attacked in the school cafeteria while teachers and students looked on. I was even more shocked that on the same day I was abused, a girl in a Hartford school was sliced in the face with a box cutter by her bully. I had originally felt alone, but once I heard someone else's story I instantly felt a bond with someone I had never met. I wasn't the only person being bullied, I wasn't the only target. As heartbroken as I was for what happened to me, I am thankful I didn't receive any physical scars. Mine are internal, forever inside of me and always reflected in the decisions I make, and the way I look at this world.

This did not have to happen. I know that the bully could have been stopped. During these two years of my life I lost myself and withdrew from my community.

I eventually realized that avoidance and withdrawal only stifles my growth. Now, I have decided to be an ally rather than a bystander so youth in my school can prevent bullying. We need to be proactive and ensure that all schools are required to include anti bullying programs in their curriculum. I am begging you to take this seriously so that children can feel safe in schools. You are the next step to stomping out bullying.



AFRICAN-AMERICAN AFFAIRS COMMISSION
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Testimony before the Education Committee

Friday, March 11th, 2011

12:30 AM in Room 1E

Good morning/afternoon Senator Stillman, Representative Fleischmann and members of the Education Committee. My name is Frank Sykes the Legislative Analyst with the African-American Affairs Commission (AAAC) a non-partisan state agency. This Commission is an advocate for the African-American community and for the people. We are here today to speak in support of ***HB 1138*** – *An act concerning the strengthening of bullying laws.* While I speak as a representative of an agency I am also a parent of a six year old.

The Commission supports the overall intent of this bill but with some minor concerns. Strengthening anti-bullying legislation is important for creating safer school environments and improving student academic achievement. The reasons often given for poor academic performance are lack of early childhood education, lack of after school programs and mentors etc, bullying is not often discussed. However bullying is an equally important reason for school failure. It causes dropping out of school, isolation, violence and even suicide. Each day in this nation it is estimated that a 160,000 students miss school for fear of being

bullied.[1] Bullying statistics surveys show that 77 percent of students are bullied mentally, verbally, & physically.[2] For African-American students with drop out rates significantly higher than the average, bullying is totally unacceptable in the school environment or off school grounds.

One of the concerns we have is that reports sent to the Department of Education regarding bullying complaints are very general. There needs to be more specificity regarding race, ethnicity, students profile for example whether they have special needs etc, other important indicators. This information will assist the State Department of Education (SDE) to identify trends, patterns in school bullying and ultimately assess the nature and severity of the problem.

Another concern is that students of immigrant parents and children with special needs may be the most vulnerable. A Connecticut study confirms these findings reporting that more than 50 percent of all complaints involved a student with an individualized education program (IEP) or a disability.[3] While evidence on the impact of bullying on immigrant students is limited there is consensus that individual differences in behavior, skin color, religion and culture are strong determinants in who gets bullied and who doesn't. There is language addressing culture in the bill however we believe stronger cultural sensitivity training is needed not only for staff and students but especially parents. It is our understanding that the Commission on Human Rights and Opportunity has developed informational material to educate parents about bullying. This is a good first step however all parents need to be informed and educated about different student behaviors, conditions especially in the area of cultural tolerance.

Finally we are not fully confident in a system in which the reporting of incidents to the SDE is conducted by school staff. While we respect the hard work that staff put in daily we are concerned that there is a conflict of interest, as such incidents may be under reported to avoid to the stigma of the school being unsafe. We

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[1] Center for Education Statistics, *Facts About Bullying*
[2] www how-to-stop-bullying com, *Recent Statistics on Bullying*
[3] AbilityPath.Org, Walk a Mile In Their Shoes. *Bullying and the Child With Special Needs*

would prefer to see a neutral, independent authority perform this function. In any event we are supportive of the bill because it strengthens school safety policy, fostering a more productive learning environment.

Thank you for the opportunity to testify.

Commission on Children

Testimony of Debra Zegas Berman
Parent /Teacher
Brookfield, CT

Submitted to the Education Committee
Connecticut General Assembly
March 11, 2011

My name is Debra Berman. I am the mother of a child who experienced intolerable bullying in middle school and I am also a literacy support teacher in an elementary school. I submit testimony in support of Bill S.B. 1138, *An Act Concerning the Strengthing of School Bullying Laws.*

I would first like to tell you about my daughter, Alexa. She was a lovely girl-not just physically. That was the least of it. She was a dancer, a poet, an artist, and a real humanitarian. She was the light of our family's life. That light was extinguished on August 23, 2008, when she was just 14 years old. It was her dad's birthday and just 3 days before she was to begin high school, which was significant, because she did not want to go.

Alexa took her life that day. She hung herself in her bedroom. Although numerous factors likely led to this tragic outcome, the most prominent one was the cruelty heaped upon her by girls who had formerly been Alexa's friends. For her entire 8th grade year she was shunned, demeaned, and made to feel worthless, both in school and at home via the computer – mainly through I-M's and photos - photos showing activities the girls engaged in, but excluded Alexa from.

Alexa was a sensitive girl. We adopted her from a Russian orphanage when she was three and a half years old. She had been in several orphanages prior to the one we adopted her from. Due to the abruptions in her early life, she was very vulnerable when it came to the severing of friendships. She just couldn't understand it, especially when there was no precipitating event.

This updated bullying legislation is critical if Connecticut hopes to prevent tragedies like Alexa's from occurring in the future. I deem Alexa's suicide a 'quiet' one. She did not jump off a bridge. There wasn't a large gang of bullies that were visibly tormenting her.

Alexa's suicide did not receive a lot of press and there were no famous people stepping up to rail against such a tragedy, but her death was just as tragic and left her family just as devastated. It is these 'quieter' suicides that are most prevalent in our communities. It is up to our schools to take the appropriate actions to stop them. This legislation attempts to do just that.

It is of the utmost importance that the cyberbullying clause be added to the bill. It is on the computer and other electronic devices that our youth feel empowered. When two of the girls cyberbullied Alexa they 'trapped' her by pretending to be one another. Alexa did not know who she was responding to when she was sent a message and she was often attacked when she responded back.

Bill S.B. 1138 addresses education for all staff in the schools. This is essential. I say this as both an educator and a parent. It is important to note that the training in bullying prevention is just the first step. It will take a concerted effort on every single staff members' part to truly change a school's climate.

In Sec. 10-222g. #4 the bill states that *schools will establish appropriate consequences for those who engage in acts of bullying.* These consequences, once developed, must be publicized to all students and their parents. It is imperative that they be strictly adhered to once established. The victim should be informed of the outcome once the

bullying event is reported. On point #5 which calls for *adequate adult supervision of common areas* where bullying typically occurs, it is vital that this adult supervision include certified teaching staff, not just paraprofessionals, as is the norm. Quite often, teachers are not aware of students who are bullied, or the perpetrators, because they do not see the students in these unstructured settings. Every single one of Alexa's teachers would tell you they were **shocked** that she took her life because she presented herself in class as a self-assured, outgoing young lady. If they went into the cafeteria they would have seen a much different girl.

Lastly, the legislation needs to include the responsibility of bystanders. Students are afraid to speak up when they witness bullying for fear of retaliation. The training must address the fact that studies have shown incidents of bullying decrease if reported. A correct response just might save a schoolmate's life.

If Bill S.B. 1138 passes, it will bring some measure of peace to our family because we will know that Alexa did not die in vain.

Thank you for the opportunity to comment on such an important issue.

