STATEMENT OF KENNETH S. TRUMP, M.P.A.
President and CEO

NATIONAL SCHOOL SAFETY AND SECURITY SERVICES, INC.
PO Box 110123, Cleveland, Ohio 44111
Phone: (216) 251-3067
Email: kentrump@aol.com
Web site: www.schoolsecurity.org
Blog: www.schoolsecurityblog.com

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Briefing:

"Federal Enforcement of Civil Rights Laws Protecting Students Against Bullying, Violence and Harassment"

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INTRODUCTION AND BACKGROUND QUALIFICATIONS
Chairman Castro, Vice Chairwoman Thernstrom, and distinguished commissioners, thank you for your invitation to appear before you today.

My name is Kenneth Trump and I am the President and CEO of National School Safety and Security Services, Incorporated, a Cleveland (Ohio)-based national consulting firm specializing in school safety, security, and school emergency preparedness consulting and training. I have worked with K-12 school officials and their public safety partners in urban, suburban, and rural communities from all 50 states during my full-time 25 years in the school safety profession.

In addition to my consulting experience, my background includes having served over seven years with the Cleveland City School District's Safety and Security Division as a high school and junior high school safety officer, a district-wide field investigator, and as founding supervisor of its nationally-recognized Youth Gang Unit that contributed to a 39% reduction in school gang crimes and violence. I later served three years as director of security for the ninth-largest Ohio school district with 13,000 students, where I also served as assistant director of a federal-funded model anti-gang project for three southwest Cleveland suburbs. My full biographical information is on our web site at www.schoolsecurity.org/school-safety-experts/trump.html

I have authored three books and over 65 professional articles on school safety, security and emergency preparedness issues. My education background includes having earned a Bachelor of Arts degree in Social Services (Criminal Justice concentration) and a Master of Public Administration degree from Cleveland State University; special certification for completing the Advanced Physical Security Training Program at the Federal Law Enforcement Training Center; and extensive specialized training on school safety and emergency planning, terrorism and homeland security, gang prevention and intervention, and related youth safety topics.

I am honored to have previously presented expert Congressional testimony. In 1999, I testified to the Senate Health, Education, Labor, and Pensions (HELP) Committee as a school safety and crisis expert. In 2007, I testified to the House Committee on Education and Labor. I also testified on school emergency preparedness issues in 2007 to the House Committee on Homeland Security. In July of 2009, I testified to the House Education and Labor Committee Joint Subcommittee hearing on strengthening federal school safety through prevention of bullying.

My national work has also included providing expert testimony to the National Association of Attorneys General (NAAG) Task Force on School and Campus Safety in 2007. In April of 2008, I was invited by the U.S. State Department to provide a briefing to teachers, school officials, and community partners in Israel on school safety, school violence prevention, school security, and school emergency preparedness as coordinated by the U.S. Embassy in Tel Aviv. I was an invited attendee at the White House Conference on School Safety in October of 2006. I also served in 2006-2007 as the volunteer Chairman of the Prevention Committee and as an Executive Committee member for Cleveland's Comprehensive Anti-Gang Initiative, one of six Department of Justice-funded federal and local collaborative model projects to address gangs through enforcement, prevention, and reentry strategies.

School districts and other organizations engage our services to consult with school administrators and board members on management plans for school violence prevention and improving school safety, evaluate school emergency preparedness plans, provide professional development training on proactive school security and crisis prevention strategies, develop and facilitate school tabletop exercises, and conduct school security assessment evaluations. While our work is largely proactive and preventative, we have increasingly found ourselves also called to assist educators and their school communities with security and preparedness issues following high-profile incidents of school violence. For example, we have worked in a school district where a student brought an AK-47 to school, fired shots in the halls, and then committed suicide; in a private school where death threats raised student and parental anxiety; in a school district where a student brought a tree saw and machete to school, attacked students in his first period class, and sent multiple children to the hospital with serious injuries; and in a school district experiencing student and parental school safety concerns after a student was murdered in a gang-related community incident.

