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Testimony of Sen. Tim Cullen

Senate Bill 184
Anti-Cyberbullying Act
October 3, 2013

Chairman Olsen, thank you for scheduling this bill for a public hearing. I appreciate the opportunity to move Senate Bill 184 forward.

In 2009, the Legislature approved a bill developed by the Special Committee on School Safety that contained a section related to bullying in schools. The language in the bill mirrored language in a stand-alone bill authored by Sen. Neal Kedzie.

Sen. Kedzie deserves much of the credit for the bullying law we have today in Wisconsin. Sen. Kedzie will be presenting written testimony in favor of SB 184 today.

In a nutshell, SB 184 addresses a type of bullying that existing law does not address: cyberbullying. Existing law specifically applies to schoolyard bullying. Bullying that occurs away from school – on home computers, mobile phones, and tablets, for example – creates a hostile environment at school for the boy or girl who is the target of the torment. This bill says that type of off-campus bullying can be subject to school discipline.

SB 184 addresses an aspect of bullying that schools may feel they don't have the authority to address. And that is bullying via social media (like Facebook, Twitter, and even the YouTube comments section), and texting – known as cyberbullying.

Current law requires school districts to adopt a policy prohibiting bullying by pupils.

Current law also requires the Department of Public Instruction to have a model school policy on bullying. That model school policy must contain a definition and prohibition of bullying.

But current law does not make it clear that schools can and should take disciplinary action when off-campus bullying creates a hostile learning environment at school. This bill does.

The bill before us today makes **three changes to state statutes** to better address bullying that occurs by electronic means.

First, DPI's model school policy must include a definition of bullying by electronic means, such as texting, Facebook, and Twitter, so Wisconsin law includes the global language to cover all forms of technology.

-OVER-

Second, DPI's policy must contain a provision stating that bullying that occurs off school grounds and away from school events can be disciplined "if the bullying creates a hostile environment at school for the pupil being bullied or substantially disrupts the orderly operation of a school or school-sponsored event."

Finally, this bill changes our existing law against unlawful use of computer equipment. Existing law only prohibits *sending* a message via e-mail or other messaging system with intent to frighten, intimidate, threaten, abuse, or harass another person. This bill adds "*posting* a message electronically where other persons can view the message."

Sending a threatening or abusive private email can certainly be harassment, and current law rightfully protects against such communication. But it is not hard to imagine that posting a similarly harassing message on Facebook or Twitter for the whole world to see could be much more damaging. This bill helps bring our law in line with today's technology.

Now, I know this bill is not a cure-all. Parents have to learn how to look for cyberbullying, and students have to be encouraged to report and discourage it. Schools also need resources to address all types of bullying.

After I started working on this bill, a young woman from my district contacted me and told me about her experience as a victim of cyberbullying. She wrote about her experience for a class, and her teacher encouraged her to contact her State Senator. I count myself fortunate that I was her Senator and got to hear her story.

Janelle testified during a hearing on a cyberbullying bill I introduced last session. She couldn't be here today because she has now gone away to college, but similar stories to hers could be told by students in schools across Wisconsin who have been victims of cyberbullying.

I am pleased that several school officials and police officers will be offering their support for this bill today. They see the effects of cyberbullying in schools and communities every day.

I am also extremely pleased to be joined by Dr. Zorba Paster, who has been outspoken on the issue of cyberbullying.

In 2012, the Senate Committee on Education unanimously passed a similar anti-cyberbullying bill I authored, but the bill was never scheduled for a floor vote. I am hopeful that I can work with committee members to once again pass this bill out of committee and bring it to the floor for a vote, so we can begin to seriously address cyberbullying in Wisconsin.

Thank you for your time. I would be happy to take questions.

Sincerely,

A handwritten signature in black ink that reads "Tim Cullen". The signature is stylized, with a large, sweeping "T" and a cursive "Cullen".

Tim Cullen
State Senator



State Senator
Neal J. Kedzie

11th Senate District

October 3, 2013

Senator Luther Olsen
Chairman
Senate Committee on Education
Wisconsin State Capitol
Room 319 South
Madison, WI 53707

Dear Senator Olsen,

As the author of Wisconsin's first anti-bullying legislation that was included in our school safety law, 2009 Wisconsin Act 309, I would like to express my support for provisions of 2013 Senate Bill 184 that pertain specifically to school bullying.

Senate Bill 184 would require inclusion of "bullying by electronic means" in the definition of bullying contained in the model policy developed by the Wisconsin Department of Public Instruction. I believe this change is appropriate to reflect the significant increase in student usage of electronic devices and social media that has taken place since enactment of 2009 Act 309.

In addition, Senate Bill 184 would require the model policy to include appropriate responses to bullying that occurs off school grounds, if the bullying creates a hostile environment at school or substantially disrupts the orderly operation of a school or school events.

I believe schools should be places for children to learn, rather than fear. For these reasons, I respectfully request the Senate Committee on Education seriously consider the aforementioned provisions of Senate Bill 184.

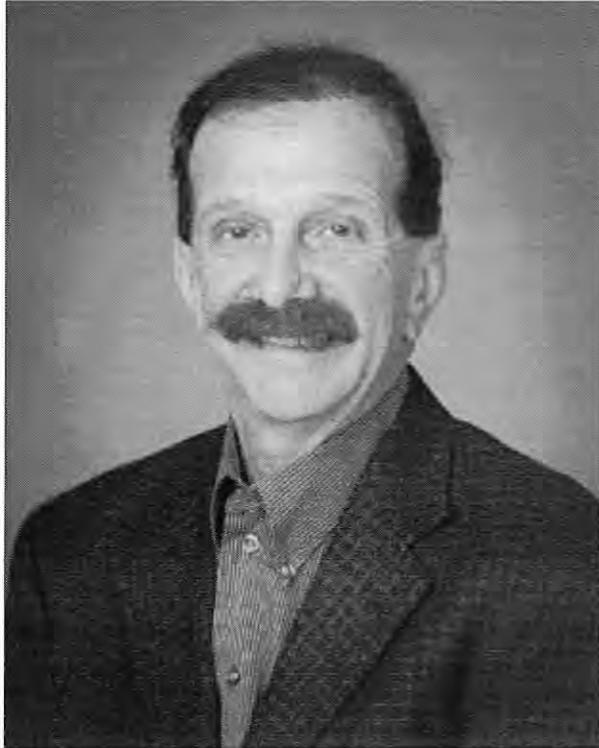
Thank you for your time and serious consideration.

Sincerely,

Neal Kedzie
State Senator
11th Senate District

NJK: dw

Dr. Zorba Paster: We're all responsible for ending bullying



SEPTEMBER 11, 2013 7:00 AM • DR. ZORBA PASTER |
FAMILY PHYSICIAN, DEAN HEALTH

Last year, when I wrote about research showing that kids who were bullied were more likely to harm themselves and more likely to commit suicide, lots of folks asked me to define a bully.

Some guys said to me, "Come on. Boys will be boys." And some women said they remembered how catty they were as girls. The bottom line was that this stuff is part of growing up.

Now we've all been there. We know that part of growing up can be teasing. But there is teasing with a small "t" and teasing with a capital "T." And all of us know the difference because all of us have come into contact with a bully at one time or another.

I know from firsthand experience. I was the shrimp on the baseball team who didn't know a softball from a volleyball. I was always the last one picked in gym for any kind of sport — and I had to adjust to that. It was an obstacle in my life that I had to overcome. Adversity is the world's greatest teacher.

But when Fred, the bully from across the street, would push me down and kick me in the butt, that was quite different. This supposed friend was the neighborhood bully.

Which brings me to the agreed upon definition of a bullying, "unwanted aggressive behavior with an imbalance of power used to control others." Fred defined it.

There are several types of bullying.

Verbal: Name calling, inappropriate teasing, sexual comments, taunts or threats

Social: Hurting someone's reputation, spreading rumors, embarrassing someone in public

Physical: Hitting, kicking, spitting, tripping, pushing, breaking the victim's things.

Cyber-bullying: Sexting and texting, Facebook and Twitter bullies that just want to ruin someone's reputation.

Bullying is just like other forms of abuse — it can produce a lifetime of problems.

A recent study from the journal Psychological Science showed that victims of childhood bullies have problems as adults. They're more likely to be socially withdrawn, develop poor relationships with others, suffer from poor health and make less money. Bully abuse is just like other forms of childhood abuse — it can be disastrous.

So what shall we do? Because as you and I know, it takes a village to raise a child. And we're all villagers here.

First thing is to take it seriously. If your child says they're being bullied, stand up for them. Take action. Find out. Don't be a bystander. If it's your friend who is being bullied say, "I've got your back. I'm here to help." If you're a bystander, take action. Bullies tend to pick people off one by one. When a group stands up to them, they usually stand down.

If you're a parent, get the school to take action. A recent study out of the University of Illinois showed how schools can make a difference. Teachers who wanted to make a difference instituted a 12-week anti-bullying program which included communication skills, how to deal with frustrations and social problem solving. The result: a 42 percent drop in physical bullying. The curriculum didn't solve everything, but it was a start.

We don't want to "sanitize" childhood and childhood problems because that does children a disservice when they're adults. But we need to get rid of the egregious situations which knock our kids down so far that they can't come up for breaths.

My spin: Down with bullies. Reducing bully violence is everyone's responsibility.



