



HUMAN
RIGHTS
CAMPAIGN®

The Honorable Sen. Gilbert S.C. Keith-Agaran
Chair, Senate Committee on Judiciary and Labor
State Capitol, Room 221
415 South Beretania Street
Honolulu, Hawaii 96813

The Honorable Sen. Jill N. Tokuda
Chair, Senate Committee on Ways and Means
State Capitol, Room 207
415 South Beretania Street
Honolulu, Hawaii 96813

April 6, 2015

Re: **SUPPORT for HB 819, Testimony from the Human Rights Campaign in support of comprehensive anti-bullying legislation.**

Dear Chairperson Keith-Agaran and Chairperson Tokuda:

The Human Rights Campaign (HRC) is America's largest civil rights organization working to achieve lesbian, gay, bisexual, and transgender (LGBT) equality. By inspiring and engaging all Americans, HRC strives to end discrimination against LGBT citizens and realize a nation that achieves fundamental fairness and equality for all. HRC believes that all youth deserve a safe educational environment that is free of bullying and discrimination on the basis of sexual orientation or gender identity. On behalf of HRC's nearly 6,000 members in Hawaii, we thank you for allowing us to submit testimony in favor of HB 819, as amended, which will protect youth in Hawaii from bullying and harassment. We urge you to pass this important legislation.

The passage of this anti-bullying legislation is critical to ensure the safety and well-being young people in Hawaii. Bullying and harassment has become a serious public health crisis in our nation's schools. Nationally, sixty-five percent of teens have been verbally or physically harassed or assaulted based on a characteristic that makes them different from some of their peers, like their race, religion, or gender, and sixty-five percent of junior high school teachers report that bullying and harassment is a serious problem in their school.ⁱ In Hawaii in 2013, nearly 19% (1 in 5) of students reported being bullied on school property and more than 15% reported experiencing cyberbullying.ⁱⁱ

Bullying and harassment has often increased adverse effects on marginalized students, including those who identify as LGBT. A national survey of LGBT youth showed that nearly 75% of LGBT students experience verbal or physical harassment in school.ⁱⁱⁱ LGBT students who experienced high levels of victimization were three times as likely to be absent from school and had grades on average a half a grade lower than their peers. Though these statistics reflect the experiences of LGBT students, consequences like absenteeism, lowered educational aspirations and academic achievement, and poorer psychological well-being can affect all students who experience bullying and harassment.

Research demonstrates that a crucial part of addressing bullying and harassment in schools is the adoption of enumerated anti-bullying policies, meaning policies that protect all students but that

identify characteristics that are commonly targeted for bullying and harassment. Enumeration is necessary to ensure that anti-bullying policies provide protection for marginalized students such as LGBT youth. Students who attend schools with enumerated policies report less bullying and harassment and a higher rate of intervention by teachers when bullying occurs.^{iv} We applaud the sponsors of this legislation for making this bill as inclusive as possible.

HB 819 is more comprehensive than the majority of states' anti-bullying legislation because it applies to all youth-serving agencies in Hawaii. This will help ensure that young people feel safe and welcome in parks and in libraries as well as public and charter schools. Moreover, the bill places an emphasis on alternative discipline and preventive education, rather than exclusionary discipline or zero-tolerance policies. This is essential because exclusionary discipline policies do little to make schools safer, and they have an increased negative impact on marginalized students, such youth of color, LGBT youth, and youth with disabilities.^v Finally, the bill creates an implementation task force to ensure that schools and agencies work together to address bullying in a concerted way across Hawaii.

We strongly support HB 819, comprehensive anti-bullying legislation which will help ensure the safety of all youth in Hawaii. If you should have any questions regarding HRC's support for HB 819, please contact me at 202-572-8960 or by email at Alison.Gill@hrc.org.

Sincerely,



Alison Gill, Esq.
Senior Legislative Counsel
Human Rights Campaign

ⁱ Harris Interactive and GLSEN (2005). *From Teasing to Torment: School Climate in America, A Survey of Students and Teachers*. New York: GLSEN. Available at

<http://www.glsen.org/sites/default/files/From%20Teasing%20to%20Torment%20Full%20Report.pdf>

ⁱⁱ Centers for Disease Control and Prevention. 2013 Youth Risk Behavior Survey. Available at: www.cdc.gov/yrbs. Accessed on February 2, 2015.

ⁱⁱⁱ Kosciw, J. G., Greytak, E. A., Palmer, N. A., & Boesen, M. J. (2014). *The 2013 National School Climate Survey: The experiences of lesbian, gay, bisexual and transgender youth in our nation's schools*. New York: GLSEN. Available at http://www.glsen.org/sites/default/files/2013%20National%20School%20Climate%20Survey%20Full%20Report_0.pdf

^{iv} Id.

^v American Psychological Association Zero Tolerance Task Force (2008). *Are zero tolerance policies effective in the schools? An evidentiary review and recommendations*. *The American psychologist*, 63(9), 852-62.