Senator Martin Looney
Senate Majority Leader

On

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

Committee on Education

March 11, 2011

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

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

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

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

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

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

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

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

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

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

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

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

State of Connecticut
GENERAL ASSEMBLY

Commission on Children

Testimony of
Elaine Zimmerman
Executive Director
Connecticut Commission on Children

Education Committee
Connecticut General Assembly
March 11, 2011

Senator Stillman, Representative Fleischmann, and Members of the Education Committee:

Thank you for the opportunity to testify for the Connecticut Commission on Children in support of Raised S.B. 1138, *An Act Concerning the Strengthening of School Bullying Laws.*

I have chosen to begin my testimony with these names:

Hope Witsell	Justin Aaberg	Asher Brown
Seth Walsh	Phoebe Prince	Carl Joseph Walker Hoover
Christian Taylor	Tyler Clementi	Samantha Kelly

The names listed above are just some of the young people in the United States who have been bullied in the past two years – and who, as a result, took their own lives.

And two more names: J. Daniel Scruggs of Meriden Alexa Berman of Brookfield
These are two of the Connecticut children who have committed suicide as a result of bullying by their schoolmates. Daniel died in 2002 after being pushed, hit, choked, kicked, made fun of, and having his belongings stolen. His story was an impetus for the 2002 law that called on schools to take action on bullying.

Alexa died in 2008 after being cyberbullied. Former friends tormented her in person and online via instant messages and photos. Her mother testifies before this committee today. Perhaps Alexa's story will be a driving force for legislative action this year.

These accounts remind us that bullying, harassment and mean behavior – when left unchecked – can have terrible consequences. We commend the Education Committee for raising S.B. 1138 to advance a comprehensive bullying prevention effort.

Bullying has lifelong consequences. Research tells us bullying impacts learning, safety, and personal well-being. According to the Connecticut School Health Survey, Connecticut high school students who report being bullied are more likely to get less sleep, miss school because they feel unsafe, have property stolen at school, carry a weapon to school, experience dating

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violence, be depressed and attempt suicide. Schools can become violent, dangerous places where children feel unsafe to go and less able to concentrate and learn.

One in four (25 percent) Connecticut high school students – and 35 percent of the state's 9th graders – reported having been bullied or harassed on school property this past year. Over 900,000 U.S. high school students reported being cyberbullied in one year. Many elementary and middle school children also experience bullying and other mean-spirited behavior.

Kevin Jennings of the U.S. Department of Education told a packed forum sponsored by the Commission on Children in November, every school should have a clear policy against bullying behaviors, train all staff who interact with students, ensure that all staff members take immediate action when bullying is observed, and gather data to assess bullying. S.B. 1138 would take all of these steps.

S.B. 1138 contains several improvements to the bullying law. It requires swift action when bullying occurs, setting a specific timeline for action when alleged bullying occurs, requiring school employees to take immediate action, and bringing the investigation to a close within ten days. It makes all school employees – including thosee who drive the school bus or mop the floor – mandated reporters of bullying who must contact the school's bullying specialist upon witnessing or hearing any report of bullying. The definition of school employees as every adult that has regular contact with students is an essential feature of the legislation.

The bill's designation of a Safe School Awareness Day in January should be revised to become instead an entire week, perhaps called a Week of Respect, at the start of each school year in August or September for student, faculty, staff and parent dialogue on bullying and the expected role of each person in preventing it and building a positive school climate. These weeklong activities could be accompanied by simultaneous state government events and media messages designed to reinforce the school dialogue and activities.

The bill involves parents throughout the process – requiring that they be promptly notified of bullying involving their child and invited to meet with school officials. The bill also requires the school to communicate to parents the measures being taken to ensure the bullied student's safety and to prevent further acts of bullying. All parents will be given a written copy of the district's safe school environment plan (what is called a bullying "policy" under current law) each fall. Parents and students will be invited by their local school board to provide input to any proposed amendments to the district's safe school plan. The Commission supports these strategies to engage parents, along with the continued current-law language encouraging schools to involve parents in bullying prevention through school meetings and trainings.

The bill requires all school employees to be annually trained, with appropriate exceptions for schools that employ an evidence-based model approach. This is a bold expansion over the current-law training requirement for teachers, administrators, and pupil personnel. It is essential that not only those three categories but also hallway monitors, cafeteria workers, bus drivers, custodians and all employees who interact with students work from the same page on bullying prevention. S.B. 1138 gives the State Department of Education an important directive to craft a training module that provides a common starting point for every school employee to help

respond to bullying and build positive school climate. In Section 5 of the bill, we hope that teachers, administrators and pupil personnel will continue to be subject to the in-service training requirements of current law, with the hope that such training will be conducted at an appropriately high standard, even while all other employees receive "annual training" under Section 6. In other words, it would be unfortunate if an unintentional consequence of adding training for all employees were to decrease the quality of training already provided to some employees.

We also recommend the elimination of "dissemination of reading materials" (line 295) as a training option under Section 6. Such dissemination would potentially negate the purpose of this training provision by permitting employees to avoid participation in training activity. Giving someone something to read does not mean that they will be trained.

Under S.B. 1138, the State Department of Education would identify evidence-based models in bullying prevention and intervention. As the White House Conference on Bullying Prevention held yesterday revealed, those evidence-based approaches are well-known. They include, among others, multi-tiered prevention approaches, school-wide prevention activities, involving families and communities, and integrating prevention efforts. Two of the top evidence-based initiatives – identified at the conference by experts from the Johns Hopkins Center for the Prevention of Youth Violence – are the Olweus Bullying Prevention Program and Positive Behavioral Interventions and Supports (PBIS). We are very pleased that S.B. 1138 would maintain the current-law language requiring schools to have a written prevention and intervention strategy in place, and encouraging them to initiate one or more evidence-based practices.

What we consistently hear from schools is that they need help in establishing those evidence-based practices. They need expert assistance and they need funding. To address that need, S.B. 1138 would establish a statewide safe school environment resource network that could seek federal and private funding in order to assist schools through training and support.

The resource network could become a one-stop shopping source on school climate – coordinated by SDE and other state leaders such as the Governor's Prevention Partnership and the Commission on Children – to help schools take the next step toward bullying prevention. The network would help schools ensure that they adopt clear policies, meet national standards, and engage in high-quality preventive practices. It would serve as an indication to funders that Connecticut is serious about bullying prevention, and that investment in our state's school climate initiatives will pay off in positive ways for children.

We would recommend one change to the network provision: that it expand beyond serving schools to provide assistance also to community-based organizations such as the Bully-Busters group in Norwich. Anti-bullying efforts are not limited to school buildings.

The bullying definition in the bill is much improved over the current statute. It adds cyberbullying, makes clear that bullying may occur through "written, verbal or electronic communication", and eliminates the "during the school year" phrase in the current-law definition that the Commission has heard causes some school officials to "wipe the slate clean" and ignore bullying patterns that began before the current school year. The definition, along with

other language at lines 108-112, makes clear that bullying need not occur on school grounds or through school-owned property in order for schools to respond. This is an important clarification in the law, since a great deal of student bullying occurs off grounds at bus stops, on the street or through electronic means.

We propose an additional feature be added to the bullying definition: "enumerated categories" recommended by the U.S. Department of Education to clarify that bullying includes illegal acts of harassment based on actual or perceived characteristics of students. Enumeration of specific characteristics would clarify that bullying often is based on actual or perceived characteristics of students, and it would tie the state and local bullying response to federal laws prohibiting harassment based on these characteristics. The U.S. Department of Education's December 2010 memo to states on bullying policy offers an example of statutory language that would strengthen the bill's definition.