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Hurtful Words: Exposure to Peer Verbal Aggression is Associated with Elevated Psychiatric Symptom Scores and Corpus Callosum Abnormalities

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Abstract

Objective—Previous studies have shown that exposure to parental verbal abuse (VA) in childhood was associated with higher rates of adult psychopathology and alterations in brain structure. Here we examine the potential consequences of exposure to peer VA during childhood.

Method—A total of 848 young adults (ages 18 to 25 years) with no history of exposure to domestic violence, sexual abuse, or parental physical abuse rated their childhood exposure to parental and peer VA and completed a self-report packet that included the Kellner Symptom Questionnaire, the Limbic Symptom Checklist-33, and the Dissociative Experiences Scale. Diffusion tensor images were collected on a subset of 63 young adults with no history of abuse or exposure to parental VA selected for varying degrees of exposure to peer VA. Images were analyzed using tract based spatial statistics

Results—Analysis of covariance revealed ‘dose-dependent’ effects of peer VA on anxiety, depression, anger-hostility, dissociation, ‘limbic irritability’, and drug use. Peer and parental VA were essentially equivalent in effect size on these ratings. Path analysis indicated that peer VA during middle school years had the most significant effect on symptom scores. Degree of exposure to peer VA correlated with increased mean and radial diffusivity and decreased fractional anisotropy in corpus callosum and corona radiata.

Conclusions—These findings parallel previous reports of psychopathology associated with childhood exposure to parental VA, and support the hypothesis that exposure to peer VA is an aversive stimulus associated with increased symptom ratings and meaningful alterations in brain structure.

INTRODUCTION

Exposure to trauma in childhood is associated with increased vulnerability to psychiatric disorders (1-3). This has been shown to be true for early exposure to childhood sexual abuse (CSA), physical abuse (PA), witnessing domestic violence (WDV) and composite scores reflecting exposure to multiple forms of trauma (4). Previously, we reported that parental verbal abuse (VA) is an important, but often overlooked, form of childhood adversity that was more strongly associated with symptom ratings such as depression and anger-hostility than parental PA (5, 6).

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Exposure to physical and verbal aggression from peers is also a highly prevalent form of childhood stress perpetrated by other children who are not siblings and are not necessarily agemates (7). Their attacks may be actual physical blows or psychological attacks in the form of verbal taunts or social ostracism.

Victims of peer aggression show the scars — increased rates of depression, suicidal ideation, loneliness and even psychosis (7-9). Their grades are lower and absentee rates higher (10). They are more likely to carry weapons to school, and to engage in fights (11). They are likely to suffer more injuries, abuse over-the-counter medications, intentionally hurt animals and other people, and use weapons that could seriously harm others (10).

In the present study, we sought to ascertain what the effects are in adulthood. More specifically, we questioned whether childhood exposure to peer VA in the absence of physical bullying was associated with elevations in psychiatric symptoms, similar to what we observed with the effects of childhood exposure to parental VA. Lastly, we examined diffusion tensor imaging (DTI) scans from a group of healthy subjects to ascertain if the integrity of white matter tracts might be affected by exposure to peer VA, as we had recently observed in individuals exposed to parental VA (12).

METHODS

Subjects

Detailed ratings of symptoms and exposure to emotional abuse and trauma were collected and analyzed from our multi-study community database of 1662 young adults (636M/1026F) 18-25 years of age who responded to advertisement entitled “Memories of Childhood”. All subjects gave informed consent prior to participation. We focused on a group 848 subjects (363M/485F mean age 21.8 ± 2.1 years) who had no exposure to DV, CSA, parental PA or peer physical bullying and a subset of 707 subjects (298M/409F; mean age 21.9 ± 2.1 years) who in addition had no exposure to either maternal or paternal VA (defined by a maternal or paternal score on the verbal abuse questionnaire (5) greater than or equal to 40).

DTI was collected on a separate sample of 63 subjects (23M/40F, 21.9 ± 1.9 years) with no history of exposure to CSA, PA, WDV, peer physical bullying, harsh corporal punishment or significant parental VA, and no history of Axis I psychiatric disorders, who were recruited as healthy normal controls for other studies. These subjects did however differ in their degree of exposure to peer VA.

Assessments

Abuse and Trauma Ratings

History of exposure to trauma was obtained using previously described methods (5) for the evaluation of PA and CSA. History of WDV was assessed using the questions: “Have you ever witnessed serious domestic violence?” “...heard domestic violence in you family?”, “...watched your mother (father) threatened or assaulted”, “...heard your mother (father) threatened or assaulted”. Ratings of exposure to parental or peer VA were assessed using the Verbal Abuse Questionnaire (VAQ) which consists of 15 items that cover the key components of verbal abuse – scolding, yelling, swearing, blaming, insulting, threatening, demeaning, ridiculing, criticizing, screaming, belittling, etc (see Appendix). In a preliminary sample of 48 college students, the VAQ showed high internal consistency as applied to reports of both maternal behaviors (Cronbach's alpha = 0.98) and paternal behaviors (Cronbach's alpha = 0.94). In the present sample the VAQ also showed high internal



THE LONG-TERM HEALTH CONSEQUENCES OF BULLYING VICTIMIZATION

Maria Koeppel

Leana A. Bouffard, Ph.D.

Bullying consists of repeated acts of intimidation and/or abuse over a period of time and is a growing issue both nationally and globally, with serious implications for both the victims and the bullies (Glew et al., 2000; Marsh et al., 2001; Mayer & Cornell, 2010). Largely affecting school-aged children and teenagers, the health effects of bullying may be long lasting. Links have been established between bullying and physical and psychological health issues, violent behavior, alcoholism and substance abuse, sleeping problems, and even suicide (Britt, 2001; Fekkes et al., 2004; Hershberger & D'Augelli, 1995; Menard, 2002; Ttofi & Farrington, 2008; Van der Wal et al., 2003).

This research brief provides a summary of results from a recent study designed to examine the relationship between bullying and physical and mental health, health care access and utilization, and health risk behaviors. The full study will be published in a special issue of *Justice Quarterly*, titled "Criminology, Criminal Justice, and Public Health Studies."

Sample

The current study draws from the National Longitudinal Survey of Youth (NLSY), 1997, which is a nationally representative sample of U.S. residents born between 1980 and 1984. Results presented here focus on those participants who were between the ages of 12 and 14 when first interviewed in 1997. The initial interview was administered to 4,834 12-14 year-olds. Just over half of the respondents (51.4%) were male, and 59.7 percent were White.

During the initial interview in 1997, participants were asked if they had experienced repeated bullying before the age of 12. Nineteen percent of respondents indicated they had been a victim of repeated bullying during early childhood. A follow-up interview addressing health is-

sues occurred five years later, between 2002 and 2003, when respondents were between 18 and 21 years of age.

At the follow-up interview in 2002, respondents were asked a variety of questions about physical health, including access to and utilization of health care, mental health, and involvement in health risk behaviors. The Centers for Disease Control (CDC) defines health risk behaviors as "behaviors that contribute to the leading causes of morbidity and mortality among youth and adults" (Eaton et al., 2010, p. 1). These include tobacco and alcohol use, risky sexual behavior, and other behaviors that contribute to unintentional injuries/violence.

Bullying and Physical Health

In assessing physical health, the current study examines the respondents' self-assessment of their general health. Respondents were asked to report their current health on a scale of excellent, very good, good, fair, and poor. Individuals who were victims of bullying in early childhood were more likely to report only fair or poor health compared to those who had not been bullied (10.2% of victims compared to only 6.2% of non-victims).

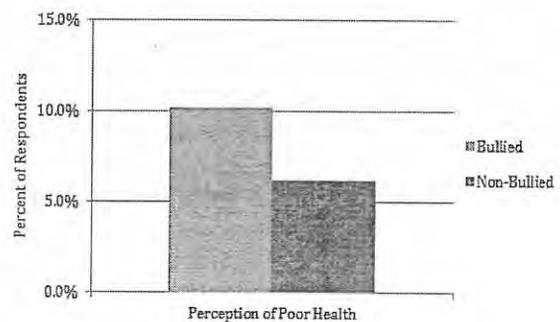


Figure 1: Bullying and General Health

There was no difference between victims and non-victims in terms of whether they had health care coverage. While nearly three-quarters of each group reported having health insurance coverage, there were important differences between groups in the utilization of health care, which included questions about when and how often respondents visited a doctor. Respondents were first asked how long it had been since their most recent routine checkup. Victims of bullying had not seen the doctor as recently as non-victims. While 16.5% of victims had gone more than two years without a routine checkup, only 12.1% of non-victims had gone that long without seeing a doctor. Respondents were also asked how many times in the previous year they had been injured or ill enough to miss work or other activities but had not visited a doctor. Of the bullying victims, 31.9% reported having been injured or ill without going to the doctor at least twice in the previous year as compared to 29.5% of non-victims.

