

**Statement of the Anti-Defamation League**

**Submitted to the**

**US Commission on Civil Rights**

**Briefing on Federal Enforcement of Civil Rights Laws to Protect Students  
Against Bullying, Violence and Harassment.**

**May 13, 2011**

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The Anti-Defamation League is one of the nation's oldest human relations organizations, founded in 1913 to advance goodwill and mutual understanding among Americans of all creeds and races and to combat racial and religious prejudice in the United States and abroad. ADL is the nation's leader in the development of effective programs to confront anti-Semitism, violent bigotry, and prejudice. The League's strength is its ability to craft innovative national programming and policy initiatives and then to refine and implement them through staff in our network of 28 Regional Offices. The national headquarters in New York houses extensive research archives and staff members with professional expertise in legal affairs and education. Complementing these professionals are ADL lawyers, educators, and human relations professionals in Regional Offices throughout the country.

Since its establishment in 1957, the U.S. Commission on Civil Rights (USCCR) has played a very productive role in studying and collecting information about national problems involving discrimination and unfair treatment against Americans, serving as a clearinghouse of information about these concerns, and in devising recommendations for action by Congress and the Executive Branch. We welcome the Commission's commitment to examine the "Federal Enforcement of Civil Rights Laws to Protect Students Against Bullying, Violence and Harassment."

The USCCR has a proud tradition of excellent work in raising awareness of national problems. The Commission's trailblazing 1983 report, *[Intimidation and Violence: Racial and Religious Bigotry in America](#)*, helped set the stage for significant federal and state efforts to address hate violence directed at individuals on the basis of their race, religion, national origin, sexual orientation, gender, gender identity, or disability. Since that time, the Commission and its State Advisory Committees have published [over two dozen reports](#) on the impact of hate crime and hate groups, many with thoughtful recommendations for further action. Thanks in part to the Commission's leadership, the federal government and forty-five states and the District of Columbia now have a strong, constitutional regime of hate crime laws designed to protect individuals from violent bigotry.

ADL has also very much appreciated the focus the USCCR has placed on raising awareness about anti-Semitism on college campuses. In November 2005, the League provided a [statement](#) before a USCCR briefing on anti-Semitic incidents on the college campus. The Commission later issued thoughtful [recommendations](#) for monitoring, awareness, and reporting and created a [USCCR Web site](#) devoted to highlighting the issue and to encouraging reporting of incidents.

**Addressing Bullying and Cyberbullying – The ADL Approach**

Over the past 30 years, the Anti-Defamation League has emerged as a principal national resource on education and advocacy tools to address prejudice and violent bigotry. And over the past decade, the League has built on these award-winning anti-bias education and training initiatives to craft innovative programming and advocacy to address bullying and the pernicious new form of harassment affecting children and students known as cyberbullying.

Working to create safe, inclusive schools and communities is a top priority for ADL. The League takes a broad, holistic approach to addressing bullying and cyberbullying, tracking the nature and magnitude of the problem, developing education and training programs, and advocating - at the state and federal level - for policies and programs that can make a difference.

The Federal government, in partnership with state and local public agencies, non-profit, community organizations, and colleges and universities, can play a critical role in ensuring that our schools and communities are safe places for all students. Federal leadership on these important issues helps nurture a climate and a culture in which the vast majority of members of the community are willing to condemn bigotry, bullying, cyberbullying, and harassment.

We believe that while laws and appropriate, inclusive school-based policies can be a focal point for addressing bullying, education strategies, training programs, and community involvement are necessary complements to any effective response.

## **The nature and magnitude of the problem**

Bullying and harassment in elementary, secondary, and university educational settings are continuing problems for administrators, educators, parents, and students across the nation. Here are highlights from some of the most important recent studies on this national problem:

### **1) Research on the Impact of Bullying and Cyberbullying**

#### **A. Prevalence of Bullying and Harassment Among Students**

- During the 2007–2008 school year, 32 percent of the nation's students ages 12–18 reported being bullied (Dinkes, Kemp, & Baum, 2009). Of these students:
  - 21 percent said they were bullied once or twice a month.
  - 10 percent reported being bullied once or twice a week.
  - 7 percent indicated they were bullied daily.
  - Nearly 9 percent reported being physically injured as a result of bullying.
- During that same school year, four percent of students ages 12–18 reported being cyberbullied (Dinkes et al., 2009). Another study found that approximately 13 percent of students in grades 6–10 reported being cyberbullied (Wang, Nansel, & Iannotti, 2010; Wang, Iannotti, & Nansel, 2009).

#### **B. Student Attitudes Toward Teasing and Bullying**

- In a survey commissioned by the Kaiser Family Foundation, more eight to fifteen year-olds picked teasing and bullying as "big problems" than those who picked drugs or alcohol, racism, AIDS, or pressure to have sex. More African Americans saw bullying as a big problem for people their age than those who identified racism as a big problem (Kaiser Family Foundation, 2001).
- A survey conducted by Widmeyer Communications for the Health, Resources and Services Administration (HRSA) of the U.S. Department of Health and Human Services underscores the "omnipresent fear of physical violence and name-calling" that students age 9-13 feel. The report describes the prevailing view among students that schools "don't get it" when it comes to verbal and emotional bullying, instead simply focusing on physical bullying (Widmeyer Communications, 2003).
- Students who participated in the HRSA survey report that it is not worth the effort to tell an adult about bullying because bullies are rarely punished severely enough to deter them from future bullying. Students describe "unsympathetic and apathetic teachers and principals" who are "difficult to motivate to take action" and "weak and ineffective penalties and punishments for bullies that allows bullying to flourish" (Widmeyer Communications, 2003).
- Adolescents' opinions about their school staff's attitudes about bullying in rural and suburban public schools were investigated by Harris (2004) and Harris, et al (2002). Approximately one-quarter of students said that they did not believe that their teachers or administrators were interested in trying to stop bullying, while slightly less than a quarter believed that they were interesting in reducing bullying (the rest of the students indicated that they did not know). Eighty percent of the students in Swearer and Cary's (2003) study of Midwestern middle schoolers thought that the school staff did not know that bullying occurred.
- Oliver, et al (1994) found that many students believed that "teasing is playful" and most (61 percent) felt that bullying can "toughen" a weak student.
- Most Washington state adolescents (57 percent) would not take action if they witnessed another student being bullied or teased (Smyser & Reis, 2002). While between 36 percent (6th graders) to 46 percent (12th graders) of these students said that they would "tell that kid to stop," between one-third and one-fourth of 8th, 10th, and 12th graders said they would "walk away" or "mind their own business." A full 20 percent indicated that they would "stay and watch" (Smyser & Reis, 2002).

- Research has found that only between 4 and 13 percent of middle and high school youth indicated that they would report an incident of bullying to a teacher, administrator, or another school staff member (Bulach et al., 2000; Harris, 2004; Harris et al., 2002; Shakeshaft et al., 1997).