Concerning SDE's leadership role, we recommend that, at line 183, the phrase "a model safe school environment plan for grades kindergarten to twelve" be made plural ("model safe school environment plans..."). Best practices dictate that school climate strategies should differ in an elementary school from those in a middle or high school. Therefore, SDE should develop or recommend a different model plan for each school level.

We also recommend that districts be required to inform SDE of any updates to their safe school environment plan. At line 142, districts have to submit their plan to SDE by January 1, 2012, but they are not required to submit a newly revised version to SDE after any future revision of the plan in future years. The result is that SDE, which is charged at line 194 with biennial "analysis of the responsive actions taken by school districts", may not be in possession of districts' latest plans as it undertakes that analysis every two years.

In summary, we cannot accept bullying as an inevitable fact of life. When children experience a negative school climate, the result is poorer education outcomes, greater danger, increased risk of health problems – and psychological harm that can spiral out of control toward suicide and other forms of violence. According to a 2002 study by the U.S. Secret Service, nearly three-quarters of school shooting attackers in the U.S. felt bullied, threatened, attacked, injured or persecuted prior to the shooting incident.

S.B. 1138 takes important steps to avert those negative outcomes – by encouraging preventive investments in safe school climate and requiring a rapid response to bullying. The bill would help improve student learning, reduce the likelihood of depression and suicide in youth who are targets of bullying– now and well into adulthood. The Commission on Children strongly urges the bill's passage.

State of Connecticut
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VICE CHAIR
APPROPRIATIONS COMMITTEE

MEMBER
GOVERNMENT ADMINISTRATIONS AND ELECTIONS COMMITTEE
PUBLIC HEALTH COMMITTEE

Chairman Rep Fleischman, Senator Stillman and members of the Education Committee, I am Rep Catherine Abercrombie and I represent the 83rd district. I am here today in support of SB 1138. I would like to thank both of you for your leadership on this important issue.

In 2002 Connecticut wrote the first piece of legislation focused on bullying. This bill was introduced due to a suicide of a student in my home town of Meriden. In 2008 we revised our bullying legislation to reflect the changes in our schools. Today we are here to include "cyber bullying".

The current bill is very comprehensive and I'd like to bring the committee a piece that I feel is vital to this legislation; it was taken out of the original bill, Enumerated categories. Enumerated categories list the different groups in the school setting including but not limited to race, sex, religion, sexual orientation and gender identity. This category adds a layer of protection for all students and also aligns our definition with the federal definition.

I urge the committee's support of SB 1138. Thank you for the opportunity to speak on this issue.

GEORGE C. JEPSEN
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Office of The Attorney General
State of Connecticut

TESTIMONY OF ATTORNEY GENERAL GEORGE JEPSEN BEFORE THE EDUCATION COMMITTEE MARCH 11, 2011

I appreciate the opportunity to comment on Raised Bill No. 1138, An Act Concerning the Strengthening of School Bullying Laws. I commend the legislature and strongly support strengthening the school bullying laws to include cyberbullying.

The National Education Association estimates that more than 160,000 children miss school every day because of fear of attack or intimidation by other students. In addition, "six out of 10 American teenagers witness bullying in school once a day." "Bullying affects nearly one in three American school children in grades six through 10 and 83 percent of girls and 79 percent of boys report experiencing harassment".[1] In Connecticut, more than 1,000 cases of bullying have been reported since 2002.

Bullying no longer exists solely within the confines of school. With the use of cell-phones, Internet technology and social-networking sites, teenagers and pre-teens are more vulnerable to the dangers of bullying and harassment on one of the most dangerous playgrounds: the Internet. Students no longer have the refuge of home. Technology makes students easily accessible through cell phones, social-networking sites, and online gaming systems long after school closes. According to a 2009 Cyberbullying Research Center report, "approximately 20 percent of the students sampled reported experiencing cyberbullying in their lifetimes...and approximately 20 percent of students admitted to cyberbullying."[2]

While school administrators cannot always control what students do outside of school, this legislation helps administrators control cell-phone and Internet technology use in schools, teach children how to protect themselves on the Internet and create a safe school environment for children to learn. This bill also expands the scope of schools' jurisdiction to address bullying. I applaud the bill's provision addressing bullying outside the school setting. Too often students who are bullied outside of school end up being tardy, skipping classes or skipping school entirely. School becomes a hostile environment for the student, and ultimately impacts the student's ability to learn and thrive. In addition, the development of a Safe School Awareness Day is a positive step towards addressing school climate. Anti-bullying legislation alone will not foster a school climate of tolerance and respect. Raising awareness and promoting discussions

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[1] National Education Association (2011) Our Position and Actions on School Safety http //www nea.org/home/19535 htm

[2] Cyberbullying Research Center (2010), http://www cyberbullying.us/research.php

and activities around bullying, tolerance and respect will help to promote a safe learning environment for all students.

The bill also requires professional training for teachers, administrators and pupil personnel. Such training is essential. It provides teachers the tools they need to address and prevent bullying. Too often teachers and administrators feel powerless because they do not know how to prevent school violence, resolve conflicts and identify and respond to bullying. Providing necessary training will help. The bill would be even stronger, however, if it were amended to enumerate the categories of those students most often subject to harassment. Adding race, religion, sexual orientation and gender identity would provide clear guidance to school administrators and let the most vulnerable students know they are protected. According to the National Education Association, anti-bullying policies that do not enumerate the specific classes of protected students are generally less effective when it comes to creating school climates that are free of bias and harassment.[3] As the United States Supreme Court noted in *Romer v Evans,* "enumeration is the essential device used to make the duty not to discriminate concrete and to provide guidance for those who must comply."[4]

Currently, 10 states have enumerated categories in their anti-bullying laws. Research shows that "students from schools with an enumerated policy are 50 percent more likely to feel very safe at school. Students without such a policy are three times more likely to skip a class because they feel uncomfortable or unsafe."[5] Enumeration also helps school personnel. When they can point to clear language that says students are protected because of their race, religion, sexual orientation or gender identity, they feel more comfortable enforcing the policy[6]. Lastly, enumeration provides protection for school personnel who might otherwise become targets of harassment themselves.

I have always been a strong defender of civil rights and equality under the law. As a lawyer, as a parent and as a person, I am proud to stand up and say bullying and harassing behavior is wrong. Students, regardless of their race, religion, sexual orientation, or gender identity must know that they are protected. We can't ignore the problems. We must solve them. Our children are depending on us.

Thank you again for your efforts. I look forward to working with the committee on this important matter.

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[3] National Education Association (2009), Gay, Lesbian, Bisexual and Transgender Issues in Society and Education, p. 6

[4] Romer v. Evans (1996) 517 U.S. 620

[5] Kosciew, J. G., Diaz, E M. and Greytak, E.A. (2008). The 2007 National School Climate Survey: The experience of lgbt youth in our nation's schools. New York: Gay Lesbian Straight Education Network.

[6] Gay Lesbian Straight Education Network (2011) Enumeration A tool for advocates.

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BRIAN SIGMAN: In a rare moment, you got me speechless with that.

REP. LYDDY: Representative Cook says it's not in the budget so maybe when times are better. I very much appreciate the work that you're doing and I would make the assumption that the day somebody steps foot into your agency or has direct services from your staff, you're trying to get them to a point where they can be productive in the community, living independently, contributing to the community and not -- it sounds like the RBA report card is showing that. That the dollars are being used wisely.

