



February 9, 2011

Attorney General Martha Coakley and
The Commission on Bullying Prevention
Office of the Attorney General
One Ashburton Place
Boston, MA 02108

To Attorney General Martha Coakley, Chair, and Members of the Commission to Review Statutes Relative to Implementation of the School Bullying Law:

Introduction: The Greater Boston Chapter Parents, Families and Friends of Lesbians and Gays, Inc. (“Greater Boston PFLAG”) thanks the Attorney General, Chair, and the Members of the Commission to Review Statutes Relative to Implementation of the School Bullying Law (the Commission) for this opportunity to comment on Chapter 92 of the Acts of 2010, An Act Relative to Bullying in Schools (the “Bullying Law”) and to share the benefit of our experience with the Bullying Law so that it can be improved to accomplish its intended purposes.

While we generally believe that the Bullying Law was a good first step in combating widespread bullying and harassment in Massachusetts schools, we believe that the law falls short and fails to adequately address bullying that takes the form of an attack on actual or perceived sexual orientation or gender identity or expression (“Anti-Gay Bullying”). Research shows that Anti-Gay Bullying represents one of the most common forms of bullying and that this type of bullying poses a unique set of problems that warrant legal protections and mandated procedures that reflect current research on the prevalence of Anti-Gay Bullying and the immediate and long-term adverse health, mental health and other effects on a lesbian, gay, bisexual or transgender (“LGBT”) child. Some of the deficiencies in the Bullying Law were apparent from the outset; others have become clear since the adoption of the law. We would intend to address both from the perspective of an organization that has provided bullying prevention training for over 17 years and one that is often consulted by parents, caregivers or other family members who are perplexed by a child’s being the target of Anti-Gay Bullying and the failure of school officials to adequately address the issue and protect the child.

While this written testimony will focus on the shortcomings of the Bullying Law and problems that we have observed to date in its implementation, we would not want our comments to be construed in any way as criticism of the good faith, diligent efforts of the Department of Elementary and Secondary Education (“DESE”) or of local school officials. Quite the contrary, we have been very impressed with the careful thoughtful work of the DESE. In particular, we wish to commend the Board of Elementary and Secondary Education and the officials and staff of the DESE for their excellent work on various regulations and guides issued under the Bullying Law, including but not limited to the Model Bullying Prevention Policies¹ and the Guidance on Anti-Gay Bullying and Parent Notification². We have observed that many

¹ **Model Bullying Prevention Policies** refers to the DESE Model Bullying Prevention and Intervention Plan (August, 2010). See: <http://www.doe.mass.edu/bullying/ModelPlan.pdf>

local public and private school officials have worked very hard to meet their obligations under the Bullying Law under tremendous time pressures and resource constraints.

Greater Boston PFLAG: Greater Boston PFLAG has a long history of providing anti-gay bullying training in middle and high schools throughout Massachusetts. We also have a wealth of experience in dealing with parents and families of LGBT youth through our various education and support programs.

Greater Boston PFLAG offers help for LGBT people, their families, and communities through support, education, resources, and advocacy. We foster dialogue, create safe environments, and open hearts and minds to:

- help LGBT people to achieve happiness, acceptance, and self-esteem
- help parents to understand and connect with their children
- help families to work through sometimes difficult feelings
- help schools and other institutions to provide safe environments
- help society to counter violence and negative stereotypes.

For over 17 years, we have provided award-winning and highly successful anti-gay name-calling and bullying training for students, faculty and administrators in high schools and middle schools throughout Massachusetts.

While we have provided support group and hot-line services for LGBT people and their families and friends for over 20 years in the Greater Boston area, we have recently changed to a much more proactive, statewide educational and support effort. The goal of our new program focus is to ensure that every parent in Massachusetts has accurate information about sexual orientation and gender identity so that no child is raised in a homophobic household. Greater Boston PFLAG believes that no child should grow up fearing the loss of love of a parent because of who they are. Additionally, it is essential that parents who do not have an LGBT child are furnished with accurate information about sexual orientation and gender identity because, if a child is raised in a homophobic household, the child is likely to take those fears and prejudices to school and is more likely to engage in harassment and bullying.

Furthermore, since there are numerous health, counseling and prevention specialists who are likely to encounter families in crisis over what is happening to a gay child in school or in the home, we are aggressively reaching out to these specialists in Massachusetts through their professional organizations and their training institutions so that they are informed about the alarming health and risk disparities confronting gay youth. They are frighteningly unaware of the research that shows that suicide risk, drug and alcohol abuse, STD and HIV risk, risk of being attacked with a weapon, homelessness are all at alarmingly high levels for gay high school students³. We are also acquainting these health, counseling and prevention specialists with the current research that demonstrates that these tragic elevated risk and health disparities can be successfully addressed by: eliminating hostile environments

² **Guidance on Anti-Gay Bullying and Parent Notification** refers to the *GUIDANCE ON NOTIFYING PARENTS WHEN A STUDENT HAS BEEN BULLIED BASED ON SEXUAL ORIENTATION OR GENDER IDENTITY/EXPRESSION: IMPLEMENTATION OF 603 CMR 49.05* that is Attachment I

³ See discussion of risks in the section “**Review of Research Basis for Recommendations**” below.

in school through effective anti-bullying policies that protect LGBT students and training and by promoting parental acceptance through education.

We conduct our educational outreach efforts in all types of venues, wherever we can find groups of parents or people who counsel or advise parents, including in places of work, at professional conferences, in faith communities, and at community forums. A year ago we partnered with the Massachusetts PTA's to use their networks to get accurate information into the hands of people who need to see it.

Review of Research Basis for Recommendations:

As the Commission may know, the DESE conducts biennial surveys of your risk in Massachusetts high schools (the "MA YRBS"). Since the mid-1990's, the MA YRBS have included questions designed to elicit information about the respondents' sexual orientation, and the DESE has published comparative data regarding safety and health risk involving gay youth. Copies of the *Massachusetts High School Students and Sexual Orientation Results of Youth Risk Behavior Survey* for 2005, 2006 and 2007 are attached as Exhibits A-1 through A-3 to the Parent Notification Comment Letter, which is Attachment II to this written testimony. While the MA YRBS data regarding the health and safety of gay youth has fluctuated somewhat over the course of the last three surveys, they document a persistent alarming disparity of risks of attempted suicide, suicide attempts requiring medical attention, skipping school in the past month because of feeling unsafe on route to or at school, being threatened or injured with a weapon in the past year, and involvement in a fight resulting in treatment by a doctor or nurse.

From national data involving the experience of LGBT youth in the United States, we know that over 90% of all LGBT students report being targeted for an attack based on sexual orientation, expression or identity, actual or perceived.⁴ We also know that an estimated 20 to 40% of homeless youth are LGBT youth.⁵ The average number of times per day that a gay child hears a gay slur in school is 26, or once every 14 minutes.⁶ Furthermore, 31% of LGBT students report that faculty and school officials fail to intervene or take action when the anti-gay harassment or bullying is reported.⁷

Greater Boston PFLAG's extensive experience in schools reveals that the situation in Massachusetts schools that have not received a recent anti-bullying training is consistent with these national data and that, in these schools, there is a prevailing hostile climate and/or deprivation of rights affecting LGBT youth. It should be noted that this is true notwithstanding the existence of laws and regulations that are designed to protect the rights of LGBT youth. It should also be noted that the level of risk and violence reported in the MA YRBS has remained relatively constant over the past decade and at

⁴ National Education Association, *A Report on the Status of Gay, Lesbian, Bisexual and Transgender People in Education: Stepping out of the Closet, Into the Light*, ("NEA Report") pp .21-15 (2009) <http://www.nea.org/assets/docs/glbstatus09.pdf>

⁵ Approximately 20 to 40% of homeless youth are LGBT youth according to the report of the National Lesbian and Gay Taskforce (and authorities cited therein): Ray, N. (2006). *Lesbian, gay, bisexual and transgender youth: An epidemic of homelessness*. New York: National Gay and Lesbian Task Force Policy Institute and the National Coalition for the Homeless.

<http://www.thetaskforce.org/downloads/HomelessYouth.pdf> ; See also the United States Interagency Council on Youth Homelessness Report on LGBTQ Homelessness (September 15, 2010)

http://www.usich.gov/LGBTQ_Youth.html#No2

⁶ Mental Health America, *Fact Sheet on Bullying and Gay Youth*.

<http://www.nmha.org/go/information/get-info/children-s-mental-health/bullying-and-gay-youth>

⁷ NEA Report, p. 22

alarming high levels notwithstanding the existence of these legal protections. For these reasons, we believe that any evaluation of the Bullying Law and its effectiveness must take into account the elevated exposure of LGBT youth to violence, harassment and bullying. We believe that the Commission should recommend legislative changes that are directed toward lowering the risk disparities confronting LGBT youth.

One of the primary motivating factors behind the enactment of the Bullying Law was the legislative concern about the direct connection between bullying and certain highly publicized suicides. In reviewing the Bullying Law and framing proposals for legislative action, we would urge the Board to take into account the recent findings and recommendations of the Suicide Prevention Resource Center (the "SPRC") regarding LGBT youth suicide prevention.⁸ The SPRC Report identifies the major contributing factors toward elevated levels of suicide risk for LGBT youth, including hostile school climates and parental rejection, and identifies the key protective factors (safe schools, peer acceptance and parental support) and how they can be strengthened. The SPRC report includes twenty-two specific research based recommendations to public policy makers and others for combating depression and suicide among LGBT youth, including the following: **"Promote organizations that support LGBT youth, such as Gay-Straight Alliances and Parents, Families and Friends of Lesbians & Gays (PFLAG)."** The report identifies the key role that these groups can play in contributing to LGBT youth resiliency and suicide prevention.

⁸ Suicide Prevention Resource Center (SPRC) published a report entitled ***Suicide risk and prevention for lesbian, gay, bisexual, and transgender youth***. Written by SPRC staff and reviewed by experts in sexual and gender minority issues, suicide, and suicide prevention, and by youth, this publication addresses the special concerns related to suicide prevention among lesbian, gay, bisexual, and transgender (LGBT) youth. Research conducted by experts in mental health, suicide prevention, and other fields shows that a higher proportion of lesbian, gay, and bisexual (LGB) youth consider and attempt suicide compared to their heterosexual peers. Based on the higher rate of suicide attempts among lesbian, gay, and bisexual (LGB) youth and the relative seriousness of these attempts, the authors of this report postulate that it is likely these youth experience higher rates of suicide deaths than non-LGB youth. Less research about transgender youth is available, but these youth generally share risk factors associated with suicidal behavior (such as victimization, depression and substance abuse) with their LGB peers.

The SPRC report draws on research from the past ten years to summarize the current state of knowledge about suicidality in LGBT youth, and outlines twenty-one recommendations for helping to reduce suicidal behavior in this group. These recommendations are appropriate for agencies, organizations, and individuals such as school staff, health and social service providers, suicide prevention programs, and researchers, as well as funders and organizations serving LGBT youth. Recommendations are in the following areas:

- . lowering risk specific to or disparately affecting LGBT youth
- . improving provider recognition of youth at risk
- . increasing outreach and access to services
- . increasing coping and protective factors among these youth

The paper, coauthored by Effie Malley, Marc Posner, and Lloyd Potter, includes a resource appendix and an extensive bibliography. The paper may be downloaded from the SPRC site at http://www.sprc.org/library/SPRC_LGBT_Youth.pdf

More recently, a 2009 study reported in the Journal of the American Association of Pediatrics⁹ found that teens whose families denied or rejected their children's sexual orientation were:

- 8.4 times more likely to have attempted suicide
- 5.9 times more likely to have depression,
- over 3.5 times more likely to be at risk for STD's and
- 3.4 times more likely to use illegal drugs.

This research also shows that families can, and do, change once they understand these risks. No matter how they view issues of sexual orientation, parents want their own children to survive and thrive. But they need accurate information, encouragement, and support in order to change the attitudes and actions that threaten their children and to learn the language of love and acceptance. For these reasons, we are very pleased that, on January 25, 2011, the DESE issued the Guidance on Anti-Gay Bullying and Parent Notification. If school officials followed the Guidance on Anti-Gay Bullying and Parent Notification, we believe that the disproportionate health and safety risks impacting LGBT youth can be reduced. (More discussion of the Guidance on Anti-Gay Bullying and Parent Notification appears in the **Proposals for Legislative Action.**)

For over a decade, the MA YRBS has documented wide disparities in all forms of risk behavior between LGBT Youth and their straight counterparts. While it may be inferred from the MA YRBS that there is a connection between the YRBS numbers relating to school victimization (assaults with a weapon, skipping school because of feeling unsafe and fights resulting in medical attention and other forms of elevated risk (suicide attempts, suicide attempts requiring medical attention, substance abuse, risky sexual practices and attendant risks), more recent research studies have begun to draw together the causal connections between victimization and risk behaviors that are generally associated with depression and low self-esteem.¹⁰

Recommendations for Legislative Improvements:

Extend the Period for Study of the Bullying Law: Greater Boston PFLAG believes that the current statutory requirement that the Commission study the Bullying Law and report to the legislature on its

⁹ C.Ryan, D.Huebner, R.Diaz, J.Sanchez, Family Rejection as a Predictor of Negative Health Outcomes in White and Latino Lesbian, Gay, and Bisexual Young Adults, *Pediatrics*, Vol. 3, No. 1, January 2009, pp. 346-352. <http://familyproject.sfsu.edu/publications>

¹⁰ The **UCLA Law School and National Education Policy Center Brief** refers to a brief prepared collaboratively by the Williams Institute in the UCLA Law School and the National Education Policy Center (NEPC). The brief is one of a series of briefs funded, in part, by the Great Lakes Center for Education Research and Practice and authored by Stuart Biegel & Sheila James Kuehl, *Safe at School: Assessing the School Environment and LGBT Safety through Policy and Legislation* (October 2010). http://www2.law.ucla.edu/williamsinstitute/pdf/Biegel_LGBT.pdf The brief contains an extensive bibliography of research materials regarding the connection between LGBT school victimization and elevated risks. The *Developmental Psychology Article* refers to the following recently published article: R.B.Toomey, C. Ryan, R.M.Diaz, N.A.Card and S.T. Russell, *Gender-Nonconforming Lesbian, Gay, Bisexual, and Transgender Youth: School Victimization and Young Adult Psychosocial Adjustment*, *Developmental Psychology*, 2010, Vol. 46, 1580-1589. http://familyproject.sfsu.edu/files/FAP_School%20Victimization%20of%20Gender-nonconforming%20LGBT%20Youth.pdf

recommendations for statutory amendments that would improve the law so that it more adequately addresses bullying and cyber-bullying is unrealistic. Accordingly we would respectfully request that the Commission recommend to the Legislature that the Commission's term be extended for an additional year and that the Commission be directed to file a second report on or before June 30, 2012.