## C. Associations Between Bullying and Academic/Social/Emotional Adjustment

### *Targets of bullying*

- 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). All three groups (victims, perpetrators, and perpetrator/victims) are more likely to be depressed than children who are not involved in bullying (Wang, Nansel et al., in press). One study found that victims of cyberbullying had higher levels of depression than victims of face-to-face bullying (Wang, Nansel et al., 2010).
- A 2001 study funded by the National Institute of Child Health and Human Development (NICHD) found that students who were bullied demonstrated poorer social and emotional adjustment, reporting greater difficulty making friends, poorer relationships with classmates, and greater loneliness. In addition, the study found that fighting, smoking, poorer academic achievement, poorer relationships with classmates and increased loneliness were all positively associated with being bullied (Nansel, Overpeck, Pilla, Ruan, Simons-Morton, & Scheidt, 2001).
- A study of bullying, teasing, and sexual harassment in school by the American Association of University Women demonstrates a direct link between "hostile hallways" and diminished academic outcomes, self-confidence, attachment to school, and participation in curricular and extracurricular activities, especially among girls. Girls who experienced harassment were twice as likely as boys to feel "less confident" (32% to 16%) and more likely to change behaviors in school and at home because of the experience, including not talking as much in class (30% to 18%) and avoiding the person who harassed them (56% to 24%) (American Association of University Women, 2001).
- A survey conducted by Widmeyer Communications for the Health, Resources and Services Administration (HRSA) of the U.S. Department of Health and Human Services reports that students who regularly experience verbal and non-verbal forms of bullying report hurt feelings, low self-esteem, depression, living in fear and torment, poor academic achievement, emotional turmoil, physical abuse, and suicide (Widmeyer Communications, 2003).
- According to the Educational Resources Information Center (ERIC) and Counseling and Student Services (CSS), as many as 160,000 children skip school each day because of intimidation by their peers (Coy, 2001).
- A study that assessed Midwestern kindergarteners at three schools found that these children had greater difficulty adjusting to school and became more school avoidant following their victimization by peers (Kochenderfer & Ladd, 1996). Reis and Saewyc (1999) similarly found that harassed adolescents were more likely to report missing at least one day of school in the past month out of fear of their safety than their non-harassed peers.
- According to Dan Olweus, a trailblazing Norwegian researcher on bullying, individuals formerly bullied were found to have higher levels of depression and poorer self-esteem at the age of 23 years, despite the fact that, as adults, they were no more harassed or socially isolated than comparison adults (Olweus, 1994).
- The Gay Lesbian Straight Education Network (GLSEN) conducts a periodic School Climate Survey about the experiences of LGBT youth in schools. Findings from their [2009 survey](#) included the following:
  - 61.1% of LGBT students felt unsafe at school because of their sexual orientation; 39.9% felt unsafe because of their gender expression.
  - Nearly a third missed class at least once in the last month (29.1%) and missed at least one day of school (30.0%).
  - Students who experienced high levels of harassment and assault had poorer educational outcomes.

- Students who experienced high levels of harassment and assault had lower psychological well-being.

### ***Bystanders to bullying***

- Both a 2001 study funded by the National Institute of Child Health and Human Development (NICHD) and a survey conducted by Widmeyer Communications for the Health, Resources and Services Administration (HRSA) of the U.S. Department of Health and Human Services found that bystanders to bullying suffer from feelings of helplessness and powerlessness, and develop poor coping and problem-solving skills (Nansel, Overpeck, Pilla, Ruan, Simons-Morton, & Scheidt, 2001; Widmeyer Communications, 2003).

### ***Perpetrators of bullying***

- A 2001 study funded by the National Institute of Child Health and Human Development (NICHD) found that students who bully demonstrate poor social and emotional adjustment, social isolation, lack of success in school, and involvement in problem behaviors, such as fighting, drinking alcohol, and smoking. Without intervention, note the researchers, bullies often continue on a path of even more extreme violence and abusive behavior and often become involved in crime (Nansel, Overpeck, Pilla, Ruan, Simons-Morton, & Scheidt, 2001).
- Olweus found former bullies to have a four-fold increase in criminal behavior at the age of 24 years, with 60% of former bullies having at least one conviction and 35% to 40% having three or more convictions (Olweus, 1992).

## **2) Bias-Motivated Bullying and Cyberbullying**

- According to the authoritative 2010 report, [Indicators of School Crime and Safety](#), ten percent of students ages 12–18 reported that someone at school had used hate-related words against them, and more than one-third (35 percent) reported seeing hate-related graffiti at school in 2007. [U.S. Dept. of Education, National Center for Education Statistics and U.S. Dept. of Justice, Bureau of Justice Statistics (2010).]
- Research shows that bullying is often related to ingrained biases and prejudices. For instance, according to the [2009 National School Climate Survey \(GLSEN, 2010\)](#), 84.6% of LGBT youth reported being verbally harassed because of their sexual orientation, and 39.9% reported that it happened often or frequently. Nearly 64% had been verbally harassed because of their gender expression, and 25.6% reported that it happened often or frequently. Additionally, these same LGBT youth also reported bullying based on other aspects of their identity – 48.1% were verbally harassed because of their gender, 40% because of their religion, 32.9% because of their race or ethnicity, and 17.1% because of their disability.
- A January, 2004 study focused on the [severe impact of bias-related harassment and bullying for students](#). In that survey 27.4% of students said they had experienced some type of bias-related harassment. Low grades, truancy, depression, suicide, substance abuse, victimization, and other risk behaviors were all positively associated with bias-related harassment (Consequences of Harassment Based on Actual or Perceived Sexual Orientation and Gender Non-Conformity and Steps for Making Schools Safer. California Safe Schools Coalition and 4-H Center for Youth Development, University of California, Davis, 2004).

## **3) Bias-Motivated Juvenile Hate Crime**

There is currently very little hard data about youthful hate crime perpetrators and victims. Congress has helped address this problem in two ways in recent years.

First, in 1998, to increase awareness of hate violence on college campuses, Congress enacted an amendment to the Higher Education Act (HEA) requiring all colleges and universities to collect and report hate crime statistics to the Office of Postsecondary Education (OPE) of the Department of Education. The Department's hate crime statistics have reflected very substantial underreporting (<http://ope.ed.gov/security/Search.asp>). But even worse, for many years, that limited data was inconsistent with campus hate crime information collected by the FBI under the [Hate Crime Statistics Act](#) of 1990 (HCSA) – because the Department of Education's hate crime categories did not conform to the crime categories collected by the FBI.

In its April, 2006 [Findings and Recommendations](#) on campus anti-Semitism, the USCCR stated:

Congress should direct the U.S. Department of Education's Office of Postsecondary Education ("OPE") to collect and report data on a broader range of anti-Semitic and other hate crimes that take place at postsecondary institutions. For all degree-granting institutions, OPE should collect and report data for all hate crime categories reported by the Federal Bureau of Investigation under the Hate Crimes Statistics Act, 28 U.S.C. 534 note. At a minimum, OPE's categories should be expanded to include simple assault, intimidation and vandalism. In addition, OPE should collect and report data by category of prejudice as well as category of crime.

In 2008, Congress acted to require the Department to collect the same campus hate crime categories as the FBI. The new standards should give parents and students a broader and more accurate picture of the campus climate. In addition, consistent statistics will increase public awareness of the problem, and may serve to provoke improvements in campus safety measures and the criminal justice system.

In addition, importantly, the recently-enacted Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, [\[Public Law 111-84, Division E\]](#) mandates additional reporting requirements for the FBI under their existing HCSA requirement – hate crimes directed at individuals on the basis of their gender or gender identity and crimes committed by and against juveniles. In addition, nine states currently require collection of juvenile hate crime statistics (Idaho, Massachusetts, Michigan, Minnesota, Montana, New Jersey, New York, Tennessee, and Virginia).

