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Interested Party Testimony for HB 310
Rebecca Szanto, Professional Counselor and Behavior Analyst
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Ohio Senate Education Committee
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Chair Lehner, Vice Chair Brenner, Ranking Member Fedor and members of the Ohio Senate Education Committee, my name is Rebecca Szanto and I am a Licensed Professional Clinical Counselor with a Supervisor Designation, Board-Certified Behavior Analyst, and Certified Ohio Behavior Analyst in the state of Ohio. I own and operate Branches of Behavior LLC where I provide mental health counseling, family therapy, behavior management consultation at homes and schools, and training for other professionals in the field. I have expertise in treating individuals with developmental disabilities, those that display challenging and/or aggressive behavior, and trauma-related disorders. Thank you for allowing me to provide testimony on House Bill 310 Collin's Law: the Ohio Anti Bullying & Hazing Act.

As Developmental Psychology research has shown, childhood and adolescence are a critical time in our development. During this time, we are learning valuable skills related to our social and emotional development that will serve us throughout the lifespan. Bullying is a variable that often derails both the bullied and the bully in their social-emotional development; impacting traits such as self-esteem, world view, and social skills.

In my professional career I have had a great deal of experience working with children in schools, home, community, camp, and residential settings. Presently, my job entails providing evidence-based treatment to youth, adults, and families related to mental health and behavioral functioning. I also consult with school districts to improve student outcomes and provide professional development training to other professionals. HB 310 represents an honest attempt to eliminate bullying and I am glad that the sponsor of the bill has brought light to this wide-spread issue. While I am supportive of the bill's overall goals, I have some concerns related to the impact HB 310 will have on students with disabilities and mental health diagnoses.

In effort to effectively explain what causes bullying behavior, I'd like to provide the Committee with a brief overview of "The Functions of Behavior," or the "why," behind behaviors often defined as bullying. As humans, we exhibit behavior in effort to access one of the following: escape from demands, attention from others, access to a tangible item, or as an attempt to engage in sensory-seeking behavior.

I would also like to provide an overview of punishment vs. reinforcement. Punishment is defined as any intervention that leads to a decrease in future instances of the behavior. Reinforcement is defined as any intervention that leads to an increase in future instances of the behavior.

For bullying behavior to be present in our schools, it must be receiving reinforcement to continue. Think of a campfire, if we stop adding wood or kindling, the fire goes out. Engaging in bullying often results in reinforcement from the following: escape from demands (ie suspension, detention, sent to principal's office) and/or attention from peers and adults (ie peers attempt to engage with the bully, adults reprimand the bully, etc.) Unfortunately, by using the "Consequences for harassment, intimidation, or bullying," as outlined in HB 310 schools could potentially be reinforcing bullying behavior instead of reducing it.

In fact, the implementation of this bill may have the unintended impact of increasing the incidence of bullying in our schools.

By utilizing punishment-based strategies as outlined in HB 310, schools would be doing little to reduce future bullying. Applied Behavior Analysis research details the impact of both reinforcement and punishment-based interventions. Reinforcement should always be the first line of defense when treating problem behavior. Decades of research show that positive reinforcement is the most effective and sustainable reinforcer for children and adolescents.

If punishment was as effective as schools believe, educators would not have to continue utilizing it. Punishment is only punishment if it reduces future instances of that behavior. In many cases I have collaborated on, students have been continually punished with detentions, suspensions, and changes of placement and this has done little to the frequency of the behavior that led to the punishment in the first place.

As another example, consider the incarceration rates in the United States. If punishment, in this example jail, was as effective as society believes, why are

our prisons often full? How many incarcerated individuals learn from their time spent in jail and go on to live fulfilling lives after their time incarcerated? Fortunately, jails have started to offer services like vocational training, counseling, and other forms of rehabilitation for incarcerated individuals that has the potential to lead to better outcomes. We could take a similar approach with our schools.

My encouragement to the Committee would be to reevaluate how Positive Behavior Intervention Supports (PBIS) are being implemented in our schools. Research on PBIS suggests that by implementing PBIS effectively, schools could greatly reduce the number of disciplinary referrals; including instances of bullying, that they receive. PBIS is already required to be implemented by Ohio law however, I feel we are not doing our best at enforcing implementation. Schools often fall short of implementing PBIS to its full potential; possibly because of lack of funds, time, teachers, and other resources. What if instead of focusing on punishing bullies; we focused on the bigger problems at hand? How do we make children feel safe and cared for while at school? How do we address their physical and emotional needs so that they don't engage in bullying behavior? How do we teach them the skills necessary to avoid bullying behavior in the future and engage in more age-appropriate social skills?

Schools could also utilize their support personnel (psychologists, guidance counselors, intervention specialists) and community mental health providers to more effectively screen for students that are at risk for becoming bullies and those that might be susceptible to bullying. Using Functional Behavior Assessments (FBAs) school teams could collaborate to determine why bullying is occurring and formulate a Behavior Intervention Plan (BIP) to reduce and eventually eliminate the bullying behavior.

HB 310 does not provide protections for students that may engage in bullying behavior as a manifestation of their disability or mental health diagnosis. For example, a student coming to school with Post-Traumatic-Stress-Disorder (PTSD) may exhibit heightened levels of impulsivity, anger, and irritability which could lead to verbal aggression towards peers which would fall into HB 310's definition of bullying. Instead of punishing this student, the school could evaluate what other supports are necessary to help both this student and the one that was bullied through some of the above-mentioned options.

Bullying does not start with "the child." Bullying starts with us, the adults. We are responsible for modeling appropriate behavior, providing our students with

environments where they can thrive and feel safe, and respond appropriately when their safety is compromised.

Thank you for allowing me to testify.

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