And what I would hate to have happen is any merger unintentionally -- because I don't think the intention is to jeopardize any of that, but I think we have to monitor that RBA report card and those outcomes very carefully to make sure that this merger, if it does go forward, does not jeopardize those outcomes and what we want to see for each and every one of your children. So thank you for all you do.

BRIAN SIGMAN: You're welcome. And thank you for those kind words.

REP. MORRIS: Any further questions? Any other committee members have questions? Thank you very much.

I'd like to call Roberto Ceja and Mary McManus.

ROBERTO CEJA: Good morning, Senator Musto and Representative Tercyak and members of the committee. We have a special greeting for Representative Morris who is from Norwalk and Representative Flexer who we know from her work

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as Chair of the Speaker's Task Force on Domestic Violence.

My name is Roberto Ceja and I'm from the Center for Youth Leadership at Brien McMahon High School in Norwalk. I am joined by Mary McManus who is also a member of the Center for Youth Leadership. On behalf of the 226 student activists at the center, as well as the 91 activists in our partner program at Stamford High School we urge you to support House Bill 6588, AN ACT CONCERNING DOMESTIC VIOLENCE AND CHILD TRAUMA. We are particularly interested in Section 3, 10-222D which redefines bullying to include teen dating violence. (SB 1138)

According to the research we have reviewed as well as conversations we have had with friends, teachers and counselors at the school, bullying behaviors tend to decline after middle school. However, that does not necessarily mean that the tendency towards bullying also decreases.

There are two possible explanations for the decline during the high school years, which are, one, victims stop reporting the bullying behaviors or the bullying changes form imitating more extreme behaviors such as sexual bullying or dating violence. While we're concerned with both explanations, we are most concerned with the link between bullying and dating violence.

We started our campaign several years ago and continue it to this day because dating violence is one of Connecticut's most stubborn public health issues, with demonstrated connections to bullying school failure, birth control sabotage, drug use, suicide and adult domestic violence.

Our campaign continues because we have promises to keep to teens in Connecticut. The promise of healthy dating relationships, the promise that people my age are taught about bullying and dating violence as part of our health care curriculum, the promise that our schools remain free from bullying and dating violence, the promise that abusers and bullies are held accountable for their behaviors without placing blame for the consequences on victims. And the promise that schools adopt a policy and a protocol that responds to incidents on campus and keep the general public aware of these incidents.

MARY MCMANUS: These promises take on added significance when statistics are cited. For example, people our age who engage in bullying behavior are at greater risk for developing unhealthy dating relationships than those who have not bullied others. When compared to their peers, bullies experience more physical and social aggression with their boyfriends or girlfriends and describe their dating relationships as less emotionally supportive and having less equality.

But here are the statistics that spun our heads. According to the Connecticut Department of Public Health, one in four Connecticut high school students, including 35 percent of the 8th and 9th graders were bullied or harassed on school property in the past year. Connecticut high school students who report being bullied are more likely to miss school because they feel unsafe, carry a weapon to school and experience dating violence. And of those Connecticut students who reported verbal and physical dating violence last year, 30 percent considered suicide, 25 percent made a suicide plan and 20 percent attempted suicide.

The link between bullying and more aggressive forms of interpersonal dating violence is too clear to ignore. The same can be said for the types of prevention and intervention strategies used to address each issue. That's why House Bill 6588 is so important.

As you draft the final language for the bill, we ask that you review House Bill 1138 and consider including the following: One, the need for safety planning for students; two, policies, protocols and trainings that direct school personnel how to respond to incidents on campus; three, policies that hold abusers accountable for their actions; four, policies that protect students from unfair discrimination or retaliatory action after he or she has made a report in good faith about a suspected case of bullying or dating violence; and five, monitoring of school district's prevention, intervention and response strategies by the state Department of Education.

We know schools are asked to do a lot to support our academic, physical and emotional health. Linking teen dating violence and bullying in school safety plans will help ensure that those students who experience or witness one or both will graduate with distinction and honor. Thank you very much.

REP. MORRIS: Good timing. Questions from our committee members? Representative Flexer.

REP. FLEXER: Thank you, Representative Morris. Good afternoon to both of you. I want to thank you both for coming here this afternoon to testify and for your support of the legislation and your suggestions. We will look at those very seriously.

And I also want to thank you overall and your great teacher, Bob Cosianda, for your leadership on this issue. The things that you have brought to our attention and the information that you've been able to share with us as really informed the work of the Speaker's Task Force on Domestic Violence.

And I wanted you to also know that when I'm speaking with student groups in my district, I often tell them about you and how students really can have a real impact on the work that gets done in this building. So I want to thank both you and everyone else in the organization for your great work. Thank you so much.

ROBERTO CEJA: Thank you.

REP. MORRIS: Thank you, Representative. And other comments. And I'll add mine. Fantastic job, Mary and Roberto. So glad to have you here today and with Bob Cosianda. Certainly I want to add my words and kudos to Representative Flexer's. As an organization, your youth group has done some phenomenal work. You're great activists, you've moved a lot of policy forward in the last few years and I expect you to continue to do the same. So again, thank you very much for the work that you do on the task force and the work that you're doing all around the state to create a culture, a culture and a climate where kids can be safe in school. Thank you very much.

MARY MCMANUS: Thank you. Have a great afternoon.

REP. MORRIS: Jeanette De Jesus.

JEANETTE DEJESUS: Good afternoon. As you know, I serve as the advisor to the Governor on health reform and I'm here to speak -- to present testimony on AN ACT CONCERNING THE DEPARTMENT

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Thank you. Move to Consent, sir.

DEPUTY SPEAKER ALTOBELLO:

Question before the Chamber is whether or not to add this to Consent. Seeing no objection, so ordered.

Would the Clerk please call Calendar 568.

THE CLERK:

On page 25, Calendar 568, substitute for Senate Bill Number 1138, AN ACT CONCERNING THE STRENGTHENING OF SCHOOL BULLYING LAWS. Favorable report of the Committee on Appropriations.

DEPUTY SPEAKER ALTOBELLO:

Representative Fleischmann of the 18th, you have the floor, sir.

REP. FLEISCHMANN (18th):

Thank you, Mr. Speaker. Mr. Speaker, I move acceptance of the Joint Committee's Favorable Report and passage of the bill in concurrence with the Senate.

DEPUTY SPEAKER ALTOBELLO:

Question before the Chamber is acceptance and passing in concurrence with the Senate. Please proceed.

REP. FLEISCHMANN (18th):

The measure before us covers three principle areas. One including cyber bullying and our definition of bullying. Two, making sure that the school principal is the person who is chiefly in charge of developing anti-bullying plans. And three, making sure that every school has a school climate plan using the school climate assessment that's available for free currently.

Mr. Speaker, the Clerk is in possession of an amendment, LCO Number 7262. I ask that the Clerk please call and I be given permission to summarize. It was previously designated Senate "A".

DEPUTY SPEAKER ALTOBELLO:

Representative Fleischmann, 7260?

REP. FLEISCHMANN (18th):

7262, sir.

DEPUTY SPEAKER ALTOBELLO:

Will the Clerk please call LCO 7262.

THE CLERK:

LCO Number 7262, Senate "A" offered by Senator Williams, Representative Fleischmann, et al.

DEPUTY SPEAKER ALTOBELLO:

Representative Fleischmann on Senate "A".