The existing HCSA data provides some troubling insights:

- An October 2001 report by the Justice Department's Bureau of Justice Statistics provided disturbing information about the too-frequent involvement of juveniles in hate crime incidents. This report, [Hate Crimes Reported in NIBRS, 1997-99](#), which carefully analyzed nearly 3,000 of the 24,000 hate crimes to the FBI from 1997 to 1999, revealed that a disproportionately high percentage of both the victims and the perpetrators of hate violence were young people under 18 years of age:
  - 33% of all known hate crime offenders were under 18; 31% of all violent crime offenders and 46% of the property offenders.
  - Another 29% of all hate crime offenders were 18-24.
  - 30% of all victims of bias-motivated aggravated assaults and 34% of the victims of simple assault were under 18.
  - 34% of all persons arrested for hate crimes were under 18; 28% of the violent hate crimes and 56% of the bias-motivated property crimes.
  - Another 27% of those arrested for hate crimes were 18-24.

According to the FBI, the third most common location nationwide for a hate crime to occur is on a school or college campus. The [FBI 2009 annual Hate Crime Statistics Act](#) report states that [11.4% of hate crimes occur at schools or colleges](#), and 18.5% were targeted because of their perceived sexual orientation [U.S. Department of Justice, Federal Bureau of Investigation, 2009]. A chart outlining the last ten years of HCSA data is attached to this statement.

### **The Response of the Obama Administration to Bullying, Cyberbullying, and Harassment**

The Obama Administration has demonstrated extraordinary commitment to addressing bullying and cyberbullying in a comprehensive and inclusive manner. The October 26 Department of Education, Office of Civil Rights [Dear Colleague](#) guidance on bullying and harassment, the significant work of the Department's Office of Safe and Drug Free Schools on the topic, the new and expanded [federal partners anti-bullying Web site](#), the Centers for Disease Control and Prevention [LGBT anti-bullying violence prevention Web site](#), and the video messages the President and members of his Cabinet made to elevate the issue and empower targets all demonstrate a clear recognition that leaders can make a difference addressing this issue.

In addition, we are pleased that the Administration has not been reluctant to involve itself in helping to resolve and clarify rights for all Americans. For example, Justice Department intervention helped to settle a case, *J.L. v. Mohawk Central School District*, a lawsuit filed by the New York Civil Liberties Union on behalf of a student, J.L., who was the alleged victim of severe and pervasive student-on-student harassment based on sex. According to the Justice Department's filings, J.L. had failed to conform to gender stereotypes in both behavior and appearance. He exhibited feminine mannerisms, dyed his hair, wore makeup and nail polish, and maintained predominantly female friendships.

The Department alleged that the harassment against J.L. escalated from derogatory name-calling to physical threats and violence – and that the Mohawk Central School District had knowledge of the harassment, but was deliberately indifferent in its failure to take timely, corrective action, thereby restricting J.L.’s ability to fully enjoy the educational opportunities and benefits of his school. The Department alleged violations of the Equal Protection Clause of the Fourteenth Amendment and Title IX of the Education Amendments of 1972, both of which prohibit discrimination based on sex, including discrimination based on gender stereotypes. The school district denied these allegations.

On March 29, 2010 a settlement was approved by the U.S. District Court in the Northern District of New York which required the Mohawk Central School District to, among other things: (1) retain an expert consultant in the area of harassment and discrimination based on sex, gender identity, gender expression, and sexual orientation to review the District’s policies and procedures; (2) develop and implement a comprehensive plan for disseminating the District’s harassment and discrimination policies and procedures; (3) retain an expert consultant to conduct annual training for faculty and staff, and students as deemed appropriate by the expert, on discrimination and harassment based on sex, gender identity, gender expression, and sexual orientation; (4) maintain records of investigations and responses to allegations of harassment for five years; and (5) provide annual compliance reports to the United States and private plaintiffs. As part of the settlement, \$50,000 was to be paid to J.L. and \$25,000 in attorneys’ fees was to be paid to the New York Civil Liberties Foundation.

Similarly, Justice Department involvement helped resolve a complaint of race, color and/or national origin-based harassment of Asian students at South Philadelphia High School, and allegations that the school district was deliberately indifferent to the severe and pervasive harassment. The complaint filed by the Asian-American Legal Defense and Education Fund (AALDEF) in U.S. District Court for the Eastern District of Pennsylvania, alleged persistent harassment, including an incident in December 2009 in which approximately 30 Asian students were attacked and approximately 13 were sent to the emergency room.

The settlement agreement in December, 2010 will help ensure that the district:

- retains an expert consultant in the area of harassment and discrimination based on race, color and/or national origin to review the district’s policies and procedures concerning harassment;
- develops and implements a comprehensive plan for preventing and addressing student-on-student harassment at the high school;
- conducts training of faculty, staff and students on discrimination and harassment based on race, color and/or national origin and to increase multi-cultural awareness;
- maintains records of investigations and responses to allegations of harassment; and
- provides annual compliance reports to the department.

### **Department of Education Guidance on Bullying, Cyberbullying, and Harassment: Background and Significance**

The Anti-Defamation League strongly welcomed the October 26, 2010 Dear Colleague guidelines issued by the U.S. Department of Education’s Office for Civil Rights (OCR) to address bullying in schools.

The OCR Dear Colleague letter accomplished three things of major importance for ADL:

**1. Provided an unprecedented, inclusive description of the breadth of existing federal anti-discrimination laws and their application to both K-12 schools and colleges and universities.** The Dear Colleague letter set out *explicitly* a school’s duty to address incidents of discriminatory harassment under specific federal civil rights laws and described the responsibilities schools have for appropriate responses, including timely investigation, counseling, discipline, education and training.

Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Harassment creates a hostile environment when the conduct is sufficiently severe, pervasive, or persistent so as to interfere with or limit a student’s ability to participate in or benefit from the services, activities, or opportunities offered by a school.

In clarifying the breadth of federal anti-discrimination law coverage, the Dear Colleague included helpful examples of incidents of harassment and described appropriate school responses. Importantly, the guidance stressed that when responding to an incident of discriminatory harassment where a hostile environment is formed, it is not enough for the

institution to punish the student who is responsible. Instead, the administration must address the environment and the effect of the incident and take steps to ensure that harassment does not recur.

**2. Made clear that anti-Semitic harassment on campus can be prohibited by federal civil rights law.** ADL had called for clarification of this issue in a March 2010 letter that the League helped coordinate with 12 other Jewish organizations. [That letter](#) called on the Department to interpret Title VI to protect Jewish students from anti-Semitic harassment, intimidation and discrimination – including anti-Israel and anti-Zionist sentiment that crosses the line into anti-Semitism.

In addition, this OCR guidance was buttressed by the conclusions of the USCCR itself, after the Commission held a [briefing on campus anti-Semitism](#) in November 2005. Finding that campus anti-Semitism is a “serious problem which warrants further attention,” it recommended that “OCR should protect college students from anti-Semitic and other discriminatory harassment by vigorously enforcing Title VI.”

Specifically, the OCR guidance makes clear that Title VI of the Civil Rights Act of 1964 – which bars schools receiving federal dollars from discriminating based on “race, color or national origin” – protects Jewish students from anti-Semitism on campuses “on the basis of actual or perceived shared ancestry or ethnic characteristics.” The OCR guidance defines Title VI coverage as follows:

While Title VI does not cover discrimination based solely on religion, groups that face discrimination on the basis of actual or perceived shared ancestry or ethnic characteristics may not be denied protection under Title VI on the ground that they also share a common faith. These principles apply not just to Jewish students, but also to students from any discrete religious group that shares, or is perceived to share, ancestry or ethnic characteristics (e.g. Muslims or Sikhs).