We note that the Bullying Law was adopted in May of 2010 and that much of the work associated with the law was scheduled for completion on or before December 31, 2010. While school officials may well have an informed opinion about some of the difficulties encountered in adopting bullying prevention plans, owing to the tight time frames in the Bullying Law, much of the work was concluded in haste and the deadlines of the statute were barely met. It is unlikely that the students, faculty and other constituencies within our schools or the general public would have had sufficient experience with their schools' respective plans to be able to experience or identify and report on problems with their plans.

As will be discussed in the section on Defining Success and Establishing Metrics, the criteria for success and the methods for measurement have not been established or defined, and assuming that existing criteria and metrics existed, the Commission would not have the benefit of the results of any studies designed to test for success. There is only one existing survey that might suggest whether the Bullying Law was working as intended, the MA YRBS. The results of the 2009 MA YRBS were reported before the Bullying Law was adopted and the results of the 2011 MA YRBS will not be available until next year.

Recommendations for improvement in the Bullying Law should be based on a longer period of experience under the law using agreed upon criteria and methodologies for measuring success that take into account current research. While it is possible to make recommendations to change the law to cure known defects (some of which were evident when the law was adopted), it is not possible to make any definitive recommendations for improvement until there has been more operational history and there is an opportunity to review data that assesses the law's impact on school climate and bullying and associated risk reduction.

Defining Success and Establishing Metrics: The Bullying Law should be amended to require the DESE to establish criteria and procedures for measuring school climates and the nature, frequency and prevalence of bullying.

If we define success by whether or not the school officials have adopted plans and met statutory deadlines and that they have all the paperwork and reporting in place, we do not measure the impact of the Bullying Law. As indicated, in the section **Review of Research Basis for Recommendations**, there are several widely recognized surveys of school climate that identify the incidence of Anti-Gay Bullying that are not specific to Massachusetts, but these surveys could serve as a model for assessing the incidence of all forms of bullying and harassment, the frequency of faculty and administration intervention and the sense of security of students and their assessment of the safety of their learning environment.

Additionally, as noted in the **Review of Research Basis for Recommendations**, there is growing evidence of a direct connection between elevated health and safety risks of all kinds and school victimization. It would stand to reason that relentless, pervasive attacks on ones self-identity that do not evoke an institutional protective response would contribute to a sense of helplessness, despair and depression. The longstanding co-incidence of reports of elevated risk that gay youth report for assault, skipping school on account of feeling unsafe and fighting requiring medical attention and the elevated risk for all other forms of measured risk would plausibly be more than just co-incidence. While more research on this topic will likely soon be available and should be encouraged, it would probably serve

as a working hypothesis that improvement in the MA YRBS data relative to lesbian, gay and bisexual youth risk disparities would signal an improvement in school climate and that that would likely be associated with effective bullying prevention programs under the Bullying Law. Similarly, if there is no change in the MA YRBS numbers for lesbian, gay and bisexual youth, we could draw a strong inference that school climates remain unchanged and that Anti-Gay Bullying is still prevalent.

Benchmarking the Bullying Law Against Other State Statutes and Model Statutes: Greater Boston PFLAG would recommend that the Commission compare the Bullying Law against the laws of other states and against model statutes developed with a view toward protecting vulnerable populations, those historically targeted for bullying and harassment.

When the Legislature was actively engaged in consideration and debate concerning the Bullying Law, the Coalition of Concerned Groups¹¹ submitted a mark-up of the so called “Rogers Bill” and recommended adoption of various provisions that, based on the experience and opinions of the membership of the coalition, would best protect vulnerable populations, including LGBT youth. The reasons given for Legislature’s rejection of the coalition’s recommendations was never adequately explained, but the coalition’s experiences with “best practices” in other states seemed to have been dismissed more for political expediency than research based on prevailing practice or what works and what does not. The bill submitted by the Coalition of Concerned Groups is submitted herewith as Attachment III.

The **UCLA Law School and National Education Policy Center Brief** contains a second model to effectively combat bullying in general and its most common manifestation, Anti-Gay Bullying. More recently, in the wake of the widely publicized suicide of Rutgers University student Tyler Clementi (and other reports of suicide throughout the country)¹² the New Jersey legislature recently adopted a sweeping bullying prevention law that incorporates many of the features of the bill supported by the Coalition of Concerned Groups and the model statute put forward in the **UCLA Law School and National Education Policy Center Brief**.

¹¹ The Coalition of Concerned Groups refers to a broad-based ad hoc coalition of groups involved in education, civil rights, civil liberties, LGBT rights and youth safety and welfare that was assembled by the New England Region (Boston) Anti-Defamation League to coordinate comments on the pending Bullying Law. The Coalition of Concerned Groups prepared a marked up version of the “Rogers Bill” and provided testimony in support of this bullying prevention law. During the legislative hearings and debate the Coalition of Concerned Groups reported to coalition members on the progress of the legislation and various proposed amendments.

¹² It is important to note that while the dramatic and widely reported suicides that occurred in 2010 (Tyler Clementi, 19, Ridgewood NJ; Raymond Chase, 19, Monticello NY; Seth Walsh, 13, Tehachepi California; Billy Lucas, 15, Greensburg Indiana; Asher Brown, 13, Houston TX; Zach Harrington, 19, Norman Oklahoma; Carl Walker-Hoover, 11, Springfield MA) brought widespread attention to the problem of Anti-Gay Bullying and suicide, the connection has been known in the LGBT community for decades. The decision by Governor William Weld to press for certain legislative and regulatory initiatives designed to address this well-know connection resulted, among other things, in the changes to the MA YRBS that elicit information about sexual orientation and provide documentation of the elevated risks faced by lesbian, gay and bisexual high school students for victimization and for suicide and other risks. The 2008 SPRC Report similarly documented a longstanding exposure to suicide risk for LGBT youth. Public attention to the problem and an urgency on the part of legislatures to respond are new, the problem is not new.

We believe that the Commission would find it instructive to benchmark the Bullying Law against the provisions of various widely supported and research-based model laws and statutes of states that have recently adopted bullying prevention laws such as New Jersey and New York. Greater Boston PFLAG believes that in the area of protecting youth in our schools and ensuring safe, welcoming and inclusive learning environments, Massachusetts no longer plays a leadership role.

Enumeration: We urge the Commission to recommend that the Massachusetts Legislature amend the Bullying Law to require local bullying prevention plans to enumerate certain classes of persons who have been historically targeted for harassment and bullying. The reasons and rationale for this are stated in the **Joint Statement of Bullying Prevention Groups** that is included with this Written Testimony as Attachment IV. This view was supported by the members of the Coalition of Concerned Groups, including all of those groups with broad experience in providing bullying prevention services in schools. The model statute contained in the UCLA Law School and National Education Policy Center Brief buttresses this position. And the recently enacted bullying prevention laws in New Jersey and New York each contain requirements that local bullying prevention plans specifically enumerate protected categories.

Greater Boston PFLAG believes that school anti-bullying policies that do not specifically enumerate protections for those categories of persons who have historically been the targets of discrimination, violence, harassment and bullying will not be effective. According to the *NEA Report*, school policies are ineffective if they do not include enumerated categories of protected persons, including LGBT persons, and expressly prohibit conduct that contributes to a hostile climate involving such persons.

We urge the Commission to support an amendment to the Bullying Law to require schools to adopt bullying prevention policies and standards that will protect against harassment, intimidation, bullying or cyber bullying by written, electronic or verbal communication that involves an attack on a victim's actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, sex, socioeconomic status, academic status, gender identity or expression, physical appearance, sexual orientation, or mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics. Alternatively, the Commission should propose an amendment that would require the DESE to adopt by regulation a model bullying prevention plan that includes enumerated categories, prohibiting certain conduct involving these categories and requiring student and faculty training that incorporates culturally appropriate material about these enumerated categories.

The broadly inclusive list of categories of persons in the enumeration provisions of the bill presented by the Coalition of Concerned Groups extended coverage to children of same-sex couples by extending protection to persons who are associated with "a person who has or is perceived to have one or more of these characteristics". Parents concerned about a child's being bullied often consult Greater Boston PFLAG, and in a significant number of cases the attack centers on the sexual orientation of the victim's parents. For this reason, we believe that any recommendation to the legislature to add a provision requiring enumeration should be drafted so that the coverage is broad enough to cover this category of persons.

Mandated Best Practices: Greater Boston PFLAG believes that the Commission should recommend that the Legislature amend the Bullying Law to authorize and direct the DESE to adopt a model bullying prevention and other research based guides that establish "best practices". These should be incorporated into regulations and should be binding on local school boards. Furthermore, any assessment of compliance and effectiveness should be tested against the model bullying prevention plan and other best practices guidelines that are adopted by regulation.

Currently, the Bullying Law provides that the DESE may adopt a model for local school bullying prevention plans, and the DESE is authorized to provide guidance and other technical assistance to help schools to comply with the letter and spirit of the Bullying Law. The work of the DESE staff on the Model Bullying Prevention Policies and other guidance, especially the Guidance on Anti-Gay Bullying and Parent Notification, is to be commended. Unfortunately, these documents are not given the force of law because there is no statutory or regulatory mandate that local school officials follow these research-based advisories.

Furthermore, because the Model Bullying Prevention Policies and the Guidance on Anti-Gay Bullying and Parent Notification are purely advisory, all assessments conducted to date regarding school district compliance has been limited to answering the questions: (1) did the public schools file their plans, and (2) are the plans in compliance with the limited number of statutory mandates? (Given the limited resources available to the DESE, the fact that they were able to provide even this minimal level of scrutiny is to be commended.)

The defect in the Bullying Law that should be corrected is the fact that the DESE is authorized to adopt guidelines that are based on a consensus derived from research as to what works and what does not, they are not required to impose research-based best practices on local school officials. We urge the Commission to correct this defect so as to require the DESE to adopt policies, plans and procedures that incorporate research-based best practices and require that schools follow these best practices when implementing their bullying prevention plans.

Cultivation of Youth Leadership: In the experience of Greater Boston PFLAG, student leadership within a middle school or high school should be encouraged to participate in bullying prevention training and to assist in setting the new norms within a school. We would urge that the statute require that the DESE by regulation establish model policies or other standards requiring bullying prevention plans to establish ways to involve student in leadership development and training opportunities, including the participation of youth in the design and execution of student, faculty and parent education programs around the subject of bullying prevention.

Over the past three years, Greater Boston PFLAG has had great success with an approach to Anti-Gay Bullying training using a technique that we refer to as a “Leadership Summit” approach. Under this approach, we ask the school to convene a training session for the school leaders (sports team captains, student government leaders, club presidents, etc., usually around 50 to 60 students). After these student leaders are trained, we employ five or six volunteers from the Leadership Summit (usually, approximately 80 to 90% of Leadership Summit participants volunteer) to conduct anti-bias, anti-bullying training for the rest of the student body and faculty and administration. The Leadership Summit approach has shown itself to be highly effective in eliminating the hostile climates in schools toward LGBT youth and creating a sustaining positive environment toward respecting differences of all kinds. Not only is student-led training more effective, training opinion leaders within the school creates a reinforcing system that survives long after the training is complete. A description of the Leadership Summit approach is included in an article “Once We Learn to be Accepting of Everyone, We Can Change the World”, by Laura Kiritsky, *Bay Windows*, May 7, 2009, which can be found on the MassPTA Facebook page: http://www.facebook.com/note.php?note_id=229891645116 and is included herewith as Attachment V.

In Greater Boston PFLAG’s experience and opinion, the key to successful bullying prevention is to recruit, train and develop youth leadership.

Parent Involvement: Parent involvement is a second key component of a successful school bullying prevention plan. There are good provisions contained in the Bullying Law and the **Model Bullying**

Prevention Policies regarding parental involvement in various aspects of a school's bullying prevention plan. We would not suggest any changes to these provisions at this time. However, we believe that there is a danger that schools will "pay lip service" to parent involvement without actually conducting effective parent involvement programming. Accordingly, we would strongly recommend that the Bullying Law be amended to require the DESE to adopt by regulations a required record retention policy regarding all activities conducted by the school in furtherance of the parental involvement activities in which the school has engaged and a required annual report to the DESE on the parental engagement efforts conducted by the school in furtherance of the bullying prevention plan.

A recent issue in the December 10, 2010-January 11, 2011 issue of the Ladies Home Journal provides an excellent review of the research concerning the important role that parents can play in bullying prevention and of the steps that parents should take to ensure safe and inclusive school climates where all children can learn and thrive. A copy of this article is submitted herewith as Attachment VI.

