

Testimony in Support of SB 278 To Help Make Kansas Schools Safe for Each Student

presented by
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INTRODUCTION:

As an elected member of the State Board of Education, I am here today to testify in support of providing a safe learning environment for each Kansas student. I am, however, NOT speaking for the State Board which has taken NO position on this or any other bill.

As elected officials and educators, our first obligation to Kansas parents, who send their children to school, is to make sure their child is safe. It is call "in loco parentis".

Kansas parents are counting on us to protect their children from harm. To make sure students are safe, we hold fire drills, tornado drills, hire school nurses plus put crossing-guards and school zones at busy intersections.

But, when it comes to protecting their children from bullying, harassment and cyberbullying, too often our current laws, policies and procedures fail to protect students from these growing problems. In fact, **a December 2011 study just released by the U.S. Department of Education entitled *Analysis of State Bullying Laws and Policies* reports on page 41 that Kansas is tied for 3rd from the BOTTOM of 46 states on 16 key variables to protect our students.** (See copy attached to this testimony.)

EXPERT INPUT TO THIS BILL:

SB 278 is based on years of analysis on what works to help prevent and deal with bullying, harassment and cyberbullying. National experts such as Dr. Barbara Coloroso, author of the international bestselling book, *The Bully, the Bullied, and the Bystander* shared her insights when she came to Wichita to present a workshop for Kansas educators. Dr. Randy Sprick, Education Consultant to *Safe and Civil Schools* and the Committee for Children *Steps to Respect* have made excellent suggestions on how to stop bullying without resorting to zero-tolerance policies which suspends or expels thousands of Kansas students each year. (See attached Hierarchy of Consequences.)

This bill also includes language from existing state laws from across the USA. Rather than "reinvent the wheel", SB278 uses strategies which are already being implemented in most states. (Please read the attached summary of some of these statutes.)

In addition, SB278 includes valuable input from seven members of the Education Commission to the States. They have been analyzing effective strategies for years on how to stop this epidemic and protect students from bullying. And of course, the wise and careful drafting by Jason Long in the Kansas Revisor's office put the bill into its final form.

The result is that once this bill is passed into law, Kansas will join the rest of America to help make sure that each student is safe when they come to school. The bill also protects teachers and other school staff from being bullied by students. Physical violence and cyberbullying against school employees is a growing problem in some schools and communities.

HOW BIG IS THE PROBLEM?

According to a recent survey of 17,000 Kansas students, 37% admitted that they have been bullied. In a comprehensive survey of 1,003, 9th through 12th graders in Olathe done in October 2011, 18% responded that they had been physically bullied, 36% had been verbally threatened, 37% had a malicious rumor spread about them, and 22% had been cyberbullied.

The Lawrence Journal World wrote the enclosed article in December, 2011 entitled *In Lawrence, anti-bullying efforts depend of the school*. Their online poll of 632 adults asked "Have you ever been

bullied?” Those who responded “Yes” were 82%!! When you read the emotionally scared comments left by readers, it is clear that if bullying behavior is not quickly stopped while a child is in school, the negative impact continues for years—for both the victim and the bully.

After the tragic suicide of Rhianna Morawitz in Wichita last September, over 5,000 people signed petitions asking that the Legislature enact laws to help stop bullying. Written comments posted by teachers, parents and students show that bullying in school is a growing and long lasting problem.

Another article in the August 23, 2011 edition of Education Week is also attached. It is entitled *Study Measures Bullying's Academic Toll*. As long as children are in fear of their safety, they can not concentrate on learning. If they are afraid of what will happen to them during passing period, when they use the restroom, eat in the cafeteria, go to gym class or out for recess, their academic achievement goes down quickly. Many victims do everything possible not to come to school or to avoid certain areas of school where they feel threatened. Plus, cyberbullying is a 24/7 nightmare for thousands of students.

In some school districts, such as Wichita, the data reported varies widely. As the attached spreadsheet entitled *Bullying in Wichita USD259 Schools* shows, there were only 252 incidents of bullying reported by the district in 2009-10. However, last year, 5,510 students were suspended and 129 expelled due to their zero-tolerance policies. This is 11% of all students. Which number is correct?

The Kansas Department of Education is just beginning to get a clearer picture of the extent of the bullying, harassment and cyberbullying in our state. Through the KanDisc data system, districts are now mandated to report the number of incidents of bullying for each school. Once SB278 is passed, more accurate reporting will help focus State and local policies and resources to deal with bullies using restorative discipline, counseling and community service rather than suspensions and expulsions which lead students to drop-out of school and/or come back more angry than before.

OBJECTIONS:

There will be some school administrators and their lobbyists who will claim that it takes too much of their time to investigate reports of bullying. They will say “we already have policies” plus this should be a “local control” issue where they decide if, when and how to prevent or report bullying.

The fact is that according to Article 6 of the State Constitution, education is the responsibility of the state. Some of these same school administrators are the first to complain and sue the State when they don't get as much money appropriated by the Legislature as they want.

Kansas has child abuse state laws. Bullying is another form of “child abuse” which requires minimal policies, procedures and reporting to protect students—no matter which school they attend.

In most states across America, legislators have passed laws to make sure their students are protected and safe. It is time for Kansas to do the same.

Please work and pass this bill!! Thousands of Kansas parents are counting on you to “do the right thing” and put the safety of their children first.

Respectfully submitted,



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