My testimony provides unique perspectives on school safety. I am not an academician, researcher, psychologist, social worker, law enforcement official, government agency representative, lobbyist, or special interest group staffer. Instead, I bring a perspective of 25 years of full-time, front-line experience in directly working with public and private schools, and their public safety and community partners, students, and parents on K-12 school safety, security, and emergency preparedness issues.

Most importantly, I am a father of two young children. Like most parents, I want my children to achieve academically at school. But even more importantly, I want them to be safe from harm and well protected in the hands of school leaders who have the resources and skills for creating and sustaining schools that are emotionally and physically safe, secure, and well prepared for preventing and managing emergencies.

FLAWED DATA PLUS MEDIA AND PUBLIC DISTORTION
LEAD TO FLAWED POLICIES

There are serious gaps in federal data on school crime and violence. Federal data is primarily limited to a mixed collection of a half-dozen or so academic surveys and research studies. The data used by Congress, the Administration, and others to make school safety policy and funding decisions lacks adequate incident-based data on actual crime and violence incidents in schools, and thereby increases the risks of flawed federal school safety policy and funding decisions.

The over-reliance on surveys with little-to-no data on actual school-based crimes results in a very limited, skewed, and understated picture of crime and violence in our nation's schools. Federal school safety data grossly underestimates the extent of school crime and violence, while public and media perception tends to overstate the problem. Reality exists somewhere in between these two parameters, but no one, especially at the federal level, can identify where in real numbers.

Data on bullying is also limited and questionable. Again, there is a heavy reliance upon limited data drawn from academic research, organizationally commissioned surveys, social/political activists and special interest groups, etc. Oftentimes the most revealing aspect of a particular report or survey finding rests in the footnotes, research limitations section, and/or the identity and agenda(s) of those who commissioned the surveys or research.

It is therefore questionable as to what extent and rate school violence and bullying incidents are increasing. For the past year phrases such as "bullying epidemic" have been carelessly used by the media, parents, and even some educators. This should beg questions including: "How can you conclude there is an 'epidemic' when there is no federal mandatory incident-based school crime and violence data collection?"

Unfortunately, America is known to "legislate by anecdote": Where a high-profile incident or series of incidents results in calls for new laws and/or funding thrown at an issue. We have rollercoaster public awareness, public policy, and public funding where legislative policy and funding are often driven not by independent data and research, but instead by emotion and

politics. Too often the result is a haphazard policy and funding approach, which translates into skewed public policy and funding. This clearly appears to be happening with bullying.

In short, what is popular is not always right and what is right is not always popular.

BULLYING: ONE THREAT ON A BROAD THREAT CONTINUUM

In my new book, *Proactive School Security and Emergency Preparedness Planning* (Corwin Press, April 2011), I describe where bullying fits into the broader context of school violence:

> "Bullying is one threat of many on a broad continuum of potential school safety threats, and it should be part of a comprehensive approach to school safety. Bullying is one of many factors that must be taken into consideration in developing safe schools prevention, intervention, and enforcement plans.
>
> But bullying prevention efforts and initiatives are just part of a larger strategy that should be included in a comprehensive school safety program. Bullying is neither a stand-alone, single cause for all school violence, nor is bullying prevention alone a panacea or cure-all for school violence. Skewed policy and funding focused on bullying is no more logical and appropriate than skewed policy and funding focused on school police or security equipment.
>
> Although bullying is an important issue that adversely impacts school safety, many other issues contribute to interpersonal conflicts, violence, and crime in schools. He said, she said rumors, boyfriend/girlfriend issues, disrespect, gang conflicts, and other factors can lead to school violence. Whittling all of these down to just *bullying* is a far stretch and an overemphasis on bullying, which is an extreme and inappropriate approach to school safety. Schools must view threats on a continuum...and the continuum is not a one-topic line." (Trump, p.111)

This threat continuum on one end includes verbal disrespect, physically aggressive behavior, bullying, fighting, and related school safety threats. On the other end of the continuum are threats such as school shootings or a terrorist attack upon a school. In between are a variety of threats to school safety such as student or staff suicides, weather or natural disasters, large scale fights or riots, gang violence, accidental gun discharges, non-custodial parents attempting to remove students from school, a stranger in an elementary school restroom, violence at school athletic events, and the list goes on.