Accountability and Oversight: The Bullying Law contains very few provisions regarding accountability and oversight to ensure that school officials are performing their duties under the Bullying Law and applicable regulations and under their bullying prevention plans. We would urge the Commission to amend the law to require school officials to periodically (perhaps annually) report to the DESE concerning all material aspects of the implementation and operation of a school's bullying prevention plan. The report should require that school officials report on any modifications to a bullying prevention plan or certify that there have been no changes. The report should include a brief description of the date, place and time of any an all "deliverables" under a bullying prevention plan. For example, if the school were to conduct a public education forum for parents, the report should give a brief summary of the details of the activity, including, the date of the activity, the audience for the program, the attendees, and the name of any trainers or consultants utilized in local trainings and other information deemed relevant by the DESE.

As discussed above in the section Defining Success and Establishing Metrics, the statute should be amended to require the DESE to establish metrics for success. The statute should also be amended so as to provide a monitoring procedure to ensure that bullying prevention plan is actually being used and followed.

Student and Parents Bills of Rights and Responsibilities: We would encourage the Commission to amend the Bullying Law to require each school district to devise and publish two documents, a "Student Bill of Rights and Responsibilities" and a "Parent Bill of Rights and Responsibilities". We would urge that the development of the particulars of these two documents be delegated to the DESE and that the DESE be authorized and directed to adopt regulations concerning the orderly implementation of these two Bills of Rights and certain mandatory content.

In the experience of Greater Boston PFLAG both before and after the adoption of the Bullying Law, and indeed even after the December 31, 2010 deadline for filing of bullying prevention plans, parents and students lack a clear understanding of what the Bullying Law requires, of what their local bullying prevention plan includes and what their rights are under the law.

It should be noted that the two widely publicized suicides in Massachusetts that spurred the Legislature to move forward on the Bullying Law involved students whose parents repeatedly remonstrated with school officials concerning repeated and relentless bullying. And, the parents contend that the school officials were unresponsive.

These Bills of Rights and Responsibilities, the content of which should be mandated by regulation, should be a plainly worded executive summary of the bullying plan and should clearly identify the

conduct of students that is expected and the avenues for students and parents to pursue if a bullying incident is occurring. These Bills of Rights and Responsibilities should contain a clearly worded statement as to the channels to be used to escalate complaints regarding the lack of responsiveness of school officials and the contact person or persons for lodging complaints at each level.

An Ombudsman: The Commission should recommend that the Legislature amend the Bullying Law to require the DESE to appoint an ombudsman to receive and respond to complaints regarding any alleged lack of responsiveness by local school officials. The ombudsman should be required to compile a report concerning complaints received and resolved. While the confidentiality of parties to a complaint should be respected, the report should be required by law to identify by school and district, the number of complaints received and resolved as to such school, and any findings regarding the lack of responsiveness of local school officials.

Resources, Resources, Resources: The Commission should recommend that the Bullying Law be amended to provide for a study of the state and local costs associated with a comprehensive and truly effective bullying prevention program. While we recognize that many of the changes suggested in this written testimony will involve a commitment of resources, Greater Boston PFLAG urges that better more accurate estimates of costs under the existing Bullying Law and of the much needed changes to that law should be compiled and published. Additionally, the Legislature should commission a study designed to compile cost estimates associated with the consequences of school bullying assuming that current levels of hostile school climates continue and that there are no changes to the elevated levels of risk associated with school bullying as documented by the MA YRBS. These cost estimates should take into account what research shows regarding the elevated health, mental health and risky behaviors associated with school victimization, including substance abuse, suicide attempts, risky sexual behavior, depression, and assaults.

Currently, there are no state budgeted resources dedicated to the following three areas that should be part of a comprehensive, effective bullying prevention effort: technical assistance, training at the state and local levels or assessment. We know that during the period from 1997 to 2002, the Commonwealth's annual budget included funding for the Departments of Education and Public Health that started at over \$600,000 and grew to \$1.6 million dollars just for safe schools programs for lesbian, gay and bisexual youth¹³. Since that time funding has been slashed and currently there is almost no public financial support for these programs. Research concerning these programs by the Department of Education showed schools that implemented policies that had enumerated protections against harassment and bullying of lesbian, gay and bisexual youth, had a gay-straight alliance and that conducted student and faculty anti-bullying/anti-bias training were highly successful in reducing risk from Anti-Gay Bullying.

Even if the Legislature believes that the current economy does not support an increase in funding for bullying prevention, the Legislature, policy-makers and the general public should be making an informed choice about budgets and about the true costs of not funding bullying prevention programs.

Summary: Greater Boston PFLAG believes that the prevalence of anti-gay bullying and the unique needs of LGBT bullying victims and their parents warrant specialized statutory and regulatory attention. We also believe that, given the high incidence of LGBT bullying and the demonstrated deleterious effects on this high-risk population, the Legislature should amend the Bullying Law to address the grossly disparate risks affecting LGBT youth. Accordingly, we would recommend that the

¹³ A graph showing funding for the period 1996 through 2007 is attached as Attachment VII. Because the state does not collect data concerning transgender students, the data in the MA YRBS and associated budget language refers only to gay, lesbian and bisexual students.

Commission study the bullying prevention law submitted by the Coalition of Concerned Groups, the model law included in the UCLA Law School and National Education Policy Center Brief and the recently enacted bullying prevention laws in New Jersey and New York and make recommendations for amendment to the Bullying Law based on what is gained from that study.

We urge the Commission to propose legislative amendments that would:

1. Extend the period for study of the Bullying Law for at least one additional year so as to benefit from additional experience with the law and to have the benefit of additional data regarding the law's impact.
2. Require the DESE to establish criteria and procedures for measuring school climates and the nature, frequency and prevalence of bullying.
3. Require local school bullying prevention plans to enumerate certain classes of persons who have been historically targeted for harassment and bullying, to establish specific prohibited conduct that would be associated with those persons and provide culturally appropriate training to students, faculty and parents designed to create safe and inclusive schools that provide all children with an environment where they can learn and thrive.
4. Authorize and direct the DESE to adopt a model bullying prevention and other research-based guides that establish "best practices". These should be incorporated into regulations and should be binding on local school boards. Furthermore, any assessment of compliance and effectiveness should be tested against the model bullying prevention plan and other best practices guidelines that are adopted by regulation.
5. Require schools to promote programs that cultivate youth leadership and involve youth in all aspects of the design and implementation of their bullying prevention plans and to design and participate in training of students, faculty and parents.
6. Require schools to document and report on those aspects of their bullying prevention plans intended to promote parent involvement.
7. Require school officials to periodically report to the DESE concerning all material aspects of the implementation and operation of a school's bullying prevention plan.
8. Require each school district to devise and publish two documents, a "Student Bill of Rights and Responsibilities" and a "Parent Bill of Rights and Responsibilities". We would urge that the development of the particulars of these two documents be delegated to the DESE and that the DESE be authorized and directed to adopt regulations concerning the orderly implementation of these two Bills of Rights and certain mandatory content.
9. Require the DESE to appoint an ombudsman to receive and respond to complaints regarding any alleged lack of responsiveness by local school officials and to compile certain reports on those complaints.
10. Provide for a study of the state and local costs associated with a comprehensive and truly effective bullying prevention program and the costs embedded in the currently under funded bullying prevention programs that exist today. This study might be conducted by the DESE or, if the Commission continues in existence beyond the date set for its report on June 30, 2011, by the Commission.

Again, we appreciate the opportunity to provide this input to the Commission. If the Board or the staff of the DESE should require further information or would like to discuss this written testimony, please contact the undersigned at 781-891-5966. We would hope to make additional written submissions that would augment and support the recommendations contained in this letter.

Sincerely,

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Massachusetts Department of Elementary and Secondary Education - January 2011

**GUIDANCE ON NOTIFYING PARENTS WHEN A STUDENT HAS BEEN
BULLIED BASED ON
SEXUAL ORIENTATION OR GENDER IDENTITY/EXPRESSION:
IMPLEMENTATION OF 603 CMR 49.05**

The bullying intervention and prevention statute, G.L. c.71, §37O, as added by Chapter 92 of the Acts of 2010, requires school officials to notify the parents or guardians of an aggressor and victim when bullying has occurred. The following guidance is issued to assist school officials in implementing this requirement, which is further addressed at Section 49.05 of the Notification of Bullying or Retaliation Regulations. 603 CMR 49.00¹ It highlights considerations and concerns unique to notifying the parent or guardian² of a student who has been bullied due to perceived or actual sexual orientation or gender identity/expression.³ Bullying related to perceived sexual orientation and gender identity/expression may be directed toward students, regardless of how they identify.⁴

This document is informed by research⁵ showing that lesbian, gay, bisexual, and transgender (LGBT) youth with high levels of family acceptance have significantly higher levels of self-esteem and better overall health, compared with LGBT youth with low levels of family acceptance. LGBT youth with highly rejecting parents are more than eight times as likely to report suicide attempts, and nearly six times as likely to report high levels of depression. Given these findings, it is likely that LGBT students with rejecting parents will respond differently from LGBT students with accepting parents when they learn that their parents will be notified that they are victims of bullying related to sexual orientation or gender identity/expression. These findings and considerations have critical implications for how LGBT students and their families are served in our schools. They also underscore the importance of professional development concerning LGBT students and the significance of parental acceptance in fostering their well-being.

In addition, school officials should remember that parents of LGBT students may not be

¹ The regulations may be found at <http://www.doe.mass.edu/lawsregs/603cmr49.html>

² Hereafter, the word "parent" will be used to refer to "parent or guardian."

³ "Gender identity" generally refers to a person's inner sense of being male or female. There are some people who feel their assigned sex at birth is not consistent with their gender identity. "Gender expression" refers to how a person expresses their gender identity, or the cues people use to identify another person's gender.

⁴ The average age of identification of sexual orientation, for both males and females, is about age 14.

D'Augelli, A.R., Grossman, A.H., & Starks, M.T. Gender Atypicality and Sexual Orientation Development among Lesbian, Gay, and Bisexual Youth: Prevalence, Sex Differences, and Parental Responses, *Journal of Gay & Lesbian Psychotherapy*, in press.

⁵Ryan, C., Russell, S.T., Huebner, D., Diaz, R., & Sanchez, J. (2010). Family acceptance in adolescence and the health of LGBT young adults. *Journal of Child and Adolescent Psychiatric Nursing*, 29 (4), 205-213; Ryan, C., Huebner, D., Diaz, R. M., & Sanchez, J. (2009). Family rejection as a predictor of negative health outcomes in white and Latino lesbian, gay and bisexual young adults. *Pediatrics*, 123 (1): 346-352.

aware of their child's sexual orientation or gender identity/expression. In such cases, students may have grave concerns about their parents' response to learning that they have been targets of bullying related to sexual orientation or gender identity/expression, and feel that this information should not be shared with their parents. Among other things, this means that LGBT students who fear disclosure of their sexual orientation or gender identity/expression to their parents will be much less likely to report that they have been bullied, or to willingly participate in bullying investigations reported by others about them.

It is important to consider that even heterosexual students who are targeted based on perceived sexual orientation or gender identity/expression might be concerned about their parents learning the homophobic nature of the bullying they experience, especially if students consider their parents to hold negative attitudes toward sexual or gender minorities. Finally, whether their child is LGBT or heterosexual, parents may not be prepared to provide adequate, appropriate, or effective support for their children who experience homophobic victimization, and may feel uncomfortable discussing a child's sexual orientation or gender identity/expression.

School officials' awareness of and sensitivity to these issues, and their ability to respond with appropriate resources, is critical to supporting students' safety and well-being.

The Notification Process

Given the special circumstances of a bullying incident involving actual or perceived sexual orientation or gender identity/expression, the Department recommends that districts: 1) designate a staff person who is proficient in these topics, and 2) design an appropriate parental notification process for these situations. School officials should be aware that reporting the details of a bullying incident might inadvertently disclose the sexual orientation or gender identity/expression of an LGBT student to his/her parents or to the public. Unintended consequences, such as familial rejection or family conflict, should be considered.

The notification process should include development of a notification plan in consultation with the student, guidance staff, and the above-mentioned designated person (if not part of the guidance staff). The plan should include a discussion of the content and process for notifying the student's parents, informed by an assessment of the student's safety, along with relevant research and resources that may be offered to support the student and his or her family.⁶ As much as possible, if a parent is unaware of an LGBT student's sexual orientation or gender identity/expression, the student should be supported in his or her decision to disclose his or her sexual orientation or gender identity/expression to family members on his or her own terms.

As in any case when particularly sensitive information is shared, the Department strongly recommends that school officials discuss details of the bullying incident with parents in

⁶ A resource list is available on the Department of Elementary and Secondary Education's website (<http://www.doe.mass.edu/bullying/>).

person. School officials should use their discretion in discussing the incident and avoid sharing information that might endanger the mental or physical health and safety of the student. Where the student has not disclosed his or her sexual orientation or gender identity/expression to his or her parents and the student believes he or she may be at risk if it is disclosed, to the extent possible, discussion should focus on facts regarding the student's involvement as a target or aggressor and on safety planning, not on information that reveals the actual or perceived gender identity or sexual orientation of the student. As in all bullying incidents, school officials should offer resources and support to the student and family.

Communicating in the Primary Language of the Home

Since the principal or designee is required to notify parents promptly, the initial communication with parents will most likely take place by telephone. As noted earlier, whenever possible, a detailed discussion should take place in person, particularly if the victim is an LGBT student, and the parent is unaware of the student's sexual orientation or gender identity/expression. School officials should not ask students to serve in the role of interpreter with their parents or in situations involving family members such as siblings and cousins. Schools and districts should identify school employees and independent interpreters as needed, who may be trained in all aspects of this guidance and confidentiality requirements, to provide this service.

Sexual orientation and homophobic bullying can have distinct cultural meanings for different racial/ethnic/immigrant groups. For example, in some cultures, the concept of identifying as LGBT or experiencing homophobic victimization may be difficult to translate or describe. Attitudes toward sexual orientation, gender identity, and gender expression are heavily influenced by cultural and social norms. In situations involving these issues, it is even more important that the notification process be conducted with forethought and discretion.