This clarification is particularly welcome in conjunction with ADL’s continuing work to combat anti-Semitic bullying, harassment and bigotry on campus – including anti-Semitic intimidation of pro-Israel activists. At times, anti-Semitic conduct amounting to intimidation, harassment, and discrimination is manifested not by overt anti-Semitic expression, but instead by anti-Israel and anti-Zionist sentiment that crosses the line into anti-Semitism. The OCR guidance covers harassment that is “sufficiently serious that it creates a hostile environment and... is encouraged, tolerated, not adequately addressed or ignored by school employees.”

While a complete examination of the parameters of the Title VI coverage of anti-Semitic, anti-Israel, or anti-Zionist activities on campus is beyond the scope of this statement, it is critically important to distinguish between anti-Semitic activities on campus and anti-Israel activities. We certainly do not believe that every anti-Israel action is a manifestation of anti-Semitism. But the League is, obviously, concerned about organized anti-Israel activity which can create an atmosphere in which Jewish students or faculty members feel isolated and intimidated.

Natan Sharansky, human rights activist and now Chairman of the Jewish Agency Executive, created a concise and useful three-part litmus test to help identify when legitimate criticism of Israel can cross the line to anti-Semitism. In what he calls the “3D Test”: demonization, double standards, and delegitimization, Sharansky posited questions to help distinguish legitimate criticism of Israel from anti-Semitism:

- Is the Jewish state being **demonized** for its action? Are the problems of the world or the Middle East being blamed on Israel?
- Is there a **double standard** when criticizing Israel in relation to other countries? Are Israeli faults exaggerated and far worse human rights violations in other places ignored?
- Is there an attempt to **delegitimize** the Jewish state? Are the Jewish people alone in not having the right of sovereignty?

In addition, importantly, in recent years both the USCCR itself and the State Department have tailored their own responses to the spread of this new stream of anti-Semitism that manifests itself as vilification of Israel. Both use definitions similar to the [EUMC Working Definition of Antisemitism](#).

In its short April 2006 [Finding and Recommendations of the United States Commission on Civil Rights Regarding Campus Anti-Semitism](#) the Commission stated:



On many campuses, anti-Israeli or anti-Zionist propaganda has been disseminated that includes traditional anti-Semitic elements, including age-old anti-Jewish stereotypes and defamation. This has included, for example, anti-Israel literature that perpetuates the medieval anti-Semitic blood libel of Jews slaughtering children for ritual purpose, as well as anti-Zionist propaganda that exploits ancient stereotypes of Jews as greedy, aggressive, overly powerful, or conspiratorial. Such propaganda should be distinguished from legitimate discourse regarding foreign policy. Anti-Semitic bigotry is no less morally deplorable when camouflaged as anti-Israelism or anti-Zionism.

The State Department [Fact Sheet on Defining Anti-Semitism](#) states:

### **What is Anti-Semitism Relative to Israel?**

**EXAMPLES of the ways in which anti-Semitism manifests itself with regard to the state of Israel, taking into account the overall context could include:**

#### **DEMONIZE ISRAEL:**

- Using the symbols and images associated with classic anti-Semitism to characterize Israel or Israelis
- Drawing comparisons of contemporary Israeli policy to that of the Nazis
- Blaming Israel for all inter-religious or political tensions

#### **DOUBLE STANDARD FOR ISRAEL:**

- Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation
- Multilateral organizations focusing on Israel only for peace or human rights investigations

#### **DELEGITIMIZE ISRAEL:**

- Denying the Jewish people their right to self-determination, and denying Israel the right to exist

*However, criticism of Israel similar to that leveled against any other country cannot be regarded as anti-Semitic.*

ADL recognizes that much vehemently anti-Israel and anti-Semitic speech can – and should – be protected First Amendment activity. This is as it should be in a nation that values freedom of speech. There is a high bar before any speech or conduct can amount to legally actionable harassment. Nevertheless, conduct that threatens, harasses or intimidates particular Jewish students to the point that their ability to participate in and benefit from their college experience is impaired should not be deemed unactionable simply because that conduct is couched as “anti-Israel” or “anti-Zionist.” It is also the case that harassment or intimidation that holds Jewish students responsible for the acts of other Jews, or of Israel, is better understood as ethnic or “national origin” discrimination than as religious discrimination.

Here are three examples of campuses on which a climate of persistent anti-Israel activity is concerning:

#### University of California – Irvine

In recent years UC Irvine has become a center for anti-Semitic activity, much of it organized by the Muslim Student Union (MSU) which has been responsible for staging large events every spring featuring virulently anti-Semitic speakers. One such speaker, Amir Abdul Malik Ali, gave a speech in May 2010 titled “Death to Apartheid” in which he compared Jews to Nazis, expressed support for Hamas, Hezbollah, and Islamic Jihad (groups designated as Foreign Terrorist Organization by the United States Department of State) and called for the destruction of the “apartheid state of Israel.” MSU has also distributed radical and anti-Semitic literature through Al Kalima, UCI’s Muslim student paper. This activity has created an environment in which many Jewish students do not feel safe to openly express their Jewish identity on campus. ADL has worked closely with UCI Chancellor Michael Drake to address this situation and create a more inclusive environment on campus, with moderate success so far.

#### Hampshire College, Massachusetts

In the last several years, students at Hampshire College have reached out to the ADL to express their fears about the climate on campus. They have reported feelings of intimidation and of being silenced. In 2007-2008 when Jewish students on campus declined to sign a petition calling for divestment from the State of Israel, they were shouted at and

called “killers” and “murder lovers.” In 2009, students reported feeling consistently intimidated, marginalized, and unwelcome on campus. Former College President Ralph Hexter was fairly responsive to the concerns of the Jewish students on campus. In February 2009 he attended a discussion with Jewish students to provide a forum for them to share their concerns and the following September, the ADL conducted a training for the administration on how to create and support an open environment on campus that is safe for all individuals and points of view. President Hexter stepped down from his position in the fall of 2010 and Professor Marlene Gerber Fried has since taken over as Interim President. Since that time ADL has received additional reports of students being harassed, bullied, and silenced on campus, including one student who received an anonymous death threat via e-mail. ADL continues to work with the college and the new Interim President to address the situation.

#### Evergreen State College, Washington

Jewish students and faculty have reported, both to ADL and to the media, that Evergreen State College does not always feel like a safe place for Jewish students. A November 2010 news [article](#) on MyNorthwest.com quoted Josh Levine (then president of the campus Hillel Foundation) saying, “There are days I feel uncomfortable walking across campus alone because I wear a yarmulke on my head.” In 2008-2009, a pro-Israel organization was created that was almost immediately met with opposition, including students who set up “mock checkpoints” designed to imitate the Israel Defense Forces and forced students to show identification in order to continue onto campus. Five Jewish students reportedly left the college at the end of the school year because of this and other related harassment. Akiva Tor, Israel’s Consul-General for the Pacific-Northwest region, has expressed his concern about this situation, noting that pro-Israel students do not feel comfortable expressing their opinion “without being harassed.” In May 2010, graffiti featuring hate messages and “depicting the Star of David...and epithets and a Nazi ‘SS’ symbol,” were found near the school’s library, according to the university’s Bias Incident Response Team. The college notified ADL of the incident. In June, the student body passed a resolution supporting divestment from companies that profit from Israel. The decision passed with 79.5% of the vote.