REP. FLEISCHMANN (18th):

Thank you, Mr. Speaker. This measure before us makes sure that there's development of safety plans for targeted students, makes sure that we deal with the issue of youth suicide, makes sure that we protect local school boards from liability except in cases of gross negligence, and most importantly eliminates the fiscal note on the bill. I move adoption.

DEPUTY SPEAKER ALTOBELLO:

Question before the Chamber is adoption of Senate "A". The question before the Chamber's is adoption of Senate "A". Will you remark further? Will you remark further on Senate "A"? If not, I'll try your minds, all those in favor of please signify by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER ALTOBELLO:

Opposed? The Ayes have it. Senate "A" is adopted. Further on the bill as amended? Representative Fleischmann.

REP. FLEISCHMANN (18th):

Mr. Speaker, I move that this item be placed on the Consent Calendar.

DEPUTY SPEAKER ALTOBELLO:

Without seeing any objection, so ordered.

Would the Clerk please call Calendar 637.

THE CLERK:

On page 35, Calendar 637, substitute for Senate Bill Number 1160, AN ACT CONCERNING THE DEVELOPMENT OF A MODEL TEACHER PERFORMANCE EVALUATION SYSTEM, AND TEACHER TENURE LAWS AND COOPERATIVE ARRANGEMENTS. Favorable report of the Committee in Labor and Public Employees.

DEPUTY SPEAKER ALTOBELLO:

Representative Fleischmann, you have the floor.

REP. FLEISCHMANN (18th):

Ms, I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

DEPUTY SPEAKER ALTOBELLO:

Question is acceptance and passage. Please proceed.

REP. FLEISCHMANN (18th):

Thank you, Mr. Speaker. One moment, please. Mr. Speaker, the bill before us is going to be subject to a strike all amendment, previously designated Senate "A". I ask the Clerk to please call and I be given permission to summarize.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Mr. Speaker. This represents our first Consent Calendar of the evening and I move its adoption.

DEPUTY SPEAKER ARESIMOWICZ:

Will the Clerk please read through the numbers on the Consent Calendar for the Chamber's edification, please.

THE CLERK:

Calendar 99, House Bill 6429. Calendar 331, Senate Bill 980. Calendar 399, Senate Bill 883. Calendar 439, House Bill 6632. Calendar 503, Senate Bill 1110. Calendar 585, Senate Bill 212. Calendar 586, Senate Bill 227. Calendar 491, Senate Bill 799. Calendar 535, Senate Bill 1116. Calendar 568, Senate Bill Number 1138. Calendar 637, Senate Bill 1160. Calendar 569, Senate Bill 1199. Calendar 616, Senate Bill 973. Calendar 583, Senate Bill 98.And Calendar 517, Senate Bil SB1062

DEPUTY SPEAKER ARESIMOWICZ:

The question before us is on passage of the bills on today's -- Consent Calendar. Will you remark? If not, staff and guests please come to the Well of the House, members take your seats, the machine will be open.

THE CLERK:

The House of Representatives is voting by roll call. Members to the Chamber. The House is voting today's Consent Calendar by roll call. Members to the Chamber.

DEPUTY SPEAKER ARESIMOWICZ:

Have all the members voted? Have all the members voted? If all the members have voted, please check the board to determine if your vote has been properly cast. If all the members have voted, the machine will be locked, Clerk will take a tally. Clerk, please announce the tally.

THE CLERK:

On today's Consent Calendar,

Total Number voting	148
Necessary for passage	75
Those voting Yea	148
Those voting Nay	0
Those absent and not voting	3

DEPUTY SPEAKER ARESIMOWICZ:

Consent Calendar is passed.

Representative Sharkey, you have the floor, sir.

Is there business on the Clerk's desk?

THE CLERK:

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I would mark those eight items at this time and will be marking additional items at a later time. Thank you, Madam President.

THE CHAIR:

Thank you.

Mr. Clerk.

THE CLERK:

Calling from Senate Calendar for Thursday, May 26th, 2011, matters returned from committee, Calendar page 33. Calendar Number 243, File Number 427, substitute for Senate Bill 1138, AN ACT CONCERNING THE STRENGTHENING OF SCHOOL BULLYING LAWS, Favorable Report, the Committees on Education, Judiciary and Appropriations. The Clerk is in possession of amendments.

THE CHAIR:

Thank you. Senator Stillman, good afternoon.

SENATOR STILLMAN (20th):

Good afternoon, Madam President. Lovely to see you today.

THE CHAIR:

Thank you very much.

SENATOR STILLMAN (20th):

Thank you. I move the Joint Committee's Favorable Report and passage of the bill.

THE CHAIR:

Acting on approval of the bill, will you remark further?

SENATOR STILLMAN (20th):

Yes, thank you, Madam President.

This bill that is in front of us expands the types of conduct that constitute school bullying, which can target a student based on the student's actual or perceived differentiating characteristics. But this bill goes even further in the sense that it addresses actions taken through electronic communications or devices that we would consider cyber-bullying.

I do have an amendment that I would like to ask the Clerk to call and that I be allowed to summarize.

THE CHAIR:

Would you like to call the --

SENATOR STILLMAN (20th):

Yes. Would the Clerk please call LCO Number 7262?

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO 7262, which will be designated Senate Amendment Schedule "A." It is offered by Senator Stillman of the 20th district et al.

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN (20th):

Thank you, Madam President. I move adoption of the amendment.

THE CHAIR:

The question is on adoption. Will you remark further?

SENATOR STILLMAN (20th):

Yes, thank you.

What this amendment does is it addressed concerns that have been raised as we've been waiting to vote on this bill today. And what it does is it addresses some technical changes. It also addresses a concern about a timely fashion of reporting.

One of the most important changes that this amendment addresses is the fact, sadly, that we keep hearing in the news about the -- that through bullying, there have been youth suicides that have

occurred and so the bill addresses -- the amendment addresses that issue as well. And it also, in the last part of the amendment provides some protections for the local school boards in case there was just a -- sort of a minor -- a small mistake on their part, it gives them some legal protection. But of course, it does not provide immunity if there was gross misconduct or reckless behavior, and I move its adoption.

THE CHAIR:

Thank you.

Will you remark further? Senator Looney.

SENATOR LOONEY (11th):

Yes, thank you. Thank you, Madam President. Speaking in support of the amendment, I wanted to thank Senator Stillman for her work on the bill and also the underlying amendment. And I would also especially thank Senator McKinney for his work on this amendment in terms of highlighting the need to address the -- the -- the teen suicide issue which is so painful. And I would at this point yield to Senator McKinney on the amendment.

THE CHAIR:

Okay. Senator McKinney, will you accept the yield?

SENATOR MCKINNEY (28th):

I do accept the yield and thank the Majority Leader for offering to yield.

I want to thank all of those who worked on this. At the public hearing that the Education Committee had Senator Stillman may recall there were a lot of students from my district that came up, especially students from Newtown high school, which talked about the new form of bullying, the cyber-bully. Sort of the nameless, faceless attacks that can be made upon students. And with a speed and breadth of the Internet sites, the Facebooks, in the world it's incredible how fast kids can do mean things to other kids. She also may recall that I had another constituent that came in and talked about some very personal stories about youth suicide.

And the fact that, you know, nobody knows when something horrible like that is going to happen. But some of the people on the front lines of maybe seeing where someone might be in trouble are our teachers. And we ask an extraordinary amount of

things of our teachers beyond just teaching the subject which they teach. And that's why they are tremendous assets to all of us, our teachers. And many have heard me talk about my brother being a public school teacher in Bridgeport for the last 20 plus years.