Responding to bullying in a manner that builds safe and supportive environments for all students is a complex and challenging task. If you have questions about the guidance provided in this document, please contact Learning Support Services via achievement@doe.mass.edu or 781-338-3010 for assistance.

APPENDIX

G.L. c. 71, §370:

<http://www.malegislature.gov/Laws/GeneralLaws/PartI/TitleXII/Chapter71/Section370>

§37(O)(d) states in part:

Each school district, charter school, non-public school, approved private day or residential school and collaborative school shall develop, adhere to and update a plan to address bullying prevention and intervention... .

Each plan shall include...(viii) procedures consistent with state and federal law for promptly notifying the parents or guardians of a victim or perpetrator;... .”

...

The department shall promulgate rules and regulations on the requirement related to a principal’s duties under clause (viii) of the second paragraph of this subsection.

...

49.05 Notice to Parents

<http://www.doe.mass.edu/lawsregs/603cmr49.html>

Regulations:

- 1) *Upon investigation and determination that bullying or retaliation has occurred, the principal shall promptly notify the parents of the target and the aggressor of the determination and the school district or school’s procedures for responding to the bullying or retaliation. The principal shall inform the target’s parent/guardian of action that school officials will take to prevent further acts of bullying or retaliation. Nothing in this provision prohibits the principal from contacting a parent of a target or aggressor about a report of bullying or retaliation prior to a determination that bullying or retaliation has occurred.*
- 2) *Notice required by 603 CMR 40.05 shall be provided in the primary language of the home.*
- 3) *Each school district and school shall include the requirements and procedures for communication with the parents of the aggressor and target of bullying or retaliation in the local plan.*
- 4) *A principal’s notification to a parent about an incident or a report of bullying must comply with confidentiality requirements of the Massachusetts Student Record Regulations, 603 CMR 23.00 and the Federal Family Educational Rights and Privacy Act Regulations, 34 CFR Part 99, as set forth in 603 CMR 49.07.*



August 25, 2010

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Re: Public Comment on Proposed Regulations on Notification of Bullying or Retaliation Anti-Bullying Law, 603 C.M.R. 49.00

To the Commissioner of the Department of Elementary and Secondary Education and the Members of the Massachusetts Board of Elementary and Secondary Education:

Introduction: The Greater Boston Chapter Parents, Families and Friends of Lesbians and Gays, Inc. ("Greater Boston PFLAG") thanks the Commissioner of the Department of Elementary and Secondary Education ("DESE") and Members of the Massachusetts Board of Elementary and Secondary Education for this opportunity to comment on the proposed Regulations on Notification of Bullying or Retaliation, (the "Proposed Regulations") that the Board must adopt under Chapter 92 of the Acts of 2010, An Act Relative to Bullying in Schools (the "Bullying Law").

While we generally support the overall thrust and direction that the Proposed Regulations take, we wish to express our concerns regarding the victim parental notification provisions of Proposed Regulations as they may be applied in situations where the bullying incident involves an attack on the victim's actual or perceived sexual orientation, expression or identity. We believe that research shows that this type of bullying represents one of the most common forms of bullying and that parental notification poses a unique set of problems that warrant specialized procedures that reflect current research on parental responses to a lesbian, gay, bisexual or transgender ("LGBT") child. In our experience, which is confirmed by research, LGBT children often fear the loss of love and acceptance of their parents and/or friends and peers and go to great lengths to conceal their sexual orientation, expression or identity. Acting out of fear and/or shame, a child may refuse to report bullying (or refuse to cooperate in the investigation of bullying behavior that has otherwise come to the attention of school officials), choosing instead to endure the bullying that involves an attack on actual or perceived sexual orientation or gender expression or identity. Some LGBT youth may elect to run away or attempt suicide rather than trigger a report to their parents.

Assuming that a report is made to the victim's parents that the child is being attacked for his or her actual or perceived sexual orientation, expression or identity, research shows that a parent's response to the news that they may have an LGBT child can contribute to dramatically elevated risk of attempted suicide and/or other significant health risks. We ask that the Board take these concerns into account and fashion specialized victim

parental notification procedures when the bullying involves an attack on real or perceived sexual orientation or gender expression or identity. Our suggestions for specialized procedures are set forth in detail in this comment letter.

Additionally, we believe that there may be circumstances when notification to a victim's parents creates a risk that the victim will be exposed to violence or extreme physical, psychological or verbal abuse. We would urge the Board to require a study by the DESE of this issue to determine whether, when this risk is present, principals ought to have the option of withholding parental notification in order to protect the child.

Greater Boston PFLAG: Greater Boston PFLAG has a long history of providing anti-gay bullying training in middle and high schools throughout Massachusetts. We also have a wealth of experience in dealing with parents and families of LGBT youth through our various education and support programs.

Greater Boston PFLAG offers help for LGBT people, their families, and communities through support, education, resources, and advocacy. We foster dialogue, create safe environments, and open hearts and minds to:

- help LGBT people to achieve happiness, acceptance, and self-esteem
- help parents to understand and connect with their children
- help families to work through sometimes difficult feelings
- help schools and other institutions to provide safe environments
- help society to counter violence and negative stereotypes.

For over 17 years, we have provided award-winning and highly successful anti-gay name-calling and bullying training for students, faculty and administrators in high schools and middle schools throughout Massachusetts.¹

¹ Over the past three years, we have had even greater success with our approach to anti-gay bullying training using a technique that we refer to as a "Leadership Summit" approach. Under this approach, we ask the school to convene a training session for the school leaders (sports team captains, student government leaders, club presidents, etc., usually around 50 to 60 students). After these student leaders are trained, we employ five or six volunteers from the Leadership Summit (usually, approximately 80 to 90% of Leadership Summit participants volunteer) to conduct anti-bias, anti-bullying training for the rest of the student body and faculty and administration. The Leadership Summit approach has shown itself to be highly effective in eliminating the hostile climates in schools toward LGBT youth and creating a sustaining positive environment toward respecting differences of all kinds. Not only is student-led training more effective, training opinion leaders within the school creates a reinforcing system that survives long after the training is complete. A description of the Leadership Summit approach is included in an article "Once We Learn to be Accepting of Everyone, We Can Change the World", by

While we have provided support group and hot-line services for LGBT people and their families and friends for over 20 years in the Greater Boston area, we have recently changed to a much more proactive, statewide educational and support effort. The goal of our new program focus is to ensure that every parent in Massachusetts has accurate information about sexual orientation and gender identity so that no child is raised in a homophobic household. Greater Boston PFLAG believes that no child should grow up fearing the loss of love of a parent because of who they are. Additionally, it is essential that parents who do not have an LGBT child are furnished with accurate information about sexual orientation and gender identity because, if a child is raised in a homophobic household, the child is likely to take those fears and prejudices to school and is more likely to engage in harassment and bullying.

In addition, since there are numerous health, counseling and prevention specialists who are likely to encounter families in crisis over what is happening to a gay child in school or in the home, we are aggressively reaching out to these specialists in Massachusetts through their professional organizations and their training institutions so that they are informed about the alarming health and risk disparities confronting gay youth. They are frighteningly unaware of the research that shows that suicide risk, drug and alcohol abuse, STD and HIV risk, risk of being attacked with a weapon, homelessness are all at alarmingly high levels for gay high school students². We are also acquainting these health, counseling and prevention specialists with the current research that demonstrates that these tragic elevated risk and health disparities can be successfully addressed by: eliminating hostile environments in school through effective anti-bullying policies that protect LGBT students and training and by promoting parental acceptance through education.

We conduct our educational outreach efforts in all types of venues, wherever we can find groups of parents or people who counsel or advise parents, including in places of work, at professional conferences, in faith communities, and at community forums. A year ago we partnered with the Massachusetts PTA's to use their networks to get accurate information into the hands of people who need to see it.

Statement of Concern: Greater Boston PFLAG believes that the Board should adopt parental notification regulations that reflect the unique dynamics of a bullying incident³ when the victim

Laura Kiritsky, *Bay Windows*, May 7, 2009, which can be found on the MassPTA Facebook page: http://www.facebook.com/note.php?note_id=229891645116

² See discussion of risks in the section “**Review of Research Basis for Recommendations**”.

³ The Bullying Law sets forth a definition of “bullying” as follows:

the repeated use by one or more students of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that: (i) causes physical or emotional harm to the victim or damage to the victim’s property; (ii) places the victim in reasonable fear of harm to himself or of damage to his property; *(iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school;* or (v) materially and substantially disrupts the education process or the orderly operation of a school. [Emphasis added]

is attacked on account of sexual orientation, expression or identity. As the following discussion illustrates, parental notification to the parent of an LGBT child is different from the situation involving any other kind of victim, because the parent of an LGB or gender non-conforming child is highly likely to be unaware of the child's sexual orientation and is likely to lack adequate information about how to respond to the child's unique needs.

If a child is being bullied on account of race, ethnicity or religion, the victim's parents will not be "surprised" to learn that they have an African-American, Italian-American or Jewish child. The parents usually, though not always, share the child's race, ethnicity or religion, and they are often involved proactively and from a very early age in helping the child deal with any kind of discrimination or harassment that the child may experience by providing support and coping skills. In the case of a LGB or T child, the parents are, in the vast majority of circumstances, not themselves LGBT and the parents will only discover that they have a gay or gender non-conforming child if the child tells them or other facts come to the attention of the parent that forces the "coming out" conversation. In the experience of Greater Boston PFLAG, the parents are rarely equipped with sufficient information to make an informed response to the "news" of the child's sexual orientation and often respond in ways that are extremely unhelpful to the child, often in ways that are quite harmful to the child.⁴

It is important to note that the Bullying Law does not look to the intent of the perpetrator. Instead the Bullying Law provides an objective standard as to when bullying occurs by focusing on the impact on the victim. If conduct, even conduct that is not done with malice, creates a hostile environment for the victim and/or infringes on the victim's rights, it falls within the purview of the Bullying Law.

The Bullying Law does not supplant or replace existing laws and rules or regulations protecting the civil rights of LGBT students or requiring schools to prevent "hostile environments" in schools that adversely affect an LGBT student's ability to learn.

<http://www.mass.gov/cgly/TheGayandLesbianStudentsRightsLaw.html> The concept of "hostile climates" is one that is well established in law (<http://www.fcc.gov/owd/understanding-harassment.html>), and can include the repeated harassment of an LGBT student and/or constant exposure to anti-gay slurs. While not all harassment of an LGBT student may constitute bullying under the Bullying Law, it is clear from the plain wording of the definition of "bullying" that if a perpetrator's action causes a "hostile environment" for the victim and/or would constitute a deprivation of rights, the conduct is "bullying".

One potential shortcoming in the law should be noted, the definition is limited to student conduct. In our experience, which is supported by research, school faculty and coaches are far too often directly involved in the creation of a "hostile environment" by repeatedly using the very same slurs that would constitute bullying behavior if repeatedly used by a student. It is absolutely critical that school policies and training of faculty and other school employees focus on the need for faculty to model the behavior that is expected of students and not contribute to a hostile environment.

⁴ See discussion of the harmful impact of parental rejection on the LGBT child in the Section "Review of Research Basis for Recommendations".

In our experience, fear of parental and peer rejection by an LGBT child can compel a child to do whatever is necessary to “stay in the closet”. If the regulations are adopted as published, we are deeply concerned that the victim of bullying based on an attack on sexual orientation, expression or identity, will be faced with the following choices: (1) report the bullying and risk the consequences of an unformed parental response after the parent is notified or (2) decline to report the bullying (or to refuse to cooperate in the investigation of bullying that has otherwise come to the attention of school officials) – thus, choosing to endure the bullying⁵. Given this “Hobson’s Choice”, the LGBT student may also take an alternative route: (1) running away⁶ or 2) attempting suicide.⁷

We would therefore urge that the Board acknowledge the special problems associated with LGBT youth in the final victim parental notification regulations.

Review of Research Basis for Recommendations:

As the Board knows, the DESE conducts biennial surveys of your risk in Massachusetts high schools (the “MA YRBS”). Since the mid-1990’s, the MA YRBS have included questions designed to elicit information about the respondents’ sexual orientation, and the DESE has published comparative data regarding safety and health risk involving gay youth. Copies of the *Massachusetts High School Students and Sexual Orientation Results of Youth Risk Behavior Survey* for 2005, 2006 and 2007 are attached to this comment letter as Exhibits A-1 through A-3⁸. While the MA YRBS data regarding the health and safety of gay youth has fluctuated somewhat over the course of the last three surveys, they document a persistent alarming disparity of risks of attempted suicide, suicide attempts requiring medical attention, skipping school in the past month because of feeling unsafe on route to or at school, being threatened or injured with a weapon in the past year, and involvement in a fight resulting in treatment by a doctor or nurse.

From national data involving the experience of LGBT youth in the United States, we know that over 90% of all LGBT students report being targeted for an attack based on sexual orientation,

⁵ The LGB or T victim is often motivated out of embarrassment or shame to not report a bullying incident. <http://www.nmha.org/go/information/get-info/children-s-mental-health/bullying-and-gay-youth> The fact that the perpetrator knows of the LGB or T victim’s vulnerability and unwillingness to report and/or cooperate in the investigation of a bullying incident places the perpetrator in a unique power relationship to the victim, that will likely only embolden the perpetrator.

⁶ See discussion of the elevated risks of homelessness for LGBT children in the Section “**Review of Research Basis for Recommendations**”.

⁷ See discussion of the elevated risks of attempted suicide for LGB children in the Section “**Review of Research Basis for Recommendations**”.