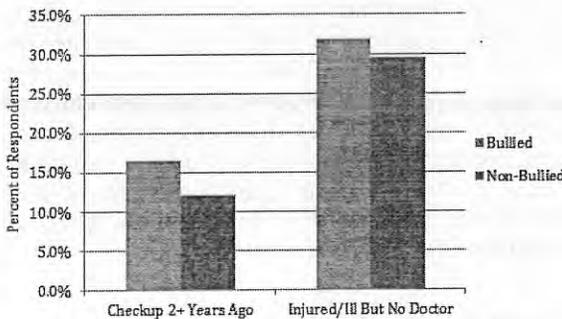


Figure 2: Bullying and Health Care Utilization

Bullying and Health Risk Behaviors

Health risk behaviors include alcohol and tobacco use, risky sexual behavior, and other behaviors that contribute to unintentional injuries/violence. In this study, alcohol consumption was measured in a variety of ways. To capture more problematic alcohol consumption, respondents were asked how many alcoholic drinks per day they had consumed and whether they had engaged in binge-drinking (consuming five or more alcoholic beverages in one occasion) during the previous month. Victims of bullying reported drinking an average of 3.16 drinks per day compared to 2.59 drinks per day among those who had not experienced bullying. Also, a greater percentage of victims had engaged in binge-drinking (32.8%) compared to non-victims (28.6%).

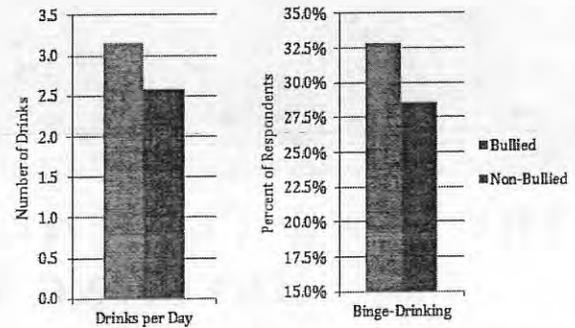


Figure 3: Bullying and Alcohol Use

To assess tobacco use, respondents were asked if they had smoked cigarettes during the previous year. Almost fifty percent (49.6%) of victims reported smoking, while only 39.0% of non-victims had smoked.

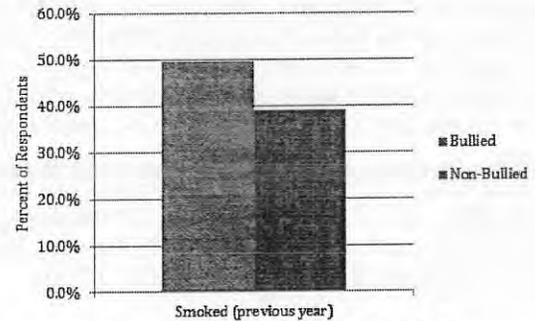


Figure 4: Bullying and Tobacco Use

In addition to tobacco and alcohol use, respondents were asked whether they had been the victim of violence within the previous five years (i.e., between the initial and follow-up interviews). Victims of bullying were more than twice as likely to report experiencing subsequent violent victimization (10.2% for victims compared to 4.6% for non-victims).

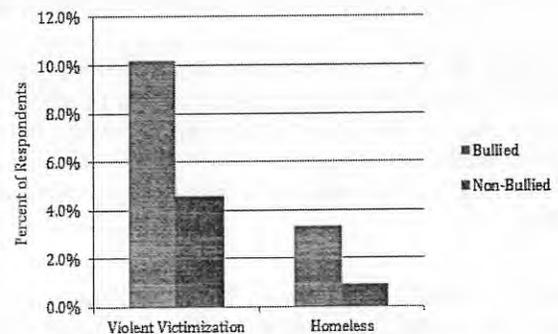


Figure 5: Bullying and Public Health

Finally, respondents were asked whether they had been homeless or had spent two or more nights at a time in a homeless shelter during the previous five years. More than three times as many bullying victims reported being homeless compared to non-victims (3.3% compared to 0.9%).

Bullying and Mental Health

At the follow-up interview in early adulthood, respondents were also asked about their mental health. In particular, respondents rated how often in the previous month they had experienced a variety of feelings/emotional states, including feeling nervous, being calm or peaceful, being down or blue, feeling happy, and being depressed. These items were then combined into an overall negative mental health scale. On average, victims of bullying in early childhood reported more negative mental health (an overall score of 10.31) compared to those who did not experience bullying victimization (an overall score of 9.73).

Respondents were then asked whether they suffered from various emotional or mental conditions that interfered with school or employment. In particular, nearly twice as many victims of bullying reported suffering from an emotional or mental condition compared to those who had not been bullied (3.4% vs. 1.8%). Victims of bullying were also more likely to report having had an eating disorder compared to those who were not victims (1.4% vs. 0.5%).

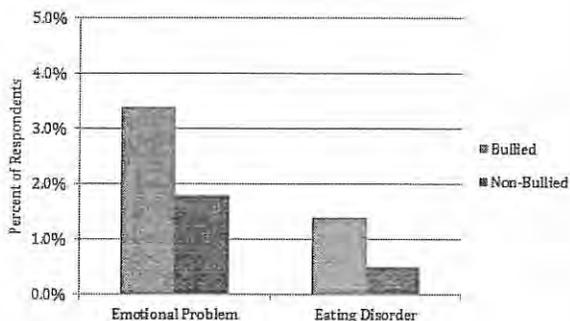


Figure 6: Bullying and Mental Health

Conclusion

The results presented here generally indicate that there are important consequences of being a victim of childhood bullying for later physical and mental health. In particular, this study demonstrated a number of significant and substantive long-term health consequences of bullying victimization. Having experienced early repeated bul-

lying was associated with more negative perceptions of general health and mental health, higher rates of emotional/mental or behavior problems that interfered with school or work, and having an eating disorder. Victims of repeated bullying were more likely to smoke and to experience subsequent violent victimization and homelessness. While these are adverse consequences themselves, they may also serve as intermediate mechanisms for even more long-term health issues, such as cancer, alcoholism, depression, and other serious problems. Multiple victimization experiences and homelessness are both public health concerns in their own right, as well as being potential conduits to further adverse physical and mental health outcomes. The cumulative trauma of additional victimization may produce much more serious health outcomes. Research also indicates that homelessness is associated with substance use, lack of health insurance, and mental health issues (Fischer et al., 1986; Folsom et al., 2005).

What is apparent from these results is that bullying victimization that occurs early in life may have significant and substantial consequences for those victims later in life. Thus, the adverse health consequences of victimization are much more far-reaching than just immediate injury and trauma. Understanding these long-term consequences is important to assessing the true toll of crime on its victims and on society as well as to responding to crime victims more effectively. Investing in victim services and effective prevention programs, like the Olweus Bullying Prevention Program (see additional resources), is crucial to efforts to ameliorate the immediate trauma, both physical and emotional, that victims experience. This type of investment may also have the added benefit of reducing the long-term deleterious effects identified in this and other studies, thus reducing the high cost of victimization borne by the victims themselves, the health care system, and society in general.

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Resources on Bullying:

Olweus Bullying Prevention Program (www.violencepreventionworks.org)

A school-based bullying prevention program that has been recognized as a Blueprints Model Program for violence prevention (<http://www.colorado.edu/cspv/blueprints/>)

U.S. Department of Health & Human Services Bullying Website (www.stopbullying.gov)

PACER's National Bullying Prevention Center (www.pacer.org/bullying)

Stomp Out Bullying (www.stompoutbullying.org)

Trevor Helpline for Gay, Lesbian, and Bisexual Youth (www.thetrevorproject.org)

Texas Education Agency (TEA), Coordinated School Health - Bullying and Cyber-bullying (http://www.tea.state.tx.us/CSH_Bullying.html)

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We're on the web

www.crimevictimsinstitute.org

Adult Psychiatric Outcomes of Bullying and Being Bullied by Peers in Childhood and Adolescence

William E. Copeland, PhD; Dieter Wolke, PhD; Adrian Angold, MRCPsych; E. Jane Costello, PhD

Importance: Both bullies and victims of bullying are at risk for psychiatric problems in childhood, but it is unclear if this elevated risk extends into early adulthood.

Objective: To test whether bullying and/or being bullied in childhood predicts psychiatric problems and suicidality in young adulthood after accounting for childhood psychiatric problems and family hardships.

Design: Prospective, population-based study.

Setting: Community sample from 11 counties in Western North Carolina.

Participants: A total of 1420 participants who had being bullied and bullying assessed 4 to 6 times between the ages of 9 and 16 years. Participants were categorized as bullies only, victims only, bullies and victims (hereafter referred to as bullies/victims), or neither.

Main Outcome Measure: Psychiatric outcomes, which included depression, anxiety, antisocial personality disorder, substance use disorders, and suicidality (including recurrent thoughts of death, suicidal ideation, or a suicide attempt), were assessed in young adulthood (19, 21, and 24-26 years) by use of structured diagnostic interviews.

Results: Victims and bullies/victims had elevated rates of young adult psychiatric disorders, but also elevated rates of childhood psychiatric disorders and family hardships. After controlling for childhood psychiatric problems or family hardships, we found that victims continued to have a higher prevalence of agoraphobia (odds ratio [OR], 4.6 [95% CI, 1.7-12.5]; $P < .01$), generalized anxiety (OR, 2.7 [95% CI, 1.1-6.3]; $P < .001$), and panic disorder (OR, 3.1 [95% CI, 1.5-6.5]; $P < .01$) and that bullies/victims were at increased risk of young adult depression (OR, 4.8 [95% CI, 1.2-19.4]; $P < .05$), panic disorder (OR, 14.5 [95% CI, 5.7-36.6]; $P < .001$), agoraphobia (females only; OR, 26.7 [95% CI, 4.3-52.5]; $P < .001$), and suicidality (males only; OR, 18.5 [95% CI, 6.2-55.1]; $P < .001$). Bullies were at risk for antisocial personality disorder only (OR, 4.1 [95% CI, 1.1-15.8]; $P < .04$).

