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A STUDY OF THE INFLUENCE OF PARENT ADVOCACY, MEDIA COVERAGE, AND
SOCIAL EVENTS ON STATE LEGISLATION ON BULLY-SUICIDE PREVENTION

by

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A dissertation submitted in partial fulfillment of the requirements
for the degree of Doctor of Education
in the Department of Educational Research, Technology and Leadership
in the College of Education
at the University of Central Florida
Orlando, Florida

Spring Term
2012

Major Professor: Kenneth Murray

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ABSTRACT

The focus of this study was to ascertain what, if any, were the commonalities and differences between and among bully-suicide victims between the ages of nine and eighteen. The focus of this study additionally was to determine to what extent, if any, was there a relationship between parent advocacy, media coverage, and/or a social event related to bully-suicide and the implementation or amending of state anti-bullying legislation. Bully-suicide victims ($N = 92$) from throughout the United States whose information was available through Internet search engines were included in this study. Further, state legislators ($N = 50$) who sponsored their states most recent anti-bullying legislation also were included. State legislators who provided direct responses to the request to participate answered four interview questions regarding their sponsorship of anti-bullying legislation. Commonalities between bully-suicide victims were analyzed to determine if particular demographics had an equal likelihood of occurrence. Legislator responses to the interview questions were analyzed for themes using a phenomenological research method.

Through an examination of the research results and related literature, the researcher determined that there was a statistically significant deviation from equal likelihood of groups for bully-suicide victims who were male, high school-aged, or targeted due to appearance or sexual orientation. Further, bully-suicide victims were most frequently subjected to verbal bullying. Evaluation of the data also unveiled that parent advocacy, media coverage and social events related to bully-suicide were related to state legislator sponsorship of anti-bullying legislation.

This work is dedicated to my son, Kellen James Baskett, for his love, patience, understanding, support and good spirit throughout this entire process. My hope is that experiencing this journey with me has instilled in you the values of hard work and dedication. My heart will remain forever on your sleeve. May God bless you always, my love.

Dream big dreams, Kellen!

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My committee members, through their collective strengths and expertise, have all been instrumental throughout the process of completing this dissertation. The guidance provided,

lessons learned, and values instilled from each and every member of my committee assisted not only with the completion of this dissertation, but with providing guidance and direction for my life as a school leader. Now I can change the world.

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I offer my gratitude to all of the legislators who took their time to answer my interview questions. May the information provided help us all learn more about protecting children from bullying victimization. I also thank all legislators who stand up against bullying to sponsor and fight for legislation to protect our nation's youth.

To the children of the world who believe death is the only escape from bullying, I implore you to stay strong. Your strength is a testament to us all. May we all one day come together in mutual respect and admiration for individuality and love for the differences between us. God loves you just the way you are.

Behind this dissertation stands those I treasure most in this world, my family. I honor my mom, Nancy Mickel, whose belief in me knows no bounds. I would not be who I am today without your faith in me and the unconditional love, understanding and acceptance you have given me throughout my life. I honor my dad, Stephen Mickel, who never stopped pushing me to excel. You believed I could do better when I didn't believe it myself. I honor my husband, George Benitez, who never missed even one of Kellen's baseball games when I was rushing off

to class. You played the roles of mom and dad more times in the past three years than I can recall. I honor my son, Kellen Baskett, for just being who you are. You are loving, kind, generous, intelligent and the most amazing kid I have ever met. Making your life better is my ultimate inspiration. To my family, I love each and every one of you more than you know.

Finally, and most prominently, I thank my Lord and my Savior, Jesus Christ. “But those who hope in the Lord will renew their strength. They will soar on wings like eagles; they will run and not grow weary, they will walk and not be faint” (Isaiah 40:31 New International Version).

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CHAPTER 1

THE PROBLEM AND ITS CLARIFYING COMPONENTS

Introduction

Bullying is an issue plaguing many students on a daily basis within American schools. Being a victim of bullying may increase an individual's risk for suicidal ideation and suicidal behavior (Rigby, 2001). In order for educators and administrators to effectively assist in ending bully-suicides, educators must be made aware of the commonalities and differences among and between adolescents who commit bully-suicide. Furthermore, there has been a dramatic increase in state anti-bullying legislation within the past decade (Limber & Small, 2003). Parental advocacy, media coverage, and social events can play a key role in gaining the attention of state legislators regarding the need for anti-bullying legislation. In an attempt to eradicate bullying, much of this legislation has been implemented due to high profile cases of bully-suicides (Aarons, 2010). It was these issues of bullying and suicide in relation to parent advocacy, media coverage, social events and state legislation, which were the topics of this study.

Bullying

Bullying has been described as a repeated, intentional, and harmful act toward an individual by another individual or group of individuals in a relationship characterized by a perceived or real imbalance of power (Olweus, 2010). Bullying can take form in several ways, including physical, verbal, relational and reactive bullying (Beale, 2001). Physical bullying can involve hitting, kicking, and property damage. Verbal bullying encompasses name calling,

teasing, and using words to hurt. Relational bullying takes form more covertly and involves shunning an individual from a group or activities. Reactive bullying involves individuals who are both victims of bullying and bullies themselves (Beale, 2001). Further, with increased access to cell phones and the Internet, cyberbullying is becoming an increasingly used method for bullying (Hinduja & Patchin, 2008). Cyberbullying has been defined similarly to that of bullying, with the exception that cyberbullying occurs via electronic means, such as through text messaging on a cell phone or social networking sites on the Internet (Smith et al, 2008).

Bully-Suicide

Bully-suicide, also known as bullycide, is the taking of one's own life due to bullying victimization (Marr & Field, 2001). Many adolescents in the United States have been victims of bullying, with a significant number of these adolescents also becoming victims of bully-suicide. According to Hinduja and Patchin (2010), adolescents who are subjected to any form of bullying are more likely to experience an increase in suicidal ideation. Further, adolescents who are victims of conventional bullying are 1.7 times more likely to have attempted suicide than adolescents who have never been victims of conventional bullying, while adolescent cyberbullying victims are 1.9 times more likely to have attempted suicide than adolescents who have never been cyberbullying victims. Kim, Koh, and Leventhal (2005) also report that adolescents who are involved in school bullying are more likely to have increased experiences with suicidal ideation and suicidal behavior than adolescents who have never been involved in school bullying.

Factors that Could Lead to Legislation

Parent Advocacy

It is possible that when a child commits suicide due to bullying, his or her parents become anti-bullying advocates, fighting for and demanding state legislation to prevent further incidents of bullying and victimization. This was the case for Debra Johnston, whose son Jeffrey committed bully-suicide after relentless victimization (Franks, 2010). After a three-year, relentless fight in the Florida state legislature, the Jeffrey Johnston Stand up for All Students Act was passed in 2008. The passage of this law was due, in much part, to the perseverance of Jeffrey's mother, Debra Johnston.

Media Coverage

It is also possible that highly-publicized media coverage of bully-suicides can induce state legislators to create anti-bullying laws. In Massachusetts, Phoebe Prince committed suicide in January, 2010, after enduring months of bullying and cyberbullying from several classmates. The story of 15-year-old Phoebe Prince received national media attention. According to Aarons (2010), the governor of Massachusetts, along with the state legislature, was led to enact strict anti-bullying legislation in the wake of Phoebe Prince's bully-suicide.

Social Events

A further possible reason for the enactment of state anti-bullying legislation is social events. In 1999, prior to the shootings at Columbine High School, there were no state anti-bullying laws pertaining to students in existence within the United States (Olweus & Limber, 2010). Within three years after the Columbine incident, fifteen states had enacted anti-bullying

legislation. Limber and Small (2003) further indicate that while fifteen states implemented anti-bullying legislation post-Columbine, several other state legislatures were considering similar legislation in the wake of school shootings.

Legal Issues for Schools

As an awareness of bully-suicide victims such as Phoebe Prince has increased, there has been much condemnation of school administrators and educators for their perceived lack of appropriate response to prevent bullying and school administrators' failure to notify parents of the bullying that occurred (Aarons, 2010). Through the implementation of state anti-bullying legislation, school employees have become more accountable for their role in preventing bullying through compliance with the laws. According to Limber and Small (2003), most state anti-bullying laws require school districts to create bullying policies. Further, many laws suggest that bullying prevention programs be implemented within schools and that school employees receive bullying prevention training (Limber & Small, 2003).

Statement of the Problem

To date, there is insufficient information concerning the issues of bullying, bully-suicides and the impact of bully-suicides on state legislation. According to the National Center for Educational Statistics (2010), one-third of adolescents are bullied at school. Although this statistic is indicative of a problem plaguing our schools, bullying has been frequently seen as a normal part of growing up. Recently, the topic of bullying has gained significant attention from the media, schools and state legislators. Further, researchers are becoming more aware of the

detrimental emotional effects of bullying on victims (Arseneault, et al 2006; Hinduja & Patchin, 2010). There is an increased awareness of victims of bullying engaging in suicidal ideations and suicidal behavior (Kim & Levanthal, 2008; Kaminski & Fang, 2009). With increased awareness, there has been an increase in demand for schools to be held responsible for helping and protecting victims of bullying. Additionally, parents are calling on schools to help combat bully-suicides. To this end, many state legislators have recently enacted anti-bullying laws that require schools to implement anti-bullying programs (Olweus & Limber, 2010).

Purpose of the Study

According to the Centers for Disease Control and Prevention (2010), suicide is the third leading cause of death among adolescents. Within a regular adolescent classroom in the United States, it is probable that 3 students have attempted suicide at some point in time (American Association of Suicidology, 2011). Furthermore, the American Association of Suicidology (2011) has indicated that most suicide attempts made by adolescents are triggered by conflicts of a personal nature. According to Cleary (2000), adolescents who are victims of bullying are 2.61 times more likely to attempt suicide than adolescents who have never been victims of bullying.

There is research (Nansel, 2001; Swearer & Cary, 2003), which has been conducted on bullying. However, there is substantially little research on bully-suicides. Further, there is a paucity of research pertaining to parent anti-bullying advocacy in relation to the enactment of state anti-bullying legislation. In order to implement effectively anti-bullying programs and eradicate bully-suicide, school educators and administrators must understand the influence that bully-suicides and parent advocacy have on schools and the implementation of

state legislation. In this regard, the purpose of this study was two-fold: 1) to investigate the commonalities and differences among and between victims of bully-suicide; 2) to examine factors that could influence the implementation or amending of state anti-bullying legislation.

Conceptual Framework

Individuals go about their days in constant interaction with others. There is no solitary life to be found within a society. Therefore, it is of importance to understand the interaction between individuals and their environments. According to Lewin (1936), the behavior displayed by an individual is a result of the interaction between both the individual and the environment in which he or she exists. This interaction is apparent in comprehending a behavior such as bullying. Specifically, people live in many environments, including homes, communities and schools. Within the interactions between the individual and these environments lies concerns and risks for exposure to bullying (Swearer, 2011).

Victims of bullying must deal with emotional and psychological issues that individuals never victimized by bullies do not have to face. Dealing with this type of stress can lead adolescents to engage in self-harm. According to General Strain Theory, as developed by Agnew (1992), when an individual experiences strain in the form of social relationships, he or she is more likely to engage in deviant or criminal behavior. This strain should be regarded in terms of several specifications. Specifically, Agnew (2001) postulated that deviant behavior is more likely to occur when exposure to social conditions are perceived by the individual to be unjust and in high extent. Further, deviant behavior is more likely to occur when an individual exposed to strain lacks in coping skills (Agnew, 1992). Additionally, the individual exposed to strain is

more likely to engage in deviant behavior due to an increase in experiencing of negative emotions (Agnew, 1992). While many consider deviant behavior to involve external acts, apparent and visible to all, it is important to consider self-harm as another type of deviant behavior (Hay & Meldrum, 2010). In a study conducted by Hay & Meldrum (2010), middle and high school students who were victims of bullying were found to have significantly more negative emotions than those who were not victims of bullying. Further, it was found that victims of bullying were also more likely to engage in or think about self-harm. However, suicidal thoughts and behavior were moderated when the bullying victim had authoritative parents and were high in self-control (Hay & Meldrum, 2010).

Research Questions

1. What, if any, are there commonalities and/or differences between and among bully-suicide victims between the ages of nine and eighteen (e.g. age, gender, reason targeted, type of bullying subjected to)?

: There are no commonalities between and among bully-suicide victims between the ages of nine and eighteen.

2. To what extent, if any, is there a relationship between parent advocacy, media coverage, and/or a social event related to bully-suicide and the implementation or amending of state anti-bullying legislation?

: There is no relationship between parent advocacy, media coverage and/or social events related to bully-suicide and the implementation or amending of state anti-bullying legislation.

Definition of Terms

The following definitions were supplied to explain the vocabulary used in this study. The terms are defined in accordance with their significance and context within the study.

Bullycide--This is a combination of the words bully and suicide. Bullycide is suicide that occurs due to the effects of being bullied (Marr & Field, 2001).

Bullying --Bullying is “an aggressive behavior or intentional harm doing that is carried out repeatedly and over time in an interpersonal relationship characterized by an actual or perceived imbalance of power or strength” (Olweus, 2010, p. 125).

Bully-Suicide--Bully-suicide is when an individual commits suicide as a result of being subjected to bullying (Marr & Field, 2001).

Bully-victim--Bully-victim is another name for a reactive bully. A bully-victim is an individual who is both a bully and a victim of bullying (Beale, 2001).

Cyberbullying--Cyberbullying is “an aggressive, intentional act carried out by a group or individual, using electronic forms of contact, repeatedly and over time against a victim who cannot easily defend him or herself” (Smith et al, 2008).

Media Coverage--Media coverage includes all news reports of bullying incidents via outlets including newspapers, television, journals, radio, and the Internet.

Parent Advocacy--Parent advocacy is when the parent of a bullying victim contacts a state legislator directly to promote the implementation or modification of anti- bullying legislation.

Physical Bullying--This type of bullying is carried out physically, such as through hitting, kicking or property damage (Beale, 2001).

Reactive Bullying--This type of bullying occurs when an individual is both a victim and a bully. Often, this form of bullying is difficult to identify because the bully can seem to be the victim. Further, the reactive bully is often impulsive and instigates encounters with bullies (Beale, 2001).

Relational Bullying--This type of bullying is carried out by trying “to convince peers to exclude or reject a certain person or people and cut the victims off from their social connections” (Beale, 2001). This type of bullying is “linked to verbal bullying and usually occurs when children (most often girls) spread nasty rumors about others or exclude an ex-friend from the peer group” (Beale, 2001).

Social Event--A social event is an event involving bullying such as an incident in which the victim of bullying retaliates in an attack on the school or members of a particular class, such as homosexual teenagers, commit suicide independently but within a close proximity of time. Social events also included increased bullying issues due to modern technology, including the increased use and access to the internet and cell phones.

Suicidal Ideation--Suicidal ideation includes “thoughts of harming or killing oneself” (Centers for Disease Control and Prevention, 2011).

Suicide--Suicide is a “death caused by self-directed injurious behavior with any intent to die as a result of the behavior” (Centers for Disease Control and Prevention, 2011).

Suicide Attempt--A suicide attempt is “a non-fatal self-directed potentially injurious behavior with any intent to die as a result of the behavior. A suicide attempt may or may not result in injury” (Centers for Disease Control and Prevention, 2011).

Verbal Bullying--This type of bullying is carried out using words, including name calling, teasing, and using words to hurt (Beale, 2001).

Methodology

Kim & Leventhal (2008) conducted a methodical review of previous studies involving the relationship between bullying and suicide. It was found that, in spite of methodological limitations and study differences, there was a clear relationship between involvement in bullying and increased incidents of suicidal ideation and behavior. Due to this significant finding, it is imperative to examine the possible commonalities and differences among and between victims of bully-suicide.

Bully-Suicide data were collected for children in the United States who committed suicide due to bullying when they were between the ages of nine and eighteen. Quantitative descriptive data, including age, gender, reason targeted, and type of bullying subjected to, were compiled from known cases of bully-suicide through Internet search engines and the data were analyzed. Parent advocacy, media coverage, social event and state anti-bullying legislation data were obtained through Internet search engines and contact with legislators who sponsored the corresponding state legislation. Parent advocacy, media coverage, social event and state anti-bullying data were then analyzed using qualitative procedures. Appendix A contains the questions asked of state legislators who sponsored their state's most recent anti-bullying legislation.

Table 1

Research Questions, Data Sources and Statistical Procedures

Research Question	Data Source	Statistical Procedure
<p>1. What, if any, are the commonalities and/or differences between and among bully-suicide victims between the ages of nine and eighteen (e.g. age, gender, reason targeted, type of bullying subjected to)?</p> <p>: There are no commonalities between and among bully-suicide victims between the ages of nine and eighteen.</p> <p>Independent Variables: age, gender, reason targeted, type of bullying subjected to Dependent Variable: bully-suicide</p>	Internet search engines	Chi Square Goodness of Fit, Descriptive Statistics
<p>2. To what extent, if any, is there a relationship between parent advocacy, media coverage, and/or a social event related to bully-suicide and the implementation or amending of state anti-bullying legislation?</p> <p>: There is no relationship between parent advocacy, media coverage and/or social events related to bully-suicide and the implementation or amending of state anti-bullying legislation.</p> <p>Independent Variables: parent advocacy, media coverage, social event Dependent Variable: legislator sponsoring of state anti-bullying legislation</p>	Direct contact with legislators who sponsored state anti-bullying legislation, Internet search engines	Phenomenological Analysis

Research Process

The researcher gathered bully-suicide data through various websites via Internet search engines. The data was compiled for 92 cases of known bully-suicide victims. The data for parent advocacy, media coverage, social events and state anti-bullying legislation for the most recent anti-bullying legislation in the 50 states were obtained first through emails with the legislators who sponsored the anti-bullying legislation. For those cases in which data was not retrievable through this method, the researcher contacted the state legislator who initially sponsored the anti-bullying legislation via telephone. For those legislators who did not respond to requests to participate, data was obtained through Internet news articles.

Population and Sample

The population for this study included all children in the United States who were determined by at least one source to be victims of bully-suicide when they were nine to eighteen-years-old. Further, the population for this study included the state legislators in all 50 states who sponsored the state's most recent anti-bullying legislation.

The sample for this study included ninety-two cases of bully-suicide victims that could be found through Internet search engines including parent-created websites, memorial websites, media coverage websites, anti-bullying websites and suicide-related websites. Further, the sample for this study included those state legislators who affirmatively responded to researcher requests for information regarding their sponsorship of state anti-bullying legislation.

Instrumentation

Internet search engines were used to collect data regarding cases of bully-suicide victims, including age, gender, reason targeted, and type of bullying endured. Qualitative data from legislators who sponsored state anti-bullying legislation were collected through email and telephone requests for information. All legislators were asked four questions (Appendix A).

Data Collection Procedures

The researcher completed exhaustive Internet searches for cases of bully-suicide victims in the United States who became bully-suicide victims when they were between nine to eighteen-years-old. Information was initially transcribed into an Excel Spreadsheet. The data obtained included age of victim, gender of victim, reason targeted, and type of bullying endured. After all data were obtained for all 92 cases, the data were coded and entered into SPSS for statistical analysis. The researcher also contacted legislators in all 50 states who sponsored the state's most recent anti-bullying legislation. This contact was initially made via email. For those legislators who did not respond to the email request, the researcher called the legislator on the telephone to obtain the requested information. If after multiple attempts to obtain the requested information a state legislator did not respond to the researcher, the researcher then obtained the information from Internet news stories.

Data Analysis

For this research, quantitative data analysis was performed to determine commonalities and differences among and between victims of bully-suicide. This analysis included both descriptive and inferential statistical testing. An alpha level of .05 was used to conclude if there was statistical significance for this quantitative research question. Qualitative data analysis was further conducted to determine the relationship between parent advocacy, media coverage, and social events pertaining to bully-suicide and the implementation or amending of state anti-bullying legislation. A phenomenological process for data analysis was used.

Significance of the Study

According to the National School Safety Center (NSSC), bullying is a pervasive and underrated problem in American schools (Beale, 2001). Bullying has been shown to cause emotional and physical harm to its victims, including a significant relationship between being bullied and low self-esteem, depression, suicidal ideation and suicidal acts for its victims (Hinduja & Patchin, 2010; Klomek et al, 2007). Based on this information, it is imperative for all school personnel, including administrators, educators and support staff, to be aware of bullying and cyberbullying in schools including the possible consequences to its victims, how to help victims of bullying, and how to prevent bullying within the school. In order to eradicate bully-suicides, all school staff must work together to solve this problem.

“Laws and institutional policies have the ability to shift the balance of power against would-be bullies, by systematically rallying the authority of the law, the resources of the

government, and the opinions of the community against the malicious practice of bullying and in support of greater safety and civility in schools” (Dayton & Dupre, 2009). The results of this research will add to the knowledge state legislators have on the issue of bully-suicide, which may influence the passing of statutes on anti-bullying. Further, through this research, legislators may gain knowledge on how to acquire the votes necessary for passage of anti-bullying legislation as well as the mechanisms used to gain support for anti-bullying legislation.

Delimitations of the Study

1. This research study focused on victims of bully-suicide rather than on all bullying victims.

Limitations of the Study

1. This research study was limited to bully-suicide data that were available through Internet search engines.
2. Given that many children who commit suicide do not leave notes indicating the reason for their decision to commit suicide, this research is limited, in many cases, to the beliefs of others that the child committed bully-suicide.

Assumptions

1. It was assumed that the legislators responded accurately and honestly to the questions asked.
2. It was assumed that the bully-suicide victims did in fact commit suicide due to the bullying they endured.

Summary

Chapter 1 of this research study offered an overview of the study, including a brief introduction to the topics of bullying, suicide, and bully-suicide. The problem statement and its clarifying components were reported along with the research questions, the methodology of the study and its design elements.

Chapter 2 provides a review of relevant literature on the topic of this research study. The methodology, data collection procedures and analysis are presented in Chapter 3. Chapter 4 includes an explanation of the results of the data analysis. Chapter 5 presents a summation of the findings in this study, the indications for practice, and recommendations for future research.

CHAPTER 2

REVIEW OF THE LITERATURE

Introduction

It is a fundamental democratic right for a child to feel safe in school and to be spared the oppression and repeated, intentional humiliation implied in bullying. No student should be afraid of going to school for fear of being harassed or degraded, and no parent should need to worry about such things happening to his or her child (Olweus, 1999).

Bullying in schools has been an issue involving students throughout the history of formalized schooling. Often bullying has been overlooked and disregarded. Further, it has been considered by some to be a rite of passage or a normal life experience for students. Others, however, have indicated that bullying leads to many physical, emotional and psychological problems for victims of bullying (Hay & Meldrum, 2010; Hinduja & Patchin, 2010; Arseneault, et al, 2006; Klomek, et al, 2007; Kim & Leventhal, 2008; Kaminski & Fang, 2009; Rigby & Slee, 1999; Hawker & Boulton, 2000; O’Moore & Kirkham, 2001; Roland, 2002; Van der Wal, de Wit, & Hirasing, 2003). In fact, according to The National School Safety Center (NSSC), bullying is the most sustaining and underestimated problem in schools within the United States (Beale, 2001).

A comprehensive investigation was conducted by analyzing the research on bullying, suicide, and the relationship between bullying and suicide in adolescence. Case studies of students who committed suicide due to bullying were examined as well as state and federal anti-bullying legislation within the United States. Research materials, both in print and electronic, were obtained from thorough searches of research databases in the areas of education and psychology. The purpose of the review of the literature was to explore the commonalities and

differences among bully-suicide victims, and the influence of parent advocacy, media coverage, and social events on the implementation or amendment of state anti-bullying legislation.

Bullying

Definition of Bullying

The definition of bullying is consistent throughout the research-based literature on bullying. Olweus (1993) defined bullying as “instances when a child is exposed, repeatedly and over time, to negative actions on the part of one or more other students” (p. 9). Bullying was later more fully defined to include the intention of the behavior to cause harm as well as a power differential in which the less powerful person is attacked by the more powerful one (Olweus, 1999). Most recently bullying was defined “as an aggressive behavior or intentional harm doing that is carried out repeatedly and over time in an interpersonal relationship characterized by an actual or perceived imbalance of power or strength” (Olweus, 2010, p. 125).

Types of Bullying

The harmful behaviors involved in bullying can be carried out in several forms. Bullying can be physical, involve words, or employ more indirect methods including group exclusion (Olweus, 1999). According to Beale (2001), bullying behavior can be categorized into four groups: physical bullying, verbal bullying, relational bullying, and reactive bullying. Physical bullying involves action, such as hitting or punching, kicking and property damage. Verbal bullying involves the use of words, including issuing insults, calling names, and making fun of

another person. Relational bullying includes shunning an individual from a group, rejecting another person, and influencing others to avoid the victim as well. Relational bullying most frequently occurs among and between girls. Reactive bullying involves individuals who are both victims and bullies. This type of bullying can be the most difficult to perceive because the bully may initially appear to be the victim. Reactive bullies are often physical and impulsive. It has been noted that reactive bullying is sometimes, in a sense, a bullying victim's method of retaliation against being bullied (Beale, 2001).

In a meta-analysis researching predictors of victimization and bullying, it was found that reactive bullies often have externalizing issues as well as adverse feelings and perceptions of themselves and others (Cook, Williams, Guerra, Kim, & Sadek, 2010). Further, as found by Cook et al (2010), reactive bullies are low in social proficiency, have an inadequate ability to solve social problems, and struggle academically. According to Rodkin (2011), reactive bullies have constant problems with others. These bullies are frequently boys. On the other hand, more socially adept bullies do not lack for social or peer groups and are more equally males and females. Further, this type of bully is typically physically appealing, athletic, and has adequate social skills. According to Pellegrini and Van Ryzin (2011), social bullies also often repair relationships with their victims post-conflict, or establish their control through bullying and, after their authority has been proven, lessen their bellicosity.

Bullying Statistics

According to the U. S. Department of Justice, National Center for Educational Statistics (NCES, 2010), in the Indicators of School and Crime Safety report, experiencing bullying at

school is reported by one-third of teenagers. Specifically, being made fun of was reported by 20 percent of teenagers, being the subject of rumors or gossiping was reported by 18 percent of teenagers, being the target of physical bullying was reported by 11 percent, being threatened was reported by 6 percent, being shunned or excluded was reported by 5 percent, being forced to do something they preferred not to do was reported by 4 percent, and having things that belonged to them damaged was reported by 4 percent of teenagers. This study also found that bullying occurred most frequently within the grounds of the school; however, only one-third of bullying victims indicated that they recounted the bullying to a school official. In regard to frequency of bullying, 2 out of 3 victims reported being bullied once or twice throughout the school year, while 1 out of 5 victims reported being bullied once or twice per month, and 1 out of 10 victims reported being bullied on a daily basis or at least multiple times per week. Bullying was significantly higher in middle schools compared to elementary and high schools, where 44 percent of middle school students experienced bullying and just over 20 percent of elementary and high school students experienced bullying. Significantly, 7 percent of all students reported that at some point they stayed away from school or certain areas of the school due to fear of being hurt.

According to the U.S. Department of Health and Human Services (HHS, 2009), in the National Youth Risk Behavior Survey (YRBS), 19.9 percent of teenagers were victims of bullying in the previous year. Further, in the previous 30 days, 5 percent of teenagers reported missing school due to a fear of being bullied at school, going to school, or going home from school. Additionally, Pollack (1998) reports that approximately 160,000 students throughout the United States avoid school every day due to fear of being subjected to bullying.

In a study conducted by Nansel (2001), it was found that bullying is more ubiquitous in middle schools than other grade level schools. Females reported that they were more likely to experience bullying verbally or through rumor-spreading, while males reported that they were more likely to experience bullying physically or verbally. An association was found between being a bullying victim and having significant problems with making friends, increased feelings of being lonely, and inferior psychosocial adaptations.

Pergolizzi et al (2009) conducted a survey in which it was found that 4 out of 5 seventh and eighth graders perceived bullying to be a dilemma within their school. The most frequently reported type of bullying was gossiping and spreading rumors, with 60 percent of students indicating gossiping and spreading rumors occurs “all of the time” or “most of the time.” Males and females reported similar rates of being victims of bullying, with 45 percent of both male and female students indicating that for at least a little amount of time they were victims. Bauman (2008) also found that in high school, males and females reported similar rates of bullying victimization. It was found that bullying victims in high school experienced increased levels of depression and suicidal behavior. “Students who are victimized miss school more often than nonvictimized peers because of their fear for their safety, and some of them carry weapons to school, perhaps believing this will serve as protection from bullies” (Bauman, 2008, p. 100). Bullying victimization was more frequently reported among ninth grade students than twelfth grade students.

Cyberbullying

Definition of Cyberbullying

According to Smith et al (2008), cyberbullying is “an aggressive, intentional act carried out by a group or individual, using electronic forms of contact, repeatedly and over time against a victim who cannot easily defend him or herself” (p.376). There are 4 important ways in which cyberbullying is different than face to face bullying (Hinduja & Patchin, 2010). One way cyberbullying is different than face to face bullying is that the bullying victim may not be aware of who is doing the bullying. Another difference is that cyberbullying can go viral. That is, cyberbullying can involve many bullies at one time or can allow many people to become aware of the bullying in a very short amount of time. A third difference for cyberbullying victims is that the bullies are not able to immediately see the critical harm they have done to the victim because they are not able to see the victim’s response face-to-face. The fourth way in which cyberbullying is different than traditional bullying is that many adults are not technologically savvy; therefore, they do not have immediate knowledge of the victimization. This lack of knowledge can cause the cyberbullying to continue rampantly with no consequences for the cyberbully.

Cyberbullying Statistics

Research has indicated that approximately 43 percent of adolescents have been cyberbullying victims (National Crime Prevention Council, 2007). In a nationwide study on cyberbullying conducted with teenagers 13- to 17-years-old, the National Crime Prevention Council (NCPC, 2007) found that females are victims of cyberbullying more frequently than

males. Further, adolescents 15- to 16- years old are more frequently involved in cyberbullying than other age groups. Cyberbullying victims reported feeling angry (56 percent), hurt (33 percent), embarrassed (32 percent), and scared (13 percent). Sengupta and Caudhuri (2010) found that greater than 25 percent of teens in the United States have experienced cyberbullying. It was further found that females were more likely than males to experience cyberbullying and bullying victimization increased for teenagers who displayed pictures online, used the internet to chat, provided information regarding their school and their ID for instant messages, and flirted on the Internet. Significantly, teenagers who used the computer to access the Internet secretly were 60 percent more likely to be a victim of cyberbullying.

Hinduja and Patchin (2008) conducted a survey of teenagers under eighteen-years-old in which cyberbullying victimization was reported by approximately 36 percent of females and 33 percent of males. The most frequently reported location of cyberbullying was in chat rooms. Adolescents who were bullied in person within the last six months were 2.5 times more likely to be victims of cyberbullying. Further research conducted by Hinduja and Patchin (2010) found that individuals who are cyberbullying victims have increased feelings of depression, sadness, fury, and irritation. These victims also experience embarrassment and fear of going to school. Cyberbullying victims experience increased suicidal thoughts, lower self-esteem, increased issues with their families, difficulties with academics, and increased violence within the school setting compared to their peers who have not experienced cyberbullying. Hinduja and Patchin (2010) also indicate that with the increase in use of social networking sites such as Facebook, there has been an increase in the incidents of cyberbullying via these sites. Further, cyberbullying also frequently occurs through video-sharing sites, instant messaging and through cell phones.

Reasons Individuals are Targeted

Characteristics of Victims

The teenage years are a time during which young adults are beginning to identify who they are and what they want for their lives. In the face of these uncertainties, teenagers are susceptible to becoming victims of bullying for several reasons. Teenagers who are lacking in social skills or do not interact socially with others are susceptible to becoming bullying victims (Nansel, 2001). Teenage bullying victims also tend to have parents who are more involved in the school environment than those teenagers whose parents are not as involved. According to Nansel (2001), this could be indicative of parents who are aware of the bullying problems faced by their teenagers or teenagers who have a lower autonomy level than other teens.

According to Olweus (1999), victims of bullying tend to be more self-doubting and worrisome than their peers. Bullying victims typically are careful, quiet, and thin-skinned. Further, victims often have a low opinion of themselves and view themselves negatively. Victims can sometimes perceive themselves as unappealing, displeasing, and unwise, further inciting their feelings of low self-worth. Further, bullying victims tend to lack friends in their classes. Some victims also view violence negatively and avoid aggression. Olweus (1999) defines this victim as a “passive or submissive victim” (p. 15). Provocative victims, on the other hand, “are characterized by a combination of both anxious and aggressive reaction patterns” (Olweus, 1999, p. 16). Carney and Merrell (2001) also found that submissive victims eschew aggression and violence. Further, these victims tend to experience low self-esteem, are

unconfident, and retreat when they are bullied by others. Submissive victims also tend to see themselves as unattractive, devalue themselves, and have limited social support from peers. Cook et al (2010) further identified similar traits of typical bullying victims, including inadequate social skills, negative thoughts about themselves, a lack of ability to be socially successful and lacking in peer support. These victims often come from undesirable neighborhood, home or school settings.

