

Written testimony to the Commission on Bullying Prevention

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Our organization MassResistance (formerly Parents Rights Coalition) has been working with parents of schoolchildren in Massachusetts and around the country for over 16 years. Among other things, we help parents deal with legislation, both current and pending.

This year we have filed bill H1059 in the Massachusetts Legislature to repeal the anti-bullying law which your Commission is addressing. It is unfortunate that in your two public hearings a wider range of input was not included. Thus, we are submitting this written testimony.

Law was passed amid hysteria

The Massachusetts anti-bullying law was unanimously passed by the Legislature last May without any substantial debate, amid a climate of hysteria. Much of that hysteria was fomented by an intense public-relations campaign by special interest groups, and almost daily articles in the Boston media, many quite inflammatory. At the center of this were two tragic suicides by schoolchildren, both of whom (according to press reports) had unfortunate contributing psychological or emotional issues.

The resulting law is a badly-written mish-mash of onerous and costly regulations, mandates, and punishments. It was crafted by special-interest activists and politicians, not behavioral scientists. Much of it is borrowed from the GLSEN homosexual activist website. The new law is widely disliked by parents and school administrators, although few dare to say so publicly.

Almost completely ineffective, according to experts

Less than a week after the law was passed, the *Boston Globe Magazine*'s cover story was on the new anti-bullying law. The article presented a more sober assessment on this than we'd seen over the previous several months:

“But here's what has gotten lost amid all the legislation and finger-pointing: None of the current anti-bullying programs, despite their fanfare, have been successful in reducing actual bullying among American students in any meaningful way.

“Researchers from the University of Oregon, led by Kenneth Merrell, conducted a meta-analysis - a review statistically combining the results of many earlier studies - that examined the effectiveness of bullying intervention programs in the United States and Europe across a 25-year period. Their results, published in 2008, could hardly have been more depressing. While they found that some programs produced modest improvements in students' attitudes about bullying and in their feelings of social competence, they found none that demonstrated a significant reduction in bullying behavior. In fact, the researchers found that ‘the average teacher actually reported more bullying after intervention than before.’”

This conclusion has been echoed across the country. Some of the testimony at this Commission's two public hearings also reflected this.

Unfortunately, "bullying," like "terror," these days has become an abstract concept. But it is really about fairly well-defined psychological situations. And the huge anti-bullying law begs the question: Are Massachusetts schoolchildren that different from the millions and millions of others around the world, that all of this is necessary?

Highlights of the anti-bullying law:

- It requires a huge, detailed "bullying prevention and intervention plan" by all schools, which must be updated and distributed every two years.
- It requires all school employees to be "mandated reporters" of alleged bullying incidents.
- It requires all schools to give anti-bullying training to all employees.
- It requires anti-bullying curriculum for every student in every grades K-12.
- It requires private schools to comply, in addition to public schools and charter schools.
- It encourages schools to set up special diversity training based on a person's membership in a legally protected category (i.e., sexual orientation).
- It metes out fines and even jail time to kids for seemingly trivial acts, which has drawn the criticism of the ACLU and others.
- It mandates GLSEN's "No Name Calling Day" to be observed in schools throughout Massachusetts.

This helps create a dreary, Orwellian atmosphere for kids at school, where a random, childish act could be deemed criminal "bullying" by someone else. But these mandates have no proven record of effectiveness, nor do they address the underlying causes of bullying.

Successful approaches worth considering

During the Legislature's public hearing for this law before the Joint Education Committee, held on Nov. 23, 2009, a group of students from a private high school testified that their school effectively handled the bullying problems through specific student-run programs that stressed everyone getting along and promulgated that message in various ways. It apparently has worked quite well, though the Education Committee seemed uninterested in pursuing that.

Other student groups have reported successes. It seems to effect change better than the more sophisticated and expensive programs. One can read about similar approaches which, while less glamorous than the current law, are much more effective.

Our Conclusion

Bullying can be a very serious problem that can lead to tragic results. But we should look for what's most effective from a scientific and practical rather than political standpoint. I recommend that the Commission:

1. Repeal the current law, which is an onerous, expensive, obtuse mistake cobbled together by activists and politicians and passed during a period of hysteria.
2. Work with (a) schools that have implemented successful anti-bullying programs on their own; and (b) behavioral researchers in the field, not connected with special-interest groups or political organizations, to create an approach and guidelines for schools to implement. (Obviously, extreme bullying cases have to be dealt with separately, but effective procedures for those can be worked out within the scope of current laws.)
3. As much as possible, the crafting and implementation of these programs and guidelines should be done through the state Department of Elementary and Secondary Education, not through the Legislature.

Special interest groups with their own agendas

Finally, we caution your commission to be wary of groups which use the anti-bullying movement to their own advantage.

Homosexual activist groups have been a major force at every stage of this law. They have testified at every public hearing and have lobbied tirelessly from the beginning. As a result, much of what's in the current law comes from the homosexual group GLSEN, which focuses on kids in schools. Homosexual media around the country tracked the progress of this law during its passage. Sirdeaner Walker, the mother of one of the two Massachusetts children who tragically committed suicide, has joined GLSEN's national Board of Directors. PFLAG has also been a major force pushing for this law.

You will recall that in your Springfield and Boston public hearings homosexual groups gave passionate testimony calling for *enumerated categories*, including "sexual orientation" and "gender identity and expression" to be created. This is a political goal, not a scientific goal. Behavioral experts almost universally agree that bullying is not done on the basis of a "category" of people, and that diversity training (or what ever "gay" school programs they are seeking) will alleviate nothing.

In addition, the Anti-Defamation League (ADL) has unfortunately diverged from its important role of fighting anti-Semitism, and putting enormous energy into this anti-bullying crusade, despite the fact that (as noted above) the resulting law is more about political correctness and "bold action" than science and results. We suspect that this is more for fundraising purposes than they would admit. Other groups also seem to be jumping on the bandwagon for various reasons. We hope the Commission will be vigilant in this regard.