Conclusions and Relevance: The effects of being bullied are direct, pleiotropic, and long-lasting, with the worst effects for those who are both victims and bullies.

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RESearch on bullying can be traced to the 1960s; however, back then, it was called mobbing and was described as collective aggression against others of the same species.¹ Systematic intervention research started when 3 young boys killed themselves in short succession in Norway, all leaving notes that they had been bullied by their peers.² Since then, it has been repeatedly reported that being a victim of bullying increases the risk of adverse outcomes, including physical health problems,³ behavior and emotional problems and depression,⁴ psychotic symptoms,⁵ and poor school achievement.⁶ Furthermore, being bullied is associated with an in-

creased risk of suicide ideation and suicide attempts,⁷ with some evidence that those who are both victims and bullies (hereafter referred to as bullies/victims)⁸ are at higher risk for suicidality.⁹ In contrast, the major adverse outcome of being a bully in childhood has been reported to be offending.^{10,11} However, bullying is still commonly viewed as just a harmless rite of passage or an inevitable part of growing up.¹²

Longitudinal studies on bullying that involve the victims or the bullies/victims (hereafter referred to as bullying involvement) have tended to be short-term studies, following children either for a few months or for a few years into adolescence.⁴ Thus, it is unclear whether the ef-

fects of being bullied extend into adulthood. To date, one Finnish cohort study has reported on the involvement of children in bullying at 8 years of age and the adult outcomes, using information from the military call-up registry, the national psychiatric register,¹³ self-report of depression and suicide ideation,¹⁴ national police crime records,¹³ Finnish hospital discharge registers,¹⁵ or cause-of-death registries.¹⁶ The frequent victimization of boys during childhood was found to predict adult anxiety disorders, frequent bullying was found to predict antisocial personality disorder, and male bullies/victims were reported at increased risk for both anxiety disorders and antisocial personality disorder. However, most male bullies/victims (97%), most male bullies (80%), and 50% of male victims also screened positive for behavioral problems at the age of 8 years.¹³ Thus, once behavioral or emotional problems in childhood were accounted for, the effects of bullying involvement became nonsignificant in males. In contrast to boys, girls were rarely victimized (3.6%), and they very rarely frequently bullied others (0.6%) or were frequent bullies/victims (0.2%).¹³ but female victims remained at higher risk for psychopathology and suicidality,^{15,16} even after controlling for childhood emotional problems. This suggests that, for girls, peer victimization may be more traumatic. Peer victimization in childhood may be a marker of present and later psychopathology rather than a cause of long-term adverse outcomes,¹⁷ at least for boys. The Finnish study¹⁸ relied on registry data in adulthood, but only a minority of those with psychiatric problems are recognized in the health system.

Our study investigates the long-term effects of bullying involvement in childhood and adolescence on self-reported psychiatric outcomes in young adulthood, including suicidality. We expected victims to more often have emotional problems, bullies/victims to additionally be at risk for suicidality, and bullies to be at risk for antisocial personality disorder. Sex differences are tested to determine possible differential susceptibility, as previously suggested. Both childhood and adolescent bullying involvement and young adulthood psychiatric outcomes were assessed using structured interviews administered multiple times in a large community sample.

METHODS

PARTICIPANTS

The Great Smoky Mountain Study is a population-based sample of 3 cohorts of children 9, 11, and 13 years of age at enrollment, recruited from 11 counties in Western North Carolina in 1993 using a multistage, overlapping cohorts design with a multistep probability sampling procedure proportional to the total number of age-eligible children in the household (eFigure, jamapsych.com).¹⁹ Each age cohort reaches a given age in a different year, reducing the time needed to study the effects of age. The first stage involved screening parents (N=3896) for child behavior problems. All non-American Indian children scoring in the top 25% on a behavioral problems screener, plus a 1-in-10 random sample of the rest, were recruited for detailed interviews. All participants were given a weight inversely proportional to their probability of selection, so that the results are representative of the population from which the sample was

drawn. This means that participants who have high scores are weighted down and that randomly selected participants are weighted up so that oversampling does not bias prevalence estimates. About 8% of the area residents and of the sample are African American, and fewer than 1% are Hispanic. American Indians make up only about 3% of the study area, but they were recruited regardless of screening score and constitute 25% of the sample. Of all the participants recruited, 80% (N=1420) agreed to participate. The weighted sample was 49.0% female.

PROCEDURE

Annual assessments were completed with the child and the primary caregiver until the adolescent turned 16 years of age and then with the participant again at 19, 21, and 24 to 26 years of age (completed in 2010). A total of 6674 assessments were completed on 1420 participants in childhood and adolescence (9-16 years of age), and a total of 3184 assessments were completed in young adulthood (19, 21, and 24-26 years of age). An average of 83% of possible interviews was completed overall (range, 75%-94%). Before interviews, participants signed informed consent forms approved by the Duke University Medical Center institutional review board.

ASSESSMENT OF BULLYING

At each assessment between the ages of 9 and 16 years, the child and the primary caregiver reported on whether the child had been bullied or teased or had bullied others in the 3 months immediately prior to the interview, as part of the Child and Adolescent Psychiatric Assessment²⁰ (full definitions provided in the eTable). Being bullied or bullying others was counted if reported by either the parent or the child at any childhood or adolescent assessment. If the informant reported that the participant had been bullied or had bullied others, then the informant was asked separately how often the bullying occurred in the prior 3 months in the following 3 settings: home, school, and community. Parent and child agreement ($\kappa=0.24$) was similar to that of other bullying measures.⁵ Although this measure may seem low, a large meta-analysis of parent and child reports of behavioral and emotional functioning demonstrates similar concordance levels.²¹ All participants were categorized as victims only, bullies only, both (bullies/victims), or neither.

ASSESSMENT OF ADULT OUTCOMES

Outcome status was positive if the participant met criteria for a psychiatric disorder at 19, 21, or 24 to 26 years of age. All outcomes were assessed through self-report interviews with the Young Adult Psychiatric Assessment (YAPA).²⁰ The time frame for the YAPA was the 3 months immediately preceding the interview. Scoring programs, written in SAS,²² combined information about the date of onset, duration, and intensity of each symptom to create diagnoses according to the DSM-IV.²³ Two-week test-retest reliability of the YAPA is comparable to that of other highly structured interviews (κ values for individual disorders range from 0.56 to 1).²⁴ Validity is well established using multiple indices of construct validity.²⁰ The YAPA interview itself, the YAPA glossary, and all diagnostic codebooks are available at <http://devepi.duhs.duke.edu/instruments.html>.

The diagnoses made included any DSM-IV anxiety disorder (generalized anxiety, agoraphobia, panic disorder, social phobia, obsessive-compulsive disorder, and posttraumatic stress disorder), depressive disorders (major depression, minor depression, and dysthymia), antisocial personality

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Did the Ugly Duckling Have PTSD? Bullying, Its Effects, and the Role of Pediatricians

Draco Malfoy of *Harry Potter*, Nellie Oleson of *Little House on the Prairie*, Lumpy Rutherford of *Leave it to Beaver*, Amber Von Tussle of *Hairspray*, Nelson Muntz of *The Simpsons*, Regina George of *Mean Girls*, all 3 Heathers of the eponymous movie, and last but not least, pretty much all the ducks in the *Ugly Duckling*: regardless of one's generation, such bullies are a staple of child and adolescent life in literature, movies, and television. Throughout the media, bullied kids' "crimes" are varied: they may have a different race, religion, or sexual orientation; they may be too poor, too rich, too heavy, too short; they may suffer for their lineage, as do the magical children of Muggles in *Harry Potter*. Sometimes they are just the new kid in town. Sometimes they are the socially clumsy kid without friends, an easy target for a bully who wants to assert power and impress others. What happens to bullies in fiction, beyond driving the plot? Sometimes they get sent to the principal, sometimes they get a talking-to by an embarrassed parent, and sometimes they get a knowing wink and an at-a-boy from a parent when the principal is not looking. They often get their comeuppance in the end of the movie or book, having the tables turned on them or developing a newfound respect for their target.

