

February 25, 2011

Chairman Balboni
Vice Chairman Boehm
House Education Committee
New Hampshire House of Representatives
107 North Main Street
Concord, NH 03301

Dear Chairman Balboni and Vice Chairman Boehm:

On behalf of the Anti-Defamation League (ADL), I write to you today to express opposition to House Bill 370, *An Act Making Changes to the Pupil Safety and Violence Prevention Act*.

The Anti-Defamation League is one of the nation's premier human relations and civil rights agencies, committed to combating hatred and bigotry in all forms. Founded in 1913, ADL has long been at the forefront of national, state, and local efforts to deter and counteract intolerance and hate. For many years, ADL has been concerned about bullying and, more recently, cyber-bullying. We created a model anti-bullying statute that is being used across the country in the drafting of anti-bullying prevention laws. In many states, we are leading broad coalitions of organizations to support strong anti-bullying legislation.

We are concerned by the new proposed amendments that HB 370 would make to the *Pupil Safety and Violence Prevention Act*. These changes would significantly weaken the act by removing some of its key provisions. A weakened law would mean a less safe learning environment for New Hampshire school children. Countless research has shown that harassment and bullying can have devastating consequences and pose significant threats to student safety and academic achievement. A strong and comprehensive anti-bullying law is therefore critical to ensure that children can learn and thrive in a safe school environment.

HB 370 aims to remove enumerated categories from the *Pupil Safety and Violence Prevention Act*, by deleting the second paragraph from the Purpose and Intention section, where specific motives for bullying such as race, color, religion and sexual orientation are listed. Recent research has shown that school anti-bullying policies that include enumerated categories play a role in reducing bullying and harassment and thus make for a safer learning environment. A national survey of students aged 13 to 18, conducted by the Gay Lesbian and Straight Education Network (GLSEN), has shown that students in schools with bullying and

harassment policies, inclusive of sexual orientation or gender identity, are less likely than other students to report a serious harassment problem at their schools. We at ADL know that hatred based on bigotry and stereotypes affects communities in a serious way and it is very important that the *Pupil Safety and Violence Prevention Act* keeps reflecting this concept.

Last fall, the US Department of Education Office of Civil Rights published a list of provisions from the best anti-bullying laws in the country. Among them was North Carolina's *School Violence Prevention Act*, which includes a comprehensive list of perceived characteristics that may motivate bullying or harassment, and thus make certain groups particularly vulnerable to this type of destructive behavior. Inclusion of enumerated characteristics in state anti-bullying policies does not affect protection for all other students. This approach has been adopted by a number of other states, including Illinois, Iowa, Washington, and Oregon. According to the US Department of Education Office of Civil Rights, the enumeration of specific characteristics is one of the key components of state anti-bullying laws.

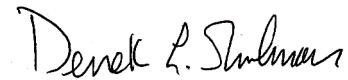
HB 370 also proposes to remove a provision from the *Pupil Safety and Violence Prevention Act* that extends the protection of the law to cover incidents of bullying and cyber-bullying off school grounds. Today, online technology plays an increasing and sometimes exclusive role in the way young people communicate and interact and children readily have access to cell phones and the internet at almost any time of the day. While the internet brings substantial value to young people, an increasing number of them are using electronic communications to bully and harass. Today's bullies use modern technology to target their victims and home is no longer a safe refuge. Incidents of bullying and harassment do not stop at the school gates.

With this new reality, any effective anti-bullying law must address off-campus bullying and cyber-bullying that interferes with the school's educational mission and environment, whether this takes place in a classroom, in a hallway, in an off-campus school sponsored activity or on a computer at home. The US Department of Education Office of Civil Rights has also recognized this provision as a key component of states' anti-bullying laws. The proposed change to the *Pupil Safety and Violence Prevention Act* would once again significantly lessen its impact and make New Hampshire children more vulnerable to incidents of bullying and harassment.

For all these reasons, ADL urges the House Committee on Education to oppose HB 370 and to leave the *Pupil Safety and Violence Prevention Act* with its original purpose and intent. The changes proposed by HB 370 will significantly weaken the effectiveness and impact of the law as it currently stands. New Hampshire children deserve to learn and thrive in a safe school environment and need an anti-bullying law that will both prevent and protect them against bullying and cyber-bullying wherever it may occur.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Derrek L. Shulman". The signature is written in a cursive style with a large initial "D".

Derrek L. Shulman
Regional Director

cc: Members of the House Education Committee

Representative Rick Ladd
Representative Karen Hutchinson
Representative Charles Brosseau
Representative J.R. Hoell
Representative Joseph Pitre
Representative Mary Gorman
Representative Joseph Fleck
Representative Robert Greemore
Representative Laura Jones
Representative Mary Gile
Representative June Frazer
Representative Jeffrey St. Cyr
Representative Gregory Hill
Representative Kathleen Lauer-Rago
Representative Barbara Shaw