⁸ We are mindful of the fact that this data is very familiar to the DESE and the Board. However, these exhibits are being included for the convenience of readers of this comment letter who may not be aware of the MA YRBS data regarding gay youth.

expression or identity, actual or perceived.⁹ We also know that an estimated 20 to 40% of homeless youth are LGBT youth.¹⁰ The average number of times per day that a gay child hears a gay slur in school is 26, or once every 14 minutes.¹¹ Furthermore, 31% of LGBT students report that faculty and school officials fail to intervene or take action when the anti-gay harassment or bullying is reported.¹²

Greater Boston PFLAG's extensive experience in schools reveals that the situation in Massachusetts schools that have not received a recent anti-bullying training is consistent with these national data and that, in these schools, there is a prevailing hostile climate and/or deprivation of rights affecting LGBT youth. It should be noted that this is true notwithstanding the existence of laws and regulations that are designed to protect the rights of LGBT youth. It should also be noted that the level of risk and violence reported in the MA YRBS has remained relatively constant and at alarmingly high levels notwithstanding the existence of these legal protections. For these reasons, we believe that the Proposed Regulations and all future regulatory action taken to implement the Bullying Law must take into account the elevated exposure of LGBT youth to violence, harassment and bullying and design policies that are directed toward lowering the risk disparities confronting LGBT youth.¹³

⁹ National Education Association, *A Report on the Status of Gay, Lesbian, Bisexual and Transgender People in Education: Stepping out of the Closet, Into the Light*, ("NEA Report") pp .21-15 (2009) <http://www.nea.org/assets/docs/glbstatus09.pdf>

¹⁰ Approximately 20 to 40% of homeless youth are LGBT youth according to the report of the National Lesbian and Gay Taskforce (and authorities cited therein): Ray, N. (2006). *Lesbian, gay, bisexual and transgender youth: An epidemic of homelessness*. New York: National Gay and Lesbian Task Force Policy Institute and the National Coalition for the Homeless.

<http://www.thetaskforce.org/downloads/HomelessYouth.pdf>

¹¹ Mental Health America, *Fact Sheet on Bullying and Gay Youth*.

<http://www.nmha.org/go/information/get-info/children-s-mental-health/bullying-and-gay-youth>

¹² NEA Report, p. 22

¹³ Greater Boston PFLAG believes that school anti-bullying policies that do not specifically enumerate protections for those categories of persons who have historically been the targets of discrimination, violence, harassment and bullying will not be effective. According to the *NEA Report*, school policies are ineffective if they do not include enumerated categories of protected persons, including LGBT persons, and expressly prohibit conduct that contributes to a hostile climate involving such persons. See also, Joint Statement of the Family Equality Council, GLSEN and Greater Boston PFLAG concerning the Bullying Law. <http://www.gbpflag.org/uploads/AntiBullyingStatement.pdf> We urge the DESE to adopt model policies and standards that will protect against harassment, intimidation, bullying or cyber bullying by written, electronic or verbal communication that involves an attack on a victim's actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, sex, socioeconomic status, academic status, gender identity or expression, physical appearance, sexual orientation, or mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics.

One of the primary motivating factors behind the enactment of the Bullying Law was the legislative concern for the direct connection between bullying and certain highly publicized suicides. In drafting regulations and policies to implement the Bullying Law, we would urge the Board to take into account the recent findings and recommendations of the Suicide Prevention Resource Center (the “SPRC”) regarding LGBT youth suicide prevention.¹⁴ The SPRC report identifies the major contributing factors toward elevated levels of suicide risk for LGBT youth, including hostile school climates and parental rejection, and identifies the key protective factors (safe schools, peer acceptance and parental support) and how they can be strengthened. The SPRC report includes twenty-one specific research based recommendations to public policy makers and others for combating depression and suicide among LGBT youth: ***“Promote organizations that support LGBT youth, such as Gay-Straight Alliances and Parents, Families and Friends of Lesbians & Gays (PFLAG).”*** The report identifies the key role that these groups can play in contributing to LGBT youth resiliency and suicide prevention.

¹⁴ Suicide Prevention Resource Center (SPRC) published a report entitled ***Suicide risk and prevention for lesbian, gay, bisexual, and transgender youth***. Written by SPRC staff and reviewed by experts in sexual and gender minority issues, suicide, and suicide prevention, and by youth, this publication addresses the special concerns related to suicide prevention among lesbian, gay, bisexual, and transgender (LGBT) youth. Research conducted by experts in mental health, suicide prevention, and other fields shows that a higher proportion of lesbian, gay, and bisexual (LGB) youth consider and attempt suicide compared to their heterosexual peers. Based on the higher rate of suicide attempts among lesbian, gay, and bisexual (LGB) youth and the relative seriousness of these attempts, the authors of this report postulate that it is likely these youth experience higher rates of suicide deaths than non-LGB youth. Less research about transgender youth is available, but these youth generally share risk factors associated with suicidal behavior (such as victimization, depression and substance abuse) with their LGB peers.

The SPRC report draws on research from the past ten years to summarize the current state of knowledge about suicidality in LGBT youth, and outlines twenty-one recommendations for helping to reduce suicidal behavior in this group. These recommendations are appropriate for agencies, organizations, and individuals such as school staff, health and social service providers, suicide prevention programs, and researchers, as well as funders and organizations serving LGBT youth. Recommendations are in the following areas:

- . lowering risk specific to or disparately affecting LGBT youth
- . improving provider recognition of youth at risk
- . increasing outreach and access to services
- . increasing coping and protective factors among these youth

The paper, coauthored by Effie Malley, Marc Posner, and Lloyd Potter, includes a resource appendix and an extensive bibliography. The paper may be downloaded from the SPRC site at http://www.sprc.org/library/SPRC_LGBT_Youth.pdf

More recently, a 2009 study reported in the Journal of the American Association of Pediatrics¹⁵ found that teens whose families denied or rejected their children's sexual orientation were:

- 8.4 times more likely to have attempted suicide
- 5.9 times more likely to have depression,
- over 3.5 times more likely to be at risk for STD's and
- 3.4 times more likely to use illegal drugs.

This research also shows that families can, and do, change once they understand these risks. No matter how they view issues of sexual orientation, parents want their own children to survive and thrive. But they need accurate information, encouragement, and support in order to change the attitudes and actions that threaten their children and to learn the language of love and acceptance. For these reasons, we believe that any parental notification policies and procedures should take into account the unique needs of LGBT youth and the research that demonstrates the importance of parental education and support. Our suggestions for revisions to the Proposed Regulations are based on the risk disparities involving LGBT youth and the research concerning risk reduction. We would urge that the Proposed Regulations take this research into account.

Proposals for Revisions to the Proposed Regulations: Greater Boston PFLAG recommends that:

- . The Board require that school principals develop a parental notification plan (a "PNP", as more fully described below, prior to giving notice to a victim's parents whenever the bullying involves an attack on the actual or perceived sexual orientation, expression or identity of a student.
- . The Board establish a procedure for identifying organizations that could serve as useful and appropriate support organizations for the victim's parents when the bullying involves an attack on the actual or perceived sexual orientation, expression or identity of the victim.
- . The Board require the training of all principals, guidance counselors, school nurses, teachers and other professionals regarding: the MA YRBS data affecting lesbian, gay and bisexual youth, strategies for combating hostile school environments confronted by LGBT youth and importance of protecting the rights of all youth, including LGBT youth, current research regarding suicide prevention involving LGBT youth and the significance and importance of parental acceptance in the health and well-being of LGBT youth, and policies and procedures for implementing parental notification to the victim of bullying when the bullying takes the form of an attack on actual or perceived sexual orientation, expression or identity.
- . The Board ask the DESE to study and make recommendations regarding additional regulations (and/or possible statutory changes) that would permit the principal to withhold notification to the parents of an LGBT child if the child objects and the principal forms a reasonable judgment that the victim would suffer violence, or verbal, physical or emotional abuse from a parent as a result of the parent being notified.

¹⁵ C.Ryan, D.Huebner, R.Diaz, J.Sanchez, Family Rejection as a Predictor of Negative Health Outcomes in White and Latino Lesbian, Gay, and Bisexual Young Adults, *Pediatrics*, Vol. 3, No. 1, January 2009, pp. 346-352. <http://familyproject.sfsu.edu/publications>

Parental Notification Plans: Given the unique needs of parents of a child who is the subject of anti-gay bullying, we would urge the Board to require that before a victim's parents are notified that the principal create a plan for notification, a PNP, if the victim is being bullied on account of actual or perceived sexual orientation, expression or identity. At the outset, we should stress that this PNP bears no connection to other legal requirements for an "Individualized Education Plan" and that the two should not be confused. The regulations should require that the PNP be developed in consultation with the student victim, appropriate guidance personal, counseling professionals and any faculty with knowledge of the student's particular needs. The PNP should include the nature and content of any notice given to the victim's parents¹⁶ and should include a strategy of furnishing the victim's parents with appropriate research based educational materials regarding sexual orientation, expression and identity, which should be drawn from a resource list maintained and published by the DESE. Additionally, the parent should be furnished with appropriate information about the significance and importance of their love, support and acceptance of their child throughout the process of resolving the bullying problem within the school. Finally, the PNP should include, as appropriate, referrals to a counseling professional and/or to an organization or organizations that might be helpful to the parent in terms of gaining a greater understanding of their child's particular needs and how to support the child during this period of stress.

Registered Parental Support Organizations ("RPSO"): In order to give principals guidance in selecting and recommending a parent education or support organization, we would urge the Board to create a procedure by which organizations could be registered with the DESE. We are not proposing that the DESE certify the competence or capacities of any parental support organization, rather we are suggesting a registration process that would include information regarding the following:

- the name and contact information for the RPSO.
- a history of the RSPO's involvement in supporting and educating parents of LGBT youth and/or providing parent support for parents in periods of stress.
- a commitment of the organization to research-based methodologies of promoting parental support for LGBT youth
- the RSPO's policies regarding confidentiality
- any involvement by the proposed RSPO or principals within the RSPO (employees, officers, directors, partners, etc.) in criminal or civil proceeding reflecting adversely on the suitability of the RSPO to provide parent education and support services
- other relevant information regarding the expertise and experience of the RSPO with respect to serving the needs of LGBT youth and parents of LGBT youth.

¹⁶ Greater Boston PFLAG supports the positions taken in the comment letter dated August 25, 2010, submitted by the Gay & Lesbian Advocates & Defenders (GLAD), MassEquality, and the Massachusetts Lesbian & Gay Bar Association (MLGBA) and the comment letter dated August 24, 2010, submitted by the Commonwealth of Massachusetts Commission on Gay, Lesbian, Bisexual and Transgender Youth. If a child objects to the disclosure of his or her sexual orientation or gender expression or identity, the child's right to privacy should be respected and should determine the content of the notification to the victim's parents.

We would urge that RSPO's make an application filing with the DESE, and we would urge that the DESE provide a suitable period for comment by the public on any application by an organization seeking to register as an RSPO. We would also urge that the regulations provide for a methodology for suspending the registration of an RSPO, including providing a procedure for school officials or members of the general public to file complaints regarding an RSPO. The regulations should also provide for the temporary suspension of the registration of an RSPO pending an investigation of a complaint that provides specific, credible information that the RSPO is engaged in unethical conduct and/or is not serving and is unlikely to serve a useful parent education and support function because it does not adhere to research based methodologies to promote parental education, support and acceptance of an LGBT child.

While we realize that this new procedure may present some additional work for the DESE, we would anticipate that there would be relatively few organizations who would apply to become RPSO's and even fewer that would qualify.

Education and Training: We urge the Board to require the training of all principals, guidance counselors, school nurses, teachers and other professionals regarding: the MA YRBS data affecting lesbian, gay and bisexual youth; laws and regulations that are specifically designed to protect the rights of LGBT youth; strategies for combating hostile school climates confronted by LGBT youth and the importance of protecting the rights of all youth, including LGBT youth; strategies for intervening when bullying involves an attack on sexual orientation, expression or identity; current research regarding suicide prevention involving LGBT youth and the significance and importance of parental acceptance in the health and well-being of LGBT youth; and policies and procedures for implementing parental notification to the victim of bullying when the bullying takes the form of an attack on actual or perceived sexual orientation, expression or identity. We also urge the DESE to compile and post a list of educational resources for all educational and administrative staff regarding these subjects.

In making this recommendation, we note that research shows that a prevalent form of bullying involves an attack on the victim's actual or perceived sexual orientation, expression or identity. We also note that the DESE's own research shows highly elevated risks to lesbian, gay and bisexual students and that these risk disparities continue to be present in every MA YRBS survey since the questions regarding sexual orientation were introduced. We also note that the national data suggest an alarming prevalence of hostile climates in U.S. schools that adversely impact LGBT students. Finally, we note that notwithstanding all the data and information on anti-gay bullying and harassment in schools, as of the date of this comment letter, the DESE's web site listing Bullying Prevention and Intervention Resources contains no reference to the DESE's research concerning the elevated levels of risk to lesbian, gay and bisexual youth for violence and bullying, or to existing laws protecting students from harassment and deprivation of their rights, and almost no other guidance or resource to educate school officials to the unique needs of LGBT youth and how they are best protected and supported. In our experience, many local school officials are loathe to tackle the core problems surrounding anti-gay harassment and bullying because: (1) they are fearful of potential objections from some small but highly organized groups who oppose any form of acceptance of, or equality for, LGBT persons and (2) they lack accurate information as to the prevalence of anti-gay bullying and harassment and how it can be addressed.

Study the Need for Regulations Permitting the Principal to Withhold Notification: As we have indicated, the unique needs of the victim of bullying that involves an attack on actual or perceived sexual orientation, expression or identity, suggest that there may be times when a principal should be given the option not to notify parents if the child objects to notification and there is a reasonable basis for the principal to be concerned about the health or safety of the child. As we have indicated, research has shown that approximately 40% of all parents respond to the news of their child's sexual orientation in ways that is very harmful to the child.¹⁷ As we have also noted, the mere fact that a parent will be notified of a bullying incident, may cause victims of anti-gay bullying to refrain from reporting and/or cooperating in the investigation of the incident. And it is possible that the existence of the parent notification mandate may have the unintended result of a child taking matters into his or her own hands by running away or attempting suicide. We feel that further study of this issue is warranted and would ask the Board to require a report from the DESE as to this issue.

