



Hogg Foundation for Mental Health

Services, Research, Policy, and Education

Envisioning a Texas that leads the nation in promoting mental health and recovery from mental illness, supporting all Texans in achieving their potential

Information Presented to the Senate Education Committee

Topic: Bullying

March 22, 2011

The Hogg Foundation for Mental Health fully supports efforts to reduce bullying and to prevent both the short and long term effects of these behaviors. According to a study funded by the National Institute of Child Health and Human Development, “nearly one out of three students in middle school and high school said they had been bullied during the 2007 school year.”ⁱ Bullying is a complex issue that goes beyond simple behavior problems of an individual student. Bullying is a mental health issue that can impact entire school environments. Students engaging in bullying, the victims of bullies, and those witnessing bullying are at risk of anxiety, depression, distress, fear, loneliness, isolation, and even suicide.

The foundation believes that it is important to address bullying comprehensively and not simply view it as individual behaviors requiring punitive consequences. Many students who bully have also been victims of bullying. Both bullies and victims of bullying are more likely to have difficulty adjusting to their environment both socially and psychologically.ⁱⁱ Additionally, studies have shown that persistent bullying often leads to problems later in life. Research conducted by Professor Dan Olweus of the University of Colorado showed that bullying can lead to criminal behavior later in life with a significantly higher risk of involvement in the criminal justice system as adults.ⁱⁱⁱ

Efforts to address bullying by removing students from classrooms or campuses will not solve the underlying causes of the behavior and will do little to prevent the long term consequences of bullying. The foundation encourages you to support initiatives that:

- address bullying on a school-wide basis,
- provide comprehensive training for teachers and administrators,
- include campus-wide, age appropriate student awareness programs, and
- include mental health assessments and appropriate mental health treatment for both bullies and the victims.

Students with Disabilities

One concern the foundation has regarding the efforts to address bullying is the potential for unintended consequences for students with disabilities. Students with intellectual disabilities, autism, serious emotional disturbance, or brain injury can engage in behaviors that some may compare to bullying. These behaviors may be the result of medications, frustration, sensory sensitivity, tactile defensiveness, fear, obsessive/compulsive tendencies, hyper-activity, seizure activity, and more. At times, behaviors can have physiological causes or may be related to environmental situations and are beyond the control

of the student. While all inappropriate behaviors should be addressed, any misbehavior or maladaptive behavior exhibited by students receiving special education services should be addressed by the Admission, Review, and Dismissal (ARD) committee through the student's individual education plan and individual behavior plan as required in statute (Education Code, Chapter 37.004)^{iv}. It is important to ensure that any bullying legislation include a reference to Chapter 37.004 and not be used as a mechanism to remove children with disabilities from classrooms or campuses.

For more information, please contact Colleen Horton, Policy Program Officer, Hogg Foundation for Mental Health at colleen.horton@austin.utexas.edu.

ⁱ National Institute of Child Health and Human Development, *Taking a Stand Against Bullying*, <http://www.nichd.nih.gov/news/resources/spotlight/092110-taking-stand-against-bullying.cfm>, accessed March 18, 2011.

ⁱⁱ Nansel, T., Overpeck, M., Pilla, R., Ruan, W., Simons-Morton, B., Scheidt, P., *Bullying Behaviors Among US Youth*, Journal of the American Medical Association, April 25, 2001

ⁱⁱⁱ Olweus, D., and Limber, S., *Blueprints for Violence Prevention: Bullying Prevention Program (Book Nine)*. Boulder, CO: University of Colorado at Boulder, Institute of Behavioral Science, Center for the Study and Prevention of Violence, 1999. "Sixty percent of males who were bullies in grades 6 through 9 were convicted of at least one crime as adults, compared with 23 percent of males who did not bully; 35 to 40 percent of these former bullies had three or more convictions by age 24, compared with 10 percent of those who did not bully."

^{iv} Sec. 37.004. PLACEMENT OF STUDENTS WITH DISABILITIES. (a) The placement of a student with a disability who receives special education services may be made only by a duly constituted admission, review, and dismissal committee.

(b) Any disciplinary action regarding a student with a disability who receives special education services that would constitute a change in placement under federal law may be taken only after the student's admission, review, and dismissal committee conducts a manifestation determination review under 20 U.S.C. Section 1415(k)(4) and its subsequent amendments. Any disciplinary action regarding the student shall be determined in accordance with federal law and regulations, including laws or regulations requiring the provision of:

- (1) functional behavioral assessments;
- (2) positive behavioral interventions, strategies, and supports;
- (3) behavioral intervention plans; and
- (4) the manifestation determination review.

(c) A student with a disability who receives special education services may not be placed in alternative education programs solely for educational purposes.

(d) A teacher in an alternative education program under Section 37.008 who has a special education assignment must hold an appropriate certificate or permit for that assignment.