Swearer and Cary (2003) conducted research in which it was found that teenagers who become victims of bullying are targeted because they are perceived to be different from their peers. The ways in which bullying victims were perceived to be different included wearing different clothes, being feeble, talking differently, being overweight, and making grades that were better than others. In this study, 80 percent of those surveyed reported that school officials were not aware of the bullying that occurred within the school. The most frequently reported places within the school for bullying to occur were the classroom, the halls, gym class, and during breaks.

According to Rodkin (2011), when the differences between individuals can be associated with a discrepancy in power, these differences become viable reasons for targeting an individual for bullying. These differences may include type of religion practiced, presence of a disability, or ethnic background. In a survey conducted by the Gay, Lesbian and Straight Education Network (GLSEN, 2009) with middle and high school students, approximately two-thirds of lesbian, gay, bi-sexual and transgender adolescents feared for their safety at school due to their difference in sexual orientation. In regard to disability, Little (2002) found that adolescents with autism

spectrum disorder had a greater probability of being victims of bullying than adolescents without a disability.

One significant indicator of bullying is mutual dislike between two individuals (Hodges, Peets, & Salmivalli, 2009). This mutual dislike is of particular concern when it involves an individual with a high social status and an individual with low social status. According to Pellegrini and Van Ryzin (2011), adolescents with a high social status tend to bully adolescents with a low social status during transition periods, including starting a new school year, in order to establish dominance over others.

Environmental Factors

There are significant differences in the behavior of parents of male and female bullying victims (Duncan, 2011). According to Duncan (2011), the mothers of male bullying victims are overprotective, dominating, restricting, cosseting, tender and overly involved. The fathers of male bullying victims, however, are typically aloof, disparaging, nonexistent, indifferent, negligent, and dominating. On the other hand, mothers of female victims can be antagonistic, discarding, retracting love, hostile, and dominating, while their fathers tend to be indifferent and dominating.

Olweus (1999) found that home and family conditions play an important role in bullying and victimization. That is, schools in which there is a significant amount of bullying are often associated with home environments in which there are problems within the family. These problems can include a lack of supervision, little affection, and negligent concern in which clear boundaries for behavior of children are lacking. Further, the viewpoints and behavior of school

officials, particularly teachers, have a significant impact on the bullying occurring and prevention of that bullying within the school. Olweus and Limber (2010) also addressed the issue of school officials in relation to bullying within schools.

Environmental factors such as the attitudes, routines, and behavior of adults in the school environment play a major role in determining the extent to which the problems will manifest themselves in a classroom or a school (p. 125).

Kasen et al (2011) indicate that when bullying burgeons within a school, there is often an adverse and penalizing environment present. Further, the climate of the school is noxious and unsupportive. Holt, Keys, & Koenig (2011) further identify school environments in which the school officials view bullying as a normal part of growing up or disregard bullying entirely as those schools in which bullying proliferates.

Suicide

Definition of Suicide

According to the Centers for Disease Control and Prevention (2011), suicidal thoughts and behaviors should be categorized as suicidal ideation, suicide attempt, and suicide. According to the Institute of Medicine (as cited in CDC, 2011), Suicidal ideation includes “thoughts of harming or killing oneself” (Suicidal Ideation, para. 1). Suicide attempt is defined as “a non-fatal self-directed potentially injurious behavior with any intent to die as a result of the behavior. A suicide attempt may or may not result in injury” (CDC, 2011, Suicide Attempt, para. 1). Suicide

is “death caused by self-directed injurious behavior with any intent to die as a result of the behavior” (CDC, 2011, Suicide, para. 1).

Suicide Statistics

Suicide statistics indicate that suicide is one of the most significant health issues for teenagers in the United States today (Lubell & Vetter, 2006). According to the Centers for Disease Control and Prevention (2010), suicide ranks third in causes of death for teenagers. For young people between the ages of 15- to 24-years-old, 12.2 percent of all deaths were due to suicide. According to Bridges et al (2008), there were over 300 more deaths in 2004 among adolescents ten- to nineteen-years-old than anticipated from 1996-2003 statistics. Still higher than predicted, there were 292 more suicide deaths among adolescents in 2005 than expected.

In a national longitudinal study, Resnick et al (1997) found that at a rate of 7.5 percent for boys and 10.2 percent for girls, adolescents contemplated suicide, but did not actually attempt suicide, within the last year. With regard to suicide attempts, 3.6 percent of teens indicated that they had attempted suicide. This statistic was greater for adolescent girls (5.1 percent) than adolescent boys (2.1 percent). Adolescents who felt connected to their school displayed fewer suicidal thoughts and behaviors than adolescents who felt unconnected to their school.

According to the National Center for Injury Prevention and Control (as cited in American Association of Suicidology, 2011), death by suicide for 15- to 24-year-old males has multiplied by four times over the last 60 years, while death by suicide for 15- to 24-year-old females has doubled in that same time. An alarming increase of 50 percent in suicides for children between the ages of 10 and 14 has occurred from 1981 to 2007. Further, it is likely that 3 students in an

average high school classroom within the United States will have attempted suicide at some point in the last year. The Center for Disease Control and Prevention (2010) found in 2009 there was an average of 11.3 adolescent suicides daily in the United States. This rate equates to one death by suicide every 2 hours and 7 minutes for individuals under 25 years of age. In 2009, among high school students in the United States, 13.8 percent of students contemplated suicide in the previous year, while 6.3 percent of high school students tried to commit suicide at least once in the same time period.

Bully-Suicide Research

Victims of bullying often suffer emotional and psychological harm unknown to those never affected by bullying. Facing this type of strain can lead adolescents to engage in self-harming behaviors. General Strain Theory, as developed by Agnew (1992), indicates that when an individual encounters strain in the form of social relationships, he or she has an increased likelihood of engaging in deviant or criminal behavior. The strain experienced by bullying victims should be regarded in terms of several stipulations. Specifically, Agnew (2001) suggested that deviant behavior is more likely to occur when exposure to social conditions are identified by the individual to be unfair and in high extent. Further, there is an increased likelihood of deviant behavior when an individual exposed to strain lacks coping skills (Agnew, 1992). Additionally, the individual exposed to strain is more likely to engage in deviant behavior due to an increase in negative emotions (Agnew, 1992). While many think of deviant behavior in terms of external acts, it is important to regard self-harm as deviant behavior as well (Hay & Meldrum, 2010). In a study conducted by Hay & Meldrum (2010), middle and high school

students who were victims of bullying were found to have significantly more negative emotions than those who were never exposed to bullying. Further, it was found that bullying victims also were more likely to engage in or think about self-harm. Suicidal thoughts and behavior, however, were lessened when the bullying victim had authoritative parents and had high self-control (Hay & Meldrum, 2010).

In a study conducted with middle school students, Hinduja and Patchin (2010) found that of those who participated, 20 percent contemplated suicide, while 19 percent had at some point attempted suicide. Additionally, 10.9 percent to 29.3 percent of participants reported that they had been a victim of bullying. One significant finding in this study was that all types of bullying, including face to face bullying and cyberbullying, were related to an increase in suicidal thoughts for participants who were bullies and for those who were victims. Furthermore, the association between increased suicidal thoughts and victimization was greater than the association between increased suicidal thoughts and perpetrating bullying. Conventional bullying victims were found to be 1.7 times more likely to have made a suicide attempt, while cyberbullying victims were 1.9 times more likely to have made a suicide attempt than their peers who had never experienced bullying.

Arseneault et al (2006) conducted research with young children between 5- and 7-years-old who had been exposed to bullying. For those children who were bullying victims, there was an increased likelihood of internalizing symptoms, including withdrawing, somatization, and feelings of anxiety or depression. These individuals further expressed despondency with school. Specific to female victims, a greater likelihood of externalizing issues was also found. Additionally, students who were traditional bullying victims as well as those who were both

bullies and victims at age 5 were more likely to experience increased problems with adjusting to school and behavioral difficulties at age 7. This result remained constant after limiting the influence of previous problems with adjusting to school at age 5.

Through surveying 9th- through 12th- grade students, Klomek et al (2007) found that, at an approximate rate of 9 percent, high school students indicated that they had experienced bullying victimization regularly. Further, regular experience with bullying victimization as well as being a bully was indicative of an increased danger of suffering from depression, suicidal ideation, and attempting suicide in contrast to those high school students who had not been exposed to bullying. For females, it was found that even occasional bullying victimization was related to an increase in depression and suicidal thoughts and attempts. Klomek et al (2007) determined that being a victim of bullying as well as being a bully are substantial threats for high school students to become depressed or suicidal.

Kim and Leventhal (2008) reviewed existing research involving children and teenagers and the relationship between bullying and suicide. Regardless of limitations or distinctions between the studies, an evident relationship between involvement in bullying and an increase in suicidal ideation for both children and teenagers was found. The researchers concluded that any experience with bullying is detrimental to children and teenagers. Hawker and Boulton (2000) also conducted a meta-analysis of studies on bullying and ability of adolescents to adjust psychosocially. Results from this analysis indicate that bullying victimization is most significantly related to depression, while there is a minimal relationship between victimization and anxiety. Further, victims of bullying are more likely to experience depression than those who have never been victimized. Feelings of being lonely and having a low self-esteem were also

positively related to bullying victimization, with victims expressing a poor self-image in terms of social adeptness.

Kaminski and Fang (2009) conducted a study for the Centers for Disease Control and Prevention. The researchers found that adolescents who were physically threatened or exposed to physical injury from peers were 2.4 times more probable to have thoughts of suicide and 3.3 times more probable to engage in suicidal behavior than those adolescents who had never been exposed to victimization. The conclusion drawn was that exposure to physical bullying or hostility from peers is significantly associated with adolescent suicide.

Kim, Koh, and Leventhal (2005) researched the relationship between bullying involvement and suicidal ideations. Those involved in bullying were categorized as victims, perpetrators, and those who were both victims and perpetrators. Results indicated that individuals who were both victims and perpetrators were the most likely group to have engaged in suicidal thoughts and behaviors in the 6 months prior to the survey compared to those students who had never been exposed to bullying. With regard to females, all bullying involvement groups had significantly more suicidal thoughts than peers who had never been exposed to bullying. These results remained consistent and significant when controlling for various factors indicative of suicidal risk, including depression, gender, and socioeconomic status.

Rigby and Slee (1993) investigated self-esteem of adolescents in relation to their bullying victimization status. The researchers found that individuals who had been victims of bullying were more likely to have a low self-esteem than individuals who had never been subjected to bullying. Further, individuals who had appropriate social behavior also had higher self-esteem. Rigby and Slee (1999) also conducted a study on bullying at school and suicidal ideation. In this

study it was found that there is a significant relationship between bullying victimization and increased suicidal ideation. This relationship was particularly strong for adolescents with a modicum of social backing. Students who rated their social support as “mother” or “father” were least likely to engage in suicidal thoughts after bullying victimization. Rigby and Slee (1999) indicate that knowledge that a student is involved in bullying problems at school, particularly for a student who identifies himself or herself as having a minimum of social support, should pose as a significant sign that the student may be in jeopardy of experiencing suicidal thoughts.

Bond et al (2001) investigated the relationship between repeated bullying victimization and the internalizing traits of depression and anxiety in early adolescents. The results of this study indicated that repeated victimization, coupled with inadequate social connections, were clear predictors of anxiety and depression in teenagers. After adjusting for confounding variables, the researchers concluded that approximately 30 percent of depressive symptoms in students could be ascribed to repeated victimization. This relationship was of particular significance for females in that the relationship between repeated victimization and emotional issues was significant regardless of social connectedness.

A longitudinal study conducted by Klomek et al (2009) investigated the relationship between bullying victimization for 8 year old children and future suicide attempts and actual suicides through 25 years of age. Bullying victimization occurred sometimes for 47.8 percent of boys and frequently for 9.4 percent of boys, while 36.1 percent of girls experienced bullying victimization sometimes and 3.7 percent of girls experienced victimization frequently. The relationship between bullying victimization for young children and later suicide attempts and actual suicides was different for males and females. Both genders had a significant association

with early victimization and later suicide attempts and actual suicides. However, after accounting for depression and behavior, only females continued to show a significant relationship between early bullying victimization and later suicide attempts and actual suicides.

Surveying high school students, Cleary (2000) investigated the association between bullying victimization and suicidal behavior. In this study, 35 percent of all adolescents indicated that they had been bullying victims while 23 percent of adolescents indicated that they had engaged in suicidal behavior. Compared to adolescents who had never been subjected to victimization, those who were victims of bullying were 2.61 times more likely to have engaged in suicidal behavior. These results were consistent for both girls and boys. Evans, Betts, and Silliman (2001) also investigated teenager suicide probability in relation to peer victimization for students in eighth grade. The investigators found that students who had been victims of peer aggression were more likely to have a high risk of engaging in suicidal behavior than peers who had never been victimized by others. Results were also similar for males and females.

O'Moore and Kirkham (2001) investigated the relationship between self-esteem and bullying victimization for children and teenagers. The results of this investigation indicate that for child and teenage victims of bullying, bullies, and bully-victims, all experience lower self-esteem than their peers. Of all children and teenagers involved in bullying, those who were bully-victims experienced the lowest self-esteem of the three groups. Significantly, a negative association was found between frequency of bullying involvement and self-esteem. That is, individuals with a greater frequency of victimization or bullying also experienced lower levels of self-esteem.

Research conducted by Rigby (2001) examined the relationship between bullying victimization and mental and physical well-being for adolescents. The researcher found that there is a significant relationship between bullying victimization and mental and physical well-being for adolescents. According to Rigby (2001), “it has recently become clear that they [victims] are more likely than others to experience particularly distressing mental and physical states, being more anxious, more depressed, more socially dysfunctional, less physically well, and more prone to suicidal ideation than other children” (p. 322).

Another research study investigated involvement in bullying and potential relationships with depressive thoughts and suicidal ideations in eighth grade students (Roland, 2002). Results from this study indicate that victims of bullying and bullies themselves both have higher levels of depressive thoughts and suicidal ideations than their peers who have never been involved in bullying. Victims of bullying had a significantly greater number of depressive thoughts than perpetrators of bullying; however, there was no significant difference between the two groups for suicidal ideations. Girls were found to have a significantly greater amount of depressive thoughts and suicidal ideations than boys.

Van der Wal, de Wit, and Hirasing (2003) studied the relationship between bullying victimization and the psychosocial well-being of children and young adolescents between the ages of 9 and 13. The researchers found that for males and females, depressive symptoms and suicidal thoughts are frequent results from experiencing bullying victimization. The relationships found were greater for experiences with indirect bullying victimization than experiences with direct bullying victimization. Direct bullying included physical and verbal bullying while indirect bullying included social seclusion such as shunning and snubbing. After consideration of

confounders, there continued to be a significant effect for direct bullying on depressive symptoms and suicidal thoughts for females; however, this effect was no longer present for boys.

Using a phenomenological approach, Omiza, Omiza, Baxa and Miyose (2006) studied the quality of bullying and victimization among students in elementary school. The researchers concluded that victims of bullying experience internalizing issues, including feelings of loneliness, sorrow, fear, and frustration. Further, bullying victims often take responsibility for the bullying, including placing responsibility on themselves because they did not stop the bullying or believing they caused the bullying to occur. Victims of bullying also experience little self-esteem and attempt to eschew their bullies whenever possible.

Athanasiaades and Deliyanni-Kouimtzis (2010) used a phenomenological approach to study the occurrences of bullying among adolescents in secondary school. Students within this study indicated that “bullying causes intense fear, reduced self-confidence, isolates students, and creates a negative reaction toward school or school duties that may even result in total absence or change of school environment” (p. 334). Students also acknowledged that bullying within schools is considered to be a common occurrence among secondary school students.

In a collaborative effort between the U.S. Secret Service and the U.S. Department of Education, Vossekuil et al (2002) issued the results of the “Safe School Initiative.” This collaboration came about as a result of the Columbine High School attack which occurred in 1999. The results of this study indicated that in the Columbine High School attack, as well as in various other attacks in United States schools, the assailants experienced persecution or bullying from peers before they initiated the assault on the school. That is, “almost three-quarters felt persecuted, bullied, threatened, attacked or injured by others prior to the incident (71 percent)”

(p. 25). Several of the assailants had been subjected to bullying that was recurrent and relentless, which appeared to have an impact on the individual's resolution to issue an assault on the school.

Herba et al (2008) investigated bullying victimization and suicidal thoughts. In this study, the researchers found results contrary to the results found in the studies previously presented. That is, the results indicated that there is no significant relationship between bullying victimization and suicidal thoughts. Further, while other studies (O'Moore & Kirkham, 2001, Kim, Koh, & Leventhal, 2005) found significant results for individuals classified as both bullies and victims, Herba et al (2008) found no relationship between being both a bully and a victim and increased suicidal thoughts. However, significant results were found for increased suicidal thoughts in children who were victims of bullying when one parent also suffered from anxiety or depression. Additionally, victims of bullying who indicated they felt discarded at home also experienced more suicidal thoughts than peers who had no experiences with bullying. Children who were classified as both bullies and victims, however, did not experience more suicidal thoughts than peers who had no experiences with bullying even when feeling discarded at home.

Factors that Could Lead to Legislation

King Hammurabi of Babylonian announced one of the first codes of law approximately 4000 years ago (Dayton & Dupre, 2009). In this code, King Hammurabi indicated a rationale for the law. The rationale King Hammurabi presented was that law is 'to bring about the rule of the righteousness in the land...so that the strong should not harm the weak'. (Hooker, 1910 [c.1780 BCE], as cited in Dayton & Dupre, 2009, p.333). In terms of protecting victims of bullying from

further victimization, there is still much to be learned in order to obtain a complete comprehension of bullying (Berger, 2006). There is little grasping of the full intricacy of bullying and victimization, in spite of recent determination by school districts and state legislatures to eradicate bullying. As researchers continue to learn more about bullying, it is imperative that these researchers educate school officials and legislators (Berger, 2006). Along these lines, legislation to deter bullying has recently been implemented in many states. There are several factors that could lead to the implementation or amending of state anti-bullying legislation, including parent advocacy, media coverage, and social events.

Parent Advocacy

Jeffrey Johnston's Story

Jeffrey Johnston began seventh grade at Trafalgar Middle School in Cape Coral, Florida, as an average 12-year-old looking forward to a bright future. In an assignment for language arts class at the beginning of that school year, Jeffrey described himself as

Overall, I'm just a normal kid with a great life. I have a big family with caring brothers and loving sisters. My school is great, and my teachers are wonderful. I'm important to other people, and I have big plans for the future. Even though I sometimes get frustrated, I always try to keep a big smile on my face.

In my future, I hope that I will get a scholarship to Harvard. I want to become a lawyer like my cousin Bobby, my grandmother and my great-grandfather. I guess I just have a knack for debating with people and solving things (Johnston, 2007, p. 120).

Jeffrey wrote this, unaware of the turmoil about to encompass his life. Shortly into his seventh grade year, Jeffrey found himself, out of the blue, as the target of a school bully. Soon Jeffrey's

girlfriend had broken up with him and his peers began whispering about him behind his back.

The bully also began writing degrading words and lies about Jeffrey on the Internet.

By the start of his eighth grade year, after enduring an entire school year of on again, off again bullying, Jeffrey had changed from an outgoing, happy child who was excited about his future to a child who was withdrawn, depressed, and dressing all in black. In eighth grade, Jeffrey continued to be a victim of bullying. Jeffrey's mom, who was also a teacher at Trafalgar Middle School, was horrified to learn that in eighth grade, Jeffrey was placed into three classes with his bully. This placement allowed the bullying to not only continue, but to get worse.

Jeffrey and his bully went to different schools for ninth grade which, for a time, appeared to bring peace and happiness back to Jeffrey's life. However, in the summer after his ninth grade year, Jeffrey determined that death was the only escape from the torment he endured. He committed bullycide on June 29, 2005, at the age of fifteen. Jeffrey's mom, Debbie Johnston, has described her life now.

My dreams are haunted by the vision of my son's suffering, as all pride, all happiness, all joy was stripped away until all that was left was a pain so great that the only escape for Jeffrey was in death (Johnston, 2007, p. 124).

After Jeffrey's death, Debbie Johnston began a crusade to procure anti-bullying legislation in the state of Florida. After three years, Debbie Johnston saw the fruition of her relentless battle. In 2008, an exemplary anti-bullying legislation was passed in the state of Florida. This legislation is entitled the Jeffrey Johnston Stand Up for All Students Act.

Jared High's Story

As a young child, Jared suffered from chronic ear infections which, in turn, caused Jared to experience delays in speech. What Jared lacked in speech capability, however, he made up for in physical ability. Jared enjoyed climbing on things from a very young age and loved jumping on a trampoline in the backyard at his home. While Jared's speech delay made him different than his peers, he had a gentle spirit and was always compassionate and caring toward others.

When Jared was in sixth grade, he began to experience bullying at school. Jared was tormented by an eighth grade boy who was much larger than Jared. Jared's bullying victimization climaxed in May 1998 when the bully found Jared alone in the school gym. The bully beat Jared by slamming him repeatedly against the gym wall, punching him, and kicking him as he lie on the ground. Jared called for help, but none came. After that day in the gym, Jared was never the same, with physical issues and overwhelming depression.

Jared's mom, Brenda High, unsuccessfully fought with the school to obtain help for Jared. In fact, the school suspended Jared along with the bully for fighting at school. Further, the school's assistant principal questioned Jared about the attack in front of the bully and without a parent present. The school also refused to take any responsibility for the bullying. According to Jared's mother, the school took a position of blaming Jared for the bullying that occurred. Jared's parents ultimately decided to change Jared's school for the next school year. Initially, Brenda High believed this new placement was effective in regaining happiness for Jared. However, Jared committed bullycide on September 29, 1998, shortly after his thirteenth birthday.

September 29, 1998, is the day Brenda High says her life changed forever.

When someone you love dies, especially a child, it feels like a gaping, bleeding wound has opened in your heart. It is not the natural order of things; to outlive your children; to lose a child in the manner we did. You think you will never stop hurting. However, in a few months for some, and in a few years for others, the wound begins to heal. A huge emotional scar forms (High, 2007, p. 38).

In working through healing, Brenda High began her own crusade to educate others about Jared's story and the effects of bullying. Brenda High also fought for the implementation of anti-bullying legislation throughout the United States. Brenda High founded and co-directs Bully Police USA, an organization which tracks anti-bullying legislation and provides grades for the anti-bullying legislation in each state based on the quality of the legislation. Brenda High has assisted in the fight for legislation in Washington, her state of residence, as well as several other states. One state of significance for Brenda is Idaho, which passed "Jared's Law" in the name of Jared High.

Ryan Patrick Halligan's Story

Ryan Patrick Halligan began experiencing bullying victimization in fifth grade (Halligan, 2011). Ryan had received special education services from pre-k through fourth grade. In fifth grade, Ryan was dismissed from special education, having been deemed to be on grade level. However, Ryan continued to struggle academically as well as being somewhat uncoordinated physically. Not long into Ryan's fifth grade school year, a bully and the bully's friends discovered Ryan's academic struggles and used this to target Ryan for bullying victimization. The tormenting of Ryan continued throughout fifth grade and into middle school. The bullying Ryan endured took place periodically throughout sixth grade, but there was never a major event that was overly concerning.

Throughout the first months of seventh grade, Ryan's parents believed Ryan was doing well and the bullying had subsided. However, in December 2002, Ryan broke down and informed his parents of bullying incidents that had been occurring. Ryan's dad, John Halligan, intended to go to Ryan's school to discuss the bullying problem with school administrators. Ryan, however, pleaded with his dad to refrain from going to the school and to teach Ryan to defend himself instead. Ryan and his dad started training with a kickboxing program in the evenings. In February 2003, Ryan and his bully got into a physical fight. After the fight, the bully left Ryan alone and Ryan believed his victimization had ended.

Later that school year, Ryan informed his parents that Ryan and the bully had become friends. Ryan's parents were skeptical of this friendship and warned Ryan to be careful. For Ryan, over the next several months, a great deal of time was spent online and instant messaging. Ryan trusted his once-bully with personal information. The bully used this information against Ryan and shared it with others, along with alleging that Ryan was gay. In the summer between seventh and eighth grade, Ryan began instant messaging with a girl also going into the eighth grade. Ryan and this girl became friends and Ryan believed her to be his girlfriend. At the start of eighth grade, Ryan approached his new girlfriend who, along with her friends, laughed at Ryan and informed him the girl had made everything up and was not interested in Ryan at all. On October 7, 2003, at the age of thirteen, Ryan Patrick Halligan became a victim of bullycide.

Ryan's dad, John Halligan, soon began his fight to bring about anti-bullying legislation in Vermont and eradicate bullying throughout the United States. With the encouragement of John Halligan, the Vermont legislature passed and the governor of Vermont signed into law the Vermont Bully Prevention bill in May 2004. Additionally, John Halligan succeeded in requiring

all public schools to provide education on suicide prevention through the passage of ACT 114 in April 2006. John Halligan also speaks about Ryan's story and bullying victimization at schools throughout the United States.

Brandon Swartwood's Story

Brandon Swartwood became a target of bullying as a public high school student in Oklahoma (Mitchell, 2011). Described by his mother, Cathy Swartwood Mitchell, as a "gentle soul," Brandon was bullied in eleventh grade to the point that his parents took out an order of protection against one of Brandon's bullies. In response, the bully had a friend falsely advise the school's administrators that Brandon had made a bomb threat against the school. While this accusation was never founded, it caused severe problems for Brandon at school. The school administrators questioned students about their beliefs in regard to whether Brandon would make a bomb threat. Although the students indicated that Brandon would not have made such a threat, the questioning of the students incensed the rumors spreading about Brandon. Before long the rumors were out of control, requiring Brandon's parents to remove Brandon from school for the last five days of his junior year.

The summer before Brandon's senior year, Brandon's mother attempted to have Brandon transferred to a different school district. This attempt was denied and Brandon returned to the same school for his senior year. Only weeks into the new school year, Brandon was beaten by his bullies in the school cafeteria to the point that he required surgery. After this incident, Brandon suffered from post-traumatic stress disorder. Brandon's mother removed Brandon from school.

However, while home recovering from his injuries, Brandon received a notice in the mail that he was in danger of having his driver's license suspended for failure to attend school. Further, Cathy Swartwood Mitchell was informed that she was in violation of failure to compel laws in the state of Oklahoma because she was not forcing Brandon to attend school. Throughout this time, Brandon's depression worsened and his outlook on life and his future diminished. On December 16, 2000, Brandon Swartwood became a victim of bullycide.

After Brandon's death, Cathy Swartwood Mitchell suffered from depression and struggled with finding meaning in Brandon's death. It took years, however, Cathy eventually came to believe that her purpose was to bring awareness of bullying through sharing Brandon's story. In order to affect change in Oklahoma, Cathy Swartwood Mitchell contacted an Oklahoma senator who was sponsoring an anti-bullying bill in the state senate. The anti-bullying bill later succeeded in becoming law, requiring all Oklahoma schools to implement a policy addressing bullying.

Media Coverage

Receiving nationwide publicity, several recent incidents of bullying have incited law makers to direct consideration toward eradicating bullying at all levels of government, including the federal, state and local levels (Aarons, 2010). Governor Deval A. Patrick of the state of Massachusetts, for example, recently signed a strict anti-bullying law which requires schools to address bullying, including providing appropriate curriculum to students and requiring reporting of bullying to school administrators and investigation of incidents of bullying by the school

principal. The implementation of the Massachusetts anti-bullying law came about after the bullycide cases of Phoebe Prince in January 2010 and Carl Walker-Hoover in April 2009 received attention for inadequate action on the part of school officials to deter the bullying and inform parents of the bullying (Aarons, 2010).

Phoebe Prince's Story

Phoebe Prince was born in England and moved to Ireland at the age of two. In the Fall of 2009, after Phoebe's mother moved her and her siblings to Massachusetts, Phoebe entered South Hadley High School. Prior to the start of the school year, Phoebe's aunt indicated to school officials that Phoebe was susceptible to bullying and had been bullied in the past (Eckholm & Zezima, 2010). Soon after Phoebe entered school, an ephemeral relationship with a senior football player ensued between Phoebe and this boy. Phoebe was then subjected to severe bullying, including shunning, name calling, stripping books from her hands, and throwing a drink can at her. These incidents occurred at school, in the school library, in the hallways, in the school cafeteria and while walking home from school. Phoebe was further the victim of cyberbullying through social networking sights and text messaging. After enduring months of bullying, Phoebe Prince was followed home and a drink can was thrown at her by a bully who was driving by in a car while the bully also issued insults at Phoebe. On this day, January 14, 2010, Phoebe went home and became a victim of bullycide.

In a landmark anti-bullying case, a prosecutor for the state of Massachusetts, after implementing an investigation into Phoebe's suicide, determined it was appropriate to prosecute

several students from South Hadley High School. These students were charged with various felony counts, including harassment, stalking, violation of civil rights with bodily injury, and statutory rape. After pleading guilty on lesser charges, these six defendants were sentenced to probation, and some of the defendants were sentenced also to community service. Further, with Phoebe's case receiving national attention, the state legislature and governor of Massachusetts moved for rapid implementation of strict anti-bullying legislation. This anti-bullying legislation was signed into law in March 2010.

Carl Walker-Hoover's Story

Carl Walker-Hoover, an 11-year-old middle school student also in Massachusetts was the daily victim of bullying and taunting by peers at school. Although Carl did not identify as gay, he was often subjected to anti-gay bullying and name calling (Baim, 2009). Carl's mother, Sirdeaner Walker, complained about the bullying to school officials on a weekly basis to no avail. No longer able to face his daily torment, Carl Walker-Hoover committed bullycide on April 6, 2009. Although no charges were filed, the publicity raised from Carl's story, in conjunction with Phoebe Prince's story, encouraged the rapid enactment of an anti-bullying law in Massachusetts.

Megan Meier's Story

Megan Meier was a thirteen year old, eighth grade student in Missouri when she became the victim of cyberbullying (Maag, 2007). Megan became online friends with Josh Evans, a 16-year-old boy who supposedly lived near Megan, but was homeschooled. Megan also could not communicate with this boy on the phone because he did not have one. Megan was excited about

this new relationship. Megan thought the boy was very cute and Megan really liked the boy. The relationship was great at first, but soon became hurtful when the boy began indicating that he did not want to be friends with Megan anymore because she was not a good friend, often being mean to friends. Megan was devastated over these comments and was concerned about what was happening to the relationship. Megan also began receiving electronic messages through Josh's account. These messages included mean and hurtful things said about Megan. Megan, suffering from depression, could no longer tolerate the cyberbullying. She committed bullycide on October 17, 2006.

Approximately six weeks after Megan's bullycide, it was discovered that Josh Evans never existed, but instead had been created by a neighbor who was the mother of one of Megan's former friends. This woman apparently had created Josh Evans to get close to Megan to see if Megan was talking about her daughter. While this mother was not required to suffer criminal consequences for her actions, Megan Meier's story received nation attention for the cyberbullying she endured and the fatal consequences of cyberbullying. A federal cyberbullying bill, the Megan Meier Cyberbullying Prevention Act, was introduced in Congress, but was not able to get passed.

Social Events

Social events such as school shootings or human rights campaigning could have an impact on the implementation of anti-bullying legislation. According to Limber and Small (2003), in 2003, there were fifteen states with laws pertaining to bullying. Most of those laws

were enacted after 2001, with a possible inspiration for these laws being school shootings that had occurred in recent years. Review of these school shootings often found that the executors of these shootings felt as though they had been victims of bullying by peers within their schools. According to Olweus and Limber (2010), prior to 1999, the number of states with anti-bullying laws was zero. However, bullying legislation increased rapidly after the shootings at Columbine. Specifically, there were 15 states with anti-bullying legislation implemented within three years after the Columbine shootings. By 2010, Olweus and Limber (2010) indicate that 41 states had implemented some level of bullying legislation.

Asher Brown's Story

Asher Brown was a thirteen-year-old, eighth grade student in Houston, Texas who became a victim of bullying when he started middle school (O'Hare, 2010). Asher was subjected to bullying for his sexual orientation, religious preferences, and the way he looked for two years, including peers in gym class pretending to perform gay acts on Asher. Throughout this time, Asher's parents, Amy and David Truong, often complained to school officials, including coaches and the assistant principal. No action was ever taken by school officials to end Asher's victimization. Asher's torment came to a head one day at school when he was tripped and fell down a flight of stairs and, afterward, was immediately tripped again and fell down a second flight of stairs. Asher Brown became a bullycide victim on September 24, 2010.

In regard to Asher Brown's bullycide, The Human Rights Campaign (as cited in KTRK-TV/DT, 2011) issued the following statement: "This young man had a wonderful life ahead of him, but he was 'bullied to death' because he was gay. This tragedy was preventable. We urge

school districts and state legislatures everywhere to implement anti-bullying policies and laws that protect all students.” Eight months after Asher Brown’s bullycide, the Texas legislature passed Asher’s Law, a law addressing suicide prevention and bullying in schools.

Justin Aaberg’s Story

Justin Aaberg was a 15-year-old student in Anoka, Minnesota. Justin has been described by his mother, Tammy Aaberg, as constantly smiling and a good student in school as well as gifted at playing the cello (Beno, 2010). Justin openly admitted being gay when he was 13-years-old. Justin’s sexual orientation was readily accepted and supported by his family; however, Justin was continually targeted by bullies at school. Only one time did Justin ever speak to his parents about being bullied at school, though at that time Justin did not indicate the bullying was severe. After his bullycide, Tammy Aaberg learned from Justin’s friends that Justin had been continually subjected to anti-gay bullying for years at school, including having a peer grab Justin’s private area and telling Justin that he liked it. Justin Aaberg became a victim of bullycide on July 9, 2010.