We would think that valuable insight could be garnered from the experience of other states regarding parental notification and its impact on reporting and investigating bullying incidents. We would also think that other states might have addressed the concerns associated with notifying the parents of the victim of anti-gay bullying and developed effective solutions. We would hope that the report would draw on the experience and wisdom of experts in the field, including experts who routinely counsel children and families and legal experts in the rights of children and families.

We are mindful of the fact that the Bullying Law seems to mandate parental notification in all cases. We would hope that further study would determine whether other aspects of Massachusetts laws protecting children from abuse might form the basis for a limited health and safety exception. If not, we would hope that the DESE would consider seeking legislative approval for an amendment to the current law to allow the Board to fashion a narrowly crafted exception that would protect LGBT youth from violence or physical, psychological or verbal abuse, if after further study, the DESE determines that such an exception is advisable.

Summary: Greater Boston PFLAG believes that the prevalence of anti-gay bullying and the unique needs of LGBT bullying victims and their parents warrants specialized regulatory procedures to ensure that the LGBT victim's parents have access to educational and support resources that will assist them in supporting the victim and to avoid behaviors that are likely to be harmful to their child. We also believe that, given the high incidence of LGBT bullying and the demonstrated deleterious effects on this high-risk population, the DESE should develop culturally appropriate resources to assist school officials in meeting the needs of this population and to address the grossly disparate risks affecting LGBT youth. Finally, we would urge further consideration and study of the possibility that there should be a narrowly crafted exception to the victim parental notification requirements set forth in the Bullying Law. If further study shows that such an exception would be advisable, we would urge the DESE to secure advice as to whether or not creation of that exception would require further action of the Massachusetts legislature.

¹⁷ See Footnote 15.

Again, we appreciate the opportunity to provide this input to the Board. If the Board or the staff of the DESE should require further information or would like to discuss this comment letter, please contact the undersigned at 781-891-5966.

Sincerely,

A handwritten signature in black ink, reading "Stanley N. Griffith". The signature is written in a cursive style with a large initial 'S'.

Stanley N. Griffith

President

Greater Boston Parents Families and Friends of Lesbians and Gays, Inc.

Massachusetts High School Students and Sexual Orientation Results of the 2005 Youth Risk Behavior Survey

The Massachusetts Youth Risk Behavior Survey (MYRBS) is conducted every two years by the Massachusetts Department of Education with funding from the U.S. Centers for Disease Control and Prevention. The survey monitors behaviors of high school students that are related to the leading causes of morbidity and mortality among youth and adults in the United States.

The 2005 MYRBS was conducted in 51 randomly selected public high schools. In total, 3522 students in grades 9 - 12 participated in this voluntary and anonymous survey. Because of the high student and school response rates, the results of this survey can be generalized to apply to public high school students across Massachusetts.

Gay, Lesbian and Bisexual Students

The MYRBS found that:

- 3.7 percent of students surveyed described themselves as gay, lesbian or bisexual.
- 6.4 percent of all students described themselves as gay, lesbian or bisexual and/or reported same-sex sexual contact.

Students at Risk

Students who described themselves as gay, lesbian, or bisexual were significantly more likely than their peers to report attacks, suicide attempts and drug and alcohol use. When compared to peers, this group was:

- **over four times more likely to have attempted suicide in the past year**
- **over four times more likely to miss school in the past month because of feeling unsafe**
- **almost twice as likely to have been injured or threatened with a weapon at school**

Reported Behaviors	GLB Students*	Other Students
Attempted suicide in the past year	24.8	5.7
Required medical attention as a result of a suicide attempt	8.2	2.2
Skipped school in the past month because of feeling unsafe on route to or at school	16.3	3.5
Was threatened/injured with a weapon at school in the past year	10.2	5.2
Was In a physical fight resulting in treatment by doctor or nurse	11.7	3.7

*All differences between GLB students and Others are statistically significant, $p < .05$.

Massachusetts High School Students and Sexual Orientation Results of the 2007 Youth Risk Behavior Survey

The Massachusetts Youth Risk Behavior Survey (MYRBS) is conducted every two years by the Massachusetts Department of Education with funding from the U.S. Centers for Disease Control and Prevention. The survey monitors behaviors of high school students that are related to the leading causes of morbidity and mortality among youth and adults in the United States.

The 2007 MYRBS was conducted in 59 randomly selected public high schools. In total, 3131 students in grades 9 - 12 participated in this voluntary and anonymous survey. Because of the high student and school response rates, the results of this survey can be generalized to apply to public high school students across Massachusetts.

Gay, Lesbian and Bisexual Students

The MYRBS found that:

- 5.4 percent of students surveyed described themselves as gay, lesbian or bisexual.
- 9.2 percent of all students described themselves as gay, lesbian or bisexual and/or reported same-sex sexual contact.

Students at Risk

Students who described themselves as gay, lesbian, or bisexual were significantly more likely than their peers to report attacks, suicide attempts and drug and alcohol use. When compared to peers, this group was:

- **over four times more likely to have attempted suicide in the past year**
- **over three times more likely to miss school in the past month because of feeling unsafe**
- **over four times more likely to have been injured or threatened with a weapon at school**

Reported Behaviors	GLB Students*	Other Students
Attempted suicide in the past year	29.1	6.4
Required medical attention as a result of a suicide attempt	12.1	2.2
Skipped school in the past month because of feeling unsafe on route to or at school	13.3	4.2
Was threatened/injured with a weapon at school in the past year	18.7	4.5
Was In a physical fight resulting in treatment by doctor or nurse	12.7	3.7

**All differences between GLB students and Others are statistically significant, p. < .05.*

Massachusetts High School Students and Sexual Orientation Results of the 2009 Youth Risk Behavior Survey

The Massachusetts Youth Risk Behavior Survey (MYRBS) is conducted every two years by the Massachusetts Department of Education with funding from the U.S. Centers for Disease Control and Prevention. The survey monitors behaviors of high school students that are related to the leading causes of morbidity and mortality among youth and adults in the United States.

The 2009 MYRBS was conducted in 59 randomly selected public high schools. In total, 2707 students in grades 9 - 12 participated in this voluntary and anonymous survey. Because of the high student and school response rates, the results of this survey can be generalized to apply to public high school students across Massachusetts.

Gay, Lesbian and Bisexual Students

The MYRBS found that:

- 5.9 percent of students surveyed described themselves as gay, lesbian or bisexual.
- 9.4 percent of all students described themselves as gay, lesbian or bisexual and/or reported same-sex sexual contact.

Students at Risk

Students who described themselves as gay, lesbian, or bisexual were significantly more likely than their peers to report attacks, suicide attempts and drug and alcohol use. When compared to peers, this group was:

- **over four times more likely to have attempted suicide in the past year**
- **over four times more likely to have skipped school in the past month because of feeling unsafe**
- **over twice as likely to have been injured or threatened with a weapon at school**

Reported Behaviors	GLB Students*	Other Students
Attempted suicide in the past year	24.7%	5.6%
Required medical attention as a result of a suicide attempt	8.8%	2.2%
Skipped school in the past month because of feeling unsafe on route to or at school	13.9%	3.4%
Was threatened/injured with a weapon at school in the past year	17.3%	6.4%
Was in a physical fight resulting in treatment by doctor or nurse	9.0%	3.0%
Has been pregnant or gotten someone pregnant	10.5%	5.2%

*All differences between GLB students and Others are statistically significant, $p < .05$.

AN ACT RELATIVE TO THE PREVENTION OF BULLYING.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. Chapter 71 be amended by inserting after section 37N, the following section 37O.

(a) Harassment, Intimidation, Bullying and Cyberbullying, prohibited:

(1) No student shall be subjected to harassment, intimidation, bullying, or cyberbullying in any public educational institution,

(A) During any education program or activity; or

(B) While in school, on or immediately adjacent to school equipment or property, in school vehicles, on school buses, at designated school bus stops, at school-sponsored activities, at school-sanctioned events; or

(C) Through the use of data, telephone or computer software that is accessed through a computer, computer system, or computer network of any public educational institution.

(2) "Harassment, intimidation, bullying, or cyberbullying," means any written, electronic, or verbal communication, or physical act or gesture that, under the circumstances: (A) places a student in actual and reasonable fear of harm to his or her person or damage to his or her property; or (B) is sufficiently severe or pervasive that it creates a disruptive, abusive, or hostile school environment and interferes with or impairs a student's academic performance, or ability to learn or to participate in or benefit from services, activities, or privileges that are being offered through the school district.

(3) "Harassment, intimidation, bullying, or cyberbullying" includes, but is not limited to, acts reasonably perceived as being motivated by any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, sex, socioeconomic status, academic status, gender identity or expression, physical appearance, sexual orientation, or mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics.

(4) As used in this Section, "electronic communication" means any verbal, textual, or graphic communication of any kind effected, created, or transmitted by the use of any electronic device including, but not limited to, a telephone, cellular telephone, text messaging device, personal data assistance device, computer or pager.

(b) School Board Requirements and Responsibilities

(1) Each school district shall adopt a policy prohibiting discrimination as defined at section five of chapter seventy-six of the General Laws, and prohibiting harassment, intimidation, bullying and cyberbullying, that includes the definition in this section.

(2) The school district shall involve students, parents, teachers, administrators, school staff, school volunteers, community representatives, and local law enforcement agencies in the process of adopting the policy. The school district policy must be implemented in a manner that is ongoing throughout the school year and integrated with a school's curriculum, a school's discipline policies, and other violence prevention efforts.

(3) The policy shall contain, at a minimum, the following components:

(A) Notice

(i) A statement prohibiting discrimination, as defined in section five of chapter seventy-six of the General Laws, and harassment, intimidation, bullying or cyberbullying of a student, as defined above;

(ii) A statement prohibiting retaliation or false accusation against a target, witness or one with reliable information about an act of bullying, harassment and intimidation;

(iii) A requirement that all students are protected regardless of their status under the law;

(iv) A statement of how the policy is to be publicized, including requirements that: annual written notice of the policy is provided to parents, guardians, staff, volunteers, and students, with age appropriate language for students; the policy is posted throughout all schools in the district, including but not limited to cafeterias, school bulletin boards, administration offices, and the school district's Web site; and the policy is included in all student and employee handbooks;

(v) A procedure for providing immediate notification to the parents or guardians of a victim of discrimination, harassment, intimidation, bullying or cyberbullying and the parents or guardians of the perpetrator of discrimination, harassment, intimidation, bullying or cyberbullying;

(vi) The identification by job title of school officials responsible for ensuring that the policy is implemented.

(B) Reporting and Investigations

(i) A procedure for reporting an act of discrimination, harassment, intimidation, bullying or cyberbullying, including a provision that permits a

person to report such act anonymously; no formal disciplinary action shall be taken solely on the basis of an anonymous report;

(ii) A requirement that any school employee that has reliable information that would lead a reasonable person to suspect that a person is a target of bullying, harassment and intimidation shall immediately report it to the administration;

(iii) A procedure for each school to document any prohibited incident that is reported and a procedure to report all incidents of discrimination, harassment, intimidation, bullying or cyberbullying and the resulting consequences, including discipline and referrals, to the Department of Elementary & Secondary Education on a semi-annual basis;

(iv) A procedure for reporting to law enforcement all acts of discrimination, harassment, intimidation, bullying or cyberbullying which may constitute criminal activity.

(v) A procedure for prompt investigation of reports of violations and complaints, identifying either the principal or the principal's designee as the person responsible for the investigation;

(C) Remedies and Victim Assistance

(i) Consequences and appropriate remedial action for a person who commits an act of discrimination, harassment, intimidation, bullying or cyberbullying;

(ii) Consequences and appropriate remedial action for a person found to have falsely accused another as a means of retaliation, reprisal, or as a means of discrimination, harassment, intimidation, bullying or cyberbullying;

(iii) A strategy for providing counseling or referral to appropriate services, including guidance, academic intervention, and protection to students, both victims and perpetrators, and appropriate family members, affected by discrimination, harassment, intimidation, bullying or cyberbullying, as necessary;

(iv) A requirement that a school employee, school volunteer, student, or parent who promptly reports in good faith an act of discrimination, harassment, intimidation, bullying or cyberbullying to the appropriate school official designated in the school district's policy and who makes this report in compliance with the procedures set forth in the policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident.

(v) A statement that this policy will apply to an electronic communication whether or not this conduct originated on school property and with school equipment so long as the communication:

(A) has the effect of interfering with or impairing a student's academic performance, or ability to learn or to participate in or benefit from services, activities, or privileges that are being offered through the school district, or otherwise causes substantial disruption in, or substantial interference with, the orderly operation of the school; or

(B) is directed specifically at students or school personnel and maliciously intended for the purpose of disrupting school.

(vi) A statement encouraging public schools and school districts to form bullying prevention task forces, programs, and other initiatives involving school staffs, pupils, administrators, volunteers, parents, law enforcement, community members, and other shareholders.

(D) Training and Assessment

(i) Annual training for school employees and volunteers who have significant contact with students in preventing, identifying, responding to, and reporting incidents of discrimination, harassment, intimidation, bullying or cyberbullying;

(ii) Annual confidential surveys of students which address the current environment at each school, including discrimination, harassment, intimidation, bullying or cyberbullying of students.