Local school officials must work to prevent and prepare for all threats along the continuum. They cannot overemphasize one issue, such as bullying alone or gangs alone, and ignore the other threats. Federal school safety policy and funding must reflect the same balance and comprehensive approach versus a single-topic focus.

DEFINING BULLYING AND FRAMING ANTI-BULLYING POLICIES AND LAWS

Also in my book (***Proactive School Security and Emergency Preparedness Planning***), I address the issue of defining bullying as follows:

> "Ask 100 people to define *bullying,* and you will get 100 different answers. This is exactly what I have done in recent years in school safety workshops. Invariably, our nation's brightest school administrators, counselors, teachers, and safety officials often do not have the same answer to define bullying.
>
> The most commonly used words include *aggression* and *harassment.* Occasionally, people use *repeated* in their descriptions, such as *repeated aggression* or *repeated harassment.*
>
> The difficulty is that the words aggression and word harassment are very broad terms. Harassment can mean many different things to different people. Creating school district legal policies and state or federal laws using such generic language is a challenging, and somewhat dangerous, thing to do given the broad range for interpretation of the definitions.
>
> *Bullying* often refers to verbal, physical, or other acts committed by a student to harass, intimidate, or cause harm to another student. The behaviors attributed to bullying in school settings may include, but are not necessarily limited to, verbal threats, intimidation, assaults, sexual harassment, sexual assault, extortion, disruption of the school environment, and related behaviors. When discussing bullying, the focus should be on the specific inappropriate *behaviors* rather than a generic, less specific label of *bullying, aggression,* or *harassment.*
>
> The vast majority of schools in the nation, if not all schools, already have disciplinary policies to address these and related types of behavioral misconduct. The policies may not include the word bullying, but the behavior we refer to as bullying is typically addressed in school policies and student codes of conduct, and in many cases in criminal laws (assaults, threats, intimidation, extortion). The goal should be to zero in on specific inappropriate behaviors, rather than to create new policies and laws that use generic terminology to describe the behaviors." (Trump, p.110)

Likewise, state and federal anti-bullying laws --- and corresponding school policies --- focusing on personal characteristics of the victims (race, gender, religion, sexual orientation, gender identification, etc.) rather than actual behaviors that would constitute bullying (as described above) miss the mark. Such laws and policies are much more vague and broad in potential interpretation. They create a greater risk for frivolous lawsuits, increased confusion instead of clarity in the school-community, and a decreased ability to focus on preventing and managing the actual behaviors which would constitute "bullying" in the eyes of many parents and students.

Laws and policies focusing on personal characteristics of the victims would be better characterized not as anti-bullying laws and policies, but as proposed civil rights laws and

policies, and should be put forth in the appropriate format and forum for public and legislative debate. It appears such efforts currently put forth under the guise of "anti-bullying" laws and policies are little more than an effort to create new protected civil rights classes by enumerating new language into federal law, in particular the phrases "sexual orientation" and "gender identification." While on the surface the conversation is about "bullying," there is clearly a larger social and political agenda in the works.

Activists and advocates should put their full agendas on the table in a transparent manner and in the proper forum, and not attempt to enact new civil rights protected classes into federal law via a back-door approach through the education community and under the guise of "bullying" and "school safety." Doing so would better serve their social and political agendas, and would stop politicizing school safety. This is not a position of homophobia, but one of "politi-phobia": The fear and dislike for the politicizing of the school safety field.

Allowing local schools to develop comprehensive policies that addresses specific bullying behaviors, regardless of its basis, will also have the most meaningful impact on bullying specifically and school safety in general.

SKEWED FEDERAL SCHOOL SAFETY POLICY AND FUNDING: VIOLENCE DE-EMPHASIZED

The new federal definition of "school safety" was unveiled in August of 2010 in an interview with Kevin Jennings, Assistant Deputy Secretary of Education for the Office of Safe and Drug Free Schools, on the StopBullyingNow.com web site of the U.S. Department of Health and Human Services.