**3. Underscored that harassment based on sexual orientation and gender identity in schools and on campus is prohibited by federal civil rights law.** The Department of Education also announced that it would use Title IX of the Civil Rights Act – which prohibits discrimination on the basis of gender – to protect lesbian, gay, bisexual, and transgender students. According to the OCR guidance, “Title IX does protect all students, including lesbian, gay, bisexual, and transgender (LGBT) students, from sex discrimination” and “it can be sex discrimination if students are harassed either for exhibiting what is perceived as a stereotypical characteristic for their sex, or for failing to conform to stereotypical notions of masculinity and femininity.” This is a very welcome development.

We believe the OCR Dear Colleague helps make clear that bullying – and particularly bullying based on race, religion, ethnicity, disability, sexual orientation and gender identity – is an issue that must be taken seriously. The guidelines represent a significant step forward in protecting children from bigotry and harassment.

Federal leadership on this important issue is critical to ensure that schools are safe places for all students, and that they help foster a culture in which bias and bullying are not tolerated. The guidelines will help community members work together to promote a civil and respectful environment for children, online as well as offline.

As the Department released the new guidance, it announced its plan to hold workshops and training sessions around the country to help educators better understand their obligations and the resources available. And on December 16, 2010, the Department of Education issued a [Key Policy Letter](#) providing assistance for states and local jurisdictions in crafting effective anti-bullying laws and policies. The Department included a [summary of legislative initiatives](#) some states had enacted to prevent and reduce bullying. ADL has compiled a chart which includes links to every anti-bullying law in the country, highlighting key provisions of these laws. A copy of this chart is attached to this statement.

#### **ADL Advocacy on Bullying and Cyberbullying Prevention Initiatives**

ADL has been at the forefront of responding to bias, bullying, and cyberbullying through a combination of education and legislative advocacy, including drafting a model state bullying prevention policy which requires schools and communities to approach the issue of bullying with proactive, responsive, and responsible measures. Several states, including Florida and Massachusetts, have recently adopted policies based on ADL's model.

ADL advocates for anti-bullying policies on the federal level, on the state level, and in schools. The League promotes policies that are inclusive and comprehensive – balancing a school’s duty to maintain a safe learning environment with students’ constitutional rights.

Two years ago, ADL developed a [model bullying prevention law](#) for states, which provides schools the resources they need to combat and respond to bullying, and the unique issue of cyberbullying. The model law, among other things, provides a strong constitutional definition of bullying that includes electronic bullying. It also addresses bias-motivated bullying, requires clear procedures for reporting and investigating bullying incidents, provides counseling for targets and perpetrators, and mandates training for faculty and students.

For years, ADL has been advocating on the state level for strong, comprehensive bullying laws. In states that have no laws, ADL advocates for their passage. In a state with a weak anti-bullying law, ADL advocates for strengthening it. The League played leading roles in the advocacy efforts in Massachusetts, Florida, New Jersey, New York, and Georgia.

- In Massachusetts, ADL organized and led the coalition of community groups advocating for the law's passage from the ground up. The law is based in large part on ADL's model policy and, at the bill signing ceremony, Governor Patrick specifically commended ADL for our work in seeing the law passed. Now, ADL is working with the State on the most important part of any new law – its implementation.
- In New York, where ADL was a leading organization in the push to pass the Dignity for All Students Act, the League now sits on the Task Force established by the New York State Education Department which will work on implementing this new bullying prevention law.
- Likewise, ADL worked with Garden State Equality to get the New Jersey anti-bullying bill passed and we are now working in partnership on implementation efforts.

These are only three examples of our successful state advocacy efforts. This legislative season we are continuing our advocacy in states around the country, including Texas, California, Arizona and Colorado.

There is an educational component to ADL's advocacy strategy as well. It is critical that the community is informed and engaged on this topic for any law or policy to have real meaning. ADL regularly addresses administrators, faculty, and community members on the issue of bullying, the legal concerns surrounding community response to the issue (particularly with responding to cyberbullying), and the League provides guidance on what makes a strong school bullying prevention policy.

In addition to our advocacy to state lawmakers and local school officials, ADL has advocated for policy and programming recommendations for Federal action.

- In January 2010, ADL submitted [comments](#) on the Justice Department's Office of Juvenile Justice and Delinquency Prevention's (OJJDP) Proposed Program Plan for fiscal year 2010. The comments applauded OJJDP on their effort to address bullying and cyberbullying and provided background on ADL's related education programs and model legislation.
- As previously mentioned, in March 2010, the League joined with 12 other Jewish organizations in [calling for](#) the Department of Education Office of Legal Counsel (OLC) to interpret Title VI to protect Jewish students from anti-Semitic harassment, intimidation, and discrimination.
- In August 2010, the League submitted [recommendations](#) to Education Secretary Arne Duncan, Health and Human Services Secretary Kathleen Sebelius, and to U.S. Attorney General Eric H. Holder, Jr. in advance of a first-ever Federal Bullying Prevention Summit.
- In March 2011, the League wrote [a letter to President Obama](#) commending the Administration for convening the first White House Bullying Prevention Conference and for demonstrating a strong commitment to address bullying and cyberbullying in a comprehensive and inclusive manner. We submitted [recommendations](#) on how the U.S. government can more effectively address the issue of bullying and cyberbullying.
- Finally, advocating for a federal response for bullying was one of the three priority items that our National Leadership Conference participants lobbied their Representatives on when they visited Capitol Hill for a lobby day as part of ADL's annual conference in early April.

ADL also seeks to build collaboration with other national organizations on this issue.

- In advance of the August 2010 Federal Bullying Prevention Summit, ADL coordinated [a letter from 71 national civil rights, religious, professional, and education groups](#) with a series of anti-bullying policy and program recommendations for federal agencies and Congress.

- ADL resources are being used as part of the unique Jewish youth group collaboration against bullying [Stand UP for Each Other](#), a campaign for respect and inclusion involving United Synagogue Youth (USY), North American Federation of Temple Youth (NFTY), Young Judeaea, National Conference of Synagogue Youth (NCSY), and BBYO.
- And the League also helped lead a recent effort to promote the adoption of a thoughtful and inclusive new American Bar Association (ABA) [Resolution on bullying](#). The Resolution and accompanying comprehensive Report, approved in February, 2011, put the ABA on record, for the first time, in support of federal and state policies and laws designed to prevent and respond to bullying and cyberbullying. The ABA also urged Internet service providers and social networking platforms to adopt terms of service that define and prohibit cyberbullying and cyberhate. The League is now working with state bar associations to promote the adoption of policies and replicate the research at the state and local level. A copy of the ABA anti-bullying Resolution and Report is attached to this statement.

### **ADL POLICY AND PROGRAM RECOMMENDATIONS: CONFRONTING BULLYING AND CYBERBULLYING:**

In addition to investigating the nature and scope of the problem, the USCCR can play a lead role in helping to highlight the need for expanded federal and state funding and programmatic initiatives to address bullying, cyberbullying, and harassment. In advance of the first White House Bullying Prevention Conference in March, 2011, the League's best lawyers and educators prepared policy and programmatic recommendations for the President and the Administration. We praised the President and his Administration for their "extraordinary commitment to address bullying and cyberbullying in a comprehensive and inclusive manner."

The complete listing of proactive strategies to confront bullying and cyberbullying recommended by the League is included below.