(c) Department of Elementary & Secondary Education Requirements and Responsibilities

The Department of Elementary & Secondary Education shall:

- (1) Develop a model policy and training materials on the components that should be included in any district policy;
- (2) Periodically review school district programs, activities, and services to determine whether the school boards are complying with this statute;
- (3) Compile, in conjunction with the Department of Public Health, the Department of Mental Health and the Attorney General of the Commonwealth, a list of discrimination, harassment, intimidation, bullying, and cyberbullying prevention resources, existing prevention programs, best practices, techniques, and academic-based research consistent with section 370 that shall be made available for use by school districts; such prevention resources, existing prevention programs, best practices, techniques and academic-based research and sample policies to be updated biennially;

- (4) Promulgate a set of guidelines and procedures for defining district reporting requirements for incidents of discrimination, harassment, intimidation, bullying, and cyberbullying;
- (5) Establish and maintain a central repository for the collection and analysis of information regarding discrimination, harassment, intimidation, bullying or cyberbullying as defined in this statute;
- (6) Report to the state legislature annually on the current levels and nature of discrimination, harassment, intimidation, bullying, and cyberbullying in the schools and the effectiveness of school policies under this statute in combating discrimination, harassment, intimidation, bullying, or cyberbullying, including recommendations for appropriate actions to address identified problems.

(d) Preclusion

- (1) This act shall not be interpreted to prevent a victim from seeking redress under any other available law either civil or criminal.
- (2) Nothing in this statute is intended to infringe upon the right of a school employee or student to exercise their right of free speech.

(e) Timetable

School districts must complete and publish a bullying prevention policy in compliance with this section, and incorporate such policies into the district code of conduct as required by section 37H of chapter seventy-one of the General Laws, no later than January 1, 2011.



For Immediate Release

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**Massachusetts Anti-Bullying Bill Fails to Adequately Protect LGBT Students,
According to Joint Statement by National and Local LGBT Organizations**

March 12, 2010 – The Massachusetts Senate yesterday passed S.B. 2313, An Act Relative to School Bullying, which brings much-needed attention to the crisis of bullying and harassment in commonwealth schools. However, the bill falls short as it fails to enumerate the classes of persons who have historically and disproportionately been the subjects of bullying and harassment. Research shows that students at schools with an enumerated anti-bullying policy reported harassment at a significantly reduced rate.

"This policy leaves behind Massachusetts' most at-risk youth," said Stanley Griffith, board president of Greater Boston PFLAG, and Danielle Murray, co-chair of GLSEN Massachusetts, in a joint statement. "It is critical to specifically name the problem in this kind of legislation—girls would not have sports and our schools would not be integrated if policymakers had not specifically addressed these inequities by enumerating categories like sex and race in our laws."

The most common form of bullying and harassment in Massachusetts schools is based on actual or perceived sexual orientation, according to the Massachusetts Youth Risk Behavior Survey. The hostile school climate in schools contributes to elevated risks including an increased number of violent attacks against LGBT students and higher rates of suicide attempts and the use of drugs and alcohol among LGBT students.

Eleven-year-old Carl Joseph Walker-Hoover hanged himself last April after enduring anti-gay bullying at his Springfield school. His mother, Sirdeaner Walker, testified in support of enumerated legislation before the Massachusetts Legislature's subcommittees on education in their November hearing on this topic.

In a statement at last week's press conference for S.B. 2313, Walker said, "My son was bullied with anti-gay remarks. Those kids at his school called him those names because they were probably the most hurtful things they could think of to say. And they hit their mark. Sexist and homophobic bullying and harassment are all too common. And evidence shows that school officials often do not recognize this kind of bullying and harassment as unacceptable."

Less than one-fifth of students reported that school personnel frequently intervened when hearing homophobic remarks or negative remarks about gender expression, according to

GLSEN's 2007 National School Climate Survey (NSCS). More disturbing, nearly two-thirds of students heard homophobic remarks from school personnel.

Enumeration makes it clear that this kind of harassment is unacceptable and gives educators the tools they need to implement safe schools policies that protect each and every student. Students reported in the NSCS that teachers were significantly more likely to intervene when homophobic bullying occurs in states with enumerated policies, as compared to states with either generic policies or no policies at all (25.3% vs. 15.9% and 12.3%).

Further, comprehensive policies with enumeration help ensure that the most at-risk students are afforded the right to an education. Students from schools with a comprehensive policy are 50% more likely to feel very safe at school (54% vs. 36%). Students without such a policy are three times more likely to skip a class because they feel uncomfortable or unsafe (16% vs. 5%).

"Massachusetts has long been a national leader in advocating for and protecting all of our youth," said Eliza Byard, executive director of GLSEN National, Jennifer Chrysler, executive director of Family Equality Council, and Jody Huckaby, executive director of PFLAG National in a joint statement. "However, this legislation leaves Massachusetts behind 12 other states and the District of Columbia, which have already passed effective, enumerated safe schools legislation."

About GLSEN

GLSEN, the Gay, Lesbian and Straight Education Network, is the leading national education organization focused on ensuring safe schools for all students. Established in 1990, GLSEN envisions a world in which every child learns to respect and accept all people, regardless of sexual orientation or gender identity/expression. GLSEN seeks to develop school climates where difference is valued for the positive contribution it makes to creating a more vibrant and diverse community. For information on GLSEN's research, educational resources, public policy advocacy, student organizing programs and educator training initiatives, visit www.glsen.org

About GLSEN Massachusetts

The Gay, Lesbian, and Straight Education Network of Massachusetts works to ensure that each member of every school community is valued and respected regardless of actual or perceived sexual orientation and gender identity or expression. GLSEN Massachusetts supports schools in developing climates where difference is valued for the positive contribution it makes in creating a more diverse community. www.glsen.org/massachusetts

About the Family Equality Council

The Family Equality Council works to ensure equality for lesbian, gay, bisexual and transgender families by building community, changing hearts and minds, and advancing social justice for all families. For more information, visit www.familyequality.org.

About PFLAG

PFLAG promotes the health and wellbeing of gay, lesbian, bisexual and transgender persons, their families and friends through: support, to cope with an adverse society; education, to enlighten an ill-informed public; and advocacy, to end discrimination and to secure equal civil rights. Parents, Families and Friends of Lesbians and Gays provides opportunity for dialogue about sexual orientation and gender identity, and acts to create a society that is healthy and respectful of human diversity. Learn more at www.PFLAG.org today.

About Greater Boston PFLAG

Greater Boston PFLAG is committed to creating environments of understanding and respect for gay, lesbian, bisexual and transgender persons, their families and friends through: support, to cope with an adverse society; education, to enlighten an ill-informed public; and advocacy, to end discrimination and to secure equal civil rights. Greater Boston PFLAG provides opportunities for dialogue about sexual orientation and gender identity, and act to create a society that is healthy and respectful of human diversity.

About the National School Climate Survey

This report depicts the results of the 2007 National School Climate Survey (NSCS), which is conducted every two years to document the experiences of lesbian, gay, bisexual and transgender students in America's schools. Indicators of negative school climate experienced by LGBT students are examined including: whether or not LGBT students hear biased remarks or experience harassment and assault in school; whether or not students report experiences of victimization to school officials or family members; and whether or not these adults address the problem. The report discusses the possible negative effects of a hostile school climate on LGBT students' academic achievement and educational aspirations. It also shows the degree to which LGBT students have access to supportive services in school and explores the possible benefits of these resources. Results indicate that the majority of LGBT students in the U.S. feel unsafe at school and that being harassed causes them to miss school days and have lower educational aspirations and academic achievement.

About the Massachusetts Youth Risk Behavior Survey

The Massachusetts Department of Elementary and Secondary Education - in collaboration with the Centers for Disease Control and Prevention (CDC) and the Massachusetts Department of Public Health - conducts the Youth Risk Behavior Survey (YRBS) in randomly selected public high schools in every odd-numbered year. The YRBS focuses on the major risk behaviors that threaten the health and safety of young people. This anonymous survey includes questions about tobacco use, alcohol and other drug use, sexual behaviors that might lead to unintended pregnancy or sexually transmitted disease, dietary behaviors, physical activity, and behaviors associated with intentional or unintentional injuries. Data from the YRBS provide accurate estimates of the prevalence of risk behaviors among public high school students in the Commonwealth, and are important for planning health education and risk prevention programs. A report summarizing results of the 2009 Youth Risk Behavior Survey and the Department of Public Health's 2009 Youth Health Survey will be released in late spring 2010.

The YRBS results are never reported for individual districts, or towns or regions. However, many schools choose to conduct a local survey to gather data about the risk behaviors of their own students. ESE staff are available to provide technical assistance around how best to implement a survey project, how to notify parents, where to seek assistance with data analyses, and how to use the results to inform program and policy decisions.

'Once we learn to be accepting of everyone, we can change the world'

Greater Boston PFLAG honors youth at Pride and Passion

by Laura Kirtisy
editor-in-chief

Addressing the crowd at Greater Boston PFLAG's Pride and Passion benefit at the Back Bay Events Center on May 2, Jon Carrel, Canton High School's football captain, recalled the day last March when he first heard the story of Corey Johnson, who 10 years ago came out as gay to his teammates while serving as the co-captain of the football team at Macomber Regional High School in Topsfield.

"Now, when I first heard that it was just a shock to me because I couldn't imagine doing that in my own school," Carrel recalled. "I mean, just to have the courage to come up and say that in high school; I just couldn't believe it. It made me think, well what if I had to do the same thing in my high school? Would people accept me?"

Carrel concluded that given the anti-gay slurs routinely tossed around by his teammates, he would not be embraced, as Johnson was. It was that realization that moved him to speak out in support of LGBT youth at a school-wide assembly in advance of a visit by members of the Westboro Baptist Church, the Kansas-based organization that routinely stages protests against organizations and institutions that support



PAM GARRAMONE (left) with students from Canton High School, where student leaders used a protest by Westboro Baptist Church as an opportunity to raise awareness about anti-gay bullying and promote respect for LGBT youth. Photo: Joshua Gagnon

LGBT people. The church was taking aim at Canton High for staging a production of *The Laramie Project*, a play about the reaction to the homophobic-motivated murder of Matthew Shepard.

"And the main message I wanted to show to

people... is that it doesn't matter if you're different in any way, you need to be accepting of everyone," said Carrel. "And my final thought I want to say is that it doesn't matter if you are gay, straight whatever — you need to be accepting of everyone 'cause once we learn to be accepting of

everyone, we can change the world."

Carrel was among a group of Canton High School student leaders who worked with PFLAG's Safe Schools program to counter Westboro Baptist Church's notoriously graphic and hateful anti-gay sentiments, in part by publicly calling on their fellow students to refrain from anti-gay bullying and to be more respectful toward their LGBT classmates. Prior to the assembly, he and more than 50 other students had met with PFLAG executive director Pam Garramone to discuss ways in which they could use the occasion of Westboro Baptist Church's protest to make the school a more welcoming environment for their LGBT peers. Additionally, students and faculty also organized a large counter protest of the Westboro Baptist Church members outside of the school on March 19.

"J.J. Leuken, an openly gay Canton High student who joined Carrel onstage at Pride and Passion and in speaking out at their school assembly, recalled the sense of empowerment he felt upon seeing the crowd that had amassed to counter the anti-gay protesters.

"When I walked out to greet the Westboro Baptist Church," Leuken said, emphasizing the word "greet" to laughter from the crowd, "it was probably one of the most powerful things I've ever done in my life. Because I walked out there and I saw the ratio of support versus hatred. It was literally hundreds versus eight. So everything that happened from the leadership summit, the performance of *The Laramie Project* to the protest, it's all something that I'm never ever going to forget and it's one of the most important things that I've ever done in my life. And it's changed my view of the world forever because I finally see that there are more people on our

ream than there are on theirs."

Not surprisingly, the two-night run of Carton High's production of *The Laramie Project* was sold out.

"The thing I love the most about all the students at Carton High School is that they listened when we came... they thought about what we said, they took it into their hearts and when they acted," said Garramone as she stood onstage with Carrel, Leuker and several other Carton student leaders at Pride and Passion. "They stepped up and they got other people to step up and that's what PFLAG does. We go in we get people to talk and get them to step up and take action. So thank you for supporting our Safe Schools Program."

Support indeed. "Though the final tally wasn't complete as *Boy Windows* went to press, Greater Boston PFLAG board president Stan Griffith anticipates that the 7th annual Pride and Passion event, which drew a crowd of about 300, raised more than \$100,000 to support the organization's Safe Schools and Communities Programs.

But the financial support and the success of Greater Boston PFLAG's work in Carton wasn't the only good news to come out of Pride and Passion. Greater Boston PFLAG also announced a new partnership with the Massachusetts Parent Teacher Association at the event, which will enable Greater Boston PFLAG to further its educational outreach to parents regarding the issues facing LGBT youth.

The partnership grew out of Greater Boston PFLAG's desire to incorporate the research of Dr. Caitlin Ryan, who heads the Family Acceptance Project at San Francisco State University, into its Safe Schools work. Ryan has studied parental responses to a child's coming out as LGBT across a broad spectrum of racial, ethnic and socioeconomic backgrounds; her research, which shows that LGBT children who have rejecting or ambivalent parents are at higher risk for HIV infection, substance abuse, depression, low self-esteem and suicide, was published in the Jan. 7 issue of *Pediatrics*. Ryan was honored for her work at this year's Pride and Passion.

