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## **Testimony on Bill 19-11, Bullying and Intimidation Prevention Act of 2011**

Delivered before the Committee on Libraries, Parks and Recreation  
May 2, 2011

Good morning, Chairperson Bowser. I am Rick Rosendall, Vice President for Political Affairs of the Gay and Lesbian Activists Alliance. We've been fighting for equality in the public schools since May 1972, when we persuaded the D.C. Board of Education to prohibit discrimination in the school system on the basis of sexual orientation.

We urge the passage of Bill 19-11, the Bullying and Intimidation Prevention Act of 2011, with the strengthening amendments recommended by our coalition of safe-schools advocates. We thank the Council members for their overwhelming support for the bill.

Let us keep in mind that the District has been down this road before. What we need now is not another re-statement of the city's commitment to protecting our students, but a law with teeth that will actually protect them.

A key consideration is the scope of the bill. Any comprehensive anti-bullying law must apply to Public Charter Schools in addition to District agencies that work with youth. Everyone who receives public funds should be expected to abide by public policy. If the charter schools think they are above the law, perhaps we'll have to meet them in court; that would be preferable to surrendering at the outset, which would leave a significant percentage of our students without the legal protections that all students deserve.

Alison Gill of the Gay, Lesbian and Straight Education Network (GLSEN) has the details on our coalition's proposed amendments. Here I'll summarize key points.

An effective policy must enumerate the types of bullying and harassment. It should focus on the effects of the prohibited conduct, rather than prohibit particular speech in a way that our allies in the ACLU have warned would risk violating the First Amendment's free speech protections.

The bill should include:

- Procedures for reporting and investigating incidents;
- The option of anonymous reporting;
- Provisions against retaliation and false accusations;
- A range of penalties for confirmed violations;
- Publication of the policy; and
- A training requirement for educators and students.

The bill should cover students targeted for associating with others who have the enumerated characteristics; and should require each school and covered agency to submit a report of incidents to the deputy mayor for education, as well as a breakdown of the specific types of bullying and harassment including cyber-bullying. The deputy mayor should be required regularly to publish an aggregate report. There should be penalties for teachers who ignore bullying, and rewards for those who act to protect students. The bill should include the complete list of categories from the D.C. Human Rights Act.

It is important to avoid approaches that would have the effect of punishing schools for reporting incidents of bullying. If anything, schools should be punished for *not* reporting such incidents. No one is helped by artificially low statistics that result from under-reporting. And it is essential that individual principals with a different view not be allowed to set their own de facto policies.

Without strong implementation and enforcement, even a model policy will have little effect. Success requires clear and visible leadership; inclusion of stakeholders and experts in an implementation task force; follow-through by school officials; and continued oversight by the Council.

The protection of all District students must become the norm. Students who feel safer will be better able to focus on learning and less likely to skip school or drop out. We owe our young people no less.

Thank you.