Although Minnesota already had an anti-bullying law, the law has been criticized for being the shortest of all state anti-bullying laws, with the exception of the few states that do not have an anti-bullying law in place. In the state of Minnesota, attempts to eradicate anti-gay bullying and discrimination have met with opposition from religious fundamentalists who argue that the traits of bullying victims, such as sexual orientation, should not be included in policies on bullying. Senator Al Franken, however, has proposed federal legislation through the Student

Non-Discrimination Act which would disallow any form of discrimination based on sexual preference or gender identity in schools. No action has been taken yet toward passage or rejection of this act.

Seth Walsh's Story

Seth Walsh was a 13-year-old student in the small town of Tahachapi, California. Seth was another target of anti-gay bullying, and a 2010 bullycide victim (Alexander, 2010). Approximately two years earlier, Seth opened up to family and friends that he was gay. Seth's mom, Wendy, helped Seth with understanding and accepting his sexual orientation; however, Seth's classmates were not so accepting. In fact, as young as fourth grade and long before Seth identified himself as gay, Seth was a target of bullying. Seth was targeted for the way he dressed and his idiosyncrasies. By seventh grade, the bullying Seth endured was so constant and mean that he was fearful of walking home from school by himself. In fact, Seth had been homeschooled on two previous occasions due to the rate of bullying he was subjected to at school. Seth was not only bullied at school; he was bullied via the phone and Internet as well. After a bullying incident at a local park, Seth decided he could no longer tolerate the victimization to which he was subjected. Seth Walsh became a bullycide victim on September 27, 2010.

Seth's mom, Wendy, has reported that the bullying to which Seth was subjected was reported and not enough was done by school officials to protect Seth. There is an on-going investigation into the bullying victimization of Seth. New anti-bullying legislation in honor of

Seth, Seth's Law, has recently been introduced in the California legislature. This legislation addresses all bullying, but specifically also addresses bullying toward lesbian, gay, bi-sexual, and transgender students. If this legislation is passed, it will go into law in July 2012.

Legal Issues for Schools

The Federal Level

In a memo on policy and law regarding bullying, Secretary of Education Arne Duncan (2010) expressed concern about the incidents of bullying occurring in schools and the detrimental effects on everyone involved. Arne Duncan indicated that these bullying incidents have caused officials to realize an urgent need to proactively fight bullying in schools. Specifically addressed in the memo is a partnership developed with the Departments of Justice, Health and Human Services, Defense, Interior, and Agriculture. The purpose of this partnership is to develop methods to provide assistance in the inhibition of bullying in America's schools. This assistance has incorporated a Federal Bullying Prevention Summit, the implementation of the website www.bullyinginfo.org, the Stop Bullying Now! campaign, and continued research on bullying in schools.

According to Sacks and Salem (2009), laws, both federal and state, lack in their ability to prevent bullying in schools or provide protection for those who are bullying victims. However, some federal laws, including "civil rights statutes or the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution, offers remedies for victims who are

bullied on the basis of federally protected criteria: race, nationality, sex, or disability” (Sacks and Salem, 2009, p. 149). The dilemma, however, is that there is no protection under the authority of civil rights for most bullying victims as they are victimized for various other purposes.

Thus, the challenge for advocates is to help schools develop preventative school policies consistent with schools’ legal authority to regulate student conduct. These policies should: 1. Explicitly enumerate protected traits or characteristics, particularly those subject to community prejudices such as sexual orientation and gender expression; 2. Change school norms by promoting school-wide respect for diversity; and 3. Require all personnel, including non-decision makers, to intervene (Sacks & Salem, 2009, p. 149).

According to Snakenborg, Van Acker, and Gable (2011), Congress approved in 2008 the Protecting Children in the 21st Century legislation in order to confront the issue of cyberbullying. One dilemma with this new legislation is that it can be difficult to validate that a cyberbullying occurrence meets legislation requirements. Therefore, many states are implementing additional legislation to meet this specific need.

Title IX

Title IX of the Education Amendments (1972) mandates equality of treatment in school programs for males and females. While most noteworthy for supporting equality in sports for females in schools, Title IX is now being used as a protection against bullying for students who are gay or transgender (Johnson, 2010). The U.S. Department of Education has informed public schools that anti-gay bullying is encompassed under Title IX and, therefore, schools could be deemed accountable for such harassment. While deeming it appropriate to use Title IX to protect students from anti-gay bullying, Education Secretary Arne Duncan also informed schools that bullying should be dealt with primarily at the local level. However, Arne Duncan also indicated

that if schools did not appropriately deal with anti-gay bullying, the Department of Education would intercede. While Title IX does not specifically reference gay or transgender students in relation to equal access to school programs, “the Supreme Court ruled in 1998 that same-sex harassment violated the ban against sex discrimination in employment, and several lower courts have followed the precedent in ruling that same-sex harassment in schools constitutes a Title IX violation” (Johnson, 2010, p. 25).

Tinker v. Des Moines Independent Community School District (1969)

Tinker v. Des Moines Independent Community School District (1969) addressed the issue of free speech for three students who had been suspended from school for wearing black armbands on school grounds in demonstration against the Vietnam War. In this case, the U. S. Supreme Court found that the suspension of these students was in violation of their constitutional rights. Further, it was found that speech must “materially and substantially” affect the processes within a school in order for the school to have the right to discipline students for such speech (Stewart, 2011). Tinker v. Des Moines has been considered in cyberbullying cases, particularly when the communication commenced on school campus. “Although Tinker did not involve electronic communications, it provided a standard for dealing with student free expression, and its applicability to cyberbullying incidents...is apparent: before intervening, schools must demonstrate that the speech or behavior resulted in a substantial disruption” (Stewart, 2011, p. 82).

DeShaney v. Winnebago County Department of Social Services (1989)

In *DeShaney v. Winnebago County Department of Social Services* (1989), the U.S. Supreme Court held that when Winnebago County Department of Social Services neglected to remove a young child from his father's care and, afterward, the child sustained permanent harm when his father brutally beat him, the Department of Social Services failed in its responsibility to inhibit the abuse. According to High (2007), this case demonstrates that, being a governmental agency just as the department of social services, a school district must adhere to the same requirements for due process.

Under that Due Process Clause... 1. Government agencies (including school districts), may be in breach of its duty of care, if it fails to prevent abuse (bullying). Note: By law, schools must "act in behalf of the parent." 2. If a Government agency (which includes a school within a school district), has prior knowledge that there is risk to the safety of a child (student, or students), the agency, (school), either creates or increases the risk that a child will be exposed to acts of violence, by not acting on that knowledge. 3. Government agencies (including school districts) may be found civilly liable for violating the due process rights of victims of private violence (bullying) under the doctrine of state-created danger (High, 2007, p. 48).

It is important to note, however, that in order for the school to be held responsible, the school must have failed to enact satisfactory caution and protection. If the school is unaware of the bullying, the school cannot be held accountable for the bullying occurrences.

The State Level

States with Anti-Bullying Legislation

There are presently 47 states with anti-bullying laws (Hinjuda & Patchin, 2011). Those states without anti-bullying laws include Michigan, Montana, and South Dakota. According to Bully Police USA (2011) there are presently 47 states with anti-bullying laws. However,

included in this figure is Colorado, which actually has an anti-bullying legislative declaration, not an anti-bullying law. However, Bully Police USA (2011) indicates that policies can sometimes be as effective as laws. In Michigan, an anti-bullying law was proposed, but was not ratified in 2006. The law was reintroduced in 2007 and was approved in the House. However, the law then went to the Senate Education Committee for appraisal and no further action has been taken at this time.

Components of State Anti-Bullying Laws

According to Dayton and Dupre (2009), it is imperative that educators are galvanized and enabled to work through issues of bullying in schools. Laws, rules, and policies can be valuable in launching and sustaining anti-bullying work in schools. It is well known that a bully requires a power disparity in order to victimize another student. “Laws and institutional policies have the ability to shift the balance of power against would-be bullies, by systematically rallying the authority of the law, the resources of the government, and the opinions of the community against the malicious practice of bullying and in support of greater safety and civility in schools” (Dayton & Dupre, 2009, p. 338).

While bullying has been reliably defined within research, state-level anti-bullying laws frequently disagree on the definition of bullying (Stanton & Beran, 2009; Limber, 2003; Limber & Small, 2003). When designing anti-bullying laws, it is important for state legislatures to take into account a definition of bullying that is broad enough in nature to encompass the behaviors that are occurring in schools. That is, definitions that refer to physical and verbal bullying, but

disregard relational bullying will not effectively protect victims and deter would-be bullies (Stanton & Beran, 2009). Further, many statutes differ in reporting requirements for schools (Limber, 2003). Often this disparity leaves school districts and individual schools unsure of what rate and severity of bullying behavior to report. In a review of the components of state anti-bullying laws, Limber and Small (2003) found that states also differ in regard to whom has the authority to develop anti-bullying policies. In some states, policy development is charged to school boards, while in other states individual schools are responsible for creation of anti-bullying policies. Further, some state laws indicate specific components that should appear in anti-bullying policies, while other state laws offer recommendations or lack specifics.

Dayton and Dupre (2007) reviewed anti-bullying legislation and developed a proposal for anti-bullying law components. Dayton and Dupre (2009) later updated this proposal. First, anti-bullying laws should provide a definition of bullying which is broad enough to encompass all bullying behaviors, yet narrow enough to avoid encroaching upon an individual's right to free speech (Dayton & Dupre, 2009). Within anti-bullying laws, there should be safeguards to provide protection and safeguard dignity for all students. There should also be a specified requirement for school personnel to enact the requirements contained within the law. "There must be clear lines of accountability concerning who is responsible for implementing all aspects of the policy, from reports through remedies, with reasonable and well-defined timelines" (Dayton & Dupre, 2009, p. 339). Anti-bullying laws should mandate an obligation for all students and school employees to report known bullying. Further, there should be an outlet by which individuals can make anonymous reports of witnessed bullying, while there are also penalties for intentionally fabricated reporting. There should be effective and suitable

punishment as well as counseling services for bullies. An anti-bullying curriculum should be required in every school. All school personnel should receive professional development training on bullying and bullying prevention. Satisfactory accountability and participation should be a policy mandate. The motivation of anti-bullying policies should be the safeguard of all students rather than the protection of school districts from accountability. Appropriate funds should be provided to all anti-bullying programs in order to ensure successful realization of program goals. Finally, all students should be assured of parity in treatment and defense (Dayton & Dupre, 2009).

In a Department of Education memo, Secretary of Education Arne Duncan (2010) provided an illustration of eleven appropriate components for state anti-bullying legislation. These eleven components are a purpose statement, statement of scope, specification of prohibited conduct, enumeration of specific characteristics, development and implementation of LEA policies, components of LEA policies including definitions, reporting bullying, investigating and responding to bullying, written records, sanctions and referrals, review of local policies, communication plan, training and preventive education, transparency and monitoring, and a statement of rights to other legal recourse.

Bully Police USA (2011) provides grades to states based on an evaluation of the state's anti-bullying law. For states with no anti-bullying law in place, the state is rated with a grade of F. States with a useless law earn a D grade, while states with an unexceptional law earn a C grade. If a state has a satisfactory anti-bullying law, the state earns a grade of B, while states with a law approaching excellence earn a grade of A. In order to earn an A+ grade, a state's anti-bullying law must stress the importance that free counseling be available to victims of bullying or the law

must contain a clause regarding cyberbullying. In order to earn an A++ grade, the anti-bullying law must contain both the right to free counseling for bullying victims clause and the clause on cyberbullying. The anti-bullying law for the state of Florida has earned an A++ grade from Bully Police USA.

Florida's Anti-Bullying Law

HB 669 on School Safety, entitled the "Jeffrey Johnston Stand Up for All Students Act" was signed into Florida law in 2008 as Section 1006.147 of the Florida Statutes. This statute mandates that bullying and harassment are prohibited and provides methodical definitions of bullying and harassment. The statute requires that:

The school district policy must contain, at a minimum, the following components:

- (a) A statement prohibiting bullying and harassment.
- (b) A definition of bullying and a definition of harassment that include the definitions listed in this section.
- (c) A description of the type of behavior expected from each student and employee of a public K-12 educational institution.
- (d) The consequences for a student or employee of a public K-12 educational institution who commits an act of bullying or harassment.
- (e) The consequences for a student or employee of a public K-12 educational institution who is found to have wrongfully and intentionally accused another of an act of bullying or harassment.
- (f) A procedure for reporting an act of bullying or harassment, including provisions that permit a person to anonymously report such an act. However, this paragraph does not permit formal disciplinary action to be based solely on an anonymous report.
- (g) A procedure for the prompt investigation of a report of bullying or harassment and the persons responsible for the investigation. The investigation of a reported act of bullying or harassment is deemed to be a school-related activity and begins with a report of such an act. Incidents that require a reasonable investigation when reported to appropriate school authorities shall include alleged incidents of bullying or harassment allegedly committed against a child while the child is en route to school aboard a school bus or at a school bus stop.

- (h) A process to investigate whether a reported act of bullying or harassment is within the scope of the district school system and, if not, a process for referral of such an act to the appropriate jurisdiction.
- (i) A procedure for providing immediate notification to the parents of a victim of bullying or harassment and the parents of the perpetrator of an act of bullying or harassment, as well as notification to all local agencies where criminal charges may be pursued against the perpetrator.
- (j) A procedure to refer victims and perpetrators of bullying or harassment for counseling.
- (k) A procedure for including incidents of bullying or harassment in the school's report of data concerning school safety and discipline required under s. 1006.09(6). The report must include each incident of bullying or harassment and the resulting consequences, including discipline and referrals. The report must include in a separate section each reported incident of bullying or harassment that does not meet the criteria of a prohibited act under this section with recommendations regarding such incidents. The Department of Education shall aggregate information contained in the reports.
- (l) A procedure for providing instruction to students, parents, teachers, school administrators, counseling staff, and school volunteers on identifying, preventing, and responding to bullying or harassment.
- (m) A procedure for regularly reporting to a victim's parents the actions taken to the victim.
- (n) A procedure for publicizing the policy, which must include its publication in the code of student conduct required under s. 1006.07(2) and in all employee handbooks.
- (5) To assist school districts in developing policies prohibiting bullying and harassment, the Department of Education shall develop a model policy that shall be provided to school districts no later than October 1, 2008.
- (6) A school employee, school volunteer, student, or parent who promptly reports in good faith an act of bullying or harassment to the appropriate school official designated in the school district's policy and who makes this report in compliance with the procedures set forth in the policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident.
- (7)(a) The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action initiated under this section.
- (b) This section does not apply to any person who uses data or computer software that is accessed through a computer, computer system, or computer network when acting within the scope of his or her lawful employment or investigating a violation of this section in accordance with school district policy.
- (8) Distribution of safe schools funds to a school district provided in the 2009-2010 General Appropriations Act is contingent upon and payable to the school district upon the Department of Education's approval of the school district's bullying and harassment policy. The department's approval of each school district's bullying and harassment policy shall be granted upon certification by the department that the school district's policy has been submitted to the department and is in substantial conformity with the department's model bullying and harassment policy as mandated in subsection (5).

Distribution of safe schools funds provided to a school district in fiscal year 2010-2011 and thereafter shall be contingent upon and payable to the school district upon the school district's compliance with all reporting procedures contained in this section.

(9) On or before January 1 of each year, the Commissioner of Education shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the implementation of this section. The report shall include data collected pursuant to paragraph (4)(k).

(10) Nothing in this section shall be construed to abridge the rights of students or school employees that are protected by the First Amendment to the Constitution of the United States. (Florida Statute § 1006.147).

Franks (2010) indicated that with the implementation of this anti-bullying law, Florida became a forerunner among states by signifying a means by which privacy laws can be surpassed in order for parents of bullying victims to be informed about the bullying as well as consequences to the bully for the bullying behavior

Summary

The information presented in this chapter served to provide research on bullying, including types of bullying as well as bullying and cyberbullying definitions and statistics. The researcher further reviewed reasons why individuals become targets of bullying. Suicide statistics relevant to this research were examined. The researcher sought to examine the research-based literature on bullying and suicide. Case studies were provided as examples of possible factors that could lead to legislation, including parent advocacy, media coverage, and social events. Legal issues for schools at both the federal and state level were also presented. Finally, the researcher presented an exemplary anti-bullying law, Florida Statute § 1006.147 entitled the "Jeffrey Johnston Stand Up for All Students Act." Chapter 3 is comprised of the methodology

that was employed in conducting the research. Included within the methodology are the research design, population, sample, instrument, data collection and procedures, and data analysis for this investigation.

CHAPTER 3 METHODOLOGY

Introduction

This chapter includes an outline of the methodology and procedures employed to investigate the association among bully-suicides and parent advocacy, media coverage, social events, and state anti-bullying legislation. Specifically, the data analysis served to determine the extent to which relationships, if any, existed among bully-suicide victims and anti-bullying advocacy by parents of bully-suicide victims, media coverage of bully-suicide incidents and social events involving bully-suicide victims and the implementation or amending of state anti-bullying legislation. Further analysis sought to investigate the commonalities and/or differences that may exist among and between bully-suicide victims, including gender, age, reason targeted, and type of bullying subjected to. The statistical procedures used for evaluation along with the logic substantiating the procedural selections are included.

This chapter is arranged into seven sections. Section one contains the statement of the problem. The research questions for this investigation are located in section two. The population for this research is located in section three. The procedures for data collection and instrumentation employed to gather data can be found in sections four and five. The data analysis is contained in section six. Section seven consists of a chapter summary.

Statement of the Problem

To date, there is insufficient information concerning the issues of bullying, bully-suicides and the impact of bully-suicides on state legislation. According to the National Center for Educational Statistics (2010), one-third of adolescents are bullied at school. Although this statistic is indicative of a problem plaguing our schools, bullying has been frequently seen as a normal part of growing up. Recently, the topic of bullying has gained significant attention from the media, schools and state legislators. Further, researchers are becoming more aware of the detrimental emotional effects of bullying on victims (Arseneault, et al 2006; Hinduja & Patchin, 2010). There is an increased awareness of victims of bullying engaging in suicidal ideations and suicidal behavior (Kim & Levanthal, 2008; Kaminski & Fang, 2009). With increased awareness, there has been an increase in demand for schools to be held responsible for helping and protecting victims of bullying. Additionally, parents are calling on schools to help combat bully-suicides. To this end, many state legislators have recently enacted anti-bullying laws that require schools to implement anti-bullying programs (Olweus & Limber, 2010).

Research Questions

1. What, if any, are the commonalities and/or differences between and among bully-suicide victims between the ages of nine and eighteen (e.g. age, gender, reason targeted, type of bullying subjected to)?

: There are no commonalities between and among bully-suicide victims between the ages of nine and eighteen.

2. To what extent, if any, is there a relationship between parent advocacy, media coverage, and/or a social event related to bully-suicide and the implementation or amending of state anti-bullying legislation?

: There is no relationship between parent advocacy, media coverage and/or social events related to bully-suicide and the implementation or amending of state anti-bullying legislation.

Population

The population for this study included all children in the United States who were determined by at least one source to be victims of bully-suicide when they were nine to eighteen-years-old. Of all children who became bully-suicide victims as determined by at least one source, 92 bully-suicide victims whose information was obtainable through Internet searches were included in the research (N = 92). The population for this study also included legislators in the United States who sponsored implementation or amending of state anti-bullying legislation (N=50).

Setting of the Study

The setting for this study is the United States of America, including all 50 states. The United States of America is located in North America with Canada to the North and Mexico to the South. As of 2011, approximately 308,745,538 people resided in the United States (U.S. Census Bureau, 2011; Wikipedia.com, 2011). In 2010, the racial makeup of the United States

was 63.7% white, 12.6% black, 8.7% Hispanic, 4.8% Asian, 2.9% multi-racial, .9% American Indian/Alaskan Native, .2% Native Hawaiian/Pacific Islander, and 6.2% some other race (U.S. Census Bureau).

During the 2008-2009 school year, there was a total enrollment of 49,809,606 students in pre-kindergarten through twelfth grade in the United States (National Center for Education Statistics). The racial makeup of the students throughout the United States was 53.7% white, 16.6% black, 22% Hispanic, 4.9% Asian/Pacific Islander, 1.3% American Indian/Alaskan Native (National Center for Education Statistics). The student population throughout the United States consisted of 44.2% low income students, 8.7% limited English proficient students, and 12.8% children with disabilities (National Center for Education Statistics).

Data Collection

Data collection commenced only after the research study was approved by the University of Central Florida's Institutional Review Board (Appendix B). Several data sources were utilized throughout the process of collecting data.

The researcher completed exhaustive Internet searches for cases of bully-suicide victims in the United States who became bully-suicide victims when they were between nine to eighteen-years-old. Information was initially transcribed into an Excel Spreadsheet. The data obtained included age of victim, gender of victim, reason targeted, and type of bullying endured. After all data were obtained for all 92 cases, the data were coded and entered into SPSS for statistical analysis. At the end of the data collection process for bully-suicide cases, the researcher analyzed the data using quantitative procedures.

The researcher also contacted state legislators who sponsored anti-bullying legislation through e-mail to determine why the legislation was initially sponsored. If the researcher was not successful in obtaining the information through e-mail, the researcher contacted the legislator by telephone. Many of these telephone requests resulted in a conversation between the researcher and a legislative aide who indicated that the legislator was very busy and the request would be forwarded. Some other legislative aides, however, indicated that the legislator would not respond to the interview questions. For one state, the most recent sponsor of the state level anti-bullying legislation had recently been in federal prison. The researcher attempted to contact the former legislator in prison; however, the legislator had been released three months prior to contact. The researcher then attempted to contact the former legislator through the legislator's parole information. Contact was made via leaving a telephone message requesting the former legislator respond to the phone message. However, no contact was received from this former legislator. Another former state legislator was found to be the Lt. Governor of the same state in which she sponsored anti-bullying legislation. The researcher attempted to contact the former legislator in her new position; however, responses to interview questions were not obtained. Additionally, the researcher discovered that another former state legislator was currently serving as a circuit court judge in the same state in which he sponsored anti-bullying legislation. After multiple emails with the former representative's secretary, the researcher was able to obtain answers to the four research questions from this former state representative. Qualitative statistical procedures were used to analyze legislator responses.

For this research, parental advocacy for state anti-bullying legislation consisted primarily of parents who contacted legislators and fought for state anti-bullying legislation. Media

coverage as a means for procuring state anti-bullying legislation consisted of stories that obtained national attention through extensive media coverage. This media coverage then was the most significant factor present for gaining the attention and problem awareness of state legislators. Social events related to bully-suicide incidents included major events such as school shootings performed by victims of bullying in which the perpetrator also committed suicide. Further, social events also included incidents in which several individuals within a particular social group, such as individuals who identify as homosexual, committed bully-suicide during the same time period. Social events also included legislator awareness of increased bullying issues due to modern technology, including the increased use and access to the Internet and cell phones. In bully-suicide incidents in which more than one reason for the implementation of anti-bullying legislation was evidenced, the researcher coded the legislation implementation for that particular state according to the primary reason for the legislation implementation.

Instrumentation

Internet search engines were used to collect data regarding cases of bully-suicide victims, including age, gender, reason targeted, and type of bullying endured. Qualitative data from legislators who sponsored state anti-bullying legislation were collected through email and telephone requests for information. All legislators were asked four questions (Appendix A).

Data Screening

Bully-suicide data that was obtained from Internet searches was initially loaded into an Excel spreadsheet. The data was then coded and imported into the Statistical Package for Social Sciences, Version 16.0 (SPSS). All data was reviewed for accuracy in coding.

Legislator responses to the four questions received via email were reviewed for completeness. For legislators who responded to a request for information via telephone contact, the researcher recorded the responses verbatim. All responses were recorded in a Microsoft Word document.

Data Analysis for Question 1

Research Question 1 asked, “What, if any, are the commonalities and/or differences between and among bully-suicide victims between the ages of nine and eighteen (e.g. age, gender, reason targeted, type of bullying subjected to)?” To answer Research Question 1, the analysis included several chi square goodness of fit tests to determine if there were any commonalities or differences existing between and among bully-suicide victims. Further, descriptive statistics were used to analyze one portion of the research question. The dependent variable was the status of being a bully-suicide victim between the ages of nine and eighteen. The independent variables were: (a) age, (b) gender (c) reason targeted, and (d) type of bullying subjected to.

Data Analysis for Question 2

Research Question 2 asked, “To what extent, if any, is there a relationship between parent advocacy, media coverage, and/or a social event related to bully-suicide and the implementation or amending of state anti-bullying legislation?” In order to answer Research Question 2, a phenomenological analysis was conducted. The dependent variable was the implementation or amending of state anti-bullying legislation. The independent variables were: (a) parent advocacy, (b) media coverage, and (c) social events related to bully-suicide.

Summary

This chapter specified the methodology and procedures employed in evaluating the role of parent advocacy, media coverage, and social events related to bully-suicide and how these factors were related to the implementation and amending of state legislation throughout the United States. Also enumerated was the equal likelihood of occurrences of any commonalities and/or differences in bully-suicide victims between the ages of nine and eighteen. The analysis depicted in this chapter served to ascertain how certain variables in bully-suicide incidents related to the implementation and amending of state anti-bullying legislation. The instrumentation used to conduct the research was specified, and the data collection and analysis procedures were depicted. Chapter 4 emphasizes the analysis of data for the bully-suicide incidents and offers a summation of the data analysis and results of that data analysis for the three research questions used to drive this research.

CHAPTER 4 ANALYSIS OF THE DATA

Introduction

The commonalities and differences among and between victims of bully-suicide, and the influence of parent advocacy, media coverage and social events on state level anti-bullying legislation were examined. The results contribute to the existing research on bullying and suicide and the influence these factors have on state anti-bullying legislation. This study was guided by the following two research questions:

1. What, if any, are there commonalities and/or differences between and among bully-suicide victims between the ages of nine and eighteen (e.g. age, gender, reason targeted, type of bullying subjected to)?

: There are no commonalities between and among bully-suicide victims between the ages of nine and eighteen.

2. To what extent, if any, is there a relationship between parent advocacy, media coverage, and/or a social event related to bully-suicide and the implementation or amending of state anti-bullying legislation?

: There is no relationship between parent advocacy, media coverage and/or social events related to bully-suicide and the implementation or amending of state anti-bullying legislation.

Chapter 4 is organized into three sections. The first section provides an overview of the research population and describes the demographic characteristics revealed through the descriptive analysis. A thorough quantitative data analysis for research question one can be

found in section two and a thorough qualitative data analysis for research question two can be found in section three.

Population

The population for this study included all children in the United States who were determined by at least one source to be victims of bully-suicide when they were nine to eighteen-years-old. Of all children who became bully-suicide victims as determined by at least one source, 92 bully-suicide victims whose information was obtainable through Internet searches were included in the research (N = 92). These children ranged in age from 9 to 18-years-old. Children who were in elementary, middle, and high school when they became victims of bully-suicide were included in this study.

The population for this study also included legislators in the United States who sponsored their state's most recent implementation or amending of state anti-bullying legislation (N=50). Of the fifty legislators contacted, 12 responded to the interview questions personally and 2 responded through their legislative aides. Therefore, of the fifty legislators contacted, 14 (28.0%) provided direct responses to the interview questions. For the remaining 36 legislators (72.0%), information regarding the reason for sponsoring state anti-bullying legislation was obtained through Internet news articles regarding the anti-bullying legislation. Of the 50 legislators who sponsored the most recent implementation or amending of state anti-bullying legislation, 72.0% ($n=36$) were male and 28.0% ($n=14$) were female. Of the 14 legislators who provided direct responses to the research questions, 64.3% ($n=9$) were males and 35.7% ($n=5$) were females.

Research Question 1

What, if any, are there commonalities and/or differences between and among bully-suicide victims between the ages of nine and eighteen (e.g. age, gender, reason targeted, type of bullying subjected to)?

: There are no commonalities between and among bully-suicide victims between the ages of nine and eighteen.

This research question was addressed with a combination of descriptive statistics and several chi-square goodness of fit tests. The intent of the chi-square tests was to determine if frequencies of particular demographics occurred in an equally likely fashion, or if one particular demographic stood out beyond others.

Gender

Gender data were available for all 92 observations in this study. A total of 28 (30.4%) of the bully-suicide victims were female, while 64 (69.6%) were male. A chi-square goodness of fit test was run to determine if this discrepancy deviates significantly from the status quo of equal likelihood of bully-suicide victims coming from either gender. The test, $\chi^2(1) = 14.09, p < .001$, indicated that the gender distribution deviated significantly from the assumption that gender groups were equally likely. This portion of the analysis shows that bully-suicide victims in this particular sample were more likely to be male than female.

Age

Age data were available for 91 of the 92 observations in this study. The age variable was collected in years, as opposed to categories, so it was possible to summarize this variable both

continuously and categorically. Bully-suicide victims in this study ranged in age from 9 to 18, with a mean age of 14.33 and a standard deviation of 2.09 ($M = 14.33, SD = 2.09$).

In order to statistically determine similarities or differences, it was necessary to place ages into appropriate categories. A logical method for categorizing bully-suicide victims by age was to group observations into the categories of elementary school (age 9-11), middle school (age 12-14), and high school (age 15-18). This grouping allows us to determine whether there are similarities in age groups among bully-suicide victims.

Table 2 displays that 46 (50.5%) of the bully-suicide victims were high school-aged, at 15 to 18 years old. The positive standardized residual of 2.85 indicated that there were more high school-aged victims than expected. Likewise, there were only 8 (8.8%) victims in the elementary age range of 9 to 11 years old. Its standardized residual of -4.05 implied that this figure was lower than expected. The 37 (40.7%) middle school-aged victims, at 12 to 14 years of age, was generally on par with the expected value.

Table 2
Chi-Square Goodness of Fit Test for Age (N=91)

Group	<i>n</i>	%	Standardized Residual
Elementary (9-11 Yrs)	8	8.8	-4.05
Middle (12-14 Yrs)	37	40.7	1.22
High (15-18 Yrs)	46	50.5	2.85

Note. $\chi^2(2) = 26.00, p < .001$. Expected counts for each cell were 30.3.

Reason Targeted

Data were collected for the bully-suicide victims regarding the reason why these children were targeted. Out of the 92 total victims, there were 14 victims for whom there was no reason listed for their bullying, leaving 78 victims with valid data for analysis. Most of these victims (67, or 85.9%) were bullied for one particular reason. The remaining 11 victims had multiple reasons listed.

For purposes of the chi-square analysis, it was necessary to include only the victims who had a single discrete reason for being bullied. However, Table 3 displays duplicated counts (i.e., the counts add to more than 100% of the sample) in order to obtain the most accurate picture of this phenomenon.

As indicated by the Table 3, appearance was the most likely reason for being bullied, followed closely by sexual orientation or relations. Peer relationships, one of the less likely reasons, included reasons such as shyness. The category of other included reasons that did not fit into the remaining categories, such as being a foster child, religious or racial discrimination, not joining gangs, being the new kid in school, or athletic performance.

Table 3
Reasons Targeted for Bullying - Duplicated Counts (N=92)

Reason	n	%
Appearance	28	30.4
Sexual Orientation and Relations	25	27.2
Being Different	13	14.1
Disability	9	9.8
Peer Relationships	7	7.6
Other	7	7.6
Unknown	14	15.2

A chi-square goodness of fit test was then conducted on the 67 observations representing students who were bullied for a single, identifiable reason. This analysis referenced all of the major categories (appearance, sexual orientation or relations, being different, peer relationships, and other reasons) and omitted the unknown category. Results of this test are located in Table 4. The test, $\chi^2(5) = 27.48$, $p < .001$, indicated that at least one reason targeted diverged from the status quo of equal likelihood. As indicated by the standardized residuals, there were more students targeted due to sexual orientation than expected ($SR = 3.53$), as was the case with students targeted for appearance ($SR = 2.33$). Likewise, fewer students than expected were targeted for other reasons that did not fit into the other five categories ($SR = -2.15$).

Table 4
Chi-Square Goodness of Fit Test for Reason Targeted for Bullying (N=67)

Reason	<i>n</i>	%	Standardized Residual
Appearance	19	28.4	2.33
Peer Relationships	6	9.0	-1.55
Sexual Orientation	23	34.3	3.53
Disability	7	10.4	-1.25
Being Different	8	11.9	-0.96
Other	4	6.0	-2.15

Note. $\chi^2(5) = 27.48, p < .001$. Expected counts for each cell were 11.2.

Types of Bullying

The final area of interest involved different types of bullying to which the suicide victims were subjected. Over half of the victims were bullied in more than one fashion. Because chi-square tests for goodness of fit require observations to fall into one discrete bucket, it was decided that this type of analysis was not appropriate. Therefore, this question was addressed descriptively.

Table 5 contains frequencies of types of bullying. The most frequent type of bullying was verbal in nature; 77 victims (83.7%) were subjected to verbal bullying. Physical bullying came in a distant second, with 34 victims (37.0%). Cyberbullying (19 victims, 20.7%) and relational bullying (12 victims, 13.0%) were not as prevalent. Five victims (5.4%) did not have an identifiable form of bullying.