#### **1) Programs and Training Initiatives**

- **The Federal government should require the adoption of an anti-bullying policy for school personnel and students in every state.**

We welcomed the [December 16 Key Policy Letter](#) from the Education Secretary and the Office of Civil Rights Deputy Secretary which highlighted components of effective anti-bullying laws, using [examples from existing state laws](#). That letter stated:

"Though laws are only a part of the cure for bullying, the adoption, publication, and enforcement of a clear and effective anti-bullying policy sends a message that all incidents of bullying must be addressed immediately and effectively, and that such behavior will not be tolerated."

ADL has been at the forefront of responding to bias, bullying, and cyberbullying through a combination of education and legislative advocacy, including drafting a model state bullying prevention policy that requires schools and communities to approach the issue of bullying with proactive, responsive, and responsible measures. Several states, including Florida and Massachusetts, have recently adopted policies based on [ADL's model](#). The model is inclusive, comprehensive, and sufficiently protective of the First Amendment.

ADL believes a strong and comprehensive anti-bullying statute should:

- include a strong definition of bullying, which includes cyberbullying;
  - address bullying motivated by race, religion, national origin, gender, gender identity, disability, sexual orientation, and other personal characteristics;
  - include notice requirements for students and parents;
  - set out clear reporting procedures;
  - require regular training for teachers and for students about how to recognize and respond to bullying and cyberbullying.
- **The Department of Education, working with the Department of Justice and other federal agencies, should institutionalize and coordinate anti-bullying/cyberbullying prevention and response programs within their safe schools/healthy schools and school-related violence prevention initiatives.**

We welcome the Centers for Disease Control and Prevention's (CDC) recently-launched [Web page](#) devoted to the issue. We believe CDC anti-bullying resources for schools and parents are an excellent complement to its essential, ongoing violence prevention work.

- **The Department of Education should provide training and technical assistance to teachers, principals, and school administrators on its excellent October 26 Department of Education Guidance on Bullying and Harassment.**

The Anti-Defamation League strongly welcomed the Department of Education Office of Civil Rights (OCR) October 26 [Dear Colleague Letter](#) to thousands of school districts and colleges across the country clarifying their responsibilities with respect to student bullying and harassment. The guidance demonstrates that the Department of Education takes bullying – and particularly bullying based on race, religion, ethnicity, disability, sexual orientation and gender identity – very seriously. We believe the new guidelines represent a significant step forward in protecting children from bigotry and harassment. We especially appreciated the fact that the OCR rightly interpreted the Federal civil rights law to protect students from anti-Semitic harassment.

- **As Congress works towards enactment of a reauthorization of the Elementary and Secondary Schools (ESEA), the Administration should promote the inclusion of comprehensive and inclusive anti-bullying and cyberbullying initiatives as one of its ESEA priorities.**
- **Federal agencies should provide resources, fund, develop, and promote programming and training initiatives – including Webinars – for teachers, administrators, parents, students, state Attorneys General, law enforcement officials (school resource officers in particular), and others in the community on how to recognize and respond to bullying, harassment, and cyberbullying.**

Most school systems lack adequate funding for personnel to design, implement, and staff these prevention and response programs. Anti-bullying programs and initiatives must address this significant barrier. Successful policies and programs are both proactive and responsive, and engage the community to action.

- **Using its expanded anti-bullying Web sites, and newsletters from the Department of Education and its Office of Safe and Drug Free Schools and the Justice Department and its Office of Juvenile Justice Delinquency Prevention, the Federal government should make information available regarding effective bullying, cyberbullying, and hate crime prevention programs and resources – and promote awareness of successful training initiatives and best practices.**

The Administration also should commend and highlight state and local efforts to carry out effective anti-bias education programs.

## 2) Research, Reports, and Data Collection Initiatives

- **In conjunction with academic institutions, the Department of Education and the Department of Justice should fund research into the nature and magnitude of the bullying/cyberbullying problem in the United States, specifically its impact on both the social and emotional health of students and the impact on academic achievement.**

Bullying can have a devastating effect on the lives of teenagers:

- According to an Associated Press 2009 survey, 60% of young people who have been bullied report destructive behavior such as smoking cigarettes, drinking alcohol, using illegal drugs or shoplifting (compared to 48% of those not bullied).
  - The same study indicated that the targets of digital abuse are twice as likely to report having received treatment from a mental health professional (13% vs. 6% of others), and nearly three times more likely to have considered dropping out of school (11% vs. 4% of others).
  - A 2009 study from the Cyberbullying Research center found that bullied students are 3 times more likely to drop out of school and 1.5-2 times more likely to have attempted suicide.
- **The Department of Education's National Center on Education Statistics, the Department of Justice's Bureau of Justice Statistics, and the Department of Health and Human Services – including the CDC – should update and coordinate reporting requirements and data collection efforts on bullying and cyberbullying. Possible reforms include:**

- The [School Survey on Crime and Safety questionnaire](#) should include more questions regarding teacher and administrator perceptions of occurrences of bullying and cyberbullying.
  - The Bureau of Justice Statistics [National Crime Victimization Survey's School Crime Supplement \(NCVS-SCS\)](#) should ask questions designed to draw connections between bullying and personal characteristics of students and whether students were harassed because of these characteristics.
  - The School Crime Supplement should also collect information on student technology use and the connection to increased occurrences of cyberbullying.
  - The [Indicators of School Crime and Safety](#) annual report should expand its three-page section on bullying and cyberbullying.
  - The influential [Youth Risk Behavior Survey's](#) section on bullying and cyberbullying should be expanded.
- **The Department of Education, Office for Civil Rights and the National Association of Attorneys General should update their excellent 1999 report, [Protecting Students from Harassment and Hate Crime](#).**

This detailed guide promoted a comprehensive approach to protecting students from harassment and hate-motivated violence and included sample policies and procedures from across the nation. An updated report should integrate resources to address cyberbullying.

### 3) Media Literacy and Public Awareness Initiatives

- **The federal government should provide resources for parents and adult family members to inform them regarding the prevalence of bullying on social networking sites and through cell phone use.**

Despite the prevalence and impact of cyberbullying, many adults are unaware of the problem due to a lack of fluency in new technologies, limited involvement in and oversight of youth online activity, and strong social norms among youth against disclosure of online behavior. Therefore, it is critical to develop programming for teachers, parents, and other critical partners on how to recognize and respond to cyberbullying. There is considerable misunderstanding about harassment, students' free speech rights on the Internet, and when "kids will be kids" goes too far. Current research indicates that less than one-third of parents are aware of available tools, such as parental controls, that can help them protect their children from online threats.

- **The Department of Health and Human Services should update Internet resources published by the Substance Abuse and Mental Health Services Administration (SAMHSA) and the Health Resources and Services Administration (HRSA), including resources at both its kids Web site [Stop Bullying Now](#), and its [counterpart site for adults](#).**

We welcome the anti-bullying resources available at the new [bullyinginfo.org](#) Web site, coordinated by several federal agencies.

- **Working with youth-oriented private corporations – such as Cartoon Network, MTV, Nickelodeon, YouTube, and Facebook – the Federal government should promote programs and awareness of the nature and magnitude of the bullying/cyberbullying problem.**

Facebook alone reaches 500 million registered users worldwide each month. Public awareness and Ad Council campaigns and programming partnerships with corporations such as Facebook, MTV, Cartoon Network, and Nickelodeon can leverage their standing with youth to encourage young people to speak out against harassment and bullying and promote responsible online behavior.