But expecting a teacher to be able to see or suspect when a young man or young woman might be in danger of taking their life is a lot to ask, especially if they don't have any training. So to include the idea of training for youth suicide prevention is going to be critically important for young kids. It is a tragedy that happens far too often.

And I just want to thank Senator Stillman, Senator Boucher, the Majority Leader and others for including this. This will go a long way. And hopefully, hopefully might save someone's life in the future.

Thank you, Madam President. I yield -- I would yield the floor.

THE CHAIR:

Thank you, Senator. Will you remark further? Senator Boucher.

SENATOR BOUCHER (26th):

Thank you, Madam President. Madam President, I also rise to support the amendment and thank our Minority Leader for adding this to a very good bill, a bill that we must thank the leadership of our distinguished member of the Education Committee for moving this forward with such conviction and dedication.

This is a bill and an amendment that many in the public sometimes scratch their head and ask us, "Well, why are we doing this? Why do we have to do this?" The world has changed. And part of that change is the fast and hurried pace, particularly in the area of media and technology. And what that has done is created a situation where sometimes small, meaningless hurts can be turned into something so devastating that it can impact and be spread so virally and for such a long period of time and through a way that raises it to a completely different level of severity.

And I am proud to say that in one of my towns, the town of Westport, the students there took it upon themselves to do something about it. They didn't wait for us to pass this law. They actually

convened within their school system, with their teachers and counselors to create and organization and then produce videos, their own videos to talk about this issue, to bring it to everyone's attention, to invite us in, adults, and to really make people be aware of this.

And I think that it's unfortunate that we have to go in this direction, but it's very important that we send out a clear message that we do not want to have the terrible situation that happened only two -- recently where a young man killed himself when photographs were taken of him and others and spread throughout the Internet and it was just too much for him to bear. We don't want to lose further young lives who have great potential.

So I, again, thank my distinguished Chair of the Education Committee for moving this forward. I hope everyone will give their approval. I think it is a very good bill and we'll be here to answer any questions that anyone has. Thank you.

THE CHAIR:

Senator Bye.

SENATOR BYE (5th):

Thank you, Madam President. I also want to thank the Chair of the Education Committee for working through this and her colleague, my colleague from West Hartford, Representative Fleischmann. This is complicated stuff. It's easy to stand up and say we're against bullying and I'm sure everyone in this Chamber is. It's another thing to get the language that will make a difference for schools and will make a difference for children. And this was a lot of work and I thank Senator Stillman.

I also want to thank the Commission on Children, who brought this to my attention and brought Kevin Jennings to the state early in the session from the Obama administration who's looking out to make sure our schools are safe, and thank him and my colleague, Representative Abercrombie. This has been a passion of hers and she's been working on it as well so I don't want to forget to mention her. So I'm just standing up to thank people for their support. And I think this is an important step forward for Connecticut. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further? Senator Suzio.

SENATOR SUZIO (13th):

Thank you, Madam President. I, too, wish to stand in support of the amendment and commend Senator Stillman for the great job that she did. This is -- and also I would acknowledge Representative Abercrombie, who comes from within my district and my hometown of Meriden for her leadership on the issue as well.

My community suffered a terrible tragedy about eight years ago when one of our students, who was 12 years old at that time, did commit suicide. He took his life. He had been the subject of persistent bullying and badgering in school and it culminated with his taking his own life. So that bullying has been tragic wherever it occurs.

But in Meriden, we've felt it particularly acutely and I'm very pleased to see that we're taking the initiative to address the problem. And I want to thank Senator Stillman and everyone else who has led the way on this. And I will wholeheartedly vote for this amended version. Thank you.

THE CHAIR:

Thank you, Senator Suzio.

Will you remark further? Will you remark further?

If not, all in -- I'd ask for a voice vote. All in favor of the amendment, please say "Aye."

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted by voice vote.

Senator Stillman.

SENATOR STILLMAN (20th):

Thank you, Madam President. I just wanted to make a couple of -- inform the members of the Circle about some of the other issues that are in this very important piece of legislation and then follow it up with a couple of remarks of my own.

The bill really makes great strides in addressing the issue of bullying, especially cyber-bullying in our schools. And I think that we have to also keep in mind that as -- I applaud the students at Westport High School for doing what they've done, but not every school is as proactive. So sadly, we have to sort of help them along and to

do the kinds of things that we think create a safer school climate for our children.

And I mention that specifically because this bill mentions that specifically. It requires schools and school districts to adopt safe school climate plans. Many of them have already, and from what I understand, Connecticut is in the forefront of doing that.

And if we have a safe climate in our schools and we know our children will feel safe when they're there. And we know that our children probably spend more time in school, some days, than they do at home.

The bill also requires certified and non certified employees working in the public schools to receive annual training in how to identify, intervene and prevent bullying among students.

The state Department of Education will be establishing a statewide network to provide an analysis of and resources on school bullying in the state. They have already started to do that. So this bill has just about -- the amendment doesn't have any fiscal impact. The bill itself has a --

it's almost negligent (sic). So those are sort of the highlights of this bill.

But I too, want to thank Senator Looney, who asked us to -- to propose this issue to the Education Committee this year. And his leadership on school bullying and the fact that we needed to address it the way we have in this bill really was instrumental in helping to move this bill forward.

And I do want to thank my co-chair, Representative Fleischmann, for his work on this bill as well. As well as Senator Boucher and Representative Giuliano. This was really a joint effort from members of the Education Committee and so many people have had input which means that this bill is important to so many people.

Senator McKinney's idea was so very important as well to make the bill a better bill. And Representative Abercrombie, as was stated earlier, did work very hard in helping to craft this bill.

And I know that once it leaves this Chamber there will be an opportunity for discussions in the House. And I would be remiss if I didn't mention that Joel Rudikov, one of our Senate staffers has just worked tirelessly on this bill and trying to

make it the best it can be and I really think that it is. And I thank him for his efforts.

Sadly, we have to -- we have to address this issue of bullying, and we -- because it is so very important that we keep our children safe, that we put a process in place so that if something does occur, people know what to do, they know how to address it.

The principal in the school will take the lead in putting together an investigation and making sure that the appropriate people are addressed and that they are either taken to task or protected under this bill. And -- you know, we have done so much work in the Education Committee, not just on this issue but many others. And it's my hope that once this bill becomes law that we will really have a leg up on how to address these issues of bullying. And hopefully, with the advocacy within the schools themselves, with parents advocating on behalf of their children and the schools being there to assist as well, that we will hear less and less of the tragedies around school bullying that we do hear in the news. And I urge my colleagues to please support the bill. Thank you.

THE CHAIR:

Will you remark further?

Senator Boucher.

SENATOR BOUCHER (26th):

Thank you, Madam President. Madam President, just to remark with some final thoughts to this bill. There was some concern as we started this particular discussion about fiscal impact both on cost to the schools and personnel. And some very important changes did take place. There was some reporting that -- reporting mandates that were removed. Also, fiscal impact to the state and as far as the town is concerned, much of this is done already. There's a lot of training programs they already do. This might just be an added topic and also, any concern about mention of a specialist in the school, as the Chairman stated, typically it's the principal or the designee. So current staffing is designated to take on this role. So that it was trying to be sensitive to the needs of local school systems that, no question, are burdened already with a lot to do. But this certainly raises it to a much level of importance.