Table 5
Types of Bullying - Duplicated Counts (N=92)

Type	<i>n</i>	%
Verbal	77	83.7
Physical	34	37.0
Cyber	19	20.7
Relational	12	13.0
Unknown	5	5.4

Research Question 2

To what extent, if any, is there a relationship between parent advocacy, media coverage, and/or a social event related to bully-suicide and the implementation or amending of state anti-bullying legislation?

: There is no relationship between parent advocacy, media coverage and/or social events related to bully-suicide and the implementation or amending of state anti-bullying legislation.

To answer Research Question 2, a phenomenological process was employed. Research question 2 included four interview questions asked of state legislators. Through the phenomenological process, major themes were found for each of the four research questions.

Interview Question 1: What Motivated You to Sponsor State Anti-Bullying Legislation?

Theme 1: Parent Advocacy

The first major theme evidenced through the phenomenological research process for interview question one was that of parent advocacy. Of the fifty state legislators who sponsored the most recent state level anti-bullying legislation, 48.0% ($n=24$) were initially motivated to sponsor the legislation due to parent advocacy. Legislators who provided direct responses to interview question one as well as legislators who provided comments in Internet news articles indicated that parent advocacy motivated them to sponsor anti-bullying legislation.

Of those legislators who responded directly to this interview question, legislator one indicated that he had been contacted by the parent of a child who committed suicide due to bullying. "I met with [parent, child's mom]. [Child's] story is very motivating." A legislative aide for legislator one further added, "We worked very closely with [student's mom] – she never gave up – when I would call her at the last minute and tell her it was being heard the next day in committee – she would grab a bunch of high school kids and make the 7 hour drive to [city] – I don't think she ever missed a hearing." Legislator three stated, "I am interested in children's issues. There was a local family who had to move to another school because the school would not do anything and they worked very hard to get legislation passed." Legislator four replied, "I had a young teenage girl from my district commit suicide two years ago as a result of being bullied so badly in school." Legislator five further indicated, "A constituent of mine who has a child that was a victim of bullying asked me to author anti-bullying legislation." Legislator nine stated, "I was approached by parents whose children had been severely bullied in their schools (elementary and high school level) and for whom the then state law was not working. I looked at

our law, compared it to laws around the country and agreed that [state's] law was poor.”

Legislator eleven claimed, “I sponsored the [state] Anti-Bullying Bill of Rights because harassment, intimidation, and bullying were having significant and harmful effects on [state's] education system. While the state had an anti-bullying law, it only encouraged schools to address the issue and as a result, many school districts were not responding effectively to bullying. Parents reached out to me for help because their children and teenagers were terrified to go to school. The students faced chronic harassment everywhere from the lunchroom to the school bus to the Internet.” Legislator fourteen replied, “I was asked by a group of constituents to introduce the legislation. There were bullying issues in the school district that I represent and when I approached the school board, they felt it was necessary to have clear direction from the State regarding bullying policies in the schools.”

Of those legislators who commented on their sponsorship of state anti-bullying legislation in Internet news articles, legislator 27 “had the support of some 45 family and child advocacy organizations asking for a bullying bill” (George, 2008). Legislator 30 “received numerous reports of bullying and harassment that have gone unreported by the schools including from parents who say they are frustrated with trying to deal with the school systems when reporting incidents” (Correa, 2011). In response to the legislature’s failure to pass an anti-bullying law in one state, legislator 35 said, “I’m disappointed and I know parents across [state] will be disappointed that the Legislature did not listen to them. I want to thank the brave students who came forward to tell their stories to the committee. Unfortunately, they fell on deaf ears” (Hagen, 2011). In another state, a child in the district of legislator 40 committed suicide due to bullying (Hertneky, 2011). The child’s father “has since pushed for tougher anti-bullying laws”

(Hertneky, 2011). Legislator 45 said, “I was contacted by a number of people who just said that our kids have been involved in this and that we need something like this to get involved. One lady said she moved her kid out of school” (Horiuchi, 2011).

Theme 2: Social Events

The second major theme evidenced through the phenomenological research process for interview question one was that of social events. Of the fifty state legislators who sponsored the most recent state level anti-bullying legislation, 28.0% ($n=14$) were initially motivated to sponsor the legislation due to social events. Legislators who provided direct responses to interview question one as well as legislators who provided comments in Internet news articles indicated that a social event motivated them to sponsor anti-bullying legislation.

Of those legislators who responded directly to this interview question, legislator 6 stated, “I was a part of a House/Senate Task Force on Bullying. This is about keeping our kids safe at school. Bullying has changed over the past 5-6 years because of technology. Kids are digital native and bullying is 24/7 with blogs, facebook, and twitter.” Legislator 8 responded, “Members of the LGBT community encouraged me to sponsor legislation that would specifically provide that bullying against students related to someone with perceived sexual orientation unlawful. I agreed that such acts should be unlawful and agreed to sponsor legislation.” Legislator 12 replied, “As a teacher and parent, I understand how bullying affects students’ academic performance, attendance, and self-concept. Also, the number of suicides among LGBT teens alarmed me as I am a gay mother.” The legislative aide for legislator 13 indicated, “With so many tragic youth suicides across the nation (including one in [city]) before the [state] Legislature convened, the immediacy for statewide legislation became even greater...this

became much bigger than the issue of bullying, but a public health crisis that is affecting the mental health of children.”

Of those legislators who commented on their sponsorship of state anti-bullying legislation in Internet news articles, legislator 17 declared, “As a former teacher, I know how important it is for our students to feel safe at school. Each day throughout [state], LGBT students face harassment. Seth’s Law will give schools the necessary tools to prevent any young person from being bullied, harassed, or worse because of their sexual orientation or gender identity and expression” (Mecke, 2011). Anti-bullying legislation sponsored by legislator 23 “was pushed by the [state] Safe Schools Alliance, which works to improve conditions for LGBT students in schools. The legislation prohibits bullying based on actual or perceived sexual orientation and gender identity” (Barlow, 2010). One anti-bullying bill sponsored by legislator 28 did not get passed. Legislator 28 said the bill was “designed to protect students who are gay, lesbian, transgendered, or who don’t dress conventionally from being picked on” (Anderson, 2011). In another case in which the anti-bullying law was not passed, legislator 29, who is candidly gay indicated, “The underlying factor for a lot of Republicans was that they thought this was a ‘gay bill’ and they didn’t want to vote for that, especially with me as the messenger” (Moretto, 2011). This legislation was fought against by “The Christian Civic League of [state] that urged legislators to vote against its final approval” (Moretto, 2011). Legislator 29 further declared, “We have gay, lesbian, bisexual, and transgender youth that are being picked on, sure, and I never denied that. But that’s only a portion of the people I am worried about...It’s about the children in schools that are afraid to go to school for fear of being picked on, punched or kicked or beaten up. They’re being denied an education” (Moretto, 2011).

Theme 3: Media Coverage

The third major theme evidenced through the phenomenological research process for interview question one was that of media coverage. Of the fifty state legislators who sponsored the most recent state level anti-bullying legislation, 22.0% ($n=11$) were initially motivated to sponsor the legislation due to media coverage. Legislators who provided direct responses to interview question one as well as legislators who provided comments in Internet news articles indicated that media coverage motivated them to sponsor anti-bullying legislation.

Of those legislators who responded directly to this interview question, legislator 2 indicated, “There was a serious bullying incident in Northern [state] that got a lot of media attention and I was appalled by the reaction of the community/school district.” Legislator 7 replied, “This issue came to the forefront when a [city] television news station aired a story of physical violence on school playgrounds in southeastern [city].”

Several legislators commented on their sponsorship of state anti-bullying legislation in Internet news articles. In legislation sponsored by legislator 18, “Lawmakers said they were inspired to draft the legislation by high-profile cases including the death of 15-year-old [child], who hanged herself last year in her [state] home. Authorities said [child] was the victim of bullying” (The Associated Press, 2011). In regard to legislation sponsored by legislator 24, “It was an I-Team 8 hidden camera investigation six years ago that prompted [legislator 24] to get the state’s first anti-bullying law passed. Then, with so many kids locally committing suicide after being bullied, [legislator 27] vowed to toughen the law to hold schools more accountable” (Hensel, 2011). In legislation sponsored by legislator 31, “The [state] legislature unanimously

backed an anti-bullying bill...., spurred on by the recent suicides of two students whose family and friends said had been tormented by their classmates” (The Associated Press, 2010). Both of these cases received national media coverage. In legislation sponsored by legislator 34, “the state experienced one of the most well-known cases of cyberbullying in the country when 13-year-old [child] hanged herself after a 16-year-old MySpace user called [name] sent her hurtful messages. The MySpace bully turned out to be [name], a family acquaintance” (Eischen, 2010). In another instance of bullying legislation being sponsored due to media coverage, “[Legislator 38] and other supporters of the measure pointed to instances in [state] and [state] where students had been bullied to the point where they killed themselves” (Binker, 2009).

Outliers

Of the 50 most recent sponsorships of state level anti-bullying legislation, 2.0% ($n=1$) of the laws were not initiated due to parent advocacy, a social event, or media coverage. In the case of this one outlier, legislator 48 “introduced the legislation in response to a report on bullying by [state] State University’s Social and Economic Services Research Center...[State] State University studied the original bill and they studied what is the scope of the problem...They found bullying affects every school statewide and it impacts every student” (Andrew, 2010).

Table 6

Interview Question 1: What Motivated You to Sponsor State Anti-bullying Legislation? (N=50)

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Parent Advocacy	24	48.0	48.0	48.0
	Social Events	14	28.0	28.0	76.0
	Media Coverage	11	22.0	22.0	98.0
	Outliers	1	2.0	2.0	100.0
	Total	50	100.0	100.0	

Interview Question 2: How Did You Promote the Bill to Your Colleagues?

Fourteen legislators personally responded to email and telephone attempts by the researcher to obtain answers to the four research questions. Of the fourteen legislators who personally responded to the request for participation, twelve legislators answered interview question two. From the twelve legislator responses to interview question two, two major themes were found.

Theme 1: Involving Outside Groups

In response to the second interview question, 50.0% (n=6) of the legislators promoted the state anti-bullying law to colleagues by involving outside groups. Legislator 1 involved an outside individual and promoted the bill to his colleagues “by humanizing the bill and talking to individual legislators. [Parent] attended almost all, if not all, committee hearings on the bill, so it was easy to introduce her to the legislators on a one to one basis.” Legislator 4 revealed, “I had

the parent of the child come in and talk about her daughter's ordeal with my colleagues. She did a good job of talking about how it impacted her family and how bullying was the root cause of the girl's suicide." Legislator 5 indicated, "When the bill was put on the Senate calendar, I received phone calls and e-mails from all over the state wanting to know how people could help get the bill passed. I told them to call their senator and house member. The bill was referred to the Senate Education Committee. I am a member of that committee. I explained the bill to the committee and it was passed out of committee with very few questions." Legislator 6 responded, "[State] had the tragic loss of a young 16-year-old student who committed suicide two years ago because he was bullied. The most riveting testimony I heard came from his parents, the [name] of [city, state]. They came to all of our meetings and I asked them to testify before the House Committee on Health, Education, Welfare of which I serve. I'm proud of the work and the results of this landmark legislation." Involving several groups, legislator 9 signified, "I brought together a 'working group' to write new legislation. This group represented school boards, school administrators, teachers, parents, students, legal experts, the [state] Department of Education, the [state] Children's Alliance, the YWCA of [city, state], members of the [state] House and Senate Education Committee. I made sure that I had bipartisan representation. I put a booklet on bullying in every House and Senate mailbox. It was developed by University of [state] Cooperative Extension professor [name] – a nationally recognized expert on bullying. Those who bothered to read it, got a good education." Legislator 12 provided, "A Republican wanted to do a bullying reduction bill so he and I teamed up. Our state teachers' union, school administrators, school board supported the bill after considerable dialogue with them. A statewide LGBT group called One [state] organized much of the lobbying for the bill, keeping

LGBT status with race, ethnicity, gender, disability, national origin etc. so the bill was not only a gay bill.”

Theme 2: Talking With Other Legislators

In response to the second interview question, “How did you promote the bill to your colleagues?”, 33.3% ($n=4$) legislators promoted the state anti-bullying law to colleagues by talking with other legislators. Legislator 2 revealed, “I talked individually with my colleagues about the subject of bullying and why I thought these bills were needed. I also made sure they were aware of media accounts of the powerful testimony we received in the Senate Education Committee.” In talking with other legislators, legislator 3 said that he “made them feel guilty.” A legislative aide for legislator 13 stated, “The following were very important to many legislators and changes were made to the legislation along the way: (1) local control for the school districts; (2) not mandated to implement the programs; (3) parental notification of possible early warning signs of a need for intervention to allow parents to take action they feel is appropriate.” Legislator 14 indicated, “The bill is necessary to address an issue that has gotten out of hand in [state]. Some said it wasn’t necessary because ‘kids will be kids’ and ‘when we were growing up, the teasing just made you stronger’. And perhaps that was true 50 years ago, however, now there are numerous new ways to bully. Cyber-bullying was a concept that was difficult for some to understand. When a teenage girl committed suicide due to cyber-bullying, this issue became a reality and easier to understand. It was my opinion that passing the legislation was a common sense approach to a very disturbing issue. Others saw this as another way to impose more regulations on school and further take away local control.”

Outliers

Of the 12 legislators who responded to interview question two, 16.7% ($n=2$) of the legislators did not promote the bill to his or her colleagues by involving outside groups or talking with other legislators. Legislator 8 divulged, “I didn’t promote it. I kept it on the down-low and just pushed the bill through generally as an anti-bullying measure, which it was but which also addressed LGBT concerns.” Legislator 11 disclosed, “When I introduced the law as legislation in early November of 2010, [state] and the nation had become incredibly sensitive to and concerned with bullying as a result of several recent, horrific bullying related suicides. Consequently, my colleagues were very receptive to the legislation and many asked to become co-sponsors of the bill. This is unusual, as with most legislation the sponsor has to seek co-sponsorship and support from colleagues. In this case, the legislation had 53 sponsors in the Assembly, and 28 in the Senate.”

Table 7

Interview Question 2: How Did You Promote the Bill to Your Colleagues? (N=12)

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Involving Outside Groups	6	50.0	50.0	50.0
	Talking With Other Legislators	4	33.3	33.3	83.3
	Outliers	2	16.7	16.7	100.0
	Total	12	100.0	100.0	

Interview Question 3: How Did You Acquire Support for the Anti-bullying legislation?

Fourteen legislators personally responded to email and telephone attempts by the researcher to obtain answers to the four research questions. Of the fourteen legislators who personally responded to the request for participation, twelve legislators answered interview question three. From the twelve legislator responses to interview question three, two major themes were found.

Theme 1: Involving Outside Groups

In response to the third interview question, 50.0% ($n=6$) legislators acquired support for the anti-bullying legislation by involving outside groups. Legislator 3 indicated that he “worked with the Association of School Boards and local school leaders to create a bill that all stakeholders were satisfied with.” Legislator 4 revealed, “I contacted various anti-bullying groups from around the state as well as had teenage advocates come and speak to the legislature about this problem.” Legislator 6 replied, “We held hearings across the state for 7 months listening to students, teachers, administrators, parents and received input from stakeholders like the Attorney General’s office, [state] Coalition Against Domestic Violence.” Legislator 9 stated, “I made sure that I had a ‘conservative’ representative as a co-sponsor to ensure that the bill would be treated fairly. I had each of the groups represented in our ‘working group’ testify at the House and Senate Hearings – including students who had been bullied. They told their stories. We had standing room only at the hearings. There were two ‘subcommittee’ work sessions on the bill in the House and I made sure that the needed experts showed up to support the bill and answer questions. Between the House and Senate Hearings, I worked with the Senate co-

sponsors and legal staff to tweak the bill and address any issues they had with the language.” A legislative aide for legislator 13 answered, “Many changes were made along the way to address the concerns of stakeholders, legislators, and advocates. By addressing concerns and working together, legislators were able to support the legislation when maybe they didn’t feel like they could with the original language of the bill.” Legislator 14 articulated, “The organizations and special interest groups that worked on this issue were key to the successful passage of the legislation. I strategically chose the bill co-sponsors based on demographics, urban and rural and level of conservatism. Using this sort of strategy truly helped to bring members on board. There were supporters from every corner of the state that stood on the floor to offer their support. And we heard from numerous constituents that wanted a consistent policy, regardless of where the young person lived.”

Theme 2: Media Coverage

In response to the third interview question, 25.0% ($n=3$) legislators gained support for the anti-bullying legislation through media coverage. Legislator 2 responded, “The media was very friendly towards this legislation, particularly one TV reporter and a newspaper reporter from [city] who was appalled over the incident I mentioned above. They covered the hearings and did some excellent stories. School officials were not very supportive of the legislation but parent groups were.” Legislator 5 replied, “The bill received attention from the news media for a few weeks before it was voted on by the House and Senate.” Legislator 12 specified, “Some conservatives thought the bill was a hidden ‘gay agenda’ but when they read in black and white that all the groups of students were covered they agreed that bullying was bad and we as state leaders should raise awareness and reduce bullying through public awareness and legislation.

The publicity around the bill jolted parents to be aware of cyber-bullying and to monitor their child's social media and electronic use. The bill passed with a large majority in the House and Senate.”

Outliers

Of the 12 legislators who responded to interview question three, 25.0% ($n=3$) of the legislators did not acquire support for the anti-bullying legislation through only involving outside groups or media coverage. Legislator 1 declared, “The support was there when I sponsored the bill as Representative (now Senator) [name] had sponsored the bill in 2006.” Legislator 8 indicated that he “just ran the bill, and no one really picked on it much until it got to the House floor.” Acquiring support through involving outside groups and media coverage, legislator 11 detailed, “While drafting the law, I consulted education and anti-bullying experts, advocates, and a wide array of stakeholders, such as [name] State Equality, the Anti-Defamation League, the [state] Education Association, the American Civil Liberties Union of [state], the [state] Principals and Supervisors Associations, and disability rights organizations. This provided a base of support for the legislation as it was considered by the Legislature. There was also significant media attention given to the initiative, which allowed [state] residents to become familiar with the bill and to support it.”

Table 8

Interview Question 3: How Did You Acquire Support for the Anti-bullying Legislation? (N=12)

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Involving Outside Groups	6	50.0	50.0	50.0
	Media Coverage	3	25.0	25.0	75.0
	Outliers	3	25.0	25.0	100.0
	Total	12	100.0	100.0	

Interview Question 4: Is There a Recorded or Written Record of What Was Said on the Legislative Floor in your State During Discussion of the Anti-Bullying Legislation?

Theme 1: There Is No Recorded or Written Record

Twelve legislators responded to research question four. In response to research question four, 66.7% (n=8) of legislators indicated that there was no recorded or written record of what was said on the legislative floor during discussion of the anti-bullying legislation. Legislator 4 indicated, “The bill did not get a full vote of the Senate and only passed out of the Senate Judiciary Committee.” Legislators 5 and 7 both replied, “No.” Legislator 8 stated, “There is no record in the Senate, which maintains no recordings of proceedings.” Legislator 9 provided, “There was actually no debate on this bill. By the time it came to the floor of the House, it passed on a voice vote. I do not know about the Senate.” Legislator declared, “The full text of the bill is online at www.leg.state.co.us; click on House and look for HB11-1254. All the testimony is somewhere but I don’t know where.” A legislative aide for legislator 13 provided a link to history, text, amendments, and record votes for the state anti-bullying legislation, but no

information regarding a recorded or written record of the floor discussion of the bill was provided. Legislator 14 responded, “There is no written record of what was stated on the House and Senate floors during the debate of the legislation.”

Theme 2: There Is a Recorded or Written Record

Of the twelve legislators who responded to research question four, 33.3% ($n=4$) indicated that there was a recorded or written record of what was said on the legislative floor during discussion of the anti-bullying legislation. Legislator 1 declared, “Yes, I feel certain there is. You would have to obtain that from the [State] Legislature.” Legislator 2 indicated, “You can access committee minutes through our website: www.leg.state.nv.us. Look for minutes of the Senate Education committee. The floor statements are also available in the daily record of the Senate floor sessions. You can contact the Secretary of the Senate’s office to find out how to best find this information.” Legislator 3 replied, “Yes. The transcriber’s office has transcripts and you can get other information from the legislative historian. Contact information is here: <http://nebraskalegislature.gov/divisions/clerk.php>.” Legislator 11 confirmed, “You may access Assembly Education Committee testimony from the November 15, 2010 here: http://www.njleg.state.nj.us/media/archive_audio2.asp?KEY=AED&SESSION=2010. You may access Senate Education Committee testimony from November 15, 2010 here: http://www.njleg.state.nj.us/media/archive_audio2.asp?KEY=SED&SESSION=2010.” A written record of the Committee Meeting of the Assembly Education Committee for Assembly Bill No. 3466, Anti-bullying Bill of Rights Act, is provided (Appendix F).

Table 9

Interview Question 4: Is There a Recorded or Written Record of What Was Said on the Legislative Floor in Your State During Discussion of the Anti-bullying Legislation? (N=12)

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	There Is No Recorded or Written Record	8	66.7	66.7	66.7
	There Is a Recorded or Written Record	4	33.3	33.3	100.0
	Total	12	100.0	100.0	

Summary

This chapter depicted the analysis of quantitative data collected on children who committed suicide due to bullying. Further, this chapter exhibited the analysis of qualitative data gathered from legislator responses to four interview questions regarding their sponsorship of state level anti-bullying legislation. The data analysis was guided by two research questions. The first research question was to determine what, if any, are the commonalities and/or differences between and among bully-suicide victims between the ages of nine and eighteen (e.g. age, gender, reason targeted, type of bullying subjected to). The second research question was to determine to what extent, if any, is there a relationship between parent advocacy, media coverage, and/or a social event related to bully-suicide and the implementation or amending of state anti-bullying legislation. A summary and discussion of the findings, conclusions, implications for practice, and future research are reported in Chapter 5.

CHAPTER 5

SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

Introduction

This chapter includes a summation and discussion of the results structured around the two research questions which guided the investigation. Conclusions, implications for practice, and recommendations for future research are depicted. Specifically, encompassed in this chapter is a discussion of the analysis pertaining to the relationship between age, gender, reason targeted, type of bullying subjected to, and committing suicide due to bullying. This chapter also contains a discussion of the analysis concerning the influence of parent advocacy, media coverage, and social events on the implementation and amending of state level anti-bullying legislation. Implications and conclusions for this investigation were extracted based on the data analysis and the research available in the areas of bully-suicide and state level anti-bullying legislation. Recommendations for future research are incorporated to offer assistance to researchers interested in learning more about the relationship between bullying and suicide, and state level anti-bullying legislation.

This chapter is organized into six sections. Section one contains a restatement of the purpose. A review of the methodology used in this investigation can be found in section two. Section three comprises the summary findings and discussion of the two research questions. Discussion and conclusions are found in section four. Section five offers implications for practice. Recommendations for future research on the relationship between bullying and suicide, and state level anti-bullying legislation are included in section six.

Purpose of the Study

Adolescent victims of bullying are 2.61 times more likely to attempt suicide than adolescents who have never been victims of bullying (Cleary, 2000) . Several studies have been conducted on bullying (Nansel, 2001; Swearer & Cary, 2003). However, there is considerably little research on bully-suicides. Further, there is a paucity of research to be found in the literature pertaining to anti-bullying advocacy by parents in relation to the enactment of state anti-bullying legislation. In order to implement successfully anti-bullying programs and eradicate bully-suicide, school leaders must understand the influence that bully-suicides, parent advocacy, media coverage, and social events have on the implementation and amending of state legislation. To this end, the purpose of this study was two-fold: 1) to examine the commonalities and differences among and between victims of bully-suicide; 2) to explore factors that could influence the implementation or amending of state anti-bullying legislation.

Methodology

Population

The population for this research was comprised of all children in the United States who were revealed by at least one source to be victims of bully-suicide when they were nine to eighteen-years-old. Of all children who became bully-suicide victims as established by at least one source, 92 bully-suicide victims whose information was available through Internet searches were included in this study (N = 92). The population for this research was also comprised of

legislators in the United States who sponsored original or amended state anti-bullying legislation (N=50).

Instrumentation

Internet search engines were used to collect data regarding cases of bully-suicide victims, including age, gender, reason targeted, and type of bullying endured. Qualitative data from legislators who sponsored state anti-bullying legislation were collected through email and telephone requests for information. All legislators were asked four questions (Appendix A).

Data Collection

The researcher completed exhaustive Internet searches for cases of bully-suicide victims in the United States who became bully-suicide victims when they were between nine to eighteen-years-old. The data obtained included age of victim, gender of victim, reason targeted, and type of bullying endured. At the end of the data collection process for bully-suicide cases, the researcher analyzed the data using quantitative procedures.

The researcher also contacted state legislators who sponsored anti-bullying legislation through e-mail to determine why the legislation was initially sponsored. If the researcher was not successful in obtaining the information through e-mail, the researcher contacted the legislator by telephone. Many of these telephone requests resulted in a conversation between the researcher and the legislative aide who indicated that the legislator was very busy and the request would be forwarded. Some other legislative aides, however, indicated that the legislator would not respond

to the interview questions. Qualitative statistical procedures were used to analyze legislator responses.

For this research, parental advocacy for state anti-bullying legislation consisted primarily of parents who contacted legislators and fought for state anti-bullying legislation. Media coverage as a means for procuring state anti-bullying legislation consisted of stories that obtained national attention through extensive media coverage. Social events related to bully-suicide incidents included major events such as school shootings performed by victims of bullying in which the perpetrator also committed suicide. Further, social events also included incidents in which several individuals within a particular social group, such as individuals who identify as homosexual, committed bully-suicide during the same time period. Social events also included legislator awareness of increased bullying issues due to modern technology, including the increased use and access to the Internet and cell phones. In bully-suicide incidents in which more than one reason for the implementation of anti-bullying legislation was evidenced, the researcher coded the legislation implementation for that particular state according to the primary reason for the legislation implementation.

Data Analysis

Research Question 1 asked, “What, if any, are the commonalities and/or differences between and among bully-suicide victims between the ages of nine and eighteen (e.g. age, gender, reason targeted, type of bullying subjected to)?” To answer Research Question 1, the analysis included several chi square goodness of fit tests to determine if there were any commonalities or differences that existed between and among bully-suicide victims. Further, a

descriptive analysis was completed to answer one portion of the research question. The dependent variable was the status of being a bully-suicide victim between the ages of nine and eighteen. The independent variables were: (a) age, (b) gender (c) reason targeted, and (d) type of bullying to which the victim was subjected. Research Question 2 asked, “To what extent, if any, is there a relationship between parent advocacy, media coverage, and/or a social event related to bully-suicide and the implementation or amending of state anti-bullying legislation?” In order to answer Research Question 2, a phenomenological analysis was conducted. The dependent variable was the implementation or amending of state anti-bullying legislation. The independent variables were: (a) parent advocacy, (b) media coverage, and (c) social events related to bully-suicide.

Summary and Discussion of Findings

This research was guided by two research questions. The subsequent section encompasses the summary, analysis, and discussion of results obtained from the analysis of data for each of the questions.

Research Question 1

What, if any, are there commonalities and/or differences between and among bully-suicide victims between the ages of nine and eighteen (e.g. age, gender, reason targeted, type of bullying subjected to)?

: There are no commonalities between and among bully-suicide victims between the ages of nine and eighteen.

This research question sought to determine if frequencies of age, gender, type of bullying subjected to, and the reason the child was targeted occurred in an equally likely fashion, or if one

particular demographic stood out beyond others for victims of bully-suicide. Data were collected on the age, gender, type of bullying subjected to, and the reason the child was targeted for victims of bully-suicide through Internet search engines. Descriptive statistics as well as multiple chi-square goodness of fit tests were conducted in order to determine what, if any, are the commonalities and/or differences for the included demographics (age, gender, type of bullying subjected to, and the reason the child was targeted) for victims of bully-suicide between the ages of nine and eighteen.

Gender

The results of the chi-square goodness of fit test indicated a statistically significant deviation from the status quo of equal likelihood of bully-suicide victims being either male or female. Substantially more bully-suicide victims in this sample were male. Based on previous research results, the conclusions from this study were both similar and different from what was expected. One researcher found that males are more likely to be victims of bullying than females (Nansel, 2001). Further, the National Center for Injury Prevention and Control (as cited in American Association of Suicidology, 2011) found that while suicide rates in the past 60 years has doubled for females between the ages of 15 and 24, the suicide rate for males of the same age has quadrupled. The results of these two research studies support the conclusions found in this study. Research on bullying victimization also has been shown in the literature to indicate that females are more commonly victims of bullying than males (HHS, 2009). Additionally, research has shown that adolescent females are more likely to attempt suicide or have suicidal ideations than adolescent males (Resnick, et al., 1997; Kim, Koh, & Leventhal, 2005). The research results from these studies are contrary to what was found in this study.

Age

This study was concerned with school-aged bully-suicide victims. The mean age for bully-suicide victims in this study was 14.33 with a standard deviation of 2.09. The ages of bully-suicide victims were categorized into three groups, ages 9-11 (elementary school), 12-14 (middle school), and 15-18 (high school) in order to determine if any age group statistically differed from the others using the chi-square goodness of fit test. Using this test, the residual was determined by calculating the difference between the observed count for a category and the expected count. For this study, the expected count was the number of total observations divided by the number of groups, as all groups were assumed equally likely. The standardized residual was then calculated by dividing the residual by the square root of the expected value. Standardized residuals lower than -2 and higher than 2 imply that bully-suicide victims in those particular categories were less or greater than expected. For bully-suicide victims who were high school-aged, the positive standardized residual of 2.85 signified that there were a greater number of bully-suicide victims of high school age than was expected. Further, the standardized residual of -4.05 for elementary-aged victims indicated that this group differed statistically than what was expected.

Results from this analysis are contrary to the results from previous research and the literature. Specifically, research has shown that the most common age group experiencing bullying is middle school-aged children (HHB, 2009; Nansel, 2001). According to the CDC (2010), interpersonal conflict has been found to be the mostly likely reason for an adolescent to attempt suicide. Based on the bullying research and the research on adolescent suicide, it could be inferred that more middle school-aged children would be likely to commit suicide due to the

greater amount of interpersonal conflict experienced in middle school, which is contrary to the results from this study.

Reason Targeted

The data from this research indicate that several of the bully-suicide victims in this study were targeted for more than one reason. The chi-square goodness of fit test requires that only bully-suicide victims who were targeted for a single discrete reason be included in the analysis, which allowed 67 cases to be included in the analysis. A standard residual of 3.53 was found for students who were targeted due to sexual orientation, indicating that this group statistically differed from the other groups. Likewise, children who were targeted due to their appearance also differed statistically with a standard residual of 2.33. Both victims of bullying due to sexual orientation as well as victims of bullying due to appearance were more likely to become victims of bully-suicide. Further, when allowing for multiple reasons for being a target of bullying, duplicated counts reveal that appearance (30.4%) and sexual orientation (27.2%) continue to be the most observed reasons for being targeted for bully-suicide victims.

The results from this study support the findings from previous research and the literature. Several research studies have shown that appearance is a significant factor contributing to a student becoming a target of bullying (Swearer & Cary, 2003; Carney & Merrell, 2001; Olweus, 1993, 1999). According to the GLSEN (2009), perceived or real sexual orientation is a significant reason for which students are targets of bullying, with 61.1% of lesbian, gay, bisexual, and transgender adolescents reporting that they believed they were unsafe at school due to their sexual orientation.

Types of Bullying

The data from this research indicate that the majority of bully-suicide victims experienced more than one type of bullying. Due to the requirement for the chi-square goodness of fit test that all cases fall into one discrete category, descriptive statistics were used to address the types of bullying to which victims were exposed. Frequency data using duplicated counts indicated that verbal bullying was experienced most frequently (83.7%), followed by physical bullying (37.0%), cyberbullying (20.7%), and relational bullying (13.0%).

This study is supportive of the research literature on types of bullying to which children are subjected. The GLSEN (2009) found that lesbian, gay, bisexual and transgender adolescents report being subjected most frequently to verbal bullying, followed by physical bullying. According to Nansel (2001), males are subjected most to physical and verbal bullying while females are subjected most to verbal bullying and relational bullying. With both genders being most subjected to verbal bullying, the results support the conclusion of this research that verbal bullying is the most frequent type of bullying. On the other hand, however, Pergolizzi et al (2009) found that relational bullying is the most frequent type of bullying, which is contrary to the results found in the current study. The study conducted by Pergolizzi et al (2009) consisted of students in 7th and 8th grades at four middle schools. It is possible that the results from that study differ from the results of the current study because the current study consists of significantly more high school-aged students. Further, is it possible that the sample in the current study consists of significantly more students targeted due to sexual orientation than the sample used by Pergolizzi et al.

Research Question 2

To what extent, if any, is there a relationship between parent advocacy, media coverage, and/or a social event related to bully-suicide and the implementation or amending of state anti-bullying legislation?

: There is no relationship between parent advocacy, media coverage and/or social events related to bully-suicide and the implementation or amending of state anti-bullying legislation.