For example, the Anti-Defamation League serves on the Advisory Board for [MTV's A Thin Line](#) campaign, developed to empower youth to identify, respond to and stop the spread of digital abuse in their lives. In addition, since 2010, ADL has partnered with Cartoon Network on its [STOP BULLYING: SPEAK UP](#) campaign, aimed at empowering youth to take action to reduce bullying. The campaign has its own Web site, which features a variety of tools and links, including ADL educational resources.

- **The Department of Justice and the Department of Education should encourage state and local Bar Associations and lawyers and judges to involve themselves in assessing the nature of the bullying and cyberbullying problem at the state and local levels and crafting appropriate, constitutional responses.**

We welcome the recent action by the American Bar Association to adopt a thoughtful and inclusive anti-bullying and cyberbullying [Resolution](#). The Resolution puts the ABA on record in support of:

- Adopting inclusive federal and state policies and laws designed to prevent and respond to bullying and cyberbullying;
- Developing federal and state programs to identify targets and enhance appropriate interventions;
- Funding programs, research, and evaluation that address prevention and response to bullying and cyberbullying;
- Training, data collection, and appropriate notice of bullying incidents to the families of those involved;
- Internet service providers and social networking platforms to adopt terms of service that define and prohibit cyberbullying and cyberhate; and
- School districts to implement the October 2010 U.S. Department of Education Office of Civil Rights “Dear Colleague” letter on bullying and harassment.

- **Consistent with the First Amendment, the Federal government should encourage Internet providers to clearly define prohibited hate speech and prohibit the use of hate in any Terms of Service agreement.**

No provider of Internet services, social networking, or user-submitted content sites should ignore the fact that these sites can become vehicles for promoting harassment and hate. Web sites should establish clear, user-friendly reporting mechanisms for reporting hateful content and act quickly to remove or sequester hateful content once it is reported.

- **The Federal government should promote Internet media literacy – specifically programs to help develop students’ critical thinking skills for Internet and wireless communications.**

For most teenagers, Internet use is a part of daily life. We should promote civil discourse on the Internet and should teach young people how to identify risks and engage in critical thinking for Web-based research and communications. Students should be trained on how to use electronic communications in a responsible manner, how to develop empathy for others, and how to intervene safely and not be a bystander when confronted with bullying and harassment.

#### 4. Public Advocacy Supporting Anti-Bullying and Hate Crime Prevention Initiatives

- **The Justice Department and the FBI should work collaboratively with civil rights and community-based groups and law enforcement organizations to ensure comprehensive and effective implementation of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (HCPA), with particular attention to the new requirement that the FBI collect hate crime statistics committed by and against juveniles.**

The HCPA provides new tools to promote partnerships between Federal and state and local officials to confront hate violence. The passage of the HCPA provides a teachable moment for the country on the impact of hate violence and bullying – and effective responses. ADL resources on the hate crimes and the HCPA can be found [here](#).

- **The White House should complement its Bullying Prevention Conference with a National Youth Bullying/Cyberbullying Summit.**

The Federal Government should make every effort to engage young people in an advocacy role on these issues. A “National Youth Bullying Summit” could help organize student leaders to promote discussions surrounding effective ways students can combat harassment and bigotry in their own school and to bring awareness to successful efforts nationwide.

- **Government leaders and public officials should use their bully pulpit to condemn bullying/cyberbullying, bigotry, and bias-motivated violence whenever and wherever it arises.**

We applaud the significant contributions the Administration has made as part of the “It Gets Better” anti-bullying video campaign. The fact that [President Barack Obama](#), [Vice President Joe Biden](#), [Secretary of State Hillary Clinton](#), [HHS Secretary Kathleen Sebelius](#) and [Assistant Attorney General for Civil Rights Tom Perez](#) all made videos is extraordinary – and demonstrates their very welcome willingness to use their bully pulpit to address this issue and empower targets of bullying.

Strong leadership from Federal officials can help create a climate and a culture in which other members of the community are willing to condemn bigotry and combat bullying, hate, and harassment. Efforts to advocate for strong hate crimes laws, comprehensive hate crime data collection, and better understanding between different communities are a vital part of these efforts.

### **Conclusion**

Left unchecked, bullying can contribute to environments in which youth feel that it is acceptable to express and act on feelings of prejudice. In an online setting, social cruelty may be a precursor to more destructive behavior, including participation in gaming sites that promote hate messages, involvement in hate groups, and bias-related violence.

Name-calling and bullying, like other bias-motivated behaviors, have the potential to escalate into more serious incidents of violence if they are unchecked. Too frequently, educators, parents, and students are unsure how to respond. The large body of credible research on effective responses to name-calling and bullying concurs that schools and other educational institutions can best address these behaviors through ongoing, comprehensive plans that include both intervention and prevention strategies. Professional development is a key component that provides opportunities for educators to share their thoughts and experiences about name-calling and bullying at their schools, assess existing practices, adopt effective policies and procedures, and reinforce and strengthen effective response strategies.

The bottom line is that whether or not bullying is related to bias and prejudice, it impacts young people's sense of safety in their school community and beyond. For this reason, educators, administrators, families, and youth service providers are reaching out to organizations like ADL to help them navigate the growing problem of bullying as well as cyberbullying and social cruelty in electronic forums. This provides ADL with an important opportunity to not only address the problems of bullying and cyberbullying, but to deepen understanding about the connections among bullying, bias-motivated behavior, and online hate activities. It also opens the door to ongoing anti-bias work and ultimately the chance to promote a culture of acceptance and kindness in schools and the broader community.

Again, we applaud the Commission for committing itself to study and make recommendations in this arena. We stand ready to partner with the Commission as it continues to build on these initiatives and promote proactive strategies to confront bullying, cyberbullying, and harassment in schools and in the community.



## **Anti-Defamation League's Selected Resources on Bullying, Cyberbullying, and Harassment**

### **1) EDUCATIONAL STRATEGIES TO RESPOND TO BULLYING AND CYBERBULLYING**

**ADL Curriculum Connection: "Cyberbullying: Understanding and Addressing Online Cruelty"**

[http://www.adl.org/education/curriculum\\_connections/cyberbullying/default.asp](http://www.adl.org/education/curriculum_connections/cyberbullying/default.asp)

**ADL Tools for Responding to Cyberbullying**

<http://www.adl.org/combatbullying/>

**Words That Heal: Using Children's Literature to Address Bullying**

[http://www.adl.org/education/curriculum\\_connections/winter\\_2005](http://www.adl.org/education/curriculum_connections/winter_2005)

**Understanding and Addressing Cyberbullying:** half-day or full-day training programs for middle and high school educators, administrators and youth service providers

<http://www.adl.org/education/cyberbullying/workshops.asp>

<http://www.adl.org/education/cyberbullying/program-cyberbullying-flyer.pdf>

**CyberALLY™** : a half or full-day interactive training for middle and high school students

<http://www.adl.org/education/cyberbullying/cyberally-student-flyer.pdf>

**Tips on How to Respond to Cyberbullying**

<http://www.adl.org/education/cyberbullying/tips.asp>

**What Can Be Done About Name-Calling**

<http://www.adl.org/combatbullying/pdf/what-can-be-done-bullying-handout.pdf>

**Take a Stand: A Student's Guide to Stopping Name-Calling and Bullying**

<http://www.adl.org/combatbullying/pdf/taking-a-stand-bullying-guide.pdf>

**Advice on Cyberbullying and Teens** (ADL interview, *Your Teen Magazine*)

<http://yourteenmag.com/2010/10/cyberbullying-and-teens/>

**Internet Safety Strategies for Students**

[http://www.adl.org/education/curriculum\\_connections/cyberbullying/Internet%20Safety%20Strategies%20for%20Students.pdf](http://www.adl.org/education/curriculum_connections/cyberbullying/Internet%20Safety%20Strategies%20for%20Students.pdf)