Although the bully has been a stock character for years, something has recently changed in the United States. The bully has jumped off the page and out of the screen, and into everyday life and legislation and pediatric practice. The bully is no longer simply a representation of a moral lesson or a source of humor. We have come to recognize the bully as a real person with complex needs and motives who can inflict great harm on others, not to mention on his or herself. The rise of cyberbullying,¹⁻⁵ with its potential for broad public humiliation, has highlighted the damage that bullying can cause. Since 1999, almost all US states have enacted antibullying legislation and have established requirements that school districts implement antibullying policies.⁶

In research studies, bullying is typically defined as intentional and repeated perpetration of aggression over time by a more powerful person or group against a less powerful person or group.^{7,8} In study after study, a substantial proportion of youth report having been bullied,^{3-5,8-13} with the prevalence peaking in middle school.^{4,8,10} Most studies find that at least 1 in 10 middle school students report being bullied in the previous year,^{4,8,10} and the proportions are much higher in some studies.^{3,4,8-12} The variation across studies may reflect differences in setting, timeframe, and specific questions asked. Research also shows that bullies, who are often perceived as popular by their peers, are motivated to denigrate others to attain a dominant social position.¹⁴⁻¹⁶ Moreover, bullies have a tendency to target others

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ABBREVIATION

PTSD—posttraumatic stress disorder

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who have stigmatizing characteristics, that is, attributes that are socially devalued and discriminated against (eg, being obese; being lesbian, gay, bisexual, or transgender).^{5,17}

This month's issue of *Pediatrics* includes 2 articles on bullying,^{18,19} both of which not only suggest that health issues are a consequence of bullying, but also reinforce that health issues can motivate bullying. The article by Puhl et al builds on previous research on bullying and obesity^{17,20} by documenting substantial weight-based victimization in a sample of children receiving obesity treatment at weight-loss camps.¹⁸ The study highlights an additional consequence of the growth in obesity rates in recent decades: the increase in the number of children at risk for being bullied. The second article, by Shemesh et al, calls attention to another health issue, food allergies, which provide a visible target for bullies. Some bullies even threaten allergic children with the food to which they are allergic (eg, by waving or throwing the food at them).¹⁹ Food allergies are becoming more common,^{21–23} and schools have adopted varying strategies to address them.^{24,25} Students who are not allowed to bring peanut butter to school because a classmate has an allergy might bully the classmate to gain popularity with others who resent the limitation. The potential for bullying underscores the importance of addressing food allergies in a way that protects but does not stigmatize children who have them.

Bullying can have immediate physical and emotional effects that warrant the awareness and involvement of pediatricians and other clinicians. But the effects of bullying do not necessarily stop when the bruises heal or the graffiti is sandblasted off the wall or the Ugly Duckling becomes the Swan. Bullying can have life-long health

consequences. It has been associated with stress-related physical and mental health symptoms, including depression, anxiety, posttraumatic stress, and suicidal ideation.^{8,26–34} When bullying is motivated by discrimination or an attack on someone's core identity (eg, their sexual orientation), it can have especially harmful health consequences.^{32–35} The effects of bullying are not limited to the bullied. Bystanders who witness bullying may experience mental health consequences (eg, distress) as well.^{36,37}

The American Academy of Pediatrics and other major professional organizations have issued policy statements recognizing bullying as a serious medical and public health issue that pediatricians and other clinicians should address jointly with parents, educators, and community organizations.^{38–44} Professional organizations recommend that clinicians take concrete steps to respond to bullying. For example, clinicians can incorporate bullying into anticipatory guidance for children and parents by describing bullying and its consequences, whether the child is bullying, being bullied, witnessing bullying, or all 3. In addition, clinicians can learn to recognize indicators of possible bullying such as unexplained bruises, cuts, and scratches, as well as school avoidance, social isolation, anxiety, depression, substance use, and chronic physical symptoms (eg, headaches, stomachaches). They should be particularly alert when patients have stigmatizing characteristics that could lead to bullying (eg, obesity, disabilities, gender nonconformity). Clinicians may also want to teach parents, who, are not always aware of bullying (as Shemesh et al point out¹⁹), how to recognize clues that bullying might be occurring.

We generally think of adults as part of the solution. They can teach children not to bully and help bullies identify and manage the challenges that may

lead them to bully. They can teach children what to do when they witness bullying. And they can comfort children who are bullied and help them figure out how best to respond. Parents, teachers, coaches, religious leaders, and pediatricians and other clinicians can all make a huge difference in the life of a child who is being bullied by providing an accepting and safe environment to discuss and address the situation. At school, where bullying often occurs, teachers and coaches can institute clear rules and implement swift discipline against bullying, which can undermine bullies' motivations for dominance, popularity, and social reward.

These same adults, however, can be part of the problem,^{18,45–49} sometimes serving as negative role models, ignoring the issue of bullying, failing to notice its signs, or actually bullying children themselves. For example, a clinician who is trying to motivate a child to lose weight might use language, tone, and facial expressions that are undermining, scolding, and even bullying. A parent or coach shouting at a boy, "You throw like a girl!" or "Don't be a sissy!" may not consider the impact on the child if he is gay or even if he is not; importantly, research finds that boys of any orientation who are bullied by being called "gay" show worse distress in comparison with boys who are bullied in other ways.³⁴ Clinicians have a role to play not only in monitoring their own actions when counseling children with stigmatized characteristics, but also in helping other adults, especially parents, to recognize and address their own aggressive and bullying behaviors.

Achieving broad cultural change and promoting public discourse on what is acceptable behavior may be the most promising ways to reduce bullying. Although there has been a rapid increase in antibullying laws and school

antibullying programs, we need a cultural evolution in awareness and repudiation of bullying. We have witnessed such a shift with sexual harassment, which was once considered to be acceptable and normative. Although sexual harassment has not been eradicated, the national reaction to it has markedly changed.^{50,51} The experience with sexual harassment can serve as a model for the kind of societal discussion that can benefit antibullying efforts. We need to create a dialogue on what bullying is and why bullying is not acceptable, even if it has been tolerated or applauded for decades or centuries.

The science of bullying is still young in the United States, although Europe has a longer tradition of studying and addressing bullying. Researchers can build on this previous work, which has helped to operationalize the concept of bullying; elucidate the health correlates of bullying among bullies, bystanders, and targets; and develop antibullying programs in schools.^{7,16,18–20,25,31,33–35}

This is a field that begs for multidisciplinary input by anthropologists, clinicians, educators, epidemiologists, research psychologists, sociologists, and others. There is a need for more methodological research, including longitudinal research that may help to disentangle the effects of bullying on long-term health problems from the effects of other factors, such as preexisting mental health issues. There is a need for descriptive studies that advance our knowledge of the types of children who bully and are bullied, with a particular focus on how to protect children with stigmatizing characteristics. It is also critical to explore the types of community, family, and individual-level factors that reduce involvement in bullying and that promote resilience among targets of bullying.

Perhaps most importantly, there is a need for research on how clinicians, parents, educators, and other advocates for youth can best tackle the issue. We need rigorously tested

interventions that use a solid theoretical basis to create norms for behavior toward the bullied,⁵² to prompt bystanders to take action when they witness bullying,⁵³ and to integrate stigma reduction strategies against prejudicial attitudes and discriminatory behaviors.⁵⁴ Interventions are also needed to help clinicians recognize signs of bullying and take steps to help children who are targets or witnesses address bullying. Having everyone who engages with children participate in shifting the culture of bullying provides our best hope for tackling this challenging problem.

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Good morning, Chairman Olsen and members of the Senate Committee on Education. I appreciate the opportunity to address you today to offer my support for Senate Bill 184.

My name is Officer Kevin Olin, and I serve as a School Resource Officer with the Janesville Police Department. I am currently assigned to Marshall Middle School, which has a little more than 915 students, and I have been working in the Janesville school system for about 15 years. Working in a middle school has given me the opportunity to see students enter as 6th graders and watch them mature through their 8th grade year. During this time there is a tremendous amount of growth that occurs. They have to deal with a new school, homework, and adapt to different teachers. The most important adjustment is figuring out who they are as young adults, as well as, who their friends are, what social circle they will travel in, and it is during this time that “fitting in” becomes important to them. It would be nice if there was a book on how to deal with everything these kids will encounter during their middle school years, but there is not one catch-all book that does so. As with the many changes they have already gone through physically, they will continue to go through numerous changes in technology. This new technology offers amazing opportunities for academic research and even entertainment, and I, like all of you, use it on a regular basis. However, with the benefits of technological change, there also come some issues that in the past wouldn’t have been an issue. One of these issues is cyber bullying.

Many don’t realize that roughly 80% of teens have cell phones. About 50% of teens own a smart phone. 51% of them check their messages more than one time per day, 22% check their messages more than 10 times per day, 37% have used devices to make fun of others and 25% have created false profiles. One in five have posted or sent sexually-suggestive or nude pictures of themselves. These numbers will continue to grow and as they do, chances of individuals being bullied or harassed will increase.

Bullying, as we know, can come in several different forms. In the past, it was most likely done face to face. As technology has advanced we have seen it grow in ways never thought of before. In the past you saw and heard the person saying something to you. Today, you most likely will read it. That may be in e-mail form, text message or sent via Facebook/MySpace. Social Media has created a whole new venue for harassment and bullying. Social media is constantly changing and hard to keep up with what is trending. We now are in a tweeting world, Snapchat world,

Instagram world, along with others, where you just post messages or comments. Even though social media is relatively young, it has gone through several changes.

These changes have made it a little tricky in interpreting the law. In the past, most of social media required a person to send something to someone else. At least this way people knew the person who sent it and that person intended for the person being harassed or bullied to get it. Today with Twitter, Instagram, and other new types of social media, no sending is required. A person needs only to post it on their wall or page. They could argue they weren't intending for the victim to see it and in a sense they are right. SB 184 addresses this issue by including in its wording 'POSTS'. This simple word helps clarify to officers the statute will clearly cover cases of bullying/ harassment involving Twitter and other new and upcoming social media types where people just post information for others to see.

Right now, there are over 100 networking sites and that number will only grow. Social networking is how many kids communicate and stay in touch with what is going on. It is important that as fast as technology changes, the laws can keep up with the changes as well. Senator Cullen's proposed changes in SB 184 to include 'POSTS' is one sure way we can keep up with the changing technology and protect kids. This will be a tool I know law enforcement will be able to use not only to address bullying and harassing behavior but more importantly educate kids as well.

Let's #PassSB184 so we can tweet the good news.

Thank you again for your time. I would be happy to answer any questions you may have.