This research question sought to ascertain the relationship between parent advocacy, media coverage and social events related to bully-suicide and the implementation or amending of state anti-bullying legislation. Phenomenological analyses were used to obtain themes to four interview questions. Several attempts were made to contact state legislators for answers to the interview questions. Fourteen state legislators who sponsored anti-bullying legislation responded to the interview questions. The researcher was able to obtain answers to interview question one for the remaining state legislators who sponsored their state's most recent anti-bullying through Internet news articles. For interview questions two, three, and four, the researcher used only responses obtained directly from state legislators through the request for participation.

Interview Question 1: What Motivated You to Sponsor State Anti-Bullying Legislation?

Three themes were found through the phenomenological analysis of responses to interview question one. The three themes found were parent advocacy, social events, and media coverage. The greatest majority of state legislators 48.0% ($n=24$) who sponsored their state's most recent anti-bullying legislation were initially motivated to sponsor the legislation due to parent advocacy. The second most common motivator for sponsoring of state level anti-bullying legislation identified by state legislators 28.0% ($n=14$) was a social event. The third theme identified by state legislators 22.0% ($n=11$) as a motivator for sponsoring anti-bullying

legislation was media coverage. Offering a reason unrelated to parent advocacy, social events, or media coverage for sponsoring anti-bullying legislation, the response provided by one state legislator 2.0% ($n=1$) was found to be an outlier. The results of this analysis support the literature on the implementation of anti-bullying legislation (Dakarai, 2010).

Interview Question 2: How Did You Promote the Bill to Your Colleagues?

Twelve legislators provided direct responses to interview question two. Through the phenomenological analysis of responses to interview question two, there were two major themes found. The two major themes found were involving outside groups and talking with other legislators. In response to the second interview question, 50.0% ($n=6$) of the legislators indicated that they involved outside groups to promote the state anti-bullying law to colleagues. Indicating that they talked with other legislators, 33.3% ($n=4$) of the legislators provided responses within this second theme. Of the legislators who responded to interview question two, 16.7% ($n=2$) of the legislators provided responses that were determined to be outliers.

Interview Question 3: How Did You Acquire Support for the Anti-bullying Legislation?

Twelve legislators provided direct responses to interview question three. Two major themes were found through the phenomenological analysis of responses to interview question three: involving outside groups and media coverage. In response to interview question three, 50.0% ($n=6$) of the legislators indicated that they acquired support for the anti-bullying legislation by involving outside groups. Specifying that they used media coverage to acquire support for the anti-bullying legislation, 25.0% ($n=3$) of the legislators provided responses within

this second theme. Several legislators 25.0% ($n=3$) provided responses to interview question three that were determined to be outliers.

Interview Question 4: Is There a Recorded or Written Record of What Was Said on the Legislative Floor in your State During Discussion of the Anti-Bullying Legislation?

In response to interview question four, twelve legislators provided direct answers. There were two major themes found for interview question four: there is no recorded or written record and there is a recorded or written record. Signifying that there is no recorded or written record of what was said on the legislative floor during discussion of the anti-bullying legislation, 66.7% ($n=8$) of the legislators provided responses within theme one. Providing responses within theme two, 33.3% ($n=4$) of the legislators denoted that there is a recorded or written record of what was said on the legislative floor during discussion of the anti-bullying legislation.

Conclusions

The results of this research extended the work in the area of bully-suicides and state level anti-bullying legislation. This study sought to ascertain: (a) if there were commonalities and/or differences between and among bully-suicide victims between the ages of nine and eighteen in the areas of age, gender, reason targeted, and type of bullying to which the victim was subjected; and (b) if there was a relationship between parent advocacy, media coverage, and/or a social event related to bully-suicide and the implementation or amending of state anti-bullying legislation.

There were statistically significant commonalities found between and among victims of bully-suicide between the ages of nine and eighteen. Specifically, there were statistically significant deviations in equality of likelihood in the areas of age, gender, reason targeted and type of bullying to which a bully-suicide victim was subjected. It was found that there was a statistically significant deviation from the likelihood that all age groups would be equal for both high school-aged bully-suicide victims and elementary school-aged bully-suicide victims. That is, there were significantly more bully-suicide victims who were high school-aged than expected and significantly less bully-suicide victims who were elementary school-aged than expected. There were also significantly more male bully-suicide victims than females as determined by the chi-square goodness of fit test. Two areas were found to statistically differ from the expectation of equal likelihood for reason targeted. Specifically, victims of bully-suicide were more likely to be targeted due to appearance or sexual orientation than for any other reason. Descriptive statistics indicated that the most frequent type of bullying to which bully-suicide victims were subjected was verbal bullying, followed by physical bullying. It can be postulated, based on these results, that the most likely group to become victims of bully-suicide are high school-aged males who are targeted for bullying based on appearance or sexual orientation and are subjected to verbal or physical bullying.

The results of the study indicated there was a relationship between parent advocacy, media coverage, and/or a social event related to bully-suicide and the implementation or amending of state anti-bullying legislation. That is, through the phenomenological research process three themes were found for what inspired legislators to sponsor anti-bullying legislation: parent advocacy, media coverage, and social events. Most legislators indicated that

they were inspired to sponsor anti-bullying legislation in their state due to parent advocacy, followed by being inspired due to a social event. The third most likely reason a legislator stated for sponsoring anti-bullying legislation was media coverage.

Further analysis indicated two themes for how legislators who sponsored anti-bullying legislation promoted the legislation to their colleagues. The two themes found were involving outside groups and talking with other legislators, with involving outside groups being the most commonly reported method for promoting the legislation to colleagues. The study also looked at how legislators acquired support for the anti-bullying legislation. Two themes were found: involving outside groups and media coverage. The most reported method of acquiring support for the anti-bullying legislation was involving outside groups. The research also found that more states do not have a recorded or written record of what was said on the legislative floor than states that do have a recorded or written record. Additionally, most legislators do not have direct access to a recorded or written record of what was said on the legislative floor, if it is available. The results of the phenomenological analysis of the first three interview questions show that parent advocacy and involving outside groups are imperative to the sponsorship and implementation or amending of anti-bullying legislation.

The results of this study are two-fold. In regard to commonalities and differences in age, gender, reason targeted, or type of bullying subjected to among and between victims of bully-suicide, the results support the findings in research and the literature (HHS, 2009; Resnick, et al., 1997; Kim, Koh, & Leventhal, 2005; Nansel, 2001; Swearer & Cary, 2003; Carney & Merrell, 2001; Olweus, 1993, 1999; GLSEN, 2009). The results of this study do not however support the findings of other research and literature on bullying and suicide (Nansel, 2001; American

Association of Suicidology, 2001). While there is only a modicum of research on the reasons legislators sponsor anti-bullying legislation, the current study supports the findings in the literature on anti-bullying legislation (Dakarai, 2010). Based on these results, future research should concentrate on two issues. That is, future research should focus on the effectiveness of programs designed to change the culture of schools to be more accepting of differences among all people. Further, research should be focused on the effectiveness of parent advocacy and involving outside groups in the sponsorship and the successful passage of anti-bullying legislation.

Implications for Practice

Because of the responsibility with which educators are charged as well as the recent implementation of anti-bullying legislation in almost every state, educators are fundamentally accountable for ensuring the safety of all students when they are at school. Further, research has shown a significant relationship between being a victim of bullying and increased incidents of depression, suicidal ideation, and suicide attempts (Bauman, 2008; Arseneault, et al., 2006; Klomek, et al., 2007; Kim & Leventhal, 2008; Kaminski & Fang, 2009; Kim, Koh, & Leventhal, 2005; Rigby & Slee, 1999). Research also has found that children are bullied at school more frequently than in any other location (Olweus, 1993). Therefore, it is imperative that all school personnel receive training to understand the significant emotional impact of bullying on its victims. All school personnel also should be trained to recognize the signs of bullying as well as the warning signs for depression and suicide.

School administrators, teachers and staff should be trained to recognize all types of bullying as well as common times and areas in which bullying occur. Specifically, all school staff should be aware that bullying is intentional and repetitive, and the relationship involves a power imbalance in which one or more individuals is actually or perceived to be more strong or powerful than one or more other individuals (Olweus, 2010). School staff also must be made aware of the types of bullying: verbal, physical, relational, reactive and cyberbullying. Training should include an awareness that physical bullying is more common among boys while relational bullying is more common among girls (Beale, 2001). The results of this research show a need for school administrators, teachers, and staff to be aware that verbal bullying is the most frequent form of bullying, occurring among both males and females. Staff should be trained to recognize signs of bullying, such as one or more individuals repeatedly targeting another individual physically, including hitting or kicking the individual or destroying the person's property, verbally, including calling names and teasing, relationally, including repeatedly excluding one particular person from a group or trying to get others to dislike the individual, and cyberbullying, including using social media and cell phones to spread rumors or say hurtful things about an individual.

All school personnel should receive in-service training on awareness of individuals who are commonly targeted for bullying. The individuals identified should include students who are different in their appearance as well as students who have a different sexual orientation and relations, including lesbian, homosexual, transgender, and bisexual students. Students who appear to have few or no friends or appear to have a deficiency in social skills should also be identified as common targets of bullying (Nansel, 2001). Teachers should become vigilant

observers of students and their behavior. Teachers need to be aware that bullying occurs most frequently at school (Olweus, 1993). Further, bullying can occur in the classroom with the teacher present as well as in hallways, locker rooms and cafeterias in which there is little supervision. In testimony presented before the Assembly Education Committee in one state, a representative of the state's Chapter of the American Academy of Pediatrics stated, "Bullying problems can greatly be reduced in frequency and severity by teacher and administrative supervision, approach, and intervention. Supervision of children has been found to be of prime importance. Just as low levels of supervision in the home are associated with the development of bullying behavior in individual children, so too are low levels of supervision at school, particularly on the playground, school yard, and in the hallways" (New Jersey Assembly Education Committee Minutes, 2010). Therefore, teachers must be vigilant observers of students and their behavior both inside and outside of the classroom. School administrators should inspect their campuses for areas in which there is little or no supervision and ensure that all teachers and staff are responsible for supervision of students during breaks, including the areas identified as having little or no adult supervision.

School administrators and teachers should receive training in the warning signs of suicide and depression. There are several indicators of suicidal risk of which school personnel should be aware. As was the case with Jeffrey Johnston and Jared High, a change in personality may be noted. Administrators and teachers should be aware when a typically outgoing and happy student becomes withdrawn and depressed. Further, a change in the way a student dresses may be indicative of a need for intervention. Jeffrey Johnston, after becoming a victim of bully-suicide, went from dressing like an average teenager to dressing all in black. Administrators and teachers

also need to be aware of changes in a student's outlook on life and the future. As was the case for Brandon Swartwood, who suffered from PTSD after being severely bullied, a diminished outlook on life and the future may be a warning sign of suicide risk. When these warning signs for depression and suicide are observed, administrators and teachers should work together with parents and guidance counselors to obtain the necessary support and help for students who are at risk for depression and suicide.

Previously bullying has been thought of as a normal part of growing up or kids just being kids. However, increased awareness of the effects of bullying as well as the increased incidence of children committing suicide due to bullying has raised awareness of the need to extinguish bullying among youth. In order to terminate bullying in schools, educational leaders must change the culture in their schools to be venues in which acceptance and tolerance for everyone proliferates the school environment. In order to accomplish this task, educational leaders must learn how to be effective change agents within their schools. Additionally, educational leaders must provide teachers and guidance counselors with professional development on research-based programs designed to eliminate bullying. Teachers and guidance counselors then must implement these programs appropriately, and vigilantly teach tolerance and acceptance within their classrooms and around the school, with particular focus on the acceptance of differences in appearance and sexual orientation. Further, educational leaders should involve parents in the change process. In order to change the culture within the school, educational leaders must have buy-in from parents who have a great influence on the behavior and beliefs of their children. Therefore, school leaders should provide trainings for parents on how to teach and encourage

children to be tolerant and accepting of all others as well as evidence the potential consequences of bullying to the parents of students in the school.

The results of this study indicate that efforts to change the culture of schools should be focused in high-schools. However, research conducted by the U.S. Department of Health and Human Services (HHS, 2009) signifies a need for focused culture change in middle schools based on results indicating that bullying is most prevalent in middle schools. While the greatest amount of bullying occurs in middle and high schools, it is imperative that the school culture be changed throughout all grade levels. It is possible that implementing bullying prevention programs even at the elementary school level and teaching tolerance and acceptance at this younger age would assist with the elimination of bullying in the middle and high school years.

As part of the bullying prevention process, district level administrators should ensure that school level administrators receive professional development on the requirements of their state's anti-bullying law. School leaders should then support the understanding and correct implementation of the state's anti-bullying law with teachers and staff within the school. Several state laws, such as Florida's anti-bullying law, require that all bullying reports be investigated. Further, the parents of the bullying target as well as the perpetrator must be contacted and informed of the bullying that has occurred. In addition to investigating potential bullying, school administrators should provide time for guidance counselors to work with victims of bullying as well as bullying perpetrators. Additionally, guidance counselors should provide resources to parents for obtaining counseling for children who are victims or perpetrators of bullying.

The results of this study indicate that parents of bullying victims, and particularly parents of bully-suicide victims, should advocate for sponsorship of initial anti-bullying laws or

amendment of existing anti-bullying laws with their state legislators. Brenda High, John Halligan and Debra Johnston all were instrumental in obtaining anti-bullying legislation in their respective states after their children became victims of bully-suicide. Parents of bully-suicide victims should provide their testimony to legislators by contacting directly their state legislators. Further, individuals interested in implementing or amending their state's anti-bullying law should bring important social events involving bully-suicides to the attention of state legislators. As was the case for several state legislators, the bully-suicides of Justin Aaberg, Seth Walsh, and Asher Brown, all homosexual, teenage males, were impactful in the legislator's desire to sponsor anti-bullying legislation. The media should also extensively cover issues involving bullying, and particularly bully-suicides, in order to gain the attention of state legislators. National media coverage of the bully-suicide of Phoebe Prince prompted several state legislators to sponsor anti-bullying legislation.

Based on the results of this study, there are several implications for state legislators who sponsor anti-bullying legislation. State legislators who sponsor anti-bullying legislation must gain the support of constituents as well as other state legislators in order for the anti-bullying legislation to get passed. In order to gain the support of other legislators for the passage of the anti-bullying law, legislative sponsors of anti-bullying laws should involve outside groups and talk with the other legislators. When involving outside groups, legislators should include groups that have the potential to influence the other legislators. These outside groups should include parents of bully-suicide victims as well as children who have been victimized by bullies. Legislators should have these parents and children provide their testimony to the other legislators when the anti-bullying legislation is being discussed on the House and Senate floors. In

testimony before her state legislators, one parent provided, “The reason I’m here today is because my son [name] can’t be. He killed himself when he was a senior in high school after years of being bullied. He walked out of school one morning, and he drove home. He went into our house and took off the belt he was wearing and used it to hang himself from the stair railing in our home” (New Jersey Assembly Education Committee Minutes, 2010).

Additional outside groups that should be included when attempting to gain support for anti-bullying legislation are school boards, school administrators, teachers, legal experts, the state’s Department of Education, the state’s Children’s Alliance, the state’s Teacher’s Union, anti-bullying groups, the Safe Schools Alliance, and the Coalition Against Domestic Violence. Legislators should work with these groups by talking with them, meeting with them, and ensuring their needs are included in the anti-bullying legislation. When introducing an anti-bullying bill and individuals providing testimony, one legislative sponsor indicated, “We have been working with the leadership of Garden State Equality, with the ADL, and many other groups that are involved” (New Jersey Assembly Education Committee Minutes, 2010).

Furthermore, legislators should have these groups testify at hearings on the anti-bullying legislation. Representing Garden State Equality, the chairman stated, “If I could just make a final notion about how wonderful it is that Republicans and Democrats have united for this legislation: We’ve heard from organizations across the country, once it came out, that we have 28 Senate sponsors and 46 Assembly sponsors. We have heard from states with Democratic governors, Republican governors, Democratic legislatures, Republican legislatures who now want to adopt legislation like this. And that is what is so incredible. And I just want to thank everybody here.

Politics can be sometimes mean and partisan... You've all put partisanship aside" (New Jersey Assembly Education Committee Minutes, 2010).

When talking with other legislators, sponsors of anti-bullying legislation should include stories of victims of bully-suicide as well as current research on bullying and the consequences of bullying. Legislators should ensure that they acquire bipartisan representation for the anti-bullying legislation. One sponsor of anti-bullying legislation affirmed, "We do have, I think, 48 sponsors in the Assembly -- I think that's incredible -- with bipartisan support. This, hopefully, will change the culture of the kids in school today, starting from K-12" (New Jersey Assembly Education Committee Minutes, 2010). In order to accomplish bipartisan representation, legislative sponsors should provide other legislators with an education on bullying awareness. Legislators should have experts on the topic of bullying available at hearings on the anti-bullying legislation in order to support the bill as well as answer any questions the legislators may have. Discussing the implementation of anti-bullying programs in schools, one expert from the state's Prevent Network detailed, "Programs implemented in schools or referred to by the schools would have a proven track record, based in research, to move the needle. Mr. Chairman, we also recommend that--There are two programs I'm familiar with, one called Phoenix and one called Olweus, which are very popular" (New Jersey Assembly Education Committee Minutes, 2010).

Legislators should also strategically choose co-sponsors for the legislation based on demographics, urban or rural status, and level of conservatism. By choosing co-sponsors in this manner, legislators will more readily acquire support for the anti-bullying legislation. Legislators should also be willing to make changes to the legislation based on the concerns of other legislators, including issues they may have with the language of the legislation. Additionally,

legislative sponsors should ensure that other legislators are knowledgeable of the media coverage concerning the anti-bullying legislation.

Recommendations for Future Research

As an outcome of the conclusions of this investigation, the resulting recommendations are proposed for future research:

1. Further research could be conducted to determine if there is a relationship between the length of time a child endures bullying and committing suicide due to bullying.
2. Further research could be conducted to investigate school involvement in bully-suicide incidents from the perspective of parents of victims of bully-suicide.
3. Further research could be conducted to investigate school involvement in bully-suicide incidents from the perspective of school administrators.
4. A study could be conducted to determine if there is a relationship between a state's anti-bullying law and the number of reported bullying incidents compared to anti-bullying laws and bullying incidents reported in other states.
5. A study could be conducted to determine if there is a relationship between a state's grade as determined by Bully Police USA and the number of bully-suicide incidents in each state.
6. Further research could be conducted to determine if there is a relationship between the implementation of state level anti-bullying legislation and an increase or decrease of bully-suicide incidents.

7. A study could be conducted to determine the level of follow through from school districts on implementing the requirements of state level anti-bullying legislation.
8. This study could be replicated using a source other than Internet search engines to locate incidents of children committing suicide due to bullying in order to further validate the results of this study.
9. This study could be conducted as a longitudinal study, looking at how the number of bullying incidents and bully-suicide incidents change over time as states continue to implement more stringent anti-bullying laws.
10. Further research could be conducted on state level anti-bullying legislation to determine if the methods employed to promote the bill to colleagues and acquire support for the anti-bullying legislation are successful in securing the passage of the anti-bullying law.
11. A study could be conducted to determine the most frequent reasons why students do not report occurrences of bullying.
12. A study could be conducted to determine if the climate the administration sets within the school affects the amount of bullying that occurs in the school.

APPENDIX A
QUESTIONS ASKED OF ALL LEGISLATORS THROUGH EMAIL OR TELEPHONE
REQUEST

1. What motivated you to sponsor state anti-bullying legislation?
2. How did you promote the bill to your colleagues?
3. How did you acquire support for the anti-bullying legislation?
4. Is there a recorded or written record of what was said on the legislative floor in your State during discussion of the anti-bullying legislation?

APPENDIX B
APPROVAL OF EXEMPT HUMAN RESEARCH



University of Central Florida Institutional Review Board
 Office of Research & Commercialization
 12201 Research Parkway, Suite 501
 Orlando, Florida 32826-3246
 Telephone: 407-823-2901 or 407-882-2276
www.research.ucf.edu/compliance/irb.html

Approval of Exempt Human Research

From: UCF Institutional Review Board #1
 FWA00000351, IRB00001138
 To: Christina M. Benitez
 Date: September 28, 2011

Dear Researcher:

On 9/28/2011, the IRB approved the following minor modifications to human participant research that is exempt from regulation:

Type of Review: Exempt Determination
 Modification Type: New study population: instead of telephone interviews with parents of children who committed suicide due to bullying, state legislators who sponsored state anti-bullying legislation will be study participants. A letter to the state legislators has been uploaded and a revised consent document has been approved for use.
 Project Title: A STUDY OF THE INFLUENCE OF PARENT ADVOCACY, MEDIA COVERAGE, AND SOCIAL EVENTS ON STATE LEGISLATION ON BULLY-SUICIDE PREVENTION
 Investigator: Christina M Benitez
 IRB Number: SBE-11-07792
 Funding Agency:
 Grant Title:
 Research ID: N/A

This determination applies only to the activities described in the IRB submission and does not apply should any changes be made. If changes are made and there are questions about whether these changes affect the exempt status of the human research, please contact the IRB. When you have completed your research, please submit a Study Closure request in iRIS so that IRB records will be accurate.

In the conduct of this research, you are responsible to follow the requirements of the Investigator Manual.

On behalf of Sophia Dziegielewski, Ph.D., L.C.S.W., UCF IRB Chair, this letter is signed by:

Signature applied by Joanne Muratori on 09/28/2011 01:19:58 PM EDT

IRB Coordinator

APPENDIX C
SUMMARY EXPLANATION OF EXEMPT RESEARCH



EXPLANATION OF RESEARCH

Title of Project: A STUDY OF THE INFLUENCE OF PARENT ADVOCACY, MEDIA COVERAGE, AND SOCIAL EVENTS ON STATE LEGISLATION ON BULLY-SUICIDE PREVENTION

Principal Investigator: Christina M. Benitez

Other Investigators: N/A

Faculty Supervisor: Kenneth Murray, J.D., Ph.D.

You are being invited to take part in a research study. Whether you take part is up to you.

There is substantially little research on bully-suicides. Further, there is a paucity of research pertaining to parent advocacy, media coverage, and social events in relation to the enactment of state anti-bullying legislation. In order to implement effectively anti-bullying programs and eradicate bully-suicide, school educators and administrators must understand the influence that parent advocacy, media coverage, and social events have on the implementation and amending of state legislation. In this regard, the purpose of this study is two-fold: 1) to investigate the commonalities and differences among and between victims of bully-suicide; 2) to examine factors that could influence the implementation or amending of state anti-bullying legislation.

As a participant in this study, you will be asked to participate in an email survey with the primary researcher. In this survey, you will be asked four questions about your experiences in dealing with getting passed anti-bullying legislation in your state. This survey will be conducted in the Fall of 2011. As a participant in this study, you will be able to participate from any location in which you have access to email.

We expect that you will be in this research study for 10 minutes. Participants will be asked to take part in one survey consisting of 4 questions.

You must be 18 years of age or older to take part in this research study.

Study contact for questions about the study or to report a problem: If you have questions, concerns, or complaints talk to Christina Benitez, Doctoral Candidate, Educational Leadership, Ed.D. Program, School of Teaching, Learning and Leadership, (321) 377-9494 or Dr. Kenneth Murray, Faculty Supervisor, School of Teaching, Learning and Leadership at (407) 823-1468 or by email at kenneth.murray@ucf.edu.

IRB contact about your rights in the study or to report a complaint: Research at the University of Central Florida involving human participants is carried out under the oversight of the Institutional Review Board (UCF IRB). This research has been reviewed and approved by the IRB. For information about the rights of people who take part in research, please contact: Institutional Review Board, University of Central Florida, Office of Research & Commercialization, 12201 Research Parkway, Suite 501, Orlando, FL 32826-3246 or by telephone at (407) 823-2901.

APPENDIX D
BULLY POLICE USA STATE ANTI BULLYING LAW GRADING SCALE

1. The word "bullying" must be used in the text of the bill/law/statutes.
2. The law must clearly be an anti bullying law, not a school safety law.
3. There must be definitions of bullying and harassment.
4. There should be recommendations about how to make policy and what needs to be in the model policy.
5. A good law involves education specialists at all levels, starting with the State Superintendent's (Education) office, though the School Districts, Schools, Parents and Students. Together they can define and set rules, policies, and find and implement the best anti bullying programs. Laws should require anti bullying training, anti bullying education for students and staff as well as prevention programs.
6. A good law mandates anti bullying programs, not suggests programs.
7. Laws should include a date the model policy is due, when the schools need to have their policies in place, (in keeping with the anti bullying law requirements), and when the anti bullying programs must be in effect.
8. There must be protection against reprisal, retaliation or false accusation.
9. There must be school district protection against lawsuits upon compliance to policies.
10. A top rated law will put the emphasis on the victims of bullying by assigning counseling for victims who suffer for years after peer abuse.
11. There must be accountability reports made to either Lawmakers or the State Education Superintendent and there must be a consequence assigned to schools/districts who don't comply to the law. There should be mandatory posting and/or notification of policies and reporting-form-procedures for students and parents.

12. Cyberbullying or "Electronic Harassment" law.

13. Outlaw Middle School/Jr. High

...I'm just joking here - or am I?

All States with no anti bullying laws get an F	(0 points)
States with worthless anti bullying laws, get a D	(2 points or less)
States with mediocre laws, get a C	(3-5 points)
States with acceptable laws get a B	(6-8 points)
States who have near perfect laws get A's	(9+ points)

All plus's (+) and minus (-) are at the option of the Bully Police USA Director, and are opinion. This entire grading system is, of course, opinion (but top rated, experienced opinion).

(Note: No State gets an **A+** unless there is an emphasis on victims or a *bullying victim's rights clause* about getting free counseling or a cyberbullying clause.)

(Note: No State gets an **A++** unless there is an emphasis on victims or a *bullying victim's rights clause* about getting free counseling AND a CYBERBULLYING clause.)

APPENDIX E
BULLY POLICE USA STATE ANTI BULLYING LAW GRADES

State	Grade
Alabama	B+
Alaska	A
Arizona	B-
Arkansas	A-
California	B
Colorado	B
Connecticut	B-
Delaware	A++
Florida	A++
Georgia	A++
Hawaii	B-
Idaho	A-
Illinois	A-
Indiana	B+
Iowa	A-
Kansas	B
Kentucky	A++
Louisiana	C
Maine	A-
Maryland	A++
Massachusetts	A++
Michigan	F
Minnesota	C-
Mississippi	C
Missouri	A-
Montana	F
Nebraska	B-
Nevada	B+
New Hampshire	A++
New Jersey	A++
New Mexico	B+
New York	B+
North Carolina	B+
North Dakota	A++
Ohio	A
Oklahoma	A
Oregon	A+
Pennsylvania	B+
Rhode Island	A
South Carolina	A-
South Dakota	F

Tennessee	A-
Texas	A++
Utah	A-
Vermont	A-
Virginia	A++
Washington	A+
West Virginia	A+
Wisconsin	B+
Wyoming	A++

APPENDIX F
COMMITTEE MEETING MINUTES OF ASSEMBLY EDUCATION COMMITTEE
FOR ASSEMBLY BILL NO. 3466, ANTI-BULLYING BILL OF RIGHTS ACT

Committee Meeting

of

ASSEMBLY EDUCATION COMMITTEE

ASSEMBLY BILL NO. 3466

(Anti-Bullying Bill of Rights Act)

LOCATION: Committee Room 11
State House Annex
Trenton, New Jersey

DATE: November 15, 2010
2:00 p.m.

MEMBERS OF COMMITTEE PRESENT:

Assemblyman Patrick J. Diegnan Jr., Chair
 Assemblywoman Joan M. Voss, Vice Chair
 Assemblyman Ralph R. Caputo
 Assemblywoman Eleise Evans
 Assemblywoman Mila M. Jasey
 Assemblyman Paul D. Moriarty
 Assemblyman Ruben J. Ramos Jr.
 Assemblywoman Bonnie Watson Coleman
 Assemblyman Joseph R. Malone III
 Assemblyman Scott T. Rumana
 Assemblyman Brian E. Rumpf
 Assemblyman David W. Wolfe

ALSO PRESENT:

Kathleen Fazzari
 Allen T. Dupree
Office of Legislative Services
Committee Aides

Nicole Brown
Assembly Majority
Committee Aide

Natalie A. Collins
Assembly Republican
Committee Aide

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ASSEMBLYMAN PATRICK J. DIEGNAN JR. (Chair): If we could have the--

UNIDENTIFIED COMMITTEE AIDE: Assembly Bill 3466 revises and supplements the law on harassment, intimidation, and bullying in public schools. The Bill includes a number of the recommendations of the New Jersey Commission on Bullying in Schools, contained in its report issued in December of '09, in addition to a number of other provisions. The Bill's provisions are very far-reaching, and I'm just going to highlight a few of them. In your packet there are also a number of amendments to this bill.

A-3466 requires school districts to establish bullying prevention programs and approaches. Under current law, school districts are only encouraged to establish such programs. It provides that a school district's policy on harassment, intimidation, and bullying must include appropriate responses to such actions that occur off school grounds. The Bill provides that each school district must form a school safety team in each school in the district to foster and maintain a positive school climate within the schools.

The Bill establishes a detailed procedure, that must be included in each district's policy, concerning the investigation of incidents of harassment, intimidation, or bullying. The Bill provides that the principal in each school must appoint a currently employed school counselor, school psychologist, or another similarly trained individual as the school's anti-bullying specialist. If there is no such individual who meets these criteria employed in the school, the principal must appoint another employed individual to serve in this position.

The Bill provides that the superintendent of schools in each school district must appoint a district anti-bullying coordinator and sets forth the responsibilities of that individual. The Bill provides that the superintendent of schools must report to the board of education twice a year, as opposed to just annually, at a public hearing about all acts of violence, vandalism, and harassment, intimidation, or bullying which have occurred during the previous period. The report shall be used to grade schools and districts in their efforts to implement policies and programs consistent with the Anti-Bullying Bill of Rights Act.

ASSEMBLYMAN DIEGNAN: Maybe the sponsors could come on up; Assemblywoman Vainieri Huttle and Assemblywoman Angelini. I don't know if Assemblywoman Jasey wants to say anything or not.

Valerie, do you want to lead it off?

ASSEMBLYWOMAN VALERIE VAINIERI HUTTLE: Thank you, Chairman and members of the Committee.

I'm not going to go through the highlights of the bill, since I think most of us know what this Anti-Bullying Bill of Rights does. But I will say that since 2002, we did have a law on the books on bullying -- it is to the discretion of the school districts. We did not have uniform policies, we did not have accountability, we did not have response. In 2007, another bill was passed to address cyberbullying. Again, it did not go far enough. What this bill does is create a uniform policy and creates the entire community -- entire school community tools to address bullying.

Unfortunately, bullying has risen to a level where tragedies do occur, such as the recent suicide. We have been working on this bill for nine months now after the findings came out in 2009. We have been working with the leadership of Garden State Equality, with the ADL, and many other groups that are involved. And you will hear the testimony from victims. And I can tell you that the scars they have left after 30, 40 years -- and of course, some less, some more -- will always be with them.

You will hear testimony -- when they have gone to their teacher, and the teacher just said, "Boys will be boys, kids will be kids," and no one addresses the issue.

This Bill creates enforcement, accountability, awareness, prevention, and training. It does not create anything as far as adding anything new. We are using the personnel already in place to create this community to address, in my opinion, something that could be very fatal. We do have, I think, 48 sponsors in the Assembly -- I think that's incredible -- with bipartisan support. I was down in the Education Committee this morning. Senator Barbara Buono, who is the prime sponsor on the Senate side, and was the sponsor of the two prior bills in 2002 and 2007, has also been an advocate and led the way.

I'm pleased that my co-prime is joining me today, Assemblywoman Mary Pat Angelini. And it shows that this issue transcends politics. And this issue, quite frankly, is for not only the victims, but the parents and those who witness the bullying. You know, it takes one bullier and one bully -- or a bullier -- a bully and a victim. And then there are many witnesses who go home and don't know how to respond.

This, hopefully, will change the culture of the kids in school today, starting from K-12. It creates a code of conduct in higher ed. It encourages other schools that are not mandated by this Bill to follow this model. So I am hoping that -- New Jersey was first with the prior bills. I am hoping that today we are a leader for Federal legislation as well.

And with that, I'm not going into the Bill, but I do just want to say one statistic which I find very alarming. Nationally, 160,000 students miss school every day because they are afraid of their peers. And one in six children in school are bullied on a regular basis, and you will hear those very emotional testimonies. And I think their testimony is much more effective than going over the merits of the bill.

So I thank you. I think many of you here are co-sponsors.

And I thank you for your time, Mr. Chairman, for posting this in a very speedy fashion.

Thank you very much.

ASSEMBLYMAN DIEGNAN: Thank you.

Mary Pat.

ASSEMBLYWOMAN MARY PAT ANGELINI: Thank you very much.

Thank you, Chairman Diegnan, for posting this bill and for providing me with this opportunity to testify on behalf of this important measure.

As many of you know, in my professional life, I serve as Executive Director of a nonprofit whose mission, in part, works to keep children safe. And although on the surface that sounds simplistic, in today's world that goal is fraught with incredible complications and extraordinary difficulties that you and I, as children, could never have comprehended; which is, in part, why we are here today talking about this legislation that seeks to achieve that same goal of protecting our young people from a very real and incredibly harmful threat, bullying.