**Confronting Hate Speech Online**

[http://www.adl.org/main\\_internet/hatespeechonline2008.htm](http://www.adl.org/main_internet/hatespeechonline2008.htm)

### **2) ADVOCACY RESOURCES TO PREVENT AND RESPOND TO BULLYING AND CYBERBULLYING**

**ADL Bullying/Cyberbullying Advocacy Toolkit for state anti-bullying laws**

[http://www.adl.org/civil\\_rights/Anti-Bullying%20Law%20Toolkit\\_2009.pdf](http://www.adl.org/civil_rights/Anti-Bullying%20Law%20Toolkit_2009.pdf)

**ADL Bullying/Cyberbullying Model Statute (which has been a model for a number of states)**

[http://www.adl.org/main\\_internet/Cyberbullying\\_Prevention\\_Law](http://www.adl.org/main_internet/Cyberbullying_Prevention_Law)

**Responding to Cyberhate: Toolkit for Action**

[http://www.adl.org/internet/Binder\\_final.pdf](http://www.adl.org/internet/Binder_final.pdf)

**In advance of the August 11-12 Federal Bullying Summit**, ADL submitted to a trio of federal agencies (Health and Human Services, Department of Education, Department of Justice) recommendations for programs, training initiatives, and research proposals [http://www.adl.org/Civil\\_Rights/letter\\_bullying\\_cyberbullying\\_2010.asp](http://www.adl.org/Civil_Rights/letter_bullying_cyberbullying_2010.asp)

**71 national civil rights, education, religious, and professional organizations** submitted complementary consensus recommendations to the lead Federal agencies in advance of the August Federal Bullying Summit <http://www.civilrights.org/advocacy/letters/2010/coalition-letter-to-sec-duncan-on-bullying-cyberbullying-and-harassment-recommendations.pdf>

## **Federal Anti-Bullying/Cyberbullying Initiatives**

### **White House**

- **March 10, 2011:** The President and the First Lady host the White House Conference on Bullying Prevention, attended by approximately 150 students, parents, teachers, youth-oriented media, advocates, and policymakers. One outcome of the Conference is the creation of a new comprehensive federal anti-bullying Web site, <http://www.stopbullying.gov/>
- **March 9, 2011:** The President and First Lady create a video addressing bullying for the [stopbullying.gov](http://www.stopbullying.gov) Facebook page.
- **December 20, 2010:** White House staff members make an anti-bullying video for the “It Gets Better” video campaign.
- **November 18, 2010:** Vice President Biden posts an anti-bullying video message in the “It Gets Better” series.
- **October 21, 2010:** President Obama records an anti-bullying video as part of the “It Gets Better” project.

### **Department of Education**

- **April 5, 2011:** Secretary Arne Duncan addressed the Anti-Defamation League’s National Leadership Conference on the Administration’s efforts to prevent bullying and cyberbullying.
- **April 5, 2011:** Kevin Jennings, Assistant Deputy Secretary for Safe and Drug-Free Schools, addressed ADL’s National Leadership Conference and participated in a panel discussion about preventing bullying and cyberbullying.
- **December 16, 2010:** The Department of Education Office of Civil Rights issues a Key Policy Letter providing technical assistance for states drafting their own anti-bullying and cyberbullying laws.
- **October 26, 2010:** The Department of Education Office of Civil Rights issues a trailblazing ten-page “Dear Colleague” letter to schools clarifying that some student harassment or bullying – including harassment on the basis of religion, sexual orientation, and gender identity – may trigger responsibilities under one or more of the federal anti-discrimination laws enforced by the Department of Education and the Department of Justice.
- **August 11-12, 2010:** Department of Education, with other federal partners led by the Department of Justice and the Department of Health and Human Services, hosts the first Federal Bullying Summit. Federal agencies joined together to establish an Interagency Working Group on Youth Programs.

### **Department of Health and Human Services**

- **March 3, 2011:** The Centers for Disease Control (CDC) issues Measuring Bullying Victimization, Perpetration, and Bystander Experiences: A Compendium of Assessment Tools to aid researchers in creating a set of psychometrically-sound measures for assessing the incidence and prevalence of a variety of bullying experiences.
- **January 25, 2011:** CDC launches a new LGBT bullying prevention web page, with resources for schools and parents.
- **October 28, 2010:** HHS Secretary Kathleen Sebelius issues a press release announcing that she has taken part in the “It Gets Better” campaign by creating her own video.
- **July 1, 2010:** The CDC issues three resource guides: Youth Violence: Electronic Media and Youth Violence — A CDC Issue Brief for Educators and Caregivers to provide what is known about young people and electronic aggression, offer strategies for addressing the issue with young people, and discuss the implications for school staff, education policy makers, and parents and caregivers; Youth Violence: Electronic Media and Youth Violence — A CDC Research Brief for Researchers, which describes the current research on electronic aggression, highlights the gaps, and suggests future directions; and Youth Violence: Technology and Youth — Protecting Your Child from Electronic Aggression, a tipsheet for parents on electronic aggression.

### **Department of Justice**

- **December 9, 2010:** The Justice Department releases an [anti-bullying video](#), featuring Assistant Attorney General for Civil Rights Tom Perez and other Justice Department staff. The video describes rights of individuals and enforcement powers of the Department.
- **January 15, 2010:** The Department [intervenes](#) in a lawsuit on behalf of an openly gay high school student who was beaten up because of his sexual orientation. The case is [settled](#) on March 29.

### **Department of State**

- **May 3, 2011:** U.S. State Department's Bureau of Diplomatic Security (DS) hosted "Get Schooled, Kids and Cyber Security," an event to raise awareness about cyber security and children.
- **October 19, 2010:** Secretary Clinton offers a message of hope to LGBT youth through a [video](#) as part of the "It Gets Better" project.

### **Office of Personnel Management**

- John Berry, Director of the Office of Personnel Management, creates a [video](#) for the "It Gets Better" project.

### **Federal Legislation in the 112<sup>th</sup> Congress**

- **S.540 The Tyler Clementi Higher Education Anti-Harassment Act of 2011**  
<http://www.gpo.gov/fdsys/pkg/BILLS-112s540is/pdf/BILLS-112s540is.pdf>
- **H.R. 1048 The Tyler Clementi Higher Education Anti-Harassment Act of 2011**  
<http://www.gpo.gov/fdsys/pkg/BILLS-112hr1048ih/pdf/BILLS-112hr1048ih.pdf>
- **S.506 Safe Schools Improvement Act of 2011**  
<http://www.gpo.gov/fdsys/pkg/BILLS-112s506is/pdf/BILLS-112s506is.pdf>
- **H.R. 1648 Safe Schools Improvement Act of 2011**  
<http://www.gpo.gov/fdsys/pkg/BILLS-112hr1648ih/pdf/BILLS-112hr1648ih.pdf>
- **H.R. 998 Student Non-Discrimination Act of 2011**  
<http://www.gpo.gov/fdsys/pkg/BILLS-112hr998ih/pdf/BILLS-112hr998ih.pdf>
- **S. 555 Student Non-Discrimination Act of 2011**  
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