How has the definition of a "safe school" changed over time? What does it mean for a school to be safe today?   Mr. Jennings presented the Department's new definition of "school safety":

> "The traditional view of a "safe school" has been one in which there is little or no violence on campus.
>
> I think this viewpoint is much too limited.   If you're only looking at school violence to measure school safety, I believe you're only seeing the tip of the iceberg.
>
> Consider this: "Incivil behavior" – verbal threats, hate language, bullying, social rejection – is almost twice as likely to predict student "self-protection" (skipping school, avoiding areas/activities) as is crime (theft, attacks) at school.
>
> In a truly safe school – and the definition we use today at the Office of Safe and Drug-Free Schools – students feel like:
> - They belong.
> - They are valued.
> - They feel physically and emotionally safe.

In other words, we put a greater focus on the overall school climate."

The Department's plan, according to this interview with Mr. Jennings, is:

"I like to refer to our plan to make schools safer as the 3 P's.
POLICY
Examples of policies that address safety issues include school-wide rules and sanctions –
a control strategy – and setting climate standards that address the school culture.
PROGRAMS
Teacher training on issues like behavioral and classroom management are types of
programs that can positively impact school climate.
PRACTICES
School climate practices can include skill-building, conflict resolution and youth
leadership activities.
Through the implementation of policy, programs, and practices, we can work together to
improve school climate."

My take on this approach is as follows:

School climate is important. Kids need to feel like they belong. Relationships among students,
and between students and staff, are necessary for safe schools. I fully agree that school climate
is one important component of a comprehensive approach to school safety.

But you must first have a secure school that is violence free in order for education, climate,
prevention, and intervention strategies and programs to be implemented. The student who gets
attacked and beaten in the back hallway of the school is not going to benefit much if he/she is
fortunate enough to make it to the classroom or school psychologist's office for a conversation
on school climate.

There are all kinds of legitimate questions within the focus on school climate itself. Perhaps the
first will be, "How will the federal government define school climate?," given the body of
literature on the topic suggests in a number of ways that there is no commonly agreed upon
definition in the academic and practice worlds.

Other questions include not only how will school climate be defined, but who will be defining
it? Will it be D.C. bureaucrats? Will the definition be influenced by special interest groups
lobbying for their agendas under "anti-bullying" and "school safety" labels?

How will the "school safety" score be determined? What will be the criteria? Who will be
defining the criteria and scores? Who will decide what tools (surveys, etc.) will be used to make
this determination and what will be the content and focus of these tools?

The most obvious big-picture question, given the Education Department's skewed redefining of
school safety as one not of violence but of "climate" and "incivil behavior," is: Who in the
federal government is going to take the lead in focusing on the issues of violence and violence
prevention as critical defining components of school safety? If the Department of Education's

every word and admittedly skewed focus is on "climate" and "bullying," who will take the lead in dealing with weapons, gangs, drugs, assaults on students and teachers, security, school-based policing / school resource officers, emergency planning, etc.?

The answer appears to be nobody.

Violence apparently is not an urgent factor in school safety or, at best, is one that will take a back seat under the current U.S. Department of Education. An analysis of open records sources I conducted found over 35 keynote and large conference speeches (in addition to press releases, weekly newsletters, etc.) by Mr. Jennings over the past year has been on bullying and climate (see http://www.schoolsecurityblog.com/2011/03/do-taxpayers-pay-for-kevin-jennings-jet-setting-speech-trips/). The lack of communication and inclusion of drug and violence, school security, emergency preparedness, school-based policing, etc. in policy presentations and education conferences nationwide raises serious concerns about the lack of comprehensiveness and balance in our nation's current federal school safety policy.