The bullying that occurs today is not what was around during our childhood. The introduction of the internet, cell phones, and social media have created a vast and wide arena for those who choose to be cruel and vicious to others. Children today face many challenges from the normal aspects of childhood -- things like extra curricular activities, sports, school work, and their busy social lives. However, far too many of our young people also are forced to confront another challenge: the fear that they will be intimidated, harassed, and possibly physically harmed by their peers.

As you have seen recently, this type of bullying behavior can have tragic consequences. In fact, the death of Tyler Clementi is only the most visible of many examples of the serious and sometimes fatal results of bullying. Which is why, many months ago -- as Valerie just mentioned -- well before the suicides of bullied young people became what seems to be a daily occurrence, I began working with Assemblywoman Valerie Vainieri Huttel on a comprehensive legislative approach to bullying, which is before you today as A-3466: the Anti-Bullying Bill of Rights. I am incredibly proud to be here today asking for your support of this bipartisan bill which, at last count, has 46 sponsors in the Assembly -- and maybe we picked up two more today -- and 28 sponsors in the Senate.

Without delving into too much detail, I can tell you that this measure builds on our existing bullying laws and does not change or expand the existing statute which defines bullying behavior. What it does do is require schools to take action to prevent bullying and require specific, reasonable steps to be taken to address acts of harassment, intimidation, and bullying. In fact, many schools already have in place identical or similar policies to those that are mandated in this Bill. It also requires an obvious posting of the school's bullying policy for all parents to view. And it is important to note that this Bill does not require any appropriation of funds or hiring of new staff to implement the requirements of this Bill.

Put simply, A-3466 is not a knee-jerk response to the tragic bullying-related suicides that have occurred across our state and around the nation. Rather, this Bill is a very reasonable, very inexpensive, and much-needed approach to a problem that if left unaddressed would likely result in more tragedy.

In closing, I would like to thank, again, Chairman Diegnan and the members of this Committee for your serious consideration of this bill, which would go a long way toward my goal and our shared goal of keeping New Jersey's children safe.

Thank you very much.

ASSEMBLYMAN DIEGNAN: Mary, thank you.

Mila, do you want to say something?

ASSEMBLYWOMAN JASEY: Yes, just briefly.

As one of the prime sponsors, I would simply confirm everything that both of you have said, and also say something that I often say as a past board member and as a parent. And that is that I think the responsibility of the adult community is to make sure that all of our children are safe. And certainly, being able to go to school and feel safe, and feel supported, and know where one can go for help is extremely important. So it's kind of sad that we have to do this, but I think it's very important that we are moving forward with this.

And I thank you for your leadership. And I thank everyone here for their support.

ASSEMBLYWOMAN ANGELINI: If I could just make one quick comment to that.

You're absolutely right, Assemblywoman. And when we talk about bullying and how we try to change the school climate, one of the aspects that we look at is not just the victim, not just the bully, but the bystanders and the adults in the community, in the school itself. They all become -- the children as well -- all become part of the bystanders. And many times it is the bystander who could play the biggest role, as opposed to the bully or the victim. So that is so very, very important. Thank you for bringing that to light.

Thank you.

ASSEMBLYMAN MALONE: First, I'd like to thank both of you. And I would gladly go on as a co-sponsor with you on your bill.

The point that -- and the Assemblywoman brought up -- the thing that concerns me even more now is that kids don't learn to be bullies if they don't learn that at home at times. And I think you're starting to see more and more people -- because of the internet-- We've had a gross problem of intimidation and bullying in the community I live in, in which the Mayor and

other individuals in the community have been savaged by unnamed, unknown individuals who have used the internet to make every kind of foul, vulgar, insane comment about individuals in the city. And these same individuals, who everyone seems to think they know who they are, have children in the schools. And I think if-- We can address this issue, but I think we have to address some of the malcontent adults who are fostering this kind of behavior in the school districts through their own activities at home. Because if we don't stop these parents and these adults from actually pushing this stuff onto their kids, and allowing them to think it's okay to do it-- I think if you looked at the background of these kids doing serious bullying in school and societal bullying, their parents are involved in it also.

So I would hope that maybe we can even go further and really look at not only the school aspect, but some of the other aspects.

There was a young lady, about two or three weeks ago, who actually sued Google to get the names of the individuals who are harassing and bullying her. She actually won that lawsuit. So I think that there are other tools that we can use to work in sending a message not only to the kids, but parents of these kids who probably are as much at fault as the kids who are doing it.

Thank you very much, Mr. Chairman.

ASSEMBLYMAN DIEGNAN: I know I speak for everyone in this room. I just cannot thank -- particularly Valerie and Mary Pat for your work on this.

When I think of that young man Tyler Clementi -- the senselessness of that tragedy -- I'm sure it moves everyone the same. Hopefully what you're doing here today will bring some sense to that talented young man's death. And I just really want to thank you on behalf of all of us. I know this is really, really difficult stuff.

So with that, let's start with the testimony.

Okay, Dave.

ASSEMBLYMAN WOLFE: I'd just like to say I also applaud the sponsors. I'm glad to be one of the co-sponsors.

But this topic is not new to this Committee. I know years ago -- probably five or six years ago we had a young man, all alone -- was the only person to testify. He was in 6th

grade. He sat right where Assemblywoman Huttle is. And he talked about being called gay on the bus, at lunch, in his classroom, after school. His dog was gay, his grandfather was gay, his mother was gay, his brother was gay. He read his statement to the Committee. And when he was done, he said, "I'm not gay, and my dog's not gay, and neither is my grandfather."

But the point is, this was probably five or six years ago. And I think it was the first time that, here in the Legislature, I really heard pointed testimony from a child -- the impact it had on him, how people wouldn't talk to him. That was years ago.

But now, this past month, there was an election in one of the towns I represent. A person -- a candidate for municipal office had a son who was, I believe, an officer in a 6th grade election. And some folks made comments about this boy on Facebook. And finally, people chimed in -- a few teachers chimed in, and so did some school board members, who said some very derogatory things about the boy and his mother.

Now, this has nothing -- this is kind of like an extension from what Assemblyman Malone was talking about in terms of parental involvement and the limits we face, and how much kids are encouraged, and they see what's going on in their own homes.

This has got to stop. And if this is the way to start it, I think this is really a perfect way.

Congratulations.

ASSEMBLYMAN DIEGNAN: (indiscernible) we have 23 witnesses. If I could - - unless it's really something-- We'll all have the opportunity to make comments today. But I really want to get to it.

ASSEMBLYWOMAN VOSS: (indiscernible)

ASSEMBLYMAN DIEGNAN: Okay.

ASSEMBLYWOMAN VOSS: I brought a young lady down here this afternoon who has been very, very active in anti-bullying. And I think that we have to listen to some of the young people to find out, from their perspective, what should be done and how it should be done.

Ava Fiddle is going to make a testimony in a few minutes. She started something way before this bullying became front-page news with a website called *teen2teenagainstmean*. And this was way before Tyler Clementi. She actually went to school with Tyler Clementi,

because she goes to Ridgewood High School. And I think we have to listen to our kids. Ava is an outstanding young lady. She has been honored in many, many ways for all the work she does with young people -- the Salute to Champions. And she has gone around the world with her mom, who is also a wonderful person, to do things to help children in dire straits. So I hope that all of you will listen very carefully when she makes her testimony, because we need to listen to the young people.

Thank you.

UNIDENTIFIED MEMBER OF COMMITTEE: Thank you.

Real quick, Mr. Chairman.

I would like to thank each of you, and thank you for allowing me to be a co-sponsor. And I think that Assemblyman Malone, in making his comments, underscored one very important point. We seem to have lost, to a very large degree over the last several decades, parental responsibility for making things right at home so that when you send your kids to school they know better.

Unfortunately, they don't know better. And it's now become a problem that we are forced to address in the Education Committee, because, quite frankly, there's nowhere else the kids are going to learn. And I think it's a very important measure, and it's something that, at this point in time -- it's past due.

So thank you very much.

ASSEMBLYMAN DIEGNAN: The first witnesses: Patricia Wright, Jennifer Keyes-Maloney, New Jersey Principals and Supervisors Association.

Go ahead when ready.

JENNIFER KEYES - MALONEY, ESQ.: Good afternoon.

My name is Jennifer Keyes-Maloney, and I'm here with the New Jersey Principals and Supervisors Association.

Thank you for allowing us to take a little bit-- Thank you for taking us a little early. I know--

With me is Patricia Wright, who is our past NJPSA president, as well as a school leader at the H. W. Mountz Elementary School in Spring Lake. She has to get back for a board meeting later on this evening. So we appreciate the consideration.

Just briefly, then I will go into an introduction of Ms. Wright-- But I wanted to give you our position in terms of this particular Bill.

Number one, NJPSA believes that ensuring a safe and secure learning environment for every student is one of a school leader's most important and challenging priorities. We are pleased that the Legislature is proactively addressing this important and critical issue in both the school community as well as the higher education community. And we thank the Bill sponsors for their leadership on this critical issue.

We share the viewpoint of everyone in this room today: that no child should be bullied in our schools at any time. As school leaders, we must ensure that every student entrusted in our care has a safe and secure environment. We believe that this legislation shares that goal and agree with many of the Bill's provisions.

However, we do have some recommendations concerning the legislation, and we'd love to share them with you today.

With me today-- Actually, just briefly, a few quick points in terms of what we recommend, and then actually Pat will share some additional recommendations.

One would be the investigatory section of the Bill which, in essence, would transfer the responsibility for investigating bullying incidents to an anti-bullying specialist. While seemingly advisable, the reality is that in schools with limited resources -- as they are in existence -- we have to use people's skills as effectively as possible. And school leaders are the chief law enforcement officer in the school and specifically trained to address investigatory situations that often come into play, particularly with cyberbullying situations.

Additionally, they have a background -- they have the background of the students who -- of all the students involved and understand the climate of their school, which Pat will go into more specifically. They are accountable to parents and the community. That's who individuals, parents, or the community will look to in terms of a response. They have the skills and training to address HIB incidents. And ultimately, they have the authority to address these

situations as expeditiously and completely as possible to ensure that all the students involved receive the assistance they need.

Additionally, we have some concerns about the definition of *HIB* within the Bill itself. We believe that the amendments get us a little bit closer there, but we look forward to working with the sponsors in terms of more precisely defining off-school conduct and the role of the school in terms of investigating off-school conduct by children involved in an *HIB* situation.

And finally, we are concerned about funding underneath the Bill. The reality is that schools, unfortunately, have seen a significant and dramatic reduction in State aid, as well as local aid in some respects. And so the reality is that, in essence, we have to be able to provide the most comprehensive and complete training that we possibly can. And our concern is the legislation is great in terms of the comprehensive idea of making sure that all school personal are trained, but may not provide the resources at the State and local level to comprehensively train folks as much as we potentially would like them to be trained.

And with that, I'm going to turn it over to an expert. Pat Wright, again, is an expert on school bullying. She was our representative on the New Jersey bullying Commission. She has done an extensive amount of training with the New Jersey Bar Association on this particular subject. But, most importantly, she's an example of a school leader who has put school climate and character education front and center in her school when it comes to making sure that children understand how they need to interact with one another; that students and staff have the responsibility to address instances of *HIB* in their schools, and how to go about doing that; as well as the adult-to-adult behavior that should be most acceptable in the school itself.

And so with that, she's going to share some research and insight into character education and school climate issues that we believe should also be part of the legislation.

Thank you.

PATRICIA WRIGHT: Thank you very much.

I just really do want to thank the sponsors of this Bill. I think this is a bill that moves us closer to really addressing issues of school climate. And I'm here today really to speak to you as a practitioner, someone who is passionate about this issue and really wants to see this legislation have the impact that it really should have.

In order to do that, really, the strongest finding by the Commission on Bullying in Schools in New Jersey was this: that strengthening school culture and climate is the single best way to prevent HIB. And I really think -- you need to really think really hard about that. How can this Bill move us closer to truly impacting not just a checklist of how many instances we have of bullying, or what's our grade in bullying, but really to impact changes in school climate?

One of the ways the legislation does move us closer to that is that it really requires schools to establish, implement, document, and assess bullying prevention programs or approaches that are designed to create schoolwide conditions -- and that's another important piece -- schoolwide conditions that do not allow for HIB to occur. Schoolwide conditions means the school climate. And since every school climate and every school culture in New Jersey is different, I am thrilled that the legislation calls for the establishment of school climate teams. You are calling them *school safety teams*. I ask you to call them *school climate teams*, because it truly is going to help New Jersey educators focus on the area that is so important to preventing HIB, which is the establishment of positive school climates.

I have a school climate team in my building, and have always had school climate teams in any building where I have been an administrator. Their job is to look at school climate data to help us to support the implementation of pro-social, character education, and anti-bullying programs; and to reflect on their effectiveness. And as the principal, I am a member of that team. And we involve all of our staff, all of the parents, and the community members in our efforts, teaching parents about what they need to do to support our efforts at home. And it's really paid big dividends. We now have a climate where, really, bullying is not tolerated; respect rules. And it's not only not tolerated by the administration or the teachers, it's not tolerated by the bystanders, by the students who watch things like this happen every day. That's because we have carefully taught lessons about tolerance, respect, and responsibility to be good bystanders. That's an important component of what this school climate team needs to do. The school climate team really needs to support this ongoing effort.

In the Bill you mention "respect week." I've always had a respect week to start my school year in any school I've been in. However, as the legislation points out, it cannot be just another one-week event like anti-violence week. It needs to be something that's carried on

substantially through instruction in HIB, in tools that we give students to address this issue. And that instruction can't just happen in health classes, it can't just happen because the guidance counselors are delivering the lessons. It has to be a part of a schoolwide effort where everyone is engaged in these lessons to bring the level of expectation up for what we want the behavior to be for both students and adults in the building.

So I ask that-- I respectfully ask that the name of the team be changed to the *school climate team*, because I really think that that's where the significant impact will be held.

The other part of this is that these teams-- The Bill calls for the training of anti-bullying specialists. I really believe that we should rethink what the Commission suggested. The Commission originally envisioned training for the school climate team. They are the team that needs this training, and we need to have resources to support such training, because the training cannot only focus on HIB. If we want to prevent HIB, it needs to focus on best practices in improving school climate -- like character education, social and emotional learning, conflict resolution, good bystander actions. And these are the things that are going to truly make a difference.

One other point just about the legislation: It calls for the anti-bullying specialist to be either a guidance counselor, or a school psychologist, or other person. I ask that really-- The most important consideration for this person who is an anti-bullying specialist is that they truly understand the connection between HIB and school climate. And I ask that the principals be given the opportunity to be the ones who -- because they know the ability of their staff -- the flexibility to establish these climate teams and to assign the appropriate staff that's needed to address the issue.

I really want to thank, again, the sponsors. And I really hope that this legislation makes a difference. And I know that the members of the NJPSA will certainly continue to work collaboratively to support anything that will enhance our school cultures, and make all of our school community members feel safe and valued.

Thank you very much.

ASSEMBLYMAN CAPUTO: Thank you, Mr. Chairman.

Obviously, we're all very supportive of this legislation and want to commend, also, the sponsors -- the prime sponsors of this Bill.

We keep talking about resources and funding. And this is what puzzles me, because obviously all of these goals are valuable and have to be implemented. And I'm concerned about where we're going to get the resources. For example, the Bill mentions a bullying prevention fund, and you mention, of course, local resources. All of this is really money. And I don't want that to get in the way of what has to be accomplished.

So what ideas do you have in terms of funding? Because I don't think there's a fiscal note attached to this Bill, is there? But we do mention the bullying prevention fund. Does anybody have an answer for that?

MS. KEYES-MALONEY: One thing I would say is, advocate for the return of safe schools money. It was Federal money that used to come into the State on an annual basis. That has been completely removed. I think it's Title 4D. That's something -- and I know we talk about it in terms of recommendations. But that money was completely gutted within the last several years. And that would be a source -- or a small pocket of funds.

ASSEMBLYMAN CAPUTO: So this is just the beginning in terms of getting the full bloom on this legislation. We have to get the resources to go with it. And somebody is going to have to analyze what that is in terms of -- each school district will be different based upon the problems that exist.

Okay.

ASSEMBLYMAN DIEGNAN: Go ahead, Valerie.

ASSEMBLYWOMAN VAINIERI HUTTLE: Thank you, Mr. Chairman.

I just wanted to come back up here to talk about the resources that Assemblyman Caputo questioned or brought up.

Right now, there is no fiscal note attached to the Bill. The bullying fund is there for a later date, which could be used for prevention or training, not to increase any type of new, additional personnel. We are continuing to use existing personnel and administrators who are there to go to workshops, online training, any other type of additional educational credits that

teachers do at their conventions as well. So all of this is within the realm of existing personnel. And right now, no real additional resources would be mandated.

So I just wanted to make that clear, Mr. Chairman. Thank you for your indulgence.

ASSEMBLYMAN CAPUTO: Just in response-- I know we don't want to take a lot of time. But this is going to take creativity and leadership from superintendents -- basically from the superintendent level, down. And, of course, the board would have to be supportive. But I would think you start with the superintendents. Usually things work from the bottom up to really make it effective. But in this regard, I think you've got to take the leader and have that person buy into this full -- with all the support they can get, and use whatever innovative ways they can, depending on their problem locally. We'll have to tailor this basically on what one of the testifiers said -- the climate and the actual personnel who have the expertise to deliver.

So this is not a simple process. This is very difficult.

ASSEMBLYWOMAN VAINIERI HUTTLE: Through the Chair, the school safety team does consist of the teacher, the parent, principal, the superintendent; up to the Department of Education that will implement the standards for the grading as well. So everyone is involved. And this certainly is a community effort, with the entire community, to combat bullying.

ASSEMBLYMAN CAPUTO: Okay.

MS. WRIGHT: Can I just say one more thing? (affirmative response)

I did want to say, because you're talking about resources -- and this is not a plug, because this is the New Jersey Bar Foundation. However, they do offer -- and I co-authored this curriculum. This is free, and so are all of their materials free. And their training for teachers, parents, and administrators is also free. That's just one source of possible training.

ASSEMBLYMAN DIEGNAN: Hey, folks, it's a new day out there. We as a society have to prioritize what's important and deal with it within the resources that we have. And I hope that -- and this is no criticism of the witnesses and not an implication of a criticism -- but this is not going to be conditioned upon additional State funding, because there is going to be no additional State funding.

We, as a society, have to say bullying has to stop. And how are we going to use the resources that we have to train teachers to make students more sensitive? I know I'm from a different era, but I can remember we used to have assemblies where you would talk about specific issues and deal with them. And guidance counselors may have had to take on extra work in order to deal with particular issues. But we cannot allow conditions to continue so that kids are afraid to go to school, saying that we're waiting for State funding. That is just absolutely unacceptable, and I know everybody feels the same way.

ASSEMBLYWOMAN VOSS: Pat--

ASSEMBLYMAN DIEGNAN: Just a second, Joan. I want to be fair. Joe had his hand up first, and then Joan.

ASSEMBLYMAN MALONE: Thank you very much, Mr. Chairman.

The one concern I had -- and I don't know if it's just the semantics of it -- but it sort of looks like, in here, that we're disconnecting the principal from the person who is going to be the anti-bullying specialist. Is that -- I'm misreading this? Because I would think it would be these individuals in conjunction with the principal. Because, ultimately, it's going to go back to the principal, and most parents don't want to listen to a guidance counselor. They want to go right to the principal if there's an issue in school. So could it be changed to be the principal in conjunction with these individuals act as a specialist team?

MS. WRIGHT: Actually, when I do training at the Bar Foundation for administrators across the state, I tell them that they are the ones responsible for investigating issues that have to do with bullying. And it can certainly be in conjunction with the guidance counselor, the (indiscernible), or another support personnel -- but that they really hold the responsibility for--

ASSEMBLYMAN MALONE: Because-- The way I read this, it sort of disconnects the principal from that.

MS. WRIGHT: And without the principal--

ASSEMBLYMAN MALONE: I'm talking to the sponsor right now. (laughter)

ASSEMBLYWOMAN VAINIERI HUTTLE: Through the Chair, if I may, again. First of all, the principal, of course, is part of the team. The bullying specialist -- maybe that's the

wrong perception. The bullying specialist is the point person in the school who the child will go to. This is a go-to person. Not many children will go directly to the principal, whether they are maybe intimidated or they just don't feel comfortable. This would be the liaison, the point person as part of that school safety team. Of course it will go to the principal as well. Everyone has a share and a part of that -- of the review of the incident.

But I have spoken to principals as well. They may not have the time to do the full reporting. Don't forget, when the incident is reported to the specialist, the specialist in turn does the written report. It does get submitted to the principal, and the principal is certainly involved firsthand through the entire way -- just not involved with the reporting and the intermediate liaison point person.

ASSEMBLYMAN MALONE: Okay. And I hear what you're saying, Assemblywoman. But why can't it be the principal in conjunction with these individuals? Because if--

ASSEMBLYWOMAN VAINIERI HUTTLE: The principal is a part of that.

ASSEMBLYMAN MALONE: Okay. But it doesn't read that way. It reads as though the principal is basically abrogating his or her responsibility to somebody else. All I would like is that if there is a bullying situation in the school, the principal really has to deal with it, not after reports are issued. He has to deal with it right away, or she has to do deal with it right away.

ASSEMBLYWOMAN VAINIERI HUTTLE: Let me just say this. And I will be brief, because I know we have many people who would like to testify on what has happened when they did go to a principal or a teacher and have not gotten a response. And that has nothing to do with the great schools that are following the guidelines. There are some schools that, apparently, don't have the time to do this, or are not involved, or may not even have that mentality to say that this is a problem. The bullying specialist, again, is the point person/liason in between the student and the principal. And we believe that we have vetted this in the best way, through what we've come up with -- that this is the most efficient way and expeditious way to do this -- to write a formal report within 48 hours of the incident.

ASSEMBLYMAN MALONE: I'll just be real brief.

In an elementary school, you may not have a guidance counselor, you may not have a school psychologist, and you may not have-- And the only person who is really going to handle that in some of the smaller elementary schools would be the principal. So all I'm doing is asking you to consider that. It's your piece of legislation, but I would ask you to consider--

ASSEMBLYWOMAN VAINIERI HUTTLE: And we have continuing discussions with the Principals Association that we will continue to talk to.

But thank you for your concern.

MS. KEYES-MALONEY: And if I could just say, we would definitely support the idea of having a guidance counselor, if available, be the primary -- where a student may feel comfortable coming into them. But the investigations piece is where we (indiscernible).

ASSEMBLYMAN DIEGNAN: The sponsor will talk to you about floor amendments.

Thank you.

Now we have a group of folks. I'm going to ask that maybe they could come up four at a time. How's that?

Michele Weinberg (phonetic spelling), Corey Bernstein (phonetic spelling), Stephanie Tolomeo (phonetic spelling), and Kathy Mould (phonetic spelling).

Whoever wants to go first just introduce yourself.

MICHELE WEINBERG: Can you hear me?

ASSEMBLYMAN DIEGNAN: Yes.

MS. WEINBERG: Good afternoon.

My name is Michele Weinberg. The reason I'm here today is because my son Larry can't be. He killed himself when he was a senior in high school after years of being bullied. He walked out of school one morning, and he drove home. He went into our house and took off the belt he was wearing and used it to hang himself from the stair railing in our home.

To this day, I still ask myself how a kid who loved life as much as Larry did could have been driven to such utter despair. He went dogsled racing in Minnesota; and he was a great downhill skier; and he was a favorite counselor at his sleep-away camp; and he could rattle off

all the names of the left-handed presidents; and he loved maps -- drawing maps, reading maps, and collecting maps. His idea of a good time was going to AAA.

But he was in agony -- absolute agony. He was hurting as if he were being stabbed. And he was violated as if he were being robbed. And the pain and humiliation overwhelmed him. And as we sit here in this room today, there are hundreds upon hundreds of kids out there right now who are being bullied, and we must, as a society, do everything in our power to stop this vile behavior.

So on behalf of everyone's sons and daughters, I am asking you to please pass this law so that those kids can live in peace. And I'm also asking you to do it for Larry so that he can rest in peace.

Thank you.

KATHY MOULD: Hi, I'm Kathy Mould.

I'm here today for my daughter Courtney who is 17 years old and who has been bullied beyond belief since the age -- grade two. She is now 17. She is a senior in high school. I finally have her living (*sic*) home because she was so tortured. Twice she has tried taking her life. She is still alive, I still have her. But there was a good chance that I didn't at one point.

I'm a strong believer that this law does need to be passed for the kids in the future. The administrations of schools need to understand that something needs to be done with this bullying. It's just not verbal; it was physical, it was online, it was cyber. It was just terrible. This law needs to be passed. That's it.

Thank you. That's all I have to say.

STEPHANIE TOLOME O: Hi, my name is Stephanie. I have a 12-year-old son named Mark.

I've known from a very early age that he was different. He was never interested in sports, playing football. He always liked to hang around with the girls. He kind of beat to his own drum. He wore the clothes that he liked, and he had his hair a little bit longer.

He was a very, very happy child though. We had very open communication. I even, at one point, had talks with him about his sexuality and let him know that whatever

preference in life he picked he was always loved and supported in my home. My son also has learning disabilities, and he was classified. He has an IEP.

My son was a very happy child up until 5th grade. That is when the bullying started. The acts of bullying included calling him *gay boy* in the classrooms, lunchrooms, hallways; kicking him in the chair; calling him a girl; sending him inappropriate messages on the computer that were so appalling. The bullying started to get worse. It started to get violent. He was called *emo*. I don't know if you know what that means. But he was told to go home and cut himself. He came home. He was hit in the face, with a bruise on his face. At recess he was hit. The kids would take the balls and throw them at his head. After he left school one day, six boys chased him to the library to beat him up. Thank God he got to the library in time.

All these things happened in the classroom. When my son was to read, because he had learning disabilities, the children would laugh. Now, there were teachers in the classroom. Why did this go on while there were teachers there? I spoke to my son several times about reporting this. My son begged me-- We are very, very close. He begged me, "Mom, please don't do that to me. It's only going to make it worse. I'm going to go to school, and it's going to make it worse. Please don't do this to me, mom." And I respected him, but I didn't stop. I spoke to several mothers and several -- one is sitting right here -- several mothers who had dealt with this. And they told me, "Stephanie, do not do that to your son, because we've all done it, and the bullying only got worse."

My son does not leave the house. I saw a change in my son. He went from this happy child to this depressed child who has no friends. Nobody will associate with him. He does not go out of the house because he is scared that somebody -- he's going to run into somebody, whether it's in Toys"R"Us, whether it's in the mall, wherever we go. If he wants to go out, I have to take him far from the town. He can't even go out and play outside because they bully him there.

At this point, I wrote a letter to the school. And I am-- I wrote a letter to the school, and I'm having -- I requested a meeting. My son goes to NYU Child Study Program. They are medicating him at this point, which -- a child whose been so happy in his life -- to put

him on medication and watch him go through the side effects and the bullying, it's very hard for a mother.

He is home today. And NYU Child Study Program is helping me with my case. They said to me, "Ms. Tolomeo, the school is toxic for your son and you should take immediate action, and have him taken out of the school immediately." I am now working with-- And they told me I needed to get representation from them and also to get a lawyer.

I had to leave my job. I'm home every day worried about my son and worrying how he is going to come from school. Is he going to come home from school beaten up? Is he going to not come home one day? That's my biggest fear.

On that note, I would just like to say that I am up here for all -- I am not just up here for my son; I'm up here for all the children who have been bullied and are being bullied at the present time. Please, let's make our children go to school in a safe, bully-free environment and stop this.

Thank you.

C O R E Y B E R N S T E I N: Hi, my name is Corey Bernstein. I am 15 years old, and I've gone through quite a bit of bullying myself.

Starting at a very young age, even in elementary school, I never fit in with my peers. I wasn't into sports, was more interested in reading my books, doing my school work. And so that inevitably led to teasing, alienation from my classmates. By the end of 5th grade, I felt confused, isolated, and alone. I wasn't sure who I could really call my friends.

I thought that when I entered middle school there would be so many new people to meet, and that I would find some friends, and things would get better. I soon found out that my expectations were dead wrong. Things only got worse. I was immediately placed at the bottom of a vicious social food chain where I felt more vulnerable to bullying than ever before. I also soon realized the utter falsehood of the old adage, "Sticks and stones may break my bones, but words will never hurt me." Words hurt me even more than perhaps any weapon could have. The constant verbal harassment -- other students calling me gay, fag, or making fun of me because I was too smart, not athletic enough, too short, whatever else they chose -- soon began to take a toll.

The teachers and administrators in my school, who I thought were there to support me and protect me, didn't do anything to help. When they saw the bullying, they turned a blind eye and did not ever intervene. Even when I made it clear to my guidance counselor, and principal, and vice principal that there was a problem, they refused to take any type of action. My vice principal even said that my stories were fictitious and that nothing actually took place. Besides just ignoring the bullying, my gym teacher was a bully himself.

So as the bullying worsened, I started to become depressed. And at the beginning of 7th grade, I refused to take it any longer and would not go back to that school. I began to fake an illness to avoid the living hell, but that didn't work for long though. And as my depression worsened, I eventually became suicidal. I no longer attend the public school in my town because of the bullying I experienced.

I feel lucky to have made it through alive, and to be able to stand here today and be a voice for students all over the state who cannot be up here and say that, "Yes, I am being bullied. There is a problem." But there are so many students who have not been as lucky. Every time I read a report about Tyler Clementi, Asher Brown, Seth Walsh, and so many others who took their own lives due to bullying, I am sickened, not only because of the tragedy in each case, but because I know that it could just as easily have been my name in the news alongside theirs.

Just this month, 14-year-old Brandon Bitner took his own life in Pennsylvania after facing persistent torment from his peers. In his suicide note he said, "I'm sure that, even when I'm gone, you'll find the strength not to let this happen to anyone else." So I'm asking you to please find that strength and pass this law so that it will not happen to anyone else.

Thank you.

ASSEMBLYMAN DIEGNAN: Thank you all for having the strength to come up and share your experiences with us.

I'm going to go a little out of order, because one of our witnesses needs to leave.

Maybe you want to introduce her again, Assemblywoman.

ASSEMBLYWOMAN VOSS: I brought a young lady down here today, Ava Fiddle, who is a very outstanding young woman. She's only a senior in high school, but she's

done so many great things to help young people, not only here in New Jersey, but all over the world.

She has developed a website called *teen2teenagainstmean*. And as I said before, we need to listen to the young people who are in our schools, because they have some very, very good ideas about how to deal with this issue. She's following in the footsteps of her mother, who is one of the most wonderful advocates for the autism community. And so I'd like to bring up Ava Fiddle.

ASSEMBLYMAN DIEGNAN: Ava, introduce yourself and proceed with your testimony.

Ms. Fiddle, would you do me a favor? Do you see the one to your left? (referring to PA microphone)

Thank you.

A V A J. F I D D L E: Good afternoon, distinguished members of the Assembly Education Committee.

Thank you, Assemblywoman Vice Chair of this Committee -- Assemblywoman Dr. Joan Voss for inviting me here to speak today.

My name is Ava Fiddle, and I am a senior at Ridgewood High School in Ridgewood, New Jersey.

It is a great honor to speak about the topic of bullying and the need for programs like the one I created, which received a social action award from Brown University.

Tyler Clementi was a student at Ridgewood High School, and we were in the same Latin class. I would like to dedicate this testimony in his memory.

Two summers ago, in 2009, as a participant in a Leadership for Social Action Program at Brown University, I created a program called *Teen2TeenAgainstMean*. The issue of bullying affects many children, especially in middle school. I dedicated-- I decided to create Teen2TeenAgainstMean with the goal of empowering middle school students in grades 6 and 7 to befriend one another and work together to lessen bullying in their school. By implementing the activities I outline on my site, middle school students throughout the state can start their own Teen2TeenAgainstMean program.

I will briefly summarize what the program consists of, but all the details are on my website. To start a program, I recommend that all students in grades 6 and 7 are given a survey that asks such questions like: Do you think girls bully girls more, or boys bully boys more? Then I outline the program that includes kids who are bullies, kids who are victims of bullies, and kids who are leaders. These students will be selected to participate by the principal, guidance counselors, or other school administrators.

There should be five meetings of the group that will have about 15 students in it. The meetings can be held after school, and a school administrator, along with a student leader or leaders -- maybe an 8th grader -- will lead the meetings. At each meeting there will be different activities for the group. Some of the activities include discussions about the traits of bullies, watching a video on bystanders, skits, and developing a plan of action to combat bullying at the school. I also suggest that snacks and socialization time are a good way to create an informal atmosphere for the participants. All of the details are on my website.

What influenced me to create this program? When I was in middle school I noticed a group of kids that would continuously bully other kids. Sadly, no one did anything about it. People were too shy to stand up to the bully, because they wanted to fit in. I occasionally stood up for kids who were being bullied. However, I believe that I could have stood up more often for more people.

I want kids in this program to feel a sense of self-worth and self-confidence, and be an example to their peers by standing up for kids who are being bullied. I also hope to raise awareness that the effects of bullying are detrimental to all people: those students who bully others, those students who are the victims of bullying, and the overall school community.

Thank you very much for your time.