Sincerely,

Office Kevin Olin
Janesville Police Department

Comments on Proposed Changes to Wisconsin's Bullying Law (2013 Senate Bill 184)

Justin W. Patchin, Ph.D.
Professor of Criminal Justice, University of Wisconsin-Eau Claire
Co-director, Cyberbullying Research Center
October 2, 2013

Background

I have spent over a decade researching adolescent bullying, with a specific focus on cyberbullying. I travel across the United States, and abroad, educating school officials, parents, law enforcement officers, other adults who work with youth, and the teens themselves about using technology safely and responsibly. In the last four years I have spoken to over 100,000 people on this topic. My research partner, Sameer Hinduja (Florida Atlantic University), and I co-direct the Cyberbullying Research Center and have formally surveyed over 14,000 middle and high school students from various schools around the United States. We have also surveyed teachers, parents, and law enforcement officers. Using those data, I have co-authored numerous articles for academic and professional publications and have written four books, including three on the topic of cyberbullying and teen technology misuse. A fifth book ([Words Wound: Delete Cyberbullying and Make Kindness Go Viral](#)) will be published this December. Our website (www.cyberbullying.us) received approximately 1.2 million unique visitors in the last 12 months (over 30 million hits).

I am very familiar with most of the bullying laws across the U.S. having authored and regularly updated a fact sheet on our website (www.cyberbullying.us) entitled "A Brief Review of State Cyberbullying Laws and Policies." Forty-nine states now have bullying laws in place as of October 2013. Wisconsin was one of the more recent states to adopt a bullying law (Wisconsin Act 309; 2009 Senate Bill 154), which took effect in May of 2010. Current law requires, among other things, that schools adopt bullying policies by August 15, 2010. While the existing law is useful to the extent that it publicly denounces bullying and requires the Department of Public Instruction (DPI) to develop a model policy that *may* be adopted by schools, it falls short on a number of levels. A previous attempt update the law in 2011 (Senate Bill 427) failed. Like the earlier effort, the currently proposed changes (Senate Bill 184) are a small step forward but do not significantly address the concerns that I have with Wisconsin's existing bullying law. Nor does the new proposal recognize the issues I raised in my earlier testimony, submitted in February of 2012, in response to 2011 Senate Bill 427.

Weaknesses of Wisconsin's Existing Bullying Law

One major shortcoming of Wisconsin's existing bullying law is that it simply directs the DPI to create a model bullying policy. That policy may or may not be adopted by schools. Schools must have a bullying policy in place, but the elements of that policy could vary

significantly from school to school. While many schools may elect to adopt the model policy as developed by the DPI, they are not required to. I do believe that every school should have the flexibility to develop a policy that is appropriate for their needs, but it would be better to require certain core elements to be included in all school policies across the state, including a comprehensive definition of bullying (that includes cyberbullying), procedures for reporting and investigating, appropriate consequences, as well as others listed in 118.46 sub. (1) (a) 1-10.

Another significant problem with the current law is that it does not explicitly mention cyberbullying or other forms of electronic harassment. While cyberbullying is a subset of bullying, the law does not even provide a definition of what bullying is and leaves this up to the DPI and individual districts. Specifically acknowledging cyberbullying as a unique form of bullying that requires response is important given its prevalence and impact on 21st Century schools.

Finally, there is nothing in current law that acknowledges the school's recognized ability to intervene or reasonably respond to incidents of bullying that occur off school grounds. Many schools across the state wrongly believe that if bullying occurs away from school there is nothing that the school can do to respond. Longstanding case law gives schools the authority to respond to off campus behaviors that disrupt the learning environment at school.

In the landmark case *Tinker v. Des Moines* (1969) the Supreme Court stated: "it can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate..." and that only speech or behavior which "materially and substantially interfere(s) with the requirements of appropriate discipline in the operation of the school" are subject to discipline. *Barr v. Lafon* (2007) clarified that schools need not wait for a disruption to occur before intervening and that if they can articulate a clear threat to the order of the school than can take appropriate actions. We know from *Thomas v. Board of Education, Granville Central School District* (1979) that student speech that occurs away from school is generally more protected than the speech that occurs at school, but several recent cases have demonstrated that off campus behaviors and speech are subject to school discipline, if the behavior or speech: (1) substantially or materially disrupts the learning environment at school; (2) interferes with the educational process or school discipline; or (3) threatens or otherwise infringes on the rights of other students (see *J.S. v. Bethlehem Area School District*, 2000; *Wisniewski v. Board of Education of the Weedsport Central School District*, 2007; and especially *Kowalski v. Berkeley County Schools*, 2011). The key issue that has been addressed in many cases is that the behavior that occurs away from school results in (or has a likelihood of resulting in) a substantial disruption *at school* (see *Layshock v. Hermitage School District* and *Blue Mountain School District v. J.S.* which were both recently reviewed by the Third Circuit Court of Appeals [2011]). If a student is being harassed or threatened repeatedly by another student, whether online or at school, there is little question that the ability of that student to learn is being disrupted. As such, it is important that a bullying law includes this information so that schools know that they do in fact have the authority to respond.

Strengths of the Proposal

The current bill does propose some modest improvements to Wisconsin's bullying law, especially by requiring that the DPI model policy include bullying by "electronic means." Although, this may be superfluous as the existing model policy already includes "sending insulting messages or pictures by mobile phone or using the internet – also known as cyber bullying." It also encourages the model policy to include information about responding to bullying behaviors that occur off school grounds. The proposed amendment which directs the DPI to include language in their model policy that a school board may prohibit bullying that occurs away from school that creates a hostile environment at school for the pupil bullied or substantially disrupts the orderly operation of the school is exactly what is needed. However, this leads me to the major weakness of current law and the proposed bill.

Weaknesses of the Proposal

The primary problem with the proposed bill, and indeed the existing law, is that it is only a mandate to the DPI to include certain elements in a model policy and not a requirement for schools to include any of these elements in their respective bullying policies. Schools are not required to modify their policies at all – they are only required to have a policy (irrespective of its content and effectiveness). The proposal also states that the DPI model policy must include "appropriate responses to bullying that occurs off school grounds in certain circumstances." While it is nice to see that the proposal acknowledges the school's authority to respond to off campus behaviors, what exactly are the "circumstances" where this is appropriate? If this could be clarified in the DPI policy, it would strengthen the understanding of the necessary conditions particularly if specific language was included in the law (see below). The proposed amendment is a significant step in the right direction but only to the extent that it clarifies that what the law is talking about are those off campus incidents that create a hostile environment or that substantially disrupt the learning environment.

Newly proposed in the 2013 bill is a provision that requires school employees who witness or learn about any bullying that may be a violation of criminal law to report the behavior to law enforcement. Specifically, the addition reads: "A requirement that a school district official or employee who has reasonable cause to suspect that a bullying incident is a violation of a criminal law, report the incident to a law enforcement agency" (118.46 (1) (a) 12). I have some reservations about this because I personally do not feel it is appropriate to get law enforcement involved in all bullying cases, but essentially the vast majority of cases could fall under this, to the extent they involve behaviors that: "frighten, intimidate, threaten, abuse, or harass another person" or "harass, annoy, or offend another person" (947.0125). Since this covers just about every imaginable type of cyberbullying and similar language is included 947.013 for face-to-face incidents that would cover the majority of bullying behaviors, is the intent here to have schools report every incident to the police? And are school employees trained enough in the law to know the point at which a crime has

been committed? I personally don't think that this is a good idea or wise use of scarce law enforcement resources.

Recommendations

My principle concern with the proposal is that it doesn't go far enough. I urge the legislature to adopt even stronger language clearly demonstrating that any and all forms of bullying, no matter where it occurs, that (1) disrupts the ability of a student to learn, (2) infringes on the rights of a student (including the right to be "let alone" at school), or (3) creates a hostile learning environment, is subject to reasonable school discipline. Specifically, I urge the legislature to adopt a modified version of New Hampshire's recently-passed bullying law (HB 1523):

"Schools have the authority and responsibility to apply reasonable and educationally-based discipline, consistent with a pupil's constitutionally granted privileges, to bullying that: (a) Occurs on, or is delivered to, school property or a school-sponsored activity or event on or off school property; or (b) Occurs off of school property or outside of a school-sponsored activity or event, if the conduct interferes with a pupil's educational opportunities, creates a hostile environment for that pupil or others, or substantially disrupts the orderly operations of the school or school-sponsored activity or event."

Similar language has also been adopted in New Jersey and Connecticut law recently. I have modified it minimally to ensure that a student's constitutionally protected speech is not infringed upon by threatening to discipline a student who is exercising protected speech. As *Tinker* clearly stated, students have free speech rights, but they are not free to disrupt the learning environment at school (create a disruption, threaten or infringe on the rights of others, etc.).

It is also important that *all schools* adopt policies that include elements such as those listed in current law (118.46). Alternatively, all schools should be required to adopt the minimum elements included in the DPI model policy.