At the same time, the Administration and Congress have eliminated the federal Safe and Drug Free School state formula grant program that provided local schools with support for drug and violence prevention, security training, school resource officer (SRO) training, and related activities. And more recently, the Administration and Congress eliminated the federal Readiness and Emergency Management for Schools (REMS) grant program in the U.S. Department of Education, the only dedicated K-12 school emergency planning grant in the federal government. The elimination of REMS, an already lower-funded program which was well received and sorely needed by schools, ironically came in spite of a General Accounting Office (GAO) study and other federal (and non-federal) reports indicating K-12 schools remain woefully underprepared for managing major disasters and other emergencies. Yet the push for more funding for bullying continues in the DOE, with bullying and school climate as the primary policy and funding focus of the entire Office of Safe and Drug Free Schools with no emphasis on balanced and comprehensive programming in other aspects of school safety.

It is clear from both the words and proposed budget that violence is not the primary focus of the Office of Safe and Drug Free Schools. In fact, it appears to be of little-to-no focus at all. Yet research and best practices in school safety and violence prevention show that successful approaches to school safety and violence prevention must be comprehensive and balance, not skewed and single-issue focused.

Based upon my experience of over 25 years, the current skewed federal school safety policy and funding model contributes significantly to a "perfect storm" for increased violence, less safe conditions, and reduced emergency preparedness in K-12 schools.

It is important to note that my objections are to the U.S. Department of Education's skewed federal school safety policy and funding. They are not personal attacks on Mr. Jennings, who has been a controversial figure with others. In fact, I spent a half day with Mr. Jennings in 2010 on an emergency planning grant project and subsequently wrote a positive profile blog article on Mr. Jennings in one of my first blog interviews in February of 2010 (see

http://www.schoolsecurityblog.com/2010/02/school-safety-interview-kevin-jennings-assistant-deputy-secretary-of-education-office-of-safe-and-drug-free-schools/).

We must be able to respectfully disagree about policy without personal attacks. Is this not the point of anti-bullying and civility efforts?

FEDERAL CIVIL RIGHTS ENFORCEMENT IS OVERREACH; BULLYING IS A LOCAL SCHOOL ISSUE; FEDERAL OCR INVESTIGATORY ROLE NEGATIVELY IMPACTS ABILITY OF SCHOOLS TO ADDRESS BULLYING

The National School Boards Association (NSBA), in response to the US DOE Office of Civil Rights (OCR) "Dear Colleagues" letter, presents valid concerns about the overreach of OCR into local school control of discipline and school climate issues, i.e., their broad and questionable interpretation (according to NSBA) of "harassment" to allow OCR to investigate locally bullying cases.

In short, the "federal bullying police" is viewed by local school board members, superintendents, principals, and school safety officials I have talked with about the OCR letter and position. One 36 year veteran school administrator summed it up as having a counterproductive impact on his ability to meaningfully address bullying:

> "As an administrator it makes you gun shy to actually deal with the problem when you have to first think about whether your decision will put your school on the front page of the paper or get you and your district into a lawsuit."

Another school official described the OCR action more bluntly:

> "It is nothing short of 'bullying' by the feds themselves in order to further a political agenda."

And a top school administrator summed up feelings by saying:

> "It is overreach --- and overreach that is going to do nothing but generate frivolous lawsuits rather than actually deal meaningfully with real bullying issues. Bullying is a local school administration issue, not one for federal civil rights investigators from with no experience in school administration and working day-to-day with kids."

Since the release of the "Dear Colleagues" letter from OCR, I have asked school administrators nationwide open-ended questions about their feeling on the impact of this federal position and they consistently found it to be negative and typically used the word "overreach" without any solicitation by me. Their concerns were not one of being questioned or second-guessed, but a concern about the role, experience, competence, and legitimacy of federal civil rights investigators with school climate and discipline issues (bullying).