ASSEMBLYMAN DIEGNAN: If I could, I would like bring up another group of folks: Sherry Zimmer and her son Matt; Kim Otto and her son John; Jack Denelsbeck; Vicky Basgil and her son Tom.

And, again, you have to push the button until the red light comes on. Go in whatever order you feel comfortable.

Just introduce yourself and proceed.

Who wants to lead it off?

Introduce yourself.

KIM OTTO: Hi, my name is Kim Otto. I'm from Haddonfield, New Jersey. This is my son John.

I'm here to talk about the Anti-Bullying Bill of Rights, because this is an issue that is extremely important to our family.

John is a junior in high school, and he has suffered bullying on a continual level for quite some time. I think that the worst thing a parent could know is that their child is hurting. I think that my family tries to do a pretty good job in creating a home environment that's supportive, and caring, and loving. But when John leaves the house every day to go to school, everything is out of my control. I have no idea what goes on in the school. I did not have any idea that John was being bullied until he came home from school one day his freshman year and just collapsed on the floor in front of me and simply said, "Mom, I don't want to live anymore." I think that's one of -- the worst thing that a parent could possibly hear from someone who you've cherished, and watched grow, and protected your whole life -- and they want to die because what they're experiencing is so awful that they don't think there is another way out.

I was very lucky that John felt as though he could tell me. And taking him by the hand and not letting him out of my sight, I immediately made telephone calls that enabled me to get him immediate and effective help. He was immediately transferred to a psychiatric in-patient hospital facility where he remained for 10 days. He was evaluated. He was diagnosed with depression and anxiety. And he is still being treated for it.

He is doing much better, but I think that if there was a way for me to have been informed earlier of what was going on in the school, perhaps John would not have had to endure as much as he did. And I could have gotten him help sooner.

Of course, I love my son more than anything. But also there are plenty of children in schools who don't have a voice. They don't have anyone to go to. They don't have an understanding family. They don't have a teacher who they could go to. They don't feel that they have a clergy member to go to. And something needs to change.

I want to send my children out to school every day knowing that they're going to be in a caring and supportive environment where learning about kindness, and decency, and respect is just as important as learning their academics.

I thank you for listening to me.

Thank you.

ASSEMBLYMAN DIEGNAN: Kim, John, what -- and if you don't want to discuss it, I understand -- what happened to the bullies? I mean, I saw that support was given to you. What happened to those who were making your life a living hell?

JOHN OTTO: Well, after I was hospitalized, we went back to the school. My parents and I talked with my guidance counselor and the principal. They e-mailed all the teachers, told them what was going on -- not to give me a lot of homework and be hard on me once I got back from the hospital. And ever since then I've noticed that the bullying has started to go away. But I just regret that it took me wanting to take my life to get to that point where people finally realized what they were doing and what impact it had.

ASSEMBLYMAN DIEGNAN: Who wants to go next?

SHERRY ZIMMER: My name is Sherry Zimmer, and my son Matthew is a sophomore at Ridgewood High School.

Matt has been bullied since he was -- it really started more so in middle school. It has always been unattended. We would call attention to it, let the school know what was happening, and it never stopped. We went to Ridgewood thinking it was a larger school system and that Matt would find his niche in Ridgewood. And as soon as Matt got there, there were problems from the very beginning.

Matt was having Post-its put on his back with derogatory names and labels for his gender and for his weight. It was reported, and nothing changed. Weeks later, Matt finally transferred out of that class into another class, and that was only the beginning. Because the following month Matt was actually outed. He was asked in front of his class and in front of his peers whether he was gay or not.

At that point, once Matt was outed-- And I guess it's kind of an unspoken rule in school that students wait until their senior year, because they know that it's going to be followed-up with antagonism and bullying. The word was out, and it became worse.

This was called to the attention of the school principal, the administration, and nothing changed. Matt was depressed, he was actually getting physically ill over what was going on in school, and he was missing a lot of school time.

When I spoke up again, nothing happened. There was a-- The school did an investigation as to these events. And what they concluded was that Matt needed to be in school but with better encouragement from his parents. There was no acknowledgement of the events, even though the teacher who had asked Matt if he was gay in front of his peers said that she asked Matt quietly in front of the class, and then complained that when Matt went back to his seat he wasn't going back to his work.

This past year-- Matt, by the way, started doing online schooling. By March of last year he was getting behind, and he was told that over winter break he could make up his work. And he was given-- His guidance counselor gave him a list of work from all his classes. When he came back, nobody would accept his work.

At this point, the stress was just mounting up, and so Matt stopped going to school. It took about two months until Matt was given online classes. But the online classes start from the very beginning. So he now found himself in a situation of being isolated, which was even worse to a child who was already isolated and depressed.

This past year, and more recently, there was a week-long event surrounding the unfortunate loss of Tyler Clementi. And a few days into it, Matt went to school, and his friends brought him over to something that was written on the walls in the cafeteria. Somebody had written, "Gay must die." Matt took a picture of it on his cell phone, and he sent it to me. He said, "You won't believe what's going on here now, mom." Well, he went to the vice principal. It was reported. They erased it from the wall. But typical to their school policy, it was swept under the carpet. Nothing happened.

What was particularly alarming to me is that I take a threat like that seriously, and I want to know if my child is potentially in danger. And what I found particularly disturbing was

the fact that they did not -- they were not vigilant in acting upon it. They didn't question students to try to figure out what had happened, if anyone had seen anything. The students were not alerted, the parents were not alerted. I kept Matt home for the next two days because I was concerned for his safety. But I couldn't help thinking, what about the other parents of children of gay students who were potentially in danger?

The outcome of that event was-- The following week, Matt received a letter that said that Matt was no longer allowed to be on campus other than for the one class that he was trying to take this year. He tried to go back and tried to have at least one elective to see whether he could at least have some time with his friends. So now he does not go there during the lunch period, or to stay in the library, or have any social contact with his friends at all.

So it occurred to me when I was listening to some of your prior speakers and some of your discussion, that you were talking about whether there should be a committee, or who should actually hear the incidents -- who should they be reported to. And it would seem to me that there should be some type of balance of having it reported outside of the school district. School districts want to maintain their reputation. They want to maintain -- they have a posture that they need to maintain. And I think there should be outside people looking onto each other perhaps, or maybe some type of peer review. But it has to be taken outside the auspices of the particular school when an incident occurs. It's too easy. And I think for years too much has been swept under the carpet at the expense of children.

ASSEMBLYMAN DIEGNAN: Thank you.

MS. ZIMMER: So I thank you for the opportunity to speak with you. And I think that-- I applaud the people who have been involved in making this possible. And I think this is a monumental act that can be passed today as an example to the rest of the country.

ASSEMBLYMAN DIEGNAN: Thank you.

John (*sic*), did you want to say anything?

M A T T H E W Z I M M E R: Some of the things that my mother -- who has been supportive of me, and I appreciate everything she has done for me-- When my health teacher had asked me if I was out of the closet in front of my class-- Before that she was talking to the class about how being gay is a genetic abnormality or defect.

After all this went on with my teacher, I then went on to do my online work because I couldn't be in school. And I tried to come back this year. And about a month -- a couple weeks or a month ago they held a pep rally, and then they also held an assembly for Tyler Clementi, who was actually a friend of mine. And that meeting was not mandatory. Students could choose to come, students could choose not to come. There were students jumping around the hallway excited that they had a half-day and they didn't have to go. And they were mocking the very fact there was an assembly for him. But a simple football pep rally at the school is mandatory.

I just wanted to thank you all for letting me speak here today.

ASSEMBLYMAN MALONE: Some of this stuff sounds almost criminal.

ASSEMBLYWOMAN VOSS: I was going to say that. Did something happen to them? Because it's absolutely outrageous. I never heard of anything--

MS. ZIMMER: No, there was none. I reported this last November. And over the summer they concluded in a report -- and even in the report the teacher's statement said that she overheard Matt discussing a boyfriend with somebody and that she called him up to the class -- in front of the class. She claims she quietly asked him if he was gay. And then when Matt went back to his work, he was not doing his work.

ASSEMBLYWOMAN VOSS: (indiscernible) (microphone not on) inappropriate, unprofessional, and a violation of his rights. I think she should have been disciplined or fired. I've never heard anything like that. I've been in education 48 years. That is outrageous. (indiscernible).

ASSEMBLYMAN DIEGNAN: Obviously, this is-- As they say, this is complicated stuff. And so much of this has to do with sensitivity, has to do with training. I mean, no one on this panel would suggest that that teacher's comments were appropriate, and clearly disciplinary action should be taken.

But look, we as a society have got to get past this kind of labeling. And what I find to be so consistent is that this seems to be always happening in 5th grade, when-- As Joe pointed out before, what are these kids being taught at home to bring this kind of hatred to the classroom with them? It's just so disturbing.

And, again, I just want to compliment you, as I complimented everyone else, for having the courage to come and share your experiences with us. Hopefully we start to realize we're all in this together. We as a society have got to go forward and stop labeling people, and demonizing people, and start accepting. If we could just do that, I think we would be so much better off.

MS. ZIMMER: I just want to point out that it really does call attention to the fact that there needs to be some type of review outside of a school district.

ASSEMBLYMAN CAPUTO: I just want to commend the young people who are here. It takes a lot of courage to talk about your life in front of a strange group of people. And I think the more you do it, the better you're going to feel about expressing yourself. And to have that kind of confidence has to be encouraged, especially with the young people who have been victims. I think they need to get our support.

The problem is, as Pat said, how do we legislate the way people behave and think? And you can't go through life worrying about it. We are who we are, and people have to accept us for who we are. It's their problem. It should be more their problem than it is yours. That's really the injustice here. It becomes your problem because it's difficult, as a young person, to see beyond the immediate circumstances. And when you're going through that early period in life, everything is very sensitive, and we're all emotion about our appearance, or what people think of us, and all that. And this situation becomes more amplified because of their insensitivity about it.

But I want to commend you guys for being here. It's our pleasure to meet you.

JACK DENELSBECK: My name is Jack Denelsbeck.

I currently live in East Orange, but I grew up in Moorestown, in South Jersey. That's where all the anti-gay bullying happened to me.

I'm an adult survivor of anti-gay bullying. For me, it was about my perceived sexuality. And it started not in the 5th grade, but actually in the 6th grade.

I am openly gay now. But when I was in the 6th grade, I must have been giving off some kind of gay vibe to everybody, because from that moment on -- throughout the rest -- until I graduated high school, I was known as the school fag. I was called a homo. This was at

the height of the HIV, AIDS epidemic, so I was told many times I was going to die from AIDS. And that definitely left an impact on me.

My first suicide attempt was when I was in the 8th grade and I took a full bottle of children's Tylenol, which earned me a trip to the emergency room to get my stomach pumped, but I survived. It only got worse once I got to high school. It didn't matter if it was in homeroom, or in the hallways, or in gym class -- which, by the way, was the worst -- was in gym. I had created a way-- I would figure out my bullies' schedules so I didn't have to be in the locker room with them at the same time, just to avoid that type of psychological stress. But that didn't stop the bullying from happening when we were out playing sports. So the name-calling would start again, and then came the body slams, and the equipment being thrown at my head.

My grades started to suffer. Like other people have said, I looked for every excuse not to go to school. I would fake an illness all the time. When I reported it to teachers, they did nothing. They just passed it off as boys being boys, and, "This is a right of passage for you as a young man. You'll be stronger once you get through all this bullying." So I internalized it. And the way that it came out when I went home was, I developed a very violent temper. I couldn't take it out on the bullies, so I put my fist through my bedroom wall, or I'd pick things up and throw them against the wall just to see them break. It felt better to do that. It was a release.

But it continued, and it got worse. By my junior year of high school it got to the point where at one moment I found myself in my parents' bathroom with a pair of scissors in my hand pressed against my wrist. This was the only way out, I figured. And I stood there for about an hour thinking about this. I didn't have those resources. I didn't have this bullying bill that was already passed previously. This was in the late '80s, early '90s. I had no resources whatsoever. But something told me that if I went through with this, they would win. And all I wanted to do was get out of there. I said, "I will survive, I'll get through this. Once I get to college everything will change, everything will be fine."

The reason Tyler's story resonates with me so much is-- I went to Rutgers as well -- Livingston College. Freshman year, late one night, I hear some rustling outside my door. And once it died down, I went to check to see what happened, and a bunch of the guys on the floor had taken some shaving cream and wrote "fag" at the doorstep. Here we go again. I thought I

was going to get away from all this. So I went and reported it to the resident advisor, the RA. She said, “There’s nothing we can do. It’s just a little freshman hazing.”

So the way that I’m able to survive and cope with this is I’ve developed really bad panic attacks, and I’m being treated for anxiety and lots of depression. But, again, I’m a survivor.

So I thank you for letting me share my story today.

T O M B A S G I L: Hi, my name is Tom Basgil. I went to Cinnaminson High School. I had been bullied pretty much my whole life. I went to nine different schools in the State of New Jersey.

It was awful in middle school, but it really came to a head for me in high school. I used to be in the marching band, and there was kind of a closet space in the back of the band room where there was this huge tub you could fill with water to clean instruments. And one day I’m-- I was in percussions. That meant that our teacher was out on the field with everyone else most of the time. I’m playing, and I just feel this jostling by my back, and then I find myself with a guy holding my arms and a guy holding my legs, and they’re taking me to the tub to dunk me.

We get into that closet area, and I managed to get out. I’m screaming, and run out of the room. But standing in the band room, looking in the closet, was my band teacher. He was just right there. I blew right past him, and nothing really ever happened.

And then I had sophomore year, junior year, and it came to a head senior year again. We had a huge snowfall, and so there was a lot of snow on the ground. Kids would throw snowballs at me after school. I was in a lot of extracurriculars, so I left school late and they would just wait for me to throw snowballs. But the snow started melting and refreezing again, so the snowballs became ice balls, and so they were throwing ice at me. I confronted them and nothing happened, and it didn’t stop. So I wrote an e-mail to the principal, and it was kind of at a point where I was threatening that if they didn’t do anything about it, I was. I was going to try my best to beat them up. I would have lost, but I would have tried.

They take me into the vice principal’s office with my mother. She was like, “Describe the event, describe what is happening. What are their names?” I tell her I didn’t know their names, but I describe what they wear. They wore something that was really -- that no one else in high school wore. She said, “Oh, I know those kids. They’re definitely troublemakers, and

there's nothing I can do." So I asked her if she could have a teacher stand outside of school, and she said that she couldn't afford to do that, so they couldn't put a staff person outside.

Then I asked about the cameras, because there were cameras all around the outside of the school. She said they were never on because they couldn't afford to turn them on, so there was nothing she could do. So I just sat there, after telling her these horrible things, and she just didn't care.

I thank you for your time and for listening to me.

VICKY BASGIL: Hi, I'm Vicky Basgil. I'm Tom's mom. I love him very much.

I just wanted everyone to know that when we did complain about certain types of bullying, it was always met with, "Maybe just turn the other cheek," or, "You can take it," or, "Man up," something along those lines. And everybody just wanted to ignore it. I don't think anybody really wants to deal with bullying. It's a very hard subject.

But when we were with the vice principal, and she was just listening to the story of these things that were happening-- And if my son was going to defend himself-- The school policy was that if you actually hit someone, you would be suspended. So if they hit my son, they would be suspended. But he was just to stand there and let them hit him, because if he hit back, he would be suspended also. So that's their anti-bullying law at this school.

Now, when my daughter went, of course she was made fun of because she was the gay boy's sister. It hurt her so bad that she wound up being homeschooled for most of her high school.

So I just want everybody to know that it just doesn't affect the person who is bullied -- because then, if you have any siblings, it also affects them. And it really affects the parents very much so. And I also know that they are-- If they're doing this at home, maybe it's really funny and everybody is joining in on the bullying. But I don't think the adults realize what they're doing.

Thank you.

ROBERT TORNER: I'm Robert Torner, and my nickname -- what I'd rather be called by is Fendi. (phonetic spelling) I too am bullied quite a bit, and very often in my school, and it's been happening ever since the third grade.

One of my earliest memories of being bullied has to be after I changed schools from Washington School to St. Augustine's. That's a private school in Union City, and it's right across the street from where I originally started school, which was Washington. So now I'm at St. Augustine's, and I'm in the 5th grade, and I have a teacher and he told me that he couldn't stand to look at my face. I was despicable to him. And he told me to go move my desk the remainder of the year -- is where I stood -- behind a bookshelf. Also, by saying that-- He also told me that it didn't matter if I ran and told my principal, because he is a teacher and nobody would believe someone like me. That's one of my earliest memories of the 5th grade -- of being bullied by a teacher.

After that, I was soon removed from that school to Jose Marti school, and that's where it just escalated out of control. I don't know what it was. Everybody always called me gay, fag boy, faggot, fagatron, anything they could think of -- (expletives deleted) -- it doesn't matter. Anything they could think, verbally, that would maybe make me feel bad, they would throw it at me.

I used to get suspended nearly two times out of every week after coming back from my suspension, because I would get into fist fights -- physical fights -- with some of the boys, because I would have to change in the boys locker room. I would be followed after I got out of school to my house. I would be-- I'm sorry. I would be followed to my classrooms -- and this is just in grade school. I would tell my guidance counselor, my case manager -- whomever it may have been who was there to listen to me. Nothing changed. It was just the same as always. You're suspended, they give a talk with your parents, and then that's it -- the problem is gone. But it wasn't gone, it was still there, lurking.

And now I'm in high school -- in Union City High School -- the new high school they opened. And it's just out of control. I can't go into the boys locker room, I can't go into the gym, I can't even think about eating lunch in my cafeteria. I had to be taken out of my history class, and I will have to take it my senior year, because in history class I was sitting down doing an assignment that our teacher told us to do, and some boy turned around and said, "I'm going to (expletive deleted) punch this faggot in the face." And he said it loud enough for everyone to hear, because my friends told me to move away from him. And all the teacher could do was look

at me, look at him and say, “Ooh, calm down tiger.” He would calm down, and laugh, and giggle.

I hate -- I dread going to school every morning. I’m so scared that maybe one day I won’t come back home and I will leave my mom all alone. I don’t have anybody else but her and me. And that’s my biggest fear. I get followed home all the time. I get prank calls to my house. I get followed in school, getting called fag, fagatron, faggot, queer. I get called anorexic, I get called (expletive deleted), I get called insignificant names that I don’t feel I need to be called.

I want to address something that caught my attention that you are speaking about - - with the principal. Let me just tell you, first, what happened with me and my principal. He called me downstairs to a room (indiscernible) from the principal’s office or whatever. It was just a small room. And in that room were three men, and my principal, and me. And as I went in, I approached him, and he looks at me strangely, smirks, and says, “That’s inappropriate attire, Robert.” I said, “What do you mean?” He says, “Those shoes are not acceptable. You can’t wear them in my school.” They were purple flats with flowers on top.

After that, he went on saying, who do I think I am? I can’t talk to anybody the way I want. I can’t dress the way I want. If I want to survive in his school, I have to be like the 3,000 other children who are in the school. That just shook me. I couldn’t believe that the person -- the one person in that school I’m supposed to look up to and ask for help is telling me I can’t be who I am. I didn’t choose to be who I am, I didn’t choose to feel this way, I didn’t choose to look the way I look. This is how I look, and I feel more comfortable.

I’m miserable every day I go to school. I have to stay in my classrooms. I either have to leave earlier or later so I won’t be caught in the traffic of the hallways. Now, there are three securities on every floor, and it shocks me that when I walk through the hallways, not one security can pick up that someone is pulling my extensions off my head, tripping me in the hallways, trying to push me down the stairs, calling me vile names. And not one helps me. I don’t feel like I can run to anybody. I feel so alone in my school. I hate it. I hate it so much.

That’s it; that’s all.

ASSEMBLYMAN DIEGNAN: Thank you for having the courage to share that with us today. Hopefully, as a result of what you've told us, we can make a first step to change that.

MR. TORNER: And I just want to say I really hope that this does take place and that the Bill gets passed, because I know it's not too late for me, but it is too late for me -- for all those feelings I felt in grammar school and in school. And as long as I can stand up right now and make a difference, even if it's the littlest difference, it's a difference for all the children who are being bullied in school. I just want to try to make it easier, I guess.

ASSEMBLYMAN DIEGNAN: Well, thank you. Thank you for your testimony.

MR. TORNER: Thank you. (applause)

ASSEMBLYMAN WOLFE: I was just thinking about what Assemblywoman Voss said probably an hour ago. That shouldn't occur. There should be some type of legal action. Is there some type of organization that this young man can go to?

STEVEN GOLDSTEIN: (indiscernible) (speaking off microphone)

ASSEMBLYMAN WOLFE: Do you know him?

MR. GOLDSTEIN: (speaking off microphone) Hi, everyone. I wasn't planning to testify.

Hi, everyone. Just to let you know, I'm Steve Goldstein. I'm Chair of Garden State Equality. It's the state's LGBT rights group. We have 82,000 members, half of whom are straight and who are just wonderful, compassionate people.

The story you just heard is plentiful. It occurs so often. And the nature of our organization has changed. We don't just fight for legislation, we triage people to lawyers across the state. And more so, over the last six months, we've become, de facto, a social work organization. We refer many people to mental health professionals. We try to find them help immediately -- social workers, psychologists, and psychiatrists. And I should tell you that this is a wonderful state where many people in the mental health field see people for free or at greatly reduced rates. And we have a network of pro bono attorneys, so people are getting help.

But I would just plead to you that the stories that you're hearing today -- we have hundreds upon hundreds of people who've come forth, particularly since the Tyler Clementi tragedy. Parents and students are coming forth in tears, begging for action.

I just want to thank you so much on behalf of people like you just heard today. And I really want to thank people of both parties, Republicans and Democrats. The overwhelming support for this legislation and your big hearts are really sending a signal to public servants across the country.

If I could just make a final notion about how wonderful it is that Republicans and Democrats have united for this legislation: We've heard from organizations across the country, once it came out, that we have 28 Senate sponsors and 46 Assembly sponsors. We have heard from states with Democratic governors, Republican governors, Democratic legislatures, Republican legislatures who now want to adopt legislation like this. And that is what is so incredible. And I just want to thank everybody here. Politics can be sometimes mean and partisan. And I think for all of us who work with people like Robert, you're probably sending the most wonderful signal that you could possibly send with your bipartisan support. You've all put partisanship aside. And it makes us proud to have people from across the ideological spectrum. You've already sent a signal. And when we pass this law, New Jersey is going to change this problem for the better forever.

So thank you so much, everyone.

And we're taking care of people like Robert and the others you've heard the best we can. We love all of you for your bipartisan support.

ASSEMBLYMAN WOLFE: The reason I asked that question-- I'm not an attorney, like some of you folks. But the situation that young man described -- being brought into a room with three other adults, including the principal -- and basically being accused and told, "You have to be like everybody else," obviously maybe he didn't know where to go or how to--

MR. GOLDSTEIN: Assemblyman, here's the thing about that. Not only the-- We have what's called a *Law Against Discrimination* in this state, that also passed with massive bipartisan support, that applies to gender, identity, or something called *gender expression*. So we have a law that expressly protects somebody like Robert, frankly. And we have a law that says,

“Listen, you may be a little different. But as long as you’re not dressed in a way that’s threatening to other students or the process, if you want to dress in a way that may have purple flowers on your shoes--” Believe it or not, New Jersey law does and should protect you. So this is what is so astounding. That was a clear violation of New Jersey’s Law Against Discrimination -- clear. And there are dozens, if not hundreds, of cases that we’ve heard like this. And we’re triaging them out to attorneys.

Thank you all for your bipartisan support.

ASSEMBLYWOMAN EVANS: When you listen, and you understand -- and bullying goes on for sexual gender, for race, just because you look different -- if your hair is purple. But some of this results to criminal behavior. And this bill does not address the criminal behavior. And sometimes, when we try so hard-- A lot of time teenagers laugh at it and think it’s fun; and they’re in a group and they’re doing things, and may frown upon just training, and educating, and helping them understand that it’s wrong -- particularly because so much of this is being promoted by adults. And there should be some criminal charges brought against adults who promote this, things -- as if you’re an accessory to a crime. Because a lot of it does lead to vandalism, folks getting raped, getting hurt, all kinds of things that happen that should not be happening just because you’re a little different from someone else.

And America is supposed one of the best countries in the world where freedom of everything-- And then you get treated less than a human being. And for adults to say there’s nothing we can do about it, shun it off, it’s okay -- and have parents going to school. The young man talked about -- they told him, you know, like, “Just let the teachers send your homework home.” That’s not the answer. That’s not the answer. And I’m telling you, if there were some criminal charges being brought against some of this stuff, if we tighten this up to put in the criminal charges, then this stuff will really stop.

The messes have to be enough already. And it’s not just because you’re driven to suicide and killing yourself -- and we move on and say some nice things after you’re dead. But these behaviors are criminal -- and vandalism to property, and going by your house and marking things on people’s houses, and all those kinds of things. Sure, there are civil rights laws, but they’re still being violated. And I think our schools have a lot on them; but this stuff is too

serious for us not to have a criminal piece in here, and have the prosecutor and the police participating in all of this that's going on, to let them know, "If you continue to do this, you're going to jail." That will give them a wake-up call.

Thank you.

ASSEMBLYMAN DIEGNAN: Let's go through some other testimony.

Dr. Eugene Shapiro

EUGENE SHAPIRO, M.D.: Good afternoon.

My name is Eugene Shapiro, and I'm a primary care pediatrician at Delaware Valley Pediatrics, in Lawrenceville, New Jersey. I'm here on behalf of the New Jersey Chapter of the American Academy of Pediatrics. I'm here to support the Anti-Bullying Bill of Rights Act.

There is clear evidence that schools can be very effective in promoting an anti-bullying environment and supporting students who have been bullied, which is necessary for the health and well-being of the students.

Bullying problems can greatly be reduced in frequency and severity by teacher and administrative supervision, approach, and intervention. Supervision of children has been found to be of prime importance. Just as low levels of supervision in the home are associated with the development of bullying behavior in individual children, so too are low levels of supervision at school, particularly on the playground, school yard, and in the hallways. It's important for adults to intervene when they see bullying. Student surveys reveal that a low percentage of students believe that adults will help. Students feel that adult intervention is infrequent and ineffective, and that telling adults will only bring more harassment from bullies.

Students report that teachers seldom or never talk to their classes about bullying. This has to change. One of the patients I recently saw for an annual visit was a 13-year-old boy who told me about his own bullying experience. Eric is 13, he's overweight, and he was uncomfortable with his body image. After discussing some strategies to improve his diet, I suggested that he should also increase his physical activity, first by participating in gym class at his school and through organized sports. In response to my suggestion Eric said that he gets verbally picked on in gym class on a daily basis, and his aggressors are never reprimanded for

their comments. Because of bullying, Eric is isolated and cannot improve his health. He avoids situations where he is picked on, and this can further lead to his low self-esteem. A large number of people who have been bullied avoid situations where they have been picked on before. This can lead to low self-esteem and keep children from wanting to take part in other school activities as well.

According to one study, 7 percent of American 8th graders stay home at least one day a month because they are afraid of other children. More than one in five secondary school students said they avoid restrooms at school out of fear. Student victims of bullying are typically anxious, insecure, and suffer from low self-esteem. They lack social skills and friends. This may lead to social withdrawal, school refusal, poor academic performance, running away from home, alcohol and drug abuse, and suicide.

Bullying isn't just detrimental for the victims; it's bad for the bullies too. Another study found that 60 percent of boys labeled as bullies in grades 6 through 9 had at least one criminal conviction by age 24, and 35 to 40 percent had three or more convictions by age 24 compared with the 10 percent of boys who were neither bullies nor victims as children. There's a strong correlation between bullying other students during the school years and experiencing legal or criminal troubles as adults. Chronic bullies often maintain their behaviors into adulthood, negatively influencing their ability to develop and maintain positive relationships.

The social climate in the school needs to be one of warmth and acceptance of all students. We need to prevent kids like Eric from these life-long consequences of bullying by preventing the tormentors at its first sign. Passing a bill which encourages school employees to take an active role in surveillance, identification, and reporting of bullying allows for early intervention and rehabilitation.

And I also wanted to mention the American Academy of Pediatrics, on their website -- *aap.org* -- has a section on bullying, which both kids and parents can log onto, and has a lot of excellent resources.

Thank you for allowing me to talk on such an important topic.

ASSEMBLYMAN DIEGNAN: Thank you, doctor.

Any questions? (no response)

Bob Antonelli.

BOB ANTONELLI: Thank you, Mr. Chairman.

Bob Antonelli, on behalf of NJEA.

NJEA supports this legislation, and also commends all the speakers who came here today for their testimony on this much-needed legislation. And it is clear that we have some recommendations that will also help improve this Bill. Obviously, the funding part of this Bill is very important. We also believe that training is important, not just to the individuals on any team, but to all staff. We have 50,000 ESP members at NJEA -- school bus drivers, cafeteria personal -- who also would need training on everything here to ensure that wherever bullying is going on, every staff member in any school can notice it, handle it, report it, whatever has to be done to stop this terrible issue.

This is becoming something that needs to come to the forefront, and this legislation is doing just that. So, also, we would like to see more training in higher education -- since many of the recent incidents have taken place on a college campus -- especially with resident advisors when they're approached. Are they trained properly, etc.? And it is important for us all to stay involved.

I have to tell you that prior to working at NJEA, I was a teacher in the classroom. And our school principal put together -- and I heard earlier, and it kind of jarred my memory -- the school climate team. We had one in our school. And it is a great thing to have a school climate team, because we took on issues like this, including-- We had parents on the team, principals, educators, security guards, everyone. And we took ownership of our school, and we did what we had to do to improve the climate of our school. So when I hear the words *school climate*, it encompasses everything when it comes to harassment, intimidation, and bullying. And parents get to hear the discussion -- the much-needed discussion in this legislation and in what's going on in their own school.

And I think it can't just be something that is ignored any longer. And we want to be part of the solution, and that's why we're recommending funding, training. And, most importantly, Section 17 talks about -- that if there is no one available, someone be appointed in school personnel who is not necessarily certified -- for example, the guidance counselor. If

there's not one -- and I heard Assemblyman Malone talk about it with regard to the principal -- that person is supposed to be the specialist. We don't want just anyone to be assigned the bullying specialist. We want to make sure that that person knows the issue, is certified; and making sure that this person can handle this job, and making sure that it's done right. We want the people, like the victims today, to make sure that they have a person to go to who is truly the specialist -- certified and knows this issue, and is receptive to this issue -- not just someone who - They couldn't find anyone else and just appointed someone.

I thank you for hearing us today. We are in support of this legislation, with the ideas of improving it.

Thank you, Mr. Chairman; thank you, members of this Committee.

ASSEMBLYMAN DIEGNAN: Thank you.

Deborah Jacobs.

Is Deborah here? (no response)

Joe Williams.

JOSEPH M. WILLIAMS: Thank you, Mr. Chairman and members of the Assembly Education Committee, for holding this important hearing.

My name is Joe Williams, and I'm the Executive Director of a nonprofit corporation known as Southwest Council. The Southwest Council provides evidence-based prevention services to the counties of Cumberland, Salem, and Gloucester, and is one of 19 member agencies of the New Jersey Prevention Network.

I am here today representing the New Jersey Prevention Network and its member agencies, which offer a statewide network of substance abuse prevention agencies and services, one of which is in every county in the State of New Jersey. New Jersey Prevention offers comprehensive resources and expertise, while our local member agencies ensure that evidence-based prevention programs and services are provided in every county, personalized and customized to meet the needs of the communities they service, including the schools.

Mr. Chairman, I have submitted a full written testimony for your review and for the Committee's review, so I won't go into details. But I know that with the stats that you have in front of you, and that you've heard from the victims, one of the stats I know we need to

address in this important Bill is the many incidents of bullying that don't get counted and doesn't add to our statistics.

The Bill addresses many important aspects that our secondary and post-secondary schools must include. However, one concern that I would like to highlight and bring to this Committee's attention, that was not directly mentioned in the measure, is the need to assure that all services and bullying programs aimed at increasing a school district's awareness regarding bullying need to be, at a minimum, evidenced-based.

This means, Mr. Chairman, that programs implemented in schools or referred to by the schools would have a proven track record, based in research, to move the needle. Mr. Chairman, we also recommend that-- There are two programs I'm familiar with, one called Phoenix and one called Olweus, which are very popular.

As in all of our prevention efforts -- and I'm sure you agree -- there are no silver bullets that will solve the complex problem of bullying. Our efforts must include multiple strategies that include education as well as environmental approaches. These strategies must send a clear message to our youth; to our schools; to our parents; and as was mentioned by Assemblywoman Mary Pat Angelini, bystanders, that bullying is unacceptable. And we must balance it with supportive services for all of our youth who have the need.

The New Jersey Prevention Network strongly supports A-3466 and hopes that this Committee will be a part of saving the lives of our youth by voting yes to this important piece of legislation.

Thank you, Mr. Chairman.

Thank you, members of the Committee.

ASSEMBLYMAN DIEGNAN: Thank you.

Ruben, you wanted to make a comment.

ASSEMBLYMAN RAMOS: Thank you, Mr. Chairman.

Again, I'd like to commend all the speakers, like my colleagues did earlier, for coming up and having the courage to share their stories with us today.