Finally, and most importantly, I encourage the legislature to provide resources to schools so that they can effectively implement the recommendations and/or requirements included in the law. Schools genuinely do want to prevent and adequately respond to all forms of bullying and harassment and are simply looking for resources that they can use to assist in such efforts. For instance, the bill should provide staff development and training resources to the DPI, the CESAs, or some other state educational training service providers in order for school officials to learn about the law and about how to respond to cyberbullying more effectively. Additional support staff (e.g., school counselors and social workers) would enable schools to intervene earlier in peer relationship problems while funding for appropriately training school-based law enforcement officers (school resource or liaison

officers) would allow schools to respond to the worst cases of violence and aggression that occur or impact the school environment. Furthermore, preventing bullying from occurring in the first place is always preferable to waiting until it happens and being forced to respond. Research is now emerging that clearly shows the ability of social emotional learning programming to halt many forms of student misbehavior, including bullying (Espelage & Low, 2012). Other programmatic strategies such as Positive Behavioral Interventions and Supports (PBIS) and Response to Intervention (TRI) have also been shown to improve the quality of the climate in school. Such comprehensive efforts require resources (both staff and money) to implement effectively yet most schools are lacking significantly in that regard.

If I can be of assistance in the further development of this law, please do not hesitate to call upon me.

Justin W. Patchin, Ph.D.
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Professor of Criminal Justice
Department of Political Science
University of Wisconsin-Eau Claire
105 Garfield Avenue
Eau Claire, WI 54702-4004
Phone: 715-836-4058
Email: patchinj@uwec.edu

For more information:

Cyberbullying Research Center (www.cyberbullying.us)

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MEMORANDUM

TO: Senate Committee

FROM: Dr. Yolanda M. Cargile, Director of Student Services

RE: Anti-Cyber Bullying

DATE: October 3, 2013

Senate Bill 184 creates a greater sense of accountability and ultimately is in the best interest of children. In Janesville, we have been proactive on this issue. The School District revised its bullying prevention policy in June 2011 to prohibit acts of cyber bullying.

Janesville School District's policy also addresses acts of bullying that originate off school premises and are disruptive to the educational environment. We believe that is key, as most cyber bullying incidents occur outside of the regular school day, but can be very disruptive to the learning environment.

Senate Bill 184 increases safety for students, and the Janesville School District urges your support.

**Testimony on 2013 Senate Bill 184
Senate Committee on Education**

**Shel Gross, Director of Public Policy
Mental Health America of Wisconsin**

October 2, 2013

Thank you for the opportunity to present testimony on SB184. Mental Health America of Wisconsin (MHA) supports this bill as a reasonable and necessary update to current law to account for the use of various types of social media in bullying behavior. Current law covers email but not other types of electronic means of communicating information.

MHA is particularly concerned about the relationship between bullying and mental health. The following conveys some of what we know about this relationship.

Wisconsin is home to one of the foremost researchers in the area of cyber-bullying: Dr. Justin Patchin of the University of Wisconsin—Eau Claire, who is co-director of the CyberBullying Research Center (www.cyberbullying.us). In a paper on their website, *The Current State of Cyberbullying Research: A Brief Summary*, the Center provides the following information:

- Anywhere from 15-35% of teens have experienced some form of cyberbullying, depending on who is sampled and how cyberbullying is defined and measured (see chart with our rates here). Some studies report lower or much higher rates, but we feel reasonably confident in estimating that about 20% of teens have been the victim of cyberbullying at some point in their lifetime (Smith, Mahdavi, Carvalho, Fisher, Russell, & Tippett, 2008).
- Cyberbullying is related to low self-esteem, suicidal ideation, anger, frustration, and a variety of other emotional and psychological problems (Hinduja & Patchin, forthcoming; Patchin & Hinduja, 2006; Patchin & Hinduja, in review)
- Cyberbullying is related to other issues in the 'real world' including school problems, antisocial behavior, substance use, and delinquency (Hinduja & Patchin, 2007; Hinduja & Patchin, 2008)

And issue brief on *Suicide and Bullying* on the website of the Suicide Prevention Resource Center (http://www.sprc.org/sites/sprc.org/files/library/Suicide_Bullying_Issue_Brief.pdf) provides this additional information:

- Both victims and perpetrators of bullying are at a higher risk for suicide than their peers. Children who are both victims and perpetrators of bullying are at the highest risk (Kim & Leventhal, 2008; Hay & Meldrum, 2010; Kaminski & Fang, 2009).



- It is often the children most at risk for suicide who are bullied, which in turn further raises their risk of suicide (as well as of anxiety, depression, and other problems associated with suicidal behavior).
- A review of the research found that the relationship between bullying and suicide risk was stronger for LGB youth than for heterosexual youth (Kim & Leventhal, 2008).

For these reasons MHA urges you to support SB184.

Please feel free to contact me at 608-250-4368 or shelgross@tds.net if you have any questions.

Thank you.

www.mhawisconsin.org



School District of
West Allis-West Milwaukee, et al.
EDUCATIONAL ADMINISTRATION CENTER

October 3, 2013

Dear Senate Education Committee Members,

On behalf of Kurt Wachholz, the Superintendent of Schools in the West Allis-West Milwaukee School District, I am providing testimony on Senate Bill 184.

Bullying in all venues in today's society is a significant concern. It occurs between child to child, adult to adult, and adult to child, etc., in the work place, in schools directly through person-to-person contact, as well as in various digital social media outlets. Unfortunately, it has become all too common especially with the access and expansion of social media like Facebook, You Tube, Twitter, etc. As a society we must all work together to help monitor and prevent bullying situations. Proactive education, not punitive laws will help in addressing this significant social issue for adults and children alike. This is not to say that individuals should be void of accountability or consequences for both youth and adults.

This bill however appears to have inherent flaws or at the very least raises significant questions and concerns such as:

- What incidences will define bullying?
- Is the report of bullying to police officials to include ALL incidences verbal and non-verbal or just those that arise to a certain level of conflict?
- As mandated reports to authorities occurs will schools be accountable for judgment calls and then be subject to consequences for those determinations?
- Will law enforcement be able to handle the volume of all individual incidences are reported?

Currently, schools and Districts do their own research and investigations on all reports or incidents of bullying in our schools. We believe that law enforcement should only be involved in certain significant cases. Our recommendations on this piece of legislation would include:

- The current bill needs to have more specific language on the definition of what bullying needs to be reported to legal authorities. Specifically detailing where school requirements end and police investigations take over.
- Based upon the reporting guidelines submitted it establishes an over-abundance of mandated reporting which would place a huge burden on both school staff and law enforcement officials. The guidelines need to be narrow and focused for significant cases only.

As professional educators, we know that at the very heart of what we do is building positive relationships with all students and their parents/guardians. As such we wish to share some concerns that we do have about the true negatives that would exist if this bill is passed as is.

We view this requirement that school officials report an incident to Law Enforcement under the suspicion standard to be similar to what is required under our Mandatory Reporting child abuse and neglect statutes. While necessary, all too often reporting suspected child abuse that results in calls being "screened out" or deemed to be unconfirmed. When this happens within the school context, we lose these parents/guardians and often times the students themselves. We are concerned that similar consequences may often occur under this new law which would charge, for example, a school official to report to Law Enforcement the suspicion that a student's electronic message is lewd and ANNOYS or OFFENDS another person.

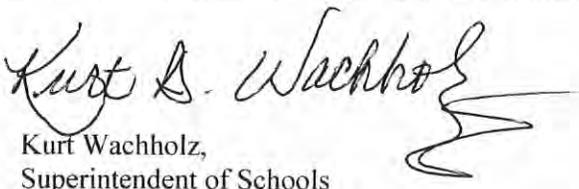
In simple terms, in some cases we would stand to lose too much with parents and students if we are required to call Law Enforcement over messages that are concerning, but could be handled in other and more productive or appropriate ways.

In addition, we respectfully request that the words "annoy" and "offend" be stricken from the bill because these terms are not easily defined and are too subject to personal interpretation.

Finally, we do believe that the bill would be greatly improved if there is specific language added that includes State and perhaps Federal definitions of Bullying (for example "Bullying includes aggressive or hostile behavior that is intentional and involves an imbalance of Power between the Bully and the bullied", DPI Bullying Prevention Policy Guidelines, p. 3). There are also legal standards like the importance of reporting especially if a pattern of behavior exists like repetition over time. These definitions provide good descriptors that are helpful to school officials and would result in better compliance. Of course language such as this would not exclude a one-time single significant incident.

We support any and all legislation that ensures the prohibition of bullying in our schools. We do not presently support being required to contact Law Enforcement under the parameters that currently exist in this bill. This bill as it currently exists does not address the core of societal bullying.

Thank you for your attention and consideration of this matter. Please contact my office with any questions.


Kurt Wachholz,
Superintendent of Schools

Senate Committee on Education
October 3, 2013

Department of Public Instruction Testimony
on 2013 Senate Bill 184

I want to thank Chairman Olsen and members of the committee for the opportunity to testify for information today regarding Senate Bill 184 (SB 184). My name is Doug White and I serve as director of student services/prevention and wellness for the Wisconsin DPI.

Consistent with Wisconsin statutes under s. 118.46, DPI developed a model policy regarding bullying in 2009. This model policy requires a definition of bullying. While SB 184 requires the definition of bullying to include bullying by electronic means, DPI's current model policy includes a definition of bullying in its various forms, including bullying by electronic means or cyberbullying. Other provisions of the current model policy include a prohibition on bullying, a procedure to report bullying, a prohibition on retaliation against those who report it, sanctions, supports, disclosure, public reporting, and where the policy applies.