Based on my professional experience of 25 years, I see the adverse implications for local schools to include:

- Questionable positive impact on school bullying, climate, and safety; with a significant possibility of these processes having an adverse, rather than positive, impact as schools focus more on protecting their districts from legal attacks and federal investigations, rather than on focusing their limited time and resources on school safety, discipline, and climate;
- Increased cases of federal civil rights investigators knocking at the doors of school superintendents and principals based on any complaint, with or without merit and regardless of the motivations and agendas of the complainants;
- Increased law suits against school districts, on issues of "bullying," which are based on broad interpretations of federal civil rights laws (under the labels of "harassment" or "discrimination");
- Increased legal fees for school districts, taking away from already tight school district budgets and limited resources that could be better spent in providing prevention, intervention, security, and preparedness measures for school safety; and
- Attempts to exert social and political agendas into local schools, by federal officials who typically have minimal experience and understanding of school operations in general, and particularly little-to-no practical understanding of day-to-day school discipline, climate, and safety issues.

In summary, this is one of the greatest cases of questionable federal overreach into local discipline and school safety issues I have seen in my 25+year career as a school safety professional.

BULLYING, SCHOOL SHOOTINGS, AND SUICIDES: THE MISSING PIECE OF MENTAL HEALTH SUPPORT FOR CHILDREN

In my book (***Proactive School Security and Emergency Preparedness Planning***), I address the issues of bullying and school shootings as follows:

> "For nearly a decade, bullying was attributed as a significant contributor to why shooters killed students in schools. Bullying was frequently cited as the reason the Columbine killers performed their attack. Bullying was also referenced in a number of other school shootings.
>
> It was not until 2009 that this myth of bullying as the cause of school shootings received highly publicized challenges. The research of Dave Cullen and Dr. Peter Langman, who authored two unrelated books on school shootings, challenged the assertions that bullying was responsible for Columbine and other school shootings. Cullen's book, *Columbine,* is based on his extensive research of the Columbine High School attack in 1999, and Langman's book is based upon his research and experience as a Pennsylvania-based child psychologist who studies school shooters.

Both Cullen and Langman concluded that mental health issues, not bullying, are the primary factors behind the actions of school shooters. Many school safety professionals, including myself, have long stressed the role undiagnosed, misdiagnosed, or untreated mental health issues play in so many incidences of school violence including shootings. It is much easier to attribute bullying as the motivating factor of the shooters than it is to go outside of the bullying sound bite and discuss the complex causes of, and strategies for addressing, teen mental health issues.

In his chapter "Media Crime," Cullen (2009; pp. 158–159) describes the media atmosphere at Columbine after the attack: "The 'bullying' idea began to pepper motive stories. The concept touched a national nerve, and soon the anti-bullying movement took on a force of its own. Everyone who had been to high school understood what a horrible problem it could be. Many believed that addressing it might be the one good thing to come out of this tragedy. All the talk of bullying alienation provided an easy motive. . . . The details were accurate, the conclusions wrong. Most of the media followed. It was accepted as fact."

Cullen went on to explore in-depth the mental health issues of the Columbine killers, building a case that mental health issues, not bullying, was a causal factor leading the killers to attack.

Langman counters claims of bullying as a cause of school shootings in *Chapter 1, School Shooters: Beyond the Sound Bite* (2009; pp. 11–16). Langman states: "The issue that has received the most attention as a factor in school shootings is bullying. According to this sound bite, school shooters are victims of bullying who seek revenge for their mistreatment. It is understandable that this idea would take hold in the minds of many people. We can easily grasp and relate to the concept of being hurt and wanting to retaliate. If a student attacks his peers, it seems logical to think the he must have been driven to such an act. In reality, however, this sound bite is not accurate. The situation is much more complex."

Langman studied 10 shooters and classified them into three different types: psychopathic, psychotic, and traumatized. The causes were mental health driven, not by being bullied to the point of killing people. Langman states: "[T]he idea that school shootings are retaliation for bullying is highly problematic. This is not to say the peer relationships are irrelevant. . . . To be teased is normal; to be turned down for a date is normal. The shooters, however, were often so emotionally unstable or had such vulnerable identities that normal events triggered highly abnormal responses."