I'm a middle school teacher in Paterson, New Jersey. And before the Tyler Clementi incident took place-- I have to give my Superintendent of Schools a little bit of credit,

because before the school year began he said, "Bullying -- this year, we're going to take a strong effort against it." And in Paterson, we're fortunate enough -- or unfortunate enough -- we have an alternative middle school. And this year he said, "Any kids who are bullying others within our schools -- it's going to be documented, and they're going to be sent to the alternative middle school." And this year, already, we've had three 8th grade students in my school alone be sent to the alternative middle school for bullying. So it's not that-- The bullies aren't winning anymore. We're documenting it. They are being shipped out. We're making a safe environment for all our students to learn. And I have to give -- my Superintendent for really pushing that -- (indiscernible) alternate middle school with that aspect. So hopefully-- I've already seen it work in my school, so hopefully that can be spread throughout other districts as well. But, again, that requires resources and moneys to fund that alternative middle school.

So that's why I wanted to share that -- that we are having some success in Paterson with combating bullying.

ASSEMBLYMAN DIEGNAN: Thank you.

Barbara DeMarco.

Is Barbara with us? (no response)

Stuart Green.

STUART GREEN: No good?

ASSEMBLYMAN DIEGNAN: No, that's good. Go ahead. That's fine. Just turn the other one off. (referring to PA microphone)

MR. GREEN: Stuart Green from New Jersey Coalition for Bullying Awareness and Prevention.

I'd like to thank the Committee and the legislators who are in support of this important bill.

I'd just like to say that the statements that I've heard this afternoon from the Chair have been the clearest, helpful statements. I hear a lot of talks about bullying. And your short comments were terrific on it.

In response to the question about funding-- Because the fact is that this issue can be handled when principals in a school building prioritize it sufficiently and are committed to it

enough. And that's aside from issues of funding, and even aside from issues of whether evidenced-based programs are brought in from outside. The Olweus Program was mentioned by the previous speaker, for example, as a systemic whole school model of a bullying prevention program. There have been Olweus interventions in this state and elsewhere which haven't worked, because it was sort of the flavor of the year, and there wasn't a sufficient commitment and sufficient buy-in by teachers in the school to take care of bullying sufficiently.

So the key really is to understand how important bullying is. And things that haven't been mentioned today indicate how important it is. Bullying is the number one cause of kids carrying weapons to school. It's a major means for gang retention and recruitment. And also, it's a huge issue in academic performance not just for kids who are bullied, but for all kids. In a school in which bullying is inadequately addressed, all of the kids in the school are not living up to their academic potential. And if schools in New Jersey took care of bullying adequately tomorrow -- starting tomorrow -- and this law is going to help them or spur them to do so, more than they have to this point -- test scores in this state would shoot up like rockets more than by using -- more than by teaching to the test or improving other academic methods.

The other thing I want to mention is an issue that can-- I have the benefit of having heard everybody else speak. And one thing I want to mention is that a lot of emphasis was placed today, on occasion, on what's happening in the home and with parents. It's a funny thing about childhood. We follow the literature at the Coalition closely. We read pretty much everything that comes out. And the fact is that bullying primarily occurs in schools and primarily arises in schools. We sort of refer to it as the Willie Sutton rule. He used to say he robbed banks because that's where the money is. Bullying takes place in schools because that's where kids are, but it also arises in schools. Bullying does not start in bad communities, bad families, and for the most part in the psychopathology of individual kids. Bullying arises in schools, and it's a function of modeling a bullying behavior. You've heard some of that today in terms of teacher behavior -- inadequately addressing bullying when it occurs, inadequately preventing it. This is how bullying arises. And the fact is that one of the miracles of childhood is that even a kid who is exposed to poor models at home -- models of bullying behavior or bad conditions -- is still capable of walking through the doors of a school building, experiencing an environment that's

orderly, and peaceful -- and that proactively supports kids aggressively and addresses this issue -
- and not bullying. So it's really getting schools in the proper shape that adequately addresses
this issue.

And this law, by strengthening training, by specifically identifying a person -- the
bullying prevention specialist -- whether they're equipped as experts on day one or they become
so through the structure that's set up in this law, of district anti-bullying specialists meeting with
school anti-bullying specialists and connecting them with training resources and otherwise--
That kind of structure can really make a difference.

I think I lost the point on that a little bit, but I will just go on. So strengthening
training through creating that-- Oh, the reason I wanted to mention that is because, for the last
dozen years of the Coalition's existence we've been getting phone calls from parents pretty much
daily from throughout the state -- parents of bullied children. And one of the main things they
complain about is not knowing who to go to in a school. Despite the law that was passed -- the
last law that was passed that required schools to post this on their website -- schools have not
obeyed that law. The information is not on websites. Parents don't know who to go to in a
school. They go from person to person, each of whom doesn't feel like they have a clear
responsibility for addressing it. They end up at the principal's office, who has a million things on
their plate and may or may not be a principal such as Pat Wright, who sufficiently prioritized this
issue.

So the things that are in this law, in terms of the identification of the specialist and
the team, requiring that -- strengthening training, creating a structure for it, putting in a timeline,
involving our state's great universities more -- so in this issue, this law does tremendous things.
It's a very important law. It's a very strong step on the road toward addressing this issue
adequately in schools. And with the passage of this law, New Jersey will be a mile ahead of any
other state in the nation and, right away, a clear model for moving forward on this issue.

So I'm very grateful to the Legislature, to this Committee, to the Chair. We are
very appreciative of this law and strongly in support of it.

Thank you so much.

ASSEMBLYMAN DIEGNAN: Thank you.

Reverend Davidson. (no response)

I think he left.

Peg Kinsel.

Is Peg here? (affirmative response)

ASSEMBLYWOMAN JASEY: I just want to ask a question for any speakers remaining to address, and that is-- Most of the speakers we've heard from today have talked about bullying based on the issue of sexuality -- of being gay. But I know from other -- from press conferences and other meetings we've had that we've also heard from parents of children with various disabilities -- Tourette's or physical disabilities. So if someone could address that issue, also, I think it's important to put it in the record that that, too -- that bullying is a very widespread, equal opportunity offender, if you will.

PEG KINSELL: This is Peg Kinsell, from the Statewide Parent Advocacy Network.

I think I can probably help you with that question.

First, I'd like to thank you very much, Chairman Diegnan, and members of the Committee, and all the many co-sponsors of the legislation. SPAN enthusiastically supports this legislation. And we especially want to express our gratitude to the sponsors of the Bill who helped us with the language around the disability issues so that we know it won't conflict with students' rights under the Individuals with Disabilities Education Act. So our gratitude, both from SPAN and the rest of the disability advocacy community. We really appreciate your help with that.

So, yes, we receive hundreds of phone calls across the state about bullying issues, both bullies and *bullees*, quite frankly. Kids with disabilities can be both the victim and the bullier. So I come from a-- And I'm a mom. I also had a son who was brutalized in -- guess where -- middle school. And he was a victim for a year-and-a-half, and that's with a parent who knows how to work the system.

It's funny, we were talking about it over lunch between the two hearings. And it's where a few of the concerns or -- that we have still around some of the language. Because a lot of it still comes down to accountability.

And while I love the idea -- you know, of course -- of parent involvement in the school safety team, we did want to make sure that parent training involved issues around student confidentiality so they understood their responsibilities there. We also wanted to mention that in the State's programs to support student development there is a great tool for school districts that do it right. Every school has to have an intervention or referral services team. That is the great support arm of this. Because the fact of the matter is, whether you're the victim or the bullier, there has got to be support services in there so that we fix this.

A quick example: When my son was in middle school, he was bullied horribly. He had -- my son is on the autism spectrum -- things stolen from him, pushed into the lockers, his back scraped open, he got beat up. This went on for a year-and-a-half. And every time I went into the school they did listen to me, I will admit that. They said, "Don't worry, Mrs. Kinsell, we will suspend these kids. They're going to get a detention, they're going to get this punishment, they're going to get that punishment." And what I said to them was, "Any other day I would be in here advocating for the other kid, you understand," because these were also kids who had some of their own special needs. I said, "Nobody is learning anything. My son is still being victimized. And these guys are getting punished, but it's still happening." This went on for a year-and-a-half until -- one other mom mentioned earlier. I got a phone call -- and I know someone had to draw straws to call me that day -- to tell me that they were going to suspend my son because he finally busted this kid's nose wide open. It took him a year-and-a-half, but he finally hit this kid. Anyway -- but it's zero tolerance.

I let them suspend my son because, you know what, he was proud. He wasn't a "retard" anymore. Now he was a cool kid, he was a hoodlum, and he got suspended just like everybody else. That's what he learned in a year-and-a-half.

The kids who were the bullies learned nothing about anger management. They learned no good problem-solving skills. Nothing good happened. My son, who had his own life skills issues that he needed to learn-- He needed to learn how to negotiate: When do you handle something on your own, and when do you tell an adult; what kind of life skills he needed to build to be able to handle those situations without using his fists. He learned nothing. He learned that now everybody thought it was great, because he busted these kids in the face. That was the

extent of his learning experience. So, yes, there are a whole lot of things that need to be addressed within the realms of this.

The other bullies that you've heard about through this whole hearing, and we heard about this morning, are bullies who are in the teaching or professional staff. That's another thing that has to be-- And we kind of tip-toe around it. But there's no accountability here for that either. And when you put the anti-bullying specialist as a guidance counselor, I don't know how you expect that person to investigate a peer in that role. I think that's a problem. I love guidance counselors. Unfortunately, at the elementary level they're nonexistent. The child study team members -- the social workers and psychologists are so over-taxed and shared between schools that kids with IEPs aren't getting the services they need. I want those folks available for support services for the kids who are victims of bullying. I don't want them to have a dual role as investigator also. But I don't think any of those guys, no matter how good they are, are going to have the wherewithal to be an investigator of the peers they work with. I think that puts them in a really funky position, for lack of a better legal term. That's just my opinion.

Now, on the whole I love this whole thing and that it's moving forward. Because like you said, there are a whole lot of kids -- whether it's disability, whether it's their gender, whether it's their sexual orientation, or whether it's their size. We have got to do a better job of protecting them.

And the other piece-- I'm going to say one more thing. Accountability has got to come from the Department of Education. People have got to start to hold schools accountable that don't have a good school climate happening. It just cannot be acceptable anymore.

What Mr. Goldstein said was so true. We have a terrific law against discrimination. I wish I could find attorneys for all the parents I talk to, because there are a whole lot of school districts and adults who should be sued. But you know what? It's not real easy to find attorneys to take those kinds of cases. It just isn't.

ASSEMBLYMAN DIEGNAN: Thank you.

MS. KINSELL: Thank you.

ASSEMBLYMAN DIEGNAN: Any questions? (no response)

Just a few folks who support the bill but have no need to testify: Sue Gottesman, from the New Jersey Council on Developmental Disabilities; AJ Sabath, from the National Association of Social Workers; Chrissy Buteas, from the Girl Scout Councils of New Jersey; and Liz Shea, from the Arc of New Jersey.

Two others wish to testify: Sharon Seyler, from the New Jersey School Boards Association; and Frank Vespa-Papaleo, former Director of Division on Civil Rights. Maybe you can both come on up.

S H A R O N S E Y L E R: Members of the Committee, thank you for letting me speak on this Bill today.

I would like to state that the New Jersey School Boards Association has been actively involved in the State's Anti-bullying Commission, which has addressed many of the provisions of this bill.

NJSBA believes that the legislation represents a significant step in protecting the health and well-being of schoolchildren. We commend the Legislature for giving teachers, administrators, parents, and school board members the guidance for providing all students with a safe learning environment.

I'd also like to point out that the Bill will protect students from harassment that would substantially interfere with their education. All involved would receive training to address instances of harassment and discriminations, and all incidents of bullying will be monitored and reported.

I'd also like to state that as much as we support the Bill, we would like to point out that the expanded reporting requirements could have a significant impact on administrative responsibilities, which could increase costs to school districts.

At this time, I'd like to request a few recommendations that NJSBA believes would strengthen this proposed legislation. I just have a couple of sections that I want to point out. In Section 13A, School Boards would like to clarify that the training may be delivered through the State-required programs that school board members currently complete, and that it not be a separate program included in our mandatory training.

In Section 16, which pertains to off-campus incidents, NJSBA asks that there be more clarification when there is an incident that takes place off campus and off-hours. We understand the sponsors' desire for school districts to become involved in investigations of off-campus bullying that substantially disrupts a student's education. We would recommend that there be specific guidance to school officials to explain when it is necessary and appropriate for them to address the incidents that take place away from the school.

And finally, we would ask that it be clarified that discussions of these matters during a school board meeting only take place in executive session. The legislation should include an amendment to the Open Public Meetings Act which would protect privacy issues when dealing with student matters.

NJSBA believes that these recommendations will enhance this legislation and enable local boards of education to achieve the goal of protecting children from bullying and harassment.

Thank you.

UNIDENTIFIED MEMBER OF COMMITTEE: (indiscernible) (microphone not on)

MS. SEYLER: No, I have not.

FRANK VESPA - PAPA LEO: Thank you, Mr. Chairman, and thank you to all the members of this Committee.

I come before you to support the passage of this very important bill.

I served for seven-and-a-half years under three governors and five attorneys general as the State Executive Director of the Division on Civil Rights -- part of the Attorney General's Office. And in that capacity, my agency was responsible for receiving about 20,000 inquiries a year from members of the public, attorneys, parents, students, and employers about civil rights issues. The great majority -- or the largest number of those inquiries that I received over my seven years -- related to issues of bullying; more than issues of employment, more than issues of housing discrimination, and more than issues of family leave. Bullying--

The law against discrimination, as it currently stands, does protect students under the State law against discrimination, but only -- with regard to bullying, or discrimination, or

harassment -- when the victim falls into one of the protected enumerated groups. So therefore that law is not available for students who are bullied on account of their size, on account of their height, on account of their intelligence -- their intellectual capacity. All three of those are areas that we see a lot of bullying occurring.

And the Anti-Bullying law that you have before you does address those issues, and it very importantly does so in a number of ways. Most importantly, the definition of bullying actually includes a catch-all that says, "For any other distinguishing characteristic that is not already enumerated." That exact terminology is how the Anti-Bullying law does protect students who are being bullied because of their size, because of their height, because of their nerdiness, because of who their friends are. That's one issue.

Secondarily, when I was at the Division on Civil Rights, I probably investigated more bullying cases than anybody in the State of New Jersey as a result of that role. And what I saw -- although we had a lot of testimony here today on behalf of GLBT youth -- I actually saw a huge number of bullying cases being perpetrated against students with disabilities. Some were students who were classified, others were students who were not classified but had some sort of a disability -- mental disability, as well as physical or intellectual disability.

The other area that we saw a lot of harassment was against students on the basis of their religion and their ethnicity, their nationality, and their national origin. And all of those students are protected under this Anti-Bullying Bill of Rights.

Secondarily, I just wanted to point out there was some clarification needed with regard to the role of the principal in the establishment of the school anti-bullying specialist and the school safety team. Section 17 of this bill specifically indicates that the principal can make these appointments. In fact, it directs the principals to appoint the anti-bullying specialist and the school safety team. Nowhere in there does it say that the principal can't appoint himself or herself. That was done intentionally, I suspect, to give all kinds of districts that flexibility. A small district, like you heard from Pat Wright, where she is the Superintendent and the Principal of a one-school building school district-- She would have the flexibility to appoint herself to that school climate team, as she mentioned she has. Another district that might be very large, as Assemblyman Ramos was mentioning, might have more personnel and therefore has the

flexibility to appoint different people. So this contemplates a lot of different scenarios, and leaves it up to the local district to accomplish the goal of school climates that are safer.

And then finally, the issue of off-school grounds has been mentioned. The issue of off-school grounds -- Section 16 of your statute -- of your bill -- actually requires that there be a nexus to the school. So not all off-school ground conduct in any way, shape, or form, is actionable or required to be attended to under this Bill. It's just when there's a nexus to the school; and also, only the kind of conduct that actually involves harassment, intimidation, or bullying. If a student is going off school grounds on a weekend to do a march in New York City, clearly that kind of protected speech and conduct is not something that will be actionable under this school bullying law. So I just wanted to clarify those particular issues.

But most importantly, really everyone -- every student is protected under this law. In fact, whether it's because of their disability or their sexual orientation-- We've heard comments previously by people who are ex-gay, saying that they're not protected. Yes, they are. Ex-gay is a sexual orientation. All sexual orientations are protected under this law, and all disabilities, and weight, and height, and all of that. So everyone, every student is contemplated as being protected under this law.

Thank you, Mr. Chair.

ASSEMBLYMAN MALONE: Going back to your Section 17, I really would like-- I think the way that it's worded -- it precludes the principal from appointing him or herself. So just double check that, because I really think that it's going to come back onto the principal anyway. And I think it's-- Just double check that wording. Because the way I read it, I read it a little different than you do -- not unless it's been changed in amendments. But just make sure that it, in fact, could be the principal.

That's all.

MR. VESPA-PAPALEO: I will do so.

ASSEMBLYMAN MALONE: Okay. Thank you very much.

MR. VESPA-PAPALEO: Thank you.

ASSEMBLYMAN DIEGNAN: Very informative.

I want to thank everybody, by the way, for hanging out this late for this testimony. It shows how important it is to you, and we really appreciate it.

And our last two witnesses: John Tomicki, from the League of American Families; and Gregory Quinlan, from New Jersey Family First.

JOHN T. TOMICKI: Thank you, Mr. Chairman.

First of all, I do thank you for a very good hearing with good input, in listening to the testimony.

Mr. Quinlan, with whom we are very familiar with, has decided to defer to me since I'm chronologically challenged, and he doesn't wish to discriminate against me.

Unlike the hearing of this morning, there was, I think, a better interchange and a gathering of information. We are not here-- And we put on the record that, as currently drafted, we cannot support the Bill. No one who has testified here supports the concept of bullying. We don't. Some of you who know our 25 years of history here, as far as being the Executive Director of the League of American Families -- which does represent about 100,000 households in New Jersey. I always do like to point out, especially to some of the newer members, that I also serve -- and I'm probably the only Caucasian deacon -- in a black, Baptist Pentecostal church in New Jersey, educated by the Jesuits. So if you want to talk about things that are confusing.

And to Assemblywoman Evans. Assemblywoman, I couldn't agree with you more. Much of what we have heard was criminal behavior. Much of what we -- ourselves, through our organization, has heard -- where some -- tragically, some teachers duck it. Some principals have ducked it and have caused problems, not just with people who have a different sexual orientation. People are being bullied because of their political or religious beliefs.

So we have urged that the Committee-- Even though I think, having been around here, you can release it from Committee, I think the Bill needs significant reworking. Because the one thing we don't want to see happening-- I weep and we do pray for the families and the children who have been bullied. I don't care what their orientation is. And with Steven Goldstein -- who I consider a good friend, because we're all descendants of Adam and Eve, we're all one family. And I wish politics was not harsh. Yes, you might have vigorous debates. We started out this morning -- and I was not allowed to complete my testimony, and that's an issue for another

day -- that Wilbur Wilberforce, who really fought hard against slavery for 25, 50 years -- he said politics should be the theater of virtue. That's what we're hearing here this afternoon and before this Committee.

I really want to compliment you for taking the time. I don't care if it's 6:00 or 7:00. It's far too important to make a major step like this into significant legislation-- New Jersey was a leader in moving forward on anti-bullying and discrimination statutes. We worried about where it was going to go in certain (indiscernible), and it did wind up there. But nevertheless, we were taking steps. Here, this is a significant step.

Assemblyman, you raised the issue relative to funding. Two things: One, what is the cost of a life? Well, we should be willing to pay whatever is necessary to save innocent human life. But this Bill should necessarily go to the Assembly Appropriations Committee and to the Assembly Judiciary Committee. There are significant problems with it.

I think the people in this state will say, "Look, we want to pay. We want to make sure our kids are safe." When I've gone into charter schools, when we began to move to the charter school movement, I kept asking the students, "Why do you go here? Why do you want to go here?" And the unanimous answer from every one of them was, "I feel safe." They weren't dealing with the problems out on the street, they felt they were in an environment-- Now -- now -- a teacher had a chance to get that kid excited because they felt safe. Was there bullying? Probably still bullying.

Nevertheless, we're begging you right now -- because this is a significant (indiscernible). I wish our organization and other organizations had been contacted to try to work on it. We feel, right now, when you look at the Bill-- I was just testifying before-- "Who's included in the Bill?" Well, one of the people not included are people who are ex-gay. When Mr. Quinlan and I testified in previous legislation asking in the anti-discrimination statute to have the term *ex-gay* listed, it was declined. We felt that was an oversight.

You have the issue of now a biased intimidation, which is going to raise up the problem of a bill of attainder. What does it mean, and does it reach back? If it reaches back, then you've got a bill of attainder.

Because of the New Jersey Supreme Court decision in the Toms River case, the one thing I don't think any of us want to see in this room-- I don't care where you stand on this issue. You don't want to see a statute that, somewhere down the road, someone challenges in court. Because if you created a right, there's going to be somebody saying, "You haven't stood up to protect that duty. You had a duty to do it; you failed. Therefore, there will be litigation against the school district." And you don't want to see a situation where the *Tinker* case is violated, which it has, because--

Mr. Chairman, may I ask this question? I don't mean to be rude and interrupt.

Are there any amendments pending relative to this bill that are going to be heard in this Committee? Are there any amendments?

ASSEMBLYMAN DIEGNAN: There are (indiscernible) (microphone not on)

MR. TOMICKI: Okay. Then we missed that. Because is that amendment dealing with the words *substantial harassment*? Because the word *substantial* is almost key because of the *Tinker* case. If that is there, that is one minor correction that is absolutely necessary or else it will definitely be struck down.

UNIDENTIFIED MEMBER OF COMMITTEE: (indiscernible) (microphone not on)

MR. TOMICKI: Okay. If that is there, that's to the good side.

It is true that we cannot, tragically, legislate morals. But what's happened to our culture with morals and manners?

U.S.A. Today says that about one-third of the students are involved in either being harassed or have been harassed.

To the question, Assemblywoman, you raised before, there are a lot of whereases in the opening part of this legislation which seem to make a conclusive suggestion that, because of a person's sexual orientation, that automatically leads to suicide. There's no evidence that shows that that, in fact, is true. There are a lot of whereases, that are conclusions that you're making as a statement of law in the proposed legislation, that I think evidence will not bear out that those conclusions are correct. You have too many other cases where a person -- which has just happened that -- apparently some of the sponsors did not know about this morning -- in

Michigan, where a girl had been statutorily raped, and she was being bullied as a result of it. And, unfortunately, the person -- the judicial authorities have decided not to prosecute, and the girl ended up committing suicide. You have that case, you have the problem up in Massachusetts, you have problems in Connecticut. It's around. But, see, that steps away to the other problem -- is the issue that we're trying to deal with here, called *bullying*.

Also in your legislation you reach into what's going to happen off school premises. I'm not talking about the school bus. I'm talking about off premises where other things-- That is already overreaching. You can't go that far.

And to the issue relative to -- that has been raised as to teachers-- We, in our organization, have teachers who are members. They have shared with me their problems of trying to deal with bullying, to deal with actual assaults and batteries. And most of the time people are ducking their responsibilities. Yet, when they bring it up to their administrators, they're told, "We don't want to deal with it. We want to go in the hole. We just don't want to deal with it." Some of it comes out of -- local area around here where, as was testified before, there are now weapons in school. I think when we were -- when I was in school, at my age, what was I dealing with? Not even a zip gun was being dealt with, and a slingshot was probably the biggest thing anybody carried around. And even that -- you would have had your fingers rapped if you were caught with a slingshot.

So where is it now? It's a real problem. It's a very serious problem here relative to violence. You have to have metal detectors going into a school. Schools get locked. So how are we going to (indiscernible)? The worst thing you could do is to pass a piece of legislation that is going to be susceptible to or suspect constitutionally. We think that's here in many areas. We're willing to share it with the sponsor. I'm sorry that she left, because she was there this morning, and we were discussing part of it.

Senator Buono -- and this is in reference to the Assemblywoman's comments -- this morning talked about what had happened in Columbine. The tragedy in that case was those-- If you went through the school history of what had happened, they were having the students training about, "How would you like to write--" They had a course on writing your own obituary. They took them out to a funeral home. "How would you like to get into this casket?" I

don't know what this thing was about. It was sad. Yet, the boys who called it -- there was a girl there, her father wrote a book. His name is -- her name was Cassie Bernall. And he asked, "Are you a believer in Jesus Christ?" "Yes." Bang.

So there is not just the sexual orientation. There is political harassment, there are harassments over a person's faith belief or faith system. So what would you do about it?

It was stated in this morning's hearing, "Well, there are some problems, but we'll work it out in the courts." That's the last thing you want to do. You don't want to have this thing worked out in the courts. You want to deal with it here. And so we are going to write and urge the Senate, on their side. In fact, we're urging the Committee that they at least send it over to their Appropriations Committee -- I don't know whether that will happen -- but maybe over to Judiciary -- to work together on some of the problems to clear up the constitutional errors that we know exist there. We don't seek any litigation. But because of what happened in the Toms River case, there is no doubt that this will occur.

So I agree with you, one, that we should be dealing more with -- if its observed. Because from what I heard this morning, they said a teacher didn't know when bullying-- When my kids were bullied, I didn't have to wait. I went right down to the school and dealt directly-- As you would say, I went right to the principal. That's the only thing I would know to do. And you try to bring out--

ASSEMBLYMAN WOLFE: I have a question.

Excuse me--

MR. TOMICKI: What we saw in the weekend newspaper -- in the *Philadelphia Inquirer*--

ASSEMBLYMAN DIEGNAN: If we could, Assemblyman Wolfe has a question.

ASSEMBLYMAN WOLFE: Yes, you referred twice to the Toms River case. I represent Toms River. What is the Toms River case?

MR. TOMICKI: Toms River-- Hold on for a second. Let me just read the notes.

It said, in effect, that the Supreme Court of the State of New Jersey stated that because of a failure to uphold and have the policies upheld, a claim could arise and could be placed against the school district. The actual citation of the case is *L.W. versus Toms River*.

ASSEMBLYMAN WOLFE: A claim of bullying?

MR. TOMICKI: Yes, harassment. I'll give you the citation, Assemblyman.

ASSEMBLYMAN WOLFE: Yes, what is it?

MR. TOMICKI: I'll give you -- not now, but I will get it to your office.

ASSEMBLYMAN WOLFE: Okay. Thank you.

ASSEMBLYMAN DIEGNAN: John, I'm not trying to cut you short, but it is 5:20.

MR. TOMICKI: I understand.

ASSEMBLYMAN DIEGNAN: If you could just wrap up. It's my understanding that you have some technical amendments that you're recommending, and also that the definition of what you consider to be appropriate bullying should be (indiscernible).

MR. TOMICKI: Right. And also the whole issue of bias intimidation. You're not describing it. There are open holes that people-- It's almost like an invitation for lawyers from both sides to get involved.

ASSEMBLYMAN DIEGNAN: Well, I think what we're going to do today -- at least it's going to be my recommendation. Maybe you can sit with the sponsor. We're going to move it out of Committee today. I know the Senate is also going to have some possible floor amendments. Why don't you sit with the sponsor and see if those concerns can be addressed?

MR. TOMICKI: We will do so. There is-- And we will send it through you, Mr. Chairman, to all members of the Committee-- In Pennsylvania -- it's a Norwegian program called Olweus. And it is so good, because -- if you could only see the picture of the younger kids. They brought it into the high schools and to the middle schools. And it is probably one of the most successful programs around. And there is a cost to it, but it's far less than what we're dealing with here. You may still pass it in the Bill, but this is one of the good programs--

ASSEMBLYMAN DIEGNAN: I don't think we want to designate a particular type of program. As the witnesses have pointed out, every district might be different, might attack it differently.

MR. TOMICKI: Absolutely true. The success of a good program had some of the students who had been the bullier -- after they went through the program, and the group sessions,

and what not -- went back and apologized to the kids they had offended. So we are glad to hear the news of what you're doing and that there will not be a rush to judgement.

ASSEMBLYMAN DIEGNAN: Thank you.

MR. TOMICKI: And I thank you so much for your time.

ASSEMBLYMAN DIEGNAN: Thank you for your testimony; thank you for your patience for hanging in there.

With that--

GREGORY QUINLAN: (indiscernible) (microphone not on)

ASSEMBLYMAN DIEGNAN: Oh, I'm sorry. He indicated that you were having him testify on both behalves.

MR. QUINLAN: No, I was just allowing him--

I represent the New Jersey Family First, New Jersey Family Policy Council, and Pro-Family Network.

The organizations that we -- we're here. We've discussed this with some attorneys -- with some public -- other public action groups who are very concerned about the Bill in looking at it.

I just wish-- I know this is emotional, and there's been a rush to doing this. And I really do feel that we-- I heard the sponsor of the Bill this morning talk about doing this for nine months, and she thought the baby was healthy. This isn't healthy. There's nothing good about this Bill at all.

To be perfectly honest-- And I just have to talk to the Bill for a minute on just several points. Section 2, paragraphs C and I: Unlike A and B, these findings are completely unsupported -- that any study showing that suicide is caused by bullying. In fact, if you read Section 2, it makes it sound like all bullying leads to suicide or all suicides are caused by bullying.

Section 2, paragraphs G and H: Notwithstanding the lip service given to the fiscal responsibility-- And Assemblyman Caputo talked about this. To use existing personnel-- The fact is that the Bill is riddled with expensive, new mandates applicable to expanded classes of personnel, including training programs, recording and reporting of data and statistics, grading

of schools, posting of information on the internet, requirements of investigations, hearings and written decisions, mandated adoption of new regulations, procedures and policies in requirement of responses that shall -- “shall include a combination of counseling, support services, intervention services, and other programs.” All of this costs money, and the schools don’t have it.

I agree with you, Chairman Diegnan, we have to stop the bullying. We have to stop it. We have to pay for these too. We have to pay for these, and we don’t have the money.

Again, to the Bill--

ASSEMBLYMAN DIEGNAN: So it’s your recommendation we just not go forward with any bullying legislation at this time?

MR. QUINLAN: My point is, I think we need to slow down.

ASSEMBLYMAN DIEGNAN: It’s kind of a direct question. It’s your recommendation that we not go forward with any anti-bullying legislation at this time because it may be costly?

MR. QUINLAN: No, sir. What I’m saying is, we need to slow down and look at what the costs are and how we can effectively do this bullying. Because what you’re really doing here is legislating to the schools how to handle a moral issue, and this bill doesn’t address that problem at all.

ASSEMBLYMAN DIEGNAN: We can respectfully agree to disagree. I have to be honest with you. To me, when I put my hand on the Bible, the Bible and the law both were part of it. And I think here today we are carrying out a moral mandate. And when you hear the testimony that took place today, to even allude that this legislation is not necessary or too costly-- Clearly, we can agree to disagree. But I could not disagree more fervently.

Thank you. Thank you for your passion. (applause)

MR. QUINLAN: Well, since you’ve interpreted to me that I--

ASSEMBLYMAN DIEGNAN: With that, if we could, could I have a motion on the Bill?

UNIDENTIFIED MEMBER OF COMMITTEE: Motion.

UNIDENTIFIED MEMBER OF COMMITTEE: Second.

ASSEMBLYMAN DIEGNAN: Roll call.

UNIDENTIFIED COMMITTEE AIDE: On the bill as amended, Assemblyman Rumpf.

ASSEMBLYMAN RUMPF: Yes.

UNIDENTIFIED COMMITTEE AIDE: Assemblyman Rumana.

ASSEMBLYMAN RUMANA: Yes.

UNIDENTIFIED COMMITTEE AIDE: Assemblyman Wolfe.

ASSEMBLYMAN WOLFE: Yes.

UNIDENTIFIED COMMITTEE AIDE: Assemblyman Malone.

ASSEMBLYMAN MALONE: Yes.

UNIDENTIFIED COMMITTEE AIDE: Assemblywoman Watson Coleman.

ASSEMBLYWOMAN WATSON COLEMAN: Yes.

UNIDENTIFIED COMMITTEE AIDE: Assemblywoman Evans.

ASSEMBLYWOMAN EVANS: Yes.

UNIDENTIFIED COMMITTEE AIDE: Assemblyman Caputo.

ASSEMBLYMAN CAPUTO: Yes.

UNIDENTIFIED COMMITTEE AIDE: Assemblyman Ramos.

ASSEMBLYMAN RAMOS: Yes.

UNIDENTIFIED COMMITTEE AIDE: Assemblywoman Jasey.

ASSEMBLYWOMAN JASEY: Yes.

UNIDENTIFIED COMMITTEE AIDE: Assemblyman Connors.

ASSEMBLYMAN CONNORS: Yes.

UNIDENTIFIED COMMITTEE AIDE: Assemblywoman Voss has voted in the affirmative.

Assemblyman Diegnan.

ASSEMBLYMAN DIEGNAN: Yes.

I just want to say something. I know down here in Trenton there's this perception in the newspapers about Republicans hating Democrats, etc. And I say this over and over again. I couldn't be prouder to serve on a Committee with both the Republicans--

And, Dave, today, you specifically shined brightly.

I just want to say I'm proud to serve with every member of this Committee.

Thank you all for coming today. (applause)

(MEETING CONCLUDED)

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