SB 184 would also add two new elements to the model policy. The first would clarify that boards can prohibit bullying that occurs outside of school if it affects the school environment or creates a hostile environment for a student. This would be a clear expansion of the authority of the school to respond to actions and events. The second would create, in the model policy, a new mandatory reporting requirement for school staff who would be required to report to law enforcement any bullying that is a perceived violation of criminal law. There may be questions as to the liability of school staff if they don't report an incident that is later found to be a violation.

Under 118.46 school boards must adopt a policy prohibiting bullying but are not required to use DPI's model policy. The department does not know how many school districts have adopted the model policy as that information is not required to be reported to us.

In addition to the requirements under s. 118.46, the department also provides resources to help schools implement anti-bullying programs and policies. These include curricula, on-line education programs for students, and training for staff.

The department is well aware of the seriousness of bullying, including bullying by electronic means. Use of electronic technology, which may occur anywhere in the community, presents challenges for parents, school personnel, and law enforcement officers so the department appreciates the author's focus on addressing this pressing problem.

Thank you and I would be happy to try to answer any questions you may have.



October 3, 2013

Good Morning to each of the Senators and Representatives here today on behalf of Senate Bill 184.

I would like to express my appreciation for the invitation to speak from Senator Cullen.

I have had the opportunity to review the proposed bill and I applaud those that have stepped forward to enact new law on this topic.

The proliferation of social media and the numerous online sites and messaging options is absolutely mind numbing at times. Our students are connected like never before in our history. While this has many merits it also invites many problems when technology is misused.

This bill specifically targets the negative social interactions and forms of bullying that are inherent to today's technologies when misused. Unfortunately, harassing posts on social media, cyber-bullying, cyber-stalking and the posting of defaming and humiliating information happens.

We know from research that kids who are bullied experience depression, loneliness, suicidal thoughts and poor sleep at higher rates than those that are not. We also know from a school perspective that bullying in any form can cause a loss of interest in school activities and athletics. These students also tend to have more health complaints and are more likely to miss, skip and drop out of school. We also know that in the vast majority of school shooting cases, the school shooters have a history of being bullied.

I can tell you from a principal's perspective that it has been very frustrating on numerous occasions to feel powerless when the bullying is done outside of the school day. I have had parents report heinous messages posted about their child or a Tweet that was shared with a group of individuals about their child. Further, the current limits placed upon the School Resource Officer are also of great concern.

I asked my School Resource Officer what percentage of his time he feels he spends dealing with issues of harassment and bullying specifically related to the cyber/social media world. He responded that it is easily 30%.

The reality is that what happens on social media at night and on the weekends ultimately weaves its way into the school day. Currently, I have staff members that are assigned to watch what is happening in the social media world on weekends especially because the week can be pre-defined depending on what went on over the weekend in the cyber world.

The proposed bill would give me as a school official as well as the School Resource Officer the legal backing to take an even stronger stance on this very real problem.



The proposed bill also gives me a greater sense of assurance that parents and students reporting the aforementioned type bullying can feel a greater sense of comfort that something is being done about it. Further, I can tell you that I believe wholeheartedly that students would take their posts, which can be reckless at times, much more seriously knowing that they are more accountable under the law for what happens outside of school and on all types of social media.

Again, I would reiterate my appreciation for those Senators and Representatives who have stepped forward to do something about this problem. This would have a substantive positive effect on the work that principals, teachers and support personnel conduct each day when they are faced with something as unsavory as some of the things that young people are posting online across this state while off school grounds.

Thank you for taking the time to listen to my comments.

Respectfully Submitted,

Dr. Thomas M. Johnson

Principal, Beloit Memorial High School

I Introduction

II In Milton we have established a community effort to help prevent bullying in our schools as well as other locations throughout our city.

- In May of 2012, a citywide survey was conducted by Rock C Partners In Prevention, and in December of 2012 a Youth Risk Behavior Survey was conducted throughout the schools In Rock County.
- As a result of these surveys, The Milton Youth Coalition was formed. The coalition members are representatives of the schools, police, city administration and other citizens. The Coalition has a common goal of preventing bullying in our schools and community by bringing an awareness of the issue to organized events and presentations in the schools and the community.
- Selected points on MYC Anit-Bullying time line

III My roles as School Resource Officer

- Visibility-not only as a deterrent to anti-social behavior in school, also as an officer who is very accessible to the students.
- Education- go in to all 9th grade Health classes to explain to students the legal definition of bullying/harassment. We discuss with students the different types of bullying and how it can be reported to the school administration or myself.
- Enforcement and investigation- strong clear cut procedure for handling complaints of harassment. First time warning with clear understanding that second confirmed complaint could result in ticket. Complaint is also documented.
1st offense -\$177 2nd-\$681

IV Two types of bullying/harassment

- Face to face-really has not changed much through years. General disrespect students have towards other students who act or think different than they do. Lots of times this is a result of a past boyfriend or girlfriend relationship.
- Cyber-bullying-has really become an issue in the last ten years. Occurs either by computer or phone and with new smart phones this has actually made bullying and harassment more convenient. This has also contributed to cyber-bullying within the school environment.

V Future goals to combat bullying

- cooperation with legislature through implementation of bills such as Senate Bill 184.
- continued cooperation by members of the community to recognize this as a serious issue to be handled by the entire community
- have begun better communication within the school administration, counselors, myself and parents working as a team to better handle specific complaints of bullying

Milton Youth Coalition Anti-Bullying Program Timeline

Spring, 2012

- Milton Area Readiness Survey was conducted in May 2012. Results of this survey, and the 2012 YRBS results, lead our group to focus on bullying.
- Jim Martin, SRO, initiated Bully Patrol, a group of HS student volunteers to help be visible and supportive to students at the school dismissal time near Northside Intermediate School and Milton Middle School. This group had t-shirts to identify themselves and our NIS students were informed that they could serve as “go to” people in the event they needed help. This has continued for two years, when volunteers are available.

Summer, 2012

- MYC created “Live the Milton Way- No Bullying; Safe in our Schools, Safe in our Community” Logo and began planning for events and publicity.
- Live the Milton Way signage was provided by the City of Milton, with the support of Jerry Schuetz, City Administrator. These were hung near high-traffic areas.
- MYC had a booth at National Night Out in Milton- distributed lanyards, bracelets, informational brochures
- Channel 27 News featured our efforts prior to our Community Picnic

Fall, 2012

- Community Picnic- Provided a meal, a presentation about bullying, and a DJ for entertainment. Lanyards, bracelets, brochures, and t-shirts were given away.
- City of Milton’s Mayor signed a Proclamation related to Anti-Bullying Awareness for the 2012-2013 school year.
- MYC worked a table at Suicide Prevention Walk
- Lunch with a Cop- Lieutenant John Conger and Sarah Stuckey, Principal of Northside Intermediate School met with classrooms at lunch time and provided a presentation about bullying. Lieutenant Conger worked with community businesses and citizens to get donations for the lunch and the school provided the paper products, water, and dessert. These lunches were held in 1-2 classrooms per month during the 2012-13 school year.
- Logo posters were created and posted in each school, the public library, and on each school bus
- MPD implemented Bully Alert on their web page. It is an anonymous way for students and citizens to report bullying in our schools and community. Students at NIS learn about Bully Alert during Lunch with a Cop lunches.
- Orange/Bullying awareness dress up days: MMS - periodically throughout 2012-13
- Classroom lessons on bullying in 7th grade Health: MMS - quarterly 2012-2013
- Classroom guidance lesson on bullying and harassment in 6th grade classrooms

Winter, 2012-13

- ❑ Anti-bullying poster contest held at Northside (prizes to winners provided by Student council, MPD Crime Prevention Fund, and MHS SAAD club)
- ❑ Creative sentencing (high school student in trouble for bullying had to give presentation to middle school students) - Winter 2012

Spring, 2013

- ❑ Nationally known presenter, Chris McBrien, did assembly for Middle School and High School students and a presentation for the community on the topic of bullying
- ❑ Follow-up discussions in small groups after speaker presentation: MMS and MHS Spring 2013
- ❑ Milton Public Library adopted a book sponsorship program for anti-bullying literature.



- ❑
- ❑ Anti-bullying Video Contest: MMS - Spring 2013

Summer, 2013

- ❑ Milton Kids Against Bullying event at Milton Public Library (Sarah Stuckey shared a book and kids painted a mural with the anti-bullying theme)
- ❑ MYC had a Dunk Tank to raise funds and provide promotional items to the community at Milton's Community BBQ
- ❑ Lieutenant John Conger met with Riteway Bus Co. drivers to discuss bullying.
- ❑ Riteway Bus Co. purchased logo t-shirts for all of their drivers to wear during the 2013-14 school year on designated days.

Fall, 2013

- ❑ Recess Visits by Lieutenant Conger to provide promotional items to students and continue to remind them of the importance of our anti-bullying efforts and the support that is available.
- ❑ Community Movie Night- Featuring the film "Bully" will be held at MHS on October 15

- Bullying lesson and discussion in all homerooms: MHS grades 9-11

Other information:

Another important element of our program is public relations. In addition to working at booths to share information, we have reached out to the media and press over the past two years.

Examples include:

Channel 27 News

Channel 15 News

Milton Courier

Janesville Gazette

Great People - Great Places news article

Culver's Scoopie Night

School newsletter articles

Polices/Ordinance Reference:

Anti-bullying school board policy:

School District of Milton - Board Policy JK-RA

Anti-Harrassment Ordinance:

Milton City Ordinance –No. 313

Report prepared by Sarah Stuckey, Northside Intermediate School Principal