So after a decade of educators, legislators, and advocates crying *bullying* after every school shooting, a deeper look suggests this simply was not the case. Their explanations of mental health issues is much more plausible, although perhaps not as easy to digest in a media sound bite or as a way to justify other agendas for which people are using bullying as a cause." (Trump, p.111-112)

In the latter part of 2010, there was also a media frenzy --- in fact, a media and public hysteria --- over teen suicides that were linked in the media and by special interest groups and advocates to bullying. My assessment of bullying and suicide, or what some have labeled "bullycide," is also addressed in my new book:

> "The media frenzy on teen suicides has lead to the creation of a new buzzword: *Bullycide.* Bullycide in essence refers to kids being bullied to death. It is now frequently used to refer to cases where there are alleged repeated bullying incidents of a victim who eventually completes suicide.
>
> But is bullying the cause of suicide? The American Foundation for Suicide Prevention (AFSP), www.afsp.org, cites figures indicating that 90 percent of all people who die by suicide have a diagnosable psychiatric disorder at the time of their death (AFSP, 2011). Many professionals also agree that there is no single cause for suicide, often a number of factors come into play, and that kids' coping skills and support for dealing with bullying and other stressors vary.
>
> Bullying is a serious issue. There is no doubt chronic bullying would be a stressor, especially to youth who are already vulnerable because of mental health or other pre-existing conditions making the youth at higher risk for suicide. But the casual attribution by media, anti-bullying, and gay rights advocates, and others who state or imply that bullying directly causes suicide, warrants a deeper analysis....
>
> ... Media leaders should review their ethical and professional guidelines when addressing bullying and, in particular, suicides being attributed to bullying. It would also be advisable for advocacy special interest groups to research the contagion effect concept to make sure they are not inadvertently contributing to the risk of the contagion effect when publicly spotlighting and holding events around higher profile teen suicide incidents. This is not to suggest the incidents be ignored; but instead to recommend responsible communications and actions so as not to contribute to a contagion effect resulting in further deaths.
>
> When the dust settles, we will likely reach similar findings on teen suicides labeled bullycides as to that which Cullen and Langman found regarding the bullying myth about Columbine: That the true factors responsible for the behavior of the individuals will be attributable to mental health issues, not bullying—or at least not bullying as a sole or primary causal factor." (Trump, p.113-114)

The conversation and the funding emphasis may very well best serve the most at-risk kids by shifting from bullying to youth mental health support. It is easy to slap a label of bullying on just about any youth misbehavior that is somehow connected to bullying. It is much harder to dive into dissecting the complex issues associated with the mental health issues and needs of youth, and it is even more difficult to find funding for the scope and depth of services these children really need.

In my book I explore why it is easier for many to slap the label of "bullying" on challenging youth issues rather than deal with the more complex issue of youth mental health needs:

> "The conversation and the funding need to shift from bullying to youth mental health support. It is easy to slap a label of bullying on just about any youth misbehavior that is somehow connected to bullying. It is much harder to dive into dissecting the complex issues associated with the mental health issues and needs of youth, and it is even more difficult to find funding for the scope and depth of services these children really need.
>
> Some people hesitate to bring up mental health issues out of fear they will be accused of blaming the victims. Cullen and Langman do a great job in detailing the mental health issues of the Columbine and other school shooters, thereby dispelling the myths about bullying as the prime cause of them shooting. However, many, out of fear of being accused of blaming the victims, are reluctant to do so in cases of those who complete suicide.
>
> So at best the issue gets a passing glance with code words and backdoor innuendo. "We need to look at the coping skills of youth," or "Why do so many kids get bullied and do not take their lives while others get bullied and do kill themselves?" What many people want to say is that there are some kids who are victims of bullying and take their lives who may have had broader mental health issues beyond the bullying and slipped through the cracks without getting help.
>
> Three groups of players are commonly discussed in the bullying debate: bullies, victims, and bystanders. Although there is, and should be, more conversation about changing the culture of the bystanders, when deaths are involved, the focus shifts to the shooters or the victims. I believe we are dodging the elephant in the living room by bantering around bullying while we should get the political courage to talk about, and tackle, youth mental health needs.
>
> Putting the burden of solving youth mental health issues on the backs of schools is unfair and unrealistic. Should schools be a key player at the table in planning to improve youth mental health support? Absolutely! But some realities of operating our schools exist that are not considered or understood by people who want to set unrealistic expectations of our schools to solve this crisis alone...
>
> ...So what do we do? Too often, the answer is nothing, which is why we continue to have the same problems. The first step is calling the problem what it is: mental health issues." (Trump, p.118-119)

When looking at suicides where people are quick to jump to alleged bullying as the cause, the first focus needs to me on mental health needs for youth.