And additionally, what is unique in this is it went a long way in defining different characteristics. They were listed and it's a fairly comprehensive list. So I think that distinguishes itself amongst possibly other legislation regarding this issue.

Again, it's an important topic that I hope everyone will support today. Thank you.

THE CHAIR:

Will you remark further? Will you remark further?

Senator Kissel.

SENATOR KISSEL (7th):

Thank you very much, Madam President. A couple of questions through you to the proponent of the bill.

THE CHAIR:

Please proceed, sir.

SENATOR KISSEL (7th):

Thank you. First of all -- and I think I've related this on my local cable television program when I had some wonderful high school students on there. I can relate to bullies because there was one kid that was really big that seemed to always be

camped out on my walk home. And you know, it was one of those old fashioned kind of things and it's no fun being intimidated when you're trying to get back to your house.

And I really appreciate what this bill is all about. I can't recall how many years ago it was but I remember that at that time, the President of the Senate was Kevin Sullivan. And Peter of Peter, Paul and Mary came. And there was a special event talking about anti-bullying. I don't know if we actually came up with legislation that year. But it was to heighten our awareness. So I like everything about this bill, but I do have a question regarding the classifications in there, only because it may come up with another bill.

And it's my understanding that this whole idea of gender identity is in this bill and that people cannot be bullied regarding gender identify. And just like in the other bill that may be coming before us at some point in this session, it's a gray area to me as far as how does one understand where another person's coming from if that description is subjective.

And the notion is, the question is, is it up to the school boards or is it up to the municipalities to come up with parameters? Because I would hate to set something in motion where someone might inadvertently be considered a bully because of no ill will but a misunderstanding. And I'm just wondering what is the process to get us to address that issue that is set in motion by this legislation? Through you, Madam President.

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN (20th):

Thank you. Through you, Madam President to Senator Kissel. The bill makes it very clear in terms of defining what bullying in itself is. And that's that there's a repeated use by one or more students of a written, verbal or electronic communication such as cyber-bullying. So -- and then as it gets into those characteristics, differentiary (sic) -- differentiating characteristics that you mentioned, Senator, they are spelled out in the bill.

But it also addresses that the individual if there's a perception, et cetera. That's where the

school principal steps in. The school principal already plays that role and we will continue to have them take care of being the arbiter, in some instances, and -- and there also has to be a feeling of a hostile environment. And so it's not if somebody just called someone a name once because they didn't like the, you know, the fact that they were wearing a red shirt or that they looked a little different from them. It has to be repeated. It has to be more than once so that there is a pattern of -- of -- of what could be emotional abuse.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7th):

Thank you very much. And I think this is important for the purposes of creating legislative intent.

When -- through you, Madam President, when you say a pattern, let me throw out this scenario. And it probably would be more likely to occur with younger kids than with high school kids. I think high school kids are probably a little bit more worldly wise. But let's say it's an elementary

school. You have some parents -- and I actually have seen folks like this in our Judiciary hearing on the transgender bill saying, "You know, my son or daughter may not feel that they are the right gender for whom they believe they are and I'm encouraging them to express themselves." And it could be a sixth grader.

And I can envision let's say, maybe not through even some kind of dress, but just actions or even just saying, you know -- let's say it's a young girl by biology who feels the identity is male. And they get into some sort of shouting match with someone else in the school who may not be as knowledgeable about these distinctions. And we're talking about sixth graders and they get into a shouting match. Because I have kids and kids get in fights. And my seven year old gets in fights with his nephew who's eight and they say crazy stuff because they're kids.

And I'm just wondering, could that percolate up to the level of bullying or that would something where even if it was a shouting match for 15 minutes, that would be an appropriate time for the principal to be called in and good time for people to learn stuff, but that the kid that wasn't aware

of what was going on versus the other, more cosmopolitan young child, that the one that wasn't really aware of all of this -- I guess -- I wouldn't want anyone to be inadvertently tagged as a bully. Because then that child's parents are going to be devastated saying, "Where did we go wrong?" And I'm just wondering, you know, where could one -- could one say with pretty good predictability that there will be some pretty bright line distinctions here and that there's a mechanism where common sense will be able to intervene? Through you, Madam President.

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN (20th):

Thank you, Madam President. Through you, yes. There has to be a process put in place. The principal has to be made aware that this happened either by the child, him or herself or by a staff member of the school who may have witnessed something and brought it to the principal's attention. Then the principal has to investigate it.

There's a time frame in the bill so that these issues don't hang out there for too long. They are

addressed as quickly as possible. But one of the key words in here is that repeated -- you know, sort of abuse of power that a bully might sometimes feel.

And so that really is -- you know -- I wish we could legislate common sense, but we can't. We know that. We keep trying, but we can't. And so that's -- that's where having the safe school climate plan and having the principal be the key individual within the building is so very important. Through you, Madam President.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7th):

Thank you very much. I appreciate that answer.

And one last question for the purpose, again, of legislative history (sic), would repeated -- could repeated be something that necessitates more than one day or could repeated be several occurrences within a day but broken up by at least an hour. In other words, what -- what is sort of the proponent's idea of what repeated means? Is it defined in the bill? Or can we sort of sketch out what it is so that we give a little bit of guidance

to folks that are going to put this policy into place? Through you, Madam President.

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN (20th):

Thank you. Through you, Madam President. Again, that's where the principal's discretion has to come into play. Certainly if a child was -- received a text in the morning, because we are talking about cyber-bullying, it's not just on the playground or waiting at the school bus. They receive some kind of communication electronically in the morning. And then they got it again in the afternoon and they brought it to the principal's attention because they were afraid to go home. As long as it's more than once then it can raise a level of concern. And the child can report it under this bill. And if it's in the course of a couple of days or something, certainly that would fall under repeated. So -- you know, those are the guidelines that need to be established within the building.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7th):

Thank you much. So it doesn't have to be over the course of days is what I'm hearing. What I'm hearing is separate distinct incidents could even be separated by as little as ten or 15 minutes. But if there's more than one and they create in the individual who feels targeted a feeling of apprehension such that they feel intimidated and quote, unquote, being bullied, that that actually could form the grounds. But we are leaving enough latitude such that the principal could then be the arbiter of that particular situation. Through you, Madam President.

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN (20th):

Thank you. Through you, Madam President. That is correct. But it also could be that the parent brings it to the principal's attention. Hopefully, our children feel comfortable talking to their parents if they are experiencing this. And so it can be either the student in the school or the parents that bring it to the principal's attention.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7th):

Thank you. I appreciate all those answers. It's a -- it's a complicated -- our world is moving so fast. It's just -- you know, I watch these commercials at home with my 15-year-old. I have a 15-year-old and a seven-year-old. And, you know, I figure if I just wait there's going to be a new iteration of technology. I mean I don't know whether it's good to have a big thing that shows me everything that's on the Internet, a little hand held device, you know, all of this stuff. And my poor legislative aide, because right now, I'm not even flying with a cell phone. I'm sort of in prehistoric times.

But the downside, the huge downside to our electronic communication is so much communication is now done behind a veil. And people feel that they can get away with a lot more if they're doing it from a distance.

I mean, it's one thing to stand right there next to someone and sort of get in a shouting match with them. I'm not saying that's a good thing, but at least you're -- you can see what your behavior impact is having on another individual.