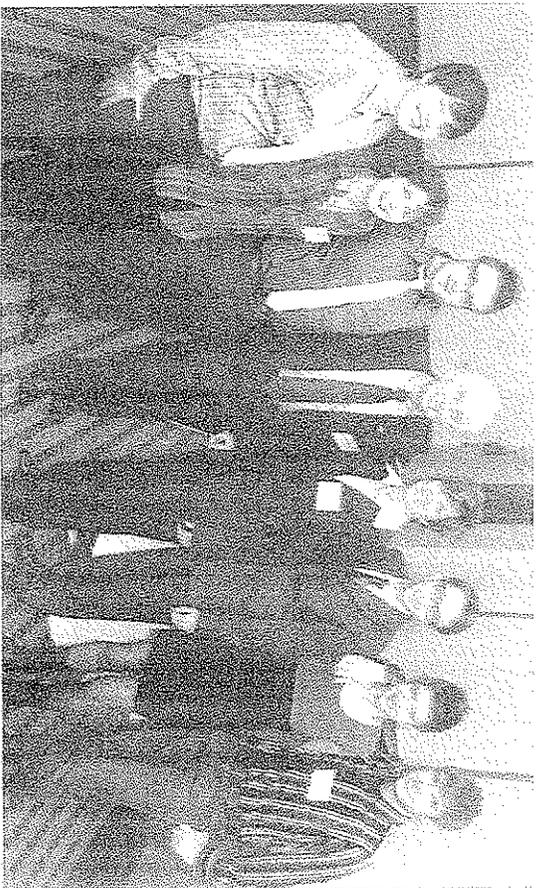
The Greater Boston PFLAG collaboration with the Mass. PTA grew out of a shared desire between Griffith and Mass. PTA President-elect Mary Ann Stewart to advance Safe Schools work

in the state. With a rise in the number of students who reported being on the receiving end of anti-gay bullying on the most recent Massachusetts Youth Risk Behavior Survey, Stewart said the collaboration is "the right thing to do."

"Parents need to be educated," she added, noting that there are several PTAs in the Springfield area, where middle school student Carl Walker-Hoover recently committed suicide after being subjected to anti-gay bullying and other abuse. "When it hits that close you want to do something that makes a difference and we know middle schools' a real fertile ground for a lot of bullying and name calling because kids are trying to figure out who they are and there's a lot of questions in there... Working with PFLAG is going to help all kids; we're not just focusing on LGBTQ youth, we're talking about everybody, all kids and educating all parents about the importance of this work," said Stewart. "Really, it's lifesaving."

Though all of the details of the partnership have yet to be worked out, Garramone called the collaboration with the Massachusetts PTA "an incredible opportunity to meet and talk to parents who don't yet know they have a gay child or who have straight children who are abusing gay kids in the schools. We need to get a group of parents who don't think they have a gay kid to care about this issue." Greater Boston PFLAG will be speaking to a gathering of PTA leaders from across the state at the end of August, with the goal of being invited to speak at various PTAs after that, said Garramone.

"So the ideal outcome of this is we speak to every PTA in Massachusetts," she said.



GREATER BOSTON PFLAG also recognized this year's Elexe Frank Scholarship award winners at this year's Pride and Passion. The scholarships, named for the late PFLAG mom of Congressman Benney Frank, are awarded to students who demonstrate leadership in LGBT advocacy. Pictured from left are scholarship winners Amanda Mikulski and Liz Benter; Greg Kimbell, who accepted the scholarship on behalf of his brother, Eric Kimbell; Greater Boston PFLAG Board President Stan Griffith; Pam Carramore, the organization's executive director; and scholarship awardees Jackson Dardow, Zoe Peters, and Andrew Korsivodi. Photo: Marilyn Humphries



GREATER BOSTON PFLAG board member Linda Patterson, Mary Ann Stewart, president-elect of the Massachusetts PTA, Mass. PTA President Kim Hunt, and Greater Boston PFLAG board member Cheryl Giles. Photo: Marilyn Humphries

It's a shocking trend:

gay teens being bullied

to the point of suicide.

Isn't it time for all of us
to encourage

compassion and respect

—no matter how we feel about
homosexuality?

by KENNETH MILLER

September 9: Billy Lucas, age 15, of Greensburg, New York City. September 23: Asher Brown, 13, of Indiana, hanged himself from the rafters of his family's Houston, Texas, shot himself in the head. These four boys didn't know each other, but they did have something in common. They'd been bullied at school, and one by September 22: Tyler Clementi, 18, a Rutgers University freshman, jumped off the George Washington Bridge in you're gay or thought to be gay, life just isn't worth living.

YOU'RE
QUEER

For most Americans the news reports were heart-breaking. They look us beyond our political arguments over gay marriage and "Don't Ask, Don't Tell"—even past our deeper disagreements about homosexuality. For once we could all agree: Those kids should be in their classrooms, not in closets.

September's gruesome trend raised pressing questions. Homosexuality appears to be more widely tolerated than ever: Fifty-two percent of Americans consider it morally acceptable, according to a recent Gallup poll. Kids can join gay—straight alliance groups at more than 4,000 high schools and more than 150 middle schools nationwide and find advice and support online. Yet according to the *Journal of Adolescent Health*, about one-third of gay, lesbian and bisexual teens report an attempt at suicide. Why are so many still driven to try to take their own life?

"Despite recent cultural shifts, kids still get the overwhelming message from society that homosexuality is not acceptable," says Scott Quasha, Psy.D., a pro-

To combat anti-gay bullying, parents of straight kids need to take a stand.

fessor of school psychology at Brooklyn College. It's not uncommon to hear fierce condemnation from politicians and preachers as they debate gay civil rights. Homosexuality is compared to incest, bestiality, even violent crime. "This trichies down into the schools, where bullying occurs," says Dr. Quasha. "A gay child is an easy target for classmates looking to make trouble."

Being a teenager is tough enough," says Jody M. Huckaby, executive director of Parents, Families and Friends of Lesbians and Gays (PFLAG), a national organization. "There's so

much peer pressure. And when you're constantly getting messages that you're not okay, the pressure can just be too much. For some kids, it's hard to imagine that life will ever get better."

Since parents of gay kids are generally not gay themselves, even the most loving can find it hard to know how to respond when their child comes out. When Rashad Davis was 15, his mom, Deon, 44, a dialysis nurse from Fort Lauderdale, Florida, "I'd say, 'Honey, please talk to me, you know I can handle it.' He'd say, 'No, Mom, it's just school,' and go to his room. Then, driv-

ing him to school one day, I saw cuts all over his arm. I asked if he was hurting himself and he said yes."

Afraid that Rashad might be suicidal, Deon called his health-insurance plan, which sent a therapist directly to their home. A few weeks later, with the therapist present, Rashad told his mom the source of his agony: He'd realized he was gay and he was terrified that family and friends would reject him: "I took a big swallow," says Deon. "I forced myself to say 'okay' and hug him, but them I went off and cried all night long."

Deon Davis played it exactly right, says clinical social worker Caitlin Ryan, Ph.D., director of the Family Acceptance Project at San Francisco State University. After almost a decade of research on gay, lesbian, bisexual and transgender teens, Dr. Ryan's group has found a clear pattern: The more supportive the parents and family, the better kids do over the long run. "That doesn't necessarily mean changing your deeply held beliefs," Dr. Ryan explains. "It means finding a way to balance those beliefs with the love you have for your child."

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Deon was confused—this was the last thing she expected. "Rashad was 200 percent boy," she explains. "He wanted to play every sport and do every boy thing." And despite what she'd told her son, she really wasn't okay with it at all. "I'd been taught in my family and church that being gay was wrong and I thought that Rashad was going to go to hell. I thought, 'This is disgusting. What are people going to say about us? My sister, his father, my father...'"

Still, something told her she'd better not share her fears with Rashad, and she was soon grateful to have made that decision. A week later Rashad told her about the anti-gay bullying he'd been experiencing at school. "I don't care if anybody else accepts me as long as you do," he told her. That comment really changed her attitude. "I know I would have to be his protector and guide," she says.

It wasn't easy. To cope with her negative feelings, Deon began working with the therapist, connected with PFLAG and read up on gay issues. Bolstered by his mom's support, Rashad soon transferred to a more accepting high school. "I regained my confidence and started smiling more," he recalls. Now 19, Rashad is doing well as a sophomore at Florida Gulf Coast University.

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When Parents Become Activists

E.J. Plata's parents had suspected he was gay since he was 4 years old. G.I. Joe in favor of dolls and jewelry. But it wasn't until he was 13, freestyle and depressed, that they brought it up. Worried their son was headed for a breakdown, the McDesoto, California, couple felt they couldn't wait for E.J. to come out to them. "It's not the worst thing that can happen to you," his mother, Elizabeth, assured him. E.J.'s

tearful response: "Does Dad know?" Later, Ed Plata told E.J., "We will deal with it, and turned away. Accepting the truth about E.J. was hard for Ed, an electrical contractor and six-Marine from a blue-collar Mexican-American family. He'd been taught that homosexuality was an abomination. With Elizabeth and their six children, he attended a church that preached the same message. But he loved his son, as gentle and artistic, and hated to see him suffer. When

going to cut it. Ed and Elizabeth joined a church with a more inclusive attitude. They eventually started a support group for local gay kids and another one for parents. And they became outspoken advocates for gay rights—and for E.J. Once, when a woman shouted an epithet at him from a passing car, Elizabeth drove after her until the offender pulled over. "Can I talk to you from to mom?" she asked. "If you knew my son, you'd think he was a cool person." The

hasn't bothered the Platas since. "My parents are there for me 150 percent," says E.J., now 20 and a hair stylist assistant at an upscale salon in San Francisco. "They started out uneducated on the subject of gay people, it's been a journey for them. But they thought more about what I was going through than what they were going through. That's how any parents should be, whether their child is gay or not."

E.J. was 15, he asked his dad, "Am I going to hell?" Ed looked at the boy when he neighbor and said, "No way." At that point the Platas realized that a few hugs and words of support weren't



E.J. Plata, left, with dad Ed, mom Elizabeth and four of his siblings.

Many parents, unwilling to believe that their child is gay, try to talk him out of it; they may tell him he's going through a phase, forbid him to discuss it and keep him from reaching out to the gay community. Often, their motive is to protect their child from harassment. But this well-meaning approach tends to backfire, Dr. Ryan says, since

the child interprets it as a rejection of his true self. If his parents won't accept him for what he is, who will? As young adults, gay kids from highly rejecting families are more than eight times as likely to attempt suicide, almost six times as likely to be clinically depressed and more than three times as likely to abuse drugs or be at

high risk for HIV infection than those from families who are more accepting. Dr. Ryan's research has found big even small changes can yield big results, she says—children from families that are only moderately rejecting have significantly fewer problems. Even parents who can't be fully accepting can find ways to be supportive. "You can say, 'I think this is wrong but I love you and I'm going to be here for you,'" Dr. Ryan suggests. "Be willing to listen. Give your child a hug."

home crying, Smith called the principal and made sure the boy was disciplined. "It's okay if you admit the truth," said Smith, who had suspected her daughter was gay when she developed a serious crush on a female classmate at her suburban Indianapolis school. She felt ashamed and frightened. Abby knew her mom, Tonia Smith, would probably be okay with it—but that many others weren't. As her inner turmoil mounted, she even considered suicide.

It wasn't until her sophomore year in high school that Abby ran across her first bully, a boy who taunted her in person and in text messages for being a lesbian, even though she still hadn't gone public. When Abby came

until her senior year. By then she'd found her first real girlfriend, Amy, whom she invited to the senior prom. And to Abby's surprise, she was elected prom queen.

Now a freshman at Indiana University Bloomington, Abby credits her mom for helping her get through the hard times. "When I came to her and said, 'What do I do?' she said, 'Be who you are. That was the greatest thing, known at 13. Abby she could have done for me.'"



Abby (seated) with her mom Tonia, stepped into, sister and grandmas.

"We have to respect one another's dignity as children of God."

refers to an entire group of people. "Using gay as a put-down is like using *Jew or black or disabled* as a put-down—it's not acceptable," Buzzelli says. "Middle school kids also throw around words like *fat* and *dyke* without thinking about what they mean," she adds. They need to know these words are as offensive to gays as racial slurs are to people of color. Buzzelli's team focuses its bullying-prevention efforts on middle schools since that's when kids become aware of their sexuality, and it's also when Seth Walsh killed himself at 13, many Americans were surprised by his youth. How could he even have known his sexual orientation at that age? That wasn't unusual, experts say: Research shows that kids first become aware of sexual feelings around 10 and those who are gay or lesbian know it around 13, just the way straight kids know they are attracted to the opposite sex.

Concerned citizens can also push for schools to adopt anti-bullying policies that specifically cover harassment because of sexual or gender identity, Costello says. Many people feel a blanket "respect for all" statement is enough, but research shows such policies aren't as effective at protecting students from anti-gay bullying.

Teachers might let it ride if a kid says "that's so gay," since the result isn't always intended as an homophobic slur, Buzzelli explains. Yet it still creates a hostile environment for gay kids. So her bullying-prevention program starts by explaining to kids that the term

if parents balk at terms like *gay* being discussed in middle school, Buzzelli explains to them that efforts to prevent bullying are crucial to their own child's ability to get an education. If bullying goes on, it creates a chaotic environment where no one can learn.

Carz Riggs is principal at Omaha South High Magnet School, another school that insists on a safe environment for gay students. Riggs has little patience for those who feel the school is advancing some kind of radical agenda: "We're not advocating anything but respect," she tells them. Dr. Throckmorton concurs: "Mutual respect and freedom from hostility are Christian virtues," he says. And as the Department of Education reminded schools in an October 26 letter, harassment of any kind is against federal civil rights law.

For both liberal and conservative opponents of anti-gay bullying, it boils down to the issue of basic human dignity. "As a parent, it's your responsibility to sit your kids down and explain how there are lots of different kinds of people," says Dr. Quasha. "You can even agree with this, but what we do believe is that everybody deserves to be treated with kindness and respect."

The Zero-Tolerance Plan

We asked experts what parents can do to stop anti-gay bullying.

- Check yourself** Are you at your own prejudices, stereotypes and attitudes about gender and sexual orientation? The only way to help your child is to be a role model.
- Demand respect** If your kids are being bullied, demand that the bully stop. If the behavior is unacceptable and there will be consequences.
- Discuss values** Talk your child through the values that underlie respect for people's differences.
- Push for a policy** Your school's stance on bullying should be clear. If it doesn't, file a complaint.

For resources on gay teens and bullying, go to LGI.com/bullying.

DPH/DOE Funding Breakdown