PRACTICAL ANTI-BULLYING STRATEGIES: A LOCAL SCHOOL ISSUE

 As I note in the opening section of my new book's chapter on bullying:

> Bullying is a serious issue worthy of reasonable attention, awareness, and action. It is one component of a comprehensive and balanced approach to school safety. Schools have been working on bullying issues for many years, with an added emphasis on school climate after the 1999 Columbine High School attack.
>
> The focus on dealing with bullying is missing its target with demands for more anti-bullying policies, programs, and laws. Schools do not need new laws, unfunded mandates, or an array of vendor-driven programs and products to meaningfully address bullying. Much of what they need is either already in place or readily available if they choose to use it.
>
> School administrators can manage bullying issues using a practical, coordinated approach consisting of the following strategies:
>
> •Supervision and security.
> •School discipline and classroom management.
> •Criminal and civil law (when appropriate).
> •School climate strategies.
> •Mental health support for students.
> •Effective communications plans.
>
> Many of these practices are already in place in schools across the country, and except for the mental health component, most are readily available to school administrators who are currently not using such strategies. Many schools are already addressing bullying, but often are not viewing all of the components as related to a broader, coordinated anti-bullying effort in their school. And most schools fail to proactively and effectively communicate to parents those efforts they do have in place." (Trump, p.109)

These components, pulled together, can constitute a comprehensive approach to bullying.

- Supervision and Security: Research by Dr. Ronald Pitner shows bullying occurs in "hot spots. Consistent, visible supervision and security measures can reduce these opportunities for bullying;
- School Discipline and Classroom Management: Firm, fair, and consistent discipline applied with good common sense in a structured manner can reduce bullying;
- Criminal and Civil Law: Victims have available to them criminal laws when incidents of bullying rise of the level of a crime (assault, extortion, etc.). If their problems go unresolved, they also have civil litigation opportunities to seek remedy at the local level. Existing federal civil rights laws can be pulled in on the litigation end if appropriate.
- School Climate Strategies dealing with respect, trust, diversity, belonging/connectedness, pride and ownership, involvement of parents, positive relational interactions, peaceful

resolutions of conflicts, support from adults and peers, positive behavioral support, and clean, orderly, and maintained school facilitated;

- Mental Health Support For Students to prevent and intervene with depression, suicidal tendencies, and related issues; and
- Strong Communication of Resources, Policies, and Strategies to students, parents, staff, and the school-community.

Effectively preventing and managing bullying requires a comprehensive approach, not a particular one-shot workshop, assembly, or program. Bullying-specific prevention and intervention programs can certainly be used in addition to the above strategies, but prevention and intervention (as well as security and preparedness) must be a part of the broader school culture and not simply a "program."

CONCLUSION

Bullying is one of many school safety challenges. It must be addressed as a part of a comprehensive and balanced school safety program, not as a single-issue approach. Bullying and school safety cannot be politicized and used as a vehicle to advance broader social and political agendas of special interest groups, activists, advocates, etc.

There is common agreement that bullying is an issue of concern. There is common agreement that it should be addressed as a part of a school's safety program. Differences remain on the details of how this should be approached and, in particular, the role of the federal government as an investigatory and enforcement agent in local school discipline and climate issues.

I respectfully encourage the Commission to focus in on the tools already available to schools, support the role of school administrators as the lead persons responsible for local discipline and climate issues, and make recommendations to address the broader implications of further politicizing school safety.

Respectfully,

Kenneth S. Trump, M.P.A.
President
National School Safety and Security Services

Primary Reference:

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