We hear story after story after story of individuals hiding behind the web, hiding behind electronic technology and feeling emboldened. There are stories even in the business world where a supervisor is much more perhaps callous or demeaning to the people he or she is supervising if it's all done via email and if you got called into that person's office, they're sweet as punch. What's going on there? People sometimes feel emboldened if they can do it just via text. And so we're always racing to try to keep up with technology for all the folks that poured so much time and effort into this legislation, they've done a tremendous, tremendous job.

And it would be remiss of me if I didn't comment on the suicide prevention piece as well. I don't know the exact statistics. But it's my understanding that in our neck of the woods, not just young people, but there's an awful lot of folks that do commit suicide. It doesn't tend to be very much reported. And especially when it comes to young people -- and by the way, I started off this discussion by saying I had these young people talking about bullying efforts in Suffield and

Somers and Enfield. And we did get around to a discussion of sometimes it can be so bad that a young person would take their own life. And what I was informed of is that there are more incidents than we might like to believe where if that takes place for very understandable reasons, the parents say they don't want that information to go out.

And we are thus unable to learn the life lessons of what took place. And these young people, without mentioning names, were very candid and said, "Oh yeah, it was a junior in our high school that killed themselves last year because they felt bullied, but we're not allowed to talk about it and the school administrators were asked by the parents not to talk about it, but we know because the grapevine. They know it took place. And so we're trying to help."

They've created programs where the older students act as mentors to the younger students. One of the things that actually has seemed to work in the school system is that we talk about teachers, we can talk about principals, we can talk about parents.

But one facet that really has been borne out as working, at least in the towns that I represent, is the creation of mentors. And so seniors each year in some of these high schools volunteer and the freshman and sophomores and other students get assigned an individual and the older students are trained in listening and actually problem solving and breaking down some of these issues.

And it's been found that -- and we all know it implicitly, kids are going to go tell another kid much quicker than they're going to tell their mom or dad. And so that process works.

So I don't know if we can build that into this or if that could be contemplated in here, but there's so many different ways that we can make this work. Really, nothing is worse than being bullied if you're in school. You have nowhere else to go. You're supposed to be there. You want to do well. You have tremendous pressures in our economy to get good grades. Some kids are just not going to be able o get into college unless they get some scholarships. And when you lay on top of that the fact that somebody may be intimidating you and

you're at a particularly vulnerable part of your life, adolescence, it's a very heady mixture.

And I really want to thank and commend Senator Stillman for her hard work on this bill and I'm happy to support it. Thank you, Madam President.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Welch, good afternoon, sir.

SENATOR WELCH (31st):

Good afternoon, Madam President. Thank you. I, too, rise in support of this bill and I applaud those who had the hands and the heavy lifting to get this done. My household consists of a range of children beginning at 13 down to three with two years apart everywhere between. And so between them and their friends, I have a very active household and a real good sense on the pulse of what's going on out there in the lives of our youth.

And this is a very serious problem. It tends to peak in the middle school years, towards the end of the elementary school years. I think like Senator Kissel said, as they move on into high school, there's a little more sense of worldly

wiseness (sic) and much more maturity there. But it -- to a person as a talked to the youth of Connecticut about this issue -- to a person they will identify as a differentiating factor between what we might have gone through as children and what they're going through today as the Internet. And the modes and the means and the speed of which the stuff can travel and transport and really negatively hurt our young people. So thank you, Senator Stillman. Thank you, colleagues. I, too, rise in support of this bill. Thank you, Madam President.

THE CHAIR:

Thank you, Senator.

Will you remark further? Will you remark further? If not -- oh, I'm sorry. Senator Looney.

SENATOR LOONEY (11th):

Thank you, Madam President. Rising in support of the bill as amended. I, again, wanted to thank Senator Stillman for her leadership, along with her co-chair, Representative Fleischmann, on this issue in terms of managing through the committee process, dealing with the variety of concerns that came up along the way.

This bill is an indicator of how advancements in technology and communications sometimes run ahead of and outstrip our capacity to deal with problems and then have to be addressed in a supplementary way.

So we passed an initial bullying act several years ago, as did many other states. But, unfortunately, we've seen Internet bullying, cyber-bullying, other forms of -- of creative and perverse and really malevolent forms of bullying have become fairly commonplace since that time and needed to be addressed in state legislation.

And we looked over the -- over the interim, at some model legislation from states like Massachusetts and New Jersey that have some very tragic and high profile cases involving cyber-bullying that in some cases did result in the suicide or attempted suicide of young victims. So their concerns and the measures that were taken that were incorporated into what out Education Committee grappled with in a very, I think, skillful way to take the very best of what had been seen as model legislation developed in other states, and

incorporated into what is going to be presented to our General Assembly this year.

I again want to thank Senator Stillman for managing that entire process. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further? Will you remark further? Senator Stillman.

SENATOR STILLMAN (20th):

Yes. Thank you, Madam President. If there isn't any objection I'd like to ask to place this on the consent calendar.

THE CHAIR:

Seeing no objection, so ordered.

Mr. Clerk.

THE CLERK:

Favorable Reports Calendar page 9, Calendar number 400, file number 641, Senate Bill 1096, AN ACT CONCERNING THE CRIMINAL POSSESSION AND SEIZURE OF FIREARM AMMUNITION, Favorable Report, the Committee on Judiciary. Clerk is in possession of amendments.

THE CHAIR:

Senator Coleman. Good afternoon, sir.

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indicated and that the agenda be incorporated by reference into the Senate Journal and the Senate Transcript.

THE CHAIR:

So noted. So moved.

Mr. Clerk -- or Senator Looney.

SENATOR LOONEY (11th):

Yes, Mr. President. Mr. President, I would ask the Clerk to call the first Consent Calendar at this time.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Immediate roll call has been ordered in the Senate on the Consent Calendar. Will all Senators please return to the Chamber. Immediate roll call has been ordered in the Senate on the Consent Calendar. Will all Senators please return to the Chamber.

Mr. President, the first Consent Calendar.

THE CHAIR:

Please don't leave the Chamber, Senators.

THE CLERK:

Mr. President, there is two items placed on the first Consent Calendar beginning on Calendar page 3, Calendar Number 168, Senate Bill Number 1072, and Calendar page 33, Calendar Number 243, substitute for Senate Bill 1138.

Mr. President, that completes the items placed on the first Consent Calendar.

THE CHAIR:

Thank you, Mr. Clerk.

The machine is now open. Please vote.

THE CLERK:

The Senate is voting by roll on the first Consent Calendar. Will all Senators please return to the Chamber to ensure that their vote is properly cast. The Senate is now voting by roll call on the second Consent Calendar. Will all Senators please return to the Chamber to ensure that your vote is properly cast.

THE CHAIR:

Have all members voted? If all members have voted, please make sure the vote is accurately recorded. If all members have voted, the machine will be closed and the Clerk will announce the tally.

THE CLERK:

The motion is on adoption of Consent Calendar Number 1.

Total Number Voting	36
Those Voting Yea	36
Those Voting Nay	0
Those Absent, Not Voting	0

THE CHAIR:

Consent Calendar passes.

Mr. Clerk.

THE CLERK:

Calendar page 9, Calendar Number 357, File Number 575, substitute for Senate Bill 1201, AN ACT CONCERNING PATIENT ACCESS AND CONTROL OVER MEDICAL TEST RESULTS. Favorable report of the Committee on Public Health.

(President in the Chair.)

THE CHAIR:

Senator Gerratana.

SENATOR GERRATANA (6th):

Thank you, Madam President. I move acceptance of the Joint Committee's Favorable Report and