

SCOMM

137:37



HOUSE SPECIAL COMMITTEE ON EDUCATION
STATE CAPITOL, ROOM 106

**COMMITTEE
MEMBERS**

Rep. Mark Neuman,
Chairman
Room 432
465-3820

Rep. Carl Gatto
Vice-Chair
Room 411
465-3743

Rep. Bob Lynn
Room 415
465-4931

Rep. Bill Thomas
Room 428
465-3732

Rep. Peggy Wilson
Room 108
465-3824

Rep. Les Gara
Room 418
465-2647

Rep. Woodie Salmon
Room 114
465-4527

MEMORANDUM

Date: March 15, 2006

To: Members of House Special Committee on Education

From: Representative Mark Neuman, Chairman
House Special Committee on Education

Re: Scheduled bills in Education Committee

Thursday, March 16, 2006, at 11:00 a.m. in Room 106

HB 482 SCHOOL BULLYING/HARASSMENT/INTIMIDATION
Representative Anderson

**** Committee will be taking public testimony ****

**** Meetings will be teleconferenced ****

Committee hearings may be postponed to 5:30 p.m.
depending on length of floor session.

HOUSE COMMITTEE REPORT

Date Referred to Committee: February 13, 2006

FURTHER REFERRALS: HES
Judiciary

Date of Committee Action: MARCH 16, 2006

The HOUSE SPECIAL COMMITTEE ON EDUCATION considered:

HB 482

HOUSE BILL NO. 482

SCHOOL:BULLYING/HARASSMENT/INTIMIDATION

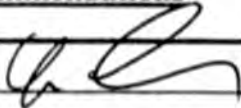
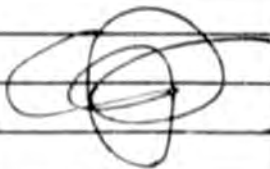
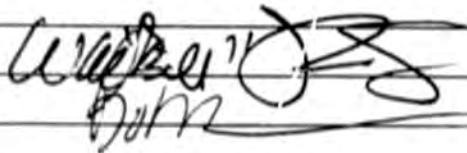
"An Act relating to harassment, intimidation, and bullying in schools."

Recommends it be replaced with ☐ HCS or ☒ CS for H3482 (EDU)
For Senate Bills with new title: ☐ Technical Title ☐ New Title: HCR ☒ Same Title ☐ New Title

☐ attach amendments
☐ add new referral to _____ Committee
☐ Letter of Intent _____ Committee

*List of
Abbrev
for
Depts.:*
ADM
CED
COR
CRT
EED
DEC
DFG
GOV
HSS
LEG
LAW
LWF
MVA
DNR
DPS
REV
DOT
UA

[illegible][illegible]

Signing with recommendations		Printed Last Name	DP	DNP	NR	AM
		Gary Gallo			☒	
		Thomas Lynn	☒	X	☒	X
Chair: 		N. L. Linn			☒	
Chair:						

ALASKA STATE LEGISLATURE
HOUSE BILL NO. 482

HISTORY IN THE HOUSE

2006

2/13

Read first time and referred to:

Edu HES Jud

____ RPT CS() ____ New Title
____ DP ____ DNP ____ NR ____ AM
____ FN ____ OFN / Prev: ____ FN ____ OFN

____ RPT CS() ____ New Title
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____ RPT CS() ____ New Title
____ DP ____ DNP ____ NR ____ AM
____ FN ____ OFN / Prev: ____ FN ____ OFN

Read second time

☐ CS() Adopted ☐ New Title

☐ Amended _____
☐ _____ Advanced

Read third time

☐ Title Amendment
☐ Return to second for amendment(s) or:

☐ Passed Y ____ N ____ E ____ A ____
☐ EFD same or Y ____ N ____ E ____ A ____
☐ CRT same or Y ____ N ____ E ____ A ____
☐ CBR same or Y ____ N ____ E ____ A ____
☐ _____

Reconsideration

Reconsideration not taken up

☐ Title Amendment
☐ Return to second for amendment(s) or:

☐ Passed/Rec Y ____ N ____ E ____ A ____
☐ EFD same or Y ____ N ____ E ____ A ____
☐ CRT same or Y ____ N ____ E ____ A ____
☐ CBR same or Y ____ N ____ E ____ A ____
☐ _____

Engrossed, signed by the Speaker
Transmitted to the Senate

Chief Clerk of the House

HISTORY IN THE SENATE

20

Read first time and referred to:

____ RPT SCS() ____ New Title
____ DP ____ DNP ____ NR ____ AM
____ FN ____ OFN / Prev: ____ FN ____ OFN
To: _____

____ RPT SCS() ____ New Title
____ DP ____ DNP ____ NR ____ AM
____ FN ____ OFN / Prev: ____ FN ____ OFN
To: _____

____ RPT SCS() ____ New Title
____ DP ____ DNP ____ NR ____ AM
____ FN ____ OFN / Prev: ____ FN ____ OFN
To: _____

Read second time

☐ SCS() Adopted ☐ New Title
SCR No. _____

☐ Amended _____
☐ _____ Advanced

Read third time

☐ Title Amendment
☐ Return to second for amendment(s) or:

☐ Passed Y ____ N ____ E ____ A ____
☐ EFD same or Y ____ N ____ E ____ A ____
☐ CRT same or Y ____ N ____ E ____ A ____
☐ CBR same or Y ____ N ____ E ____ A ____
☐ _____

Reconsideration

Reconsideration not taken up

☐ Title Amendment
☐ Return to second for amendment(s) or:

☐ Passed/Rec Y ____ N ____ E ____ A ____
☐ EFD same or Y ____ N ____ E ____ A ____
☐ CRT same or Y ____ N ____ E ____ A ____
☐ CBR same or Y ____ N ____ E ____ A ____
☐ _____

Engrossed, signed by the President
Returned to the House

Secretary of the Senate

HB

ALASKA STATE LEGISLATURE

House of Representatives

COMMITTEE ASSIGNMENTS:

LABOR & COMMERCE COMMITTEE, CHAIRMAN
ADMINISTRATION REGULATION REVIEW COMMITTEE, CHAIRMAN
JUDICIARY COMMITTEE, VICE-CHAIR

web site: <http://www.akrepublicans.org/Anderson.html>

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Representative Tom Anderson

email: Representative_Tom_Anderson@legis.state.ak.us

MEMORANDUM

Date: March 1, 2006

To: Representative Mark Neuman, Chair
House Education Committee

From: Representative Tom Anderson 

Re: HB 482

I respectfully request scheduling of HB 482 for consideration by the House Education Committee.

Enclosed are:

1. The most recent version of the bill
2. Current Sponsor Statement
3. Sectional Analysis
4. Appropriate backup documentation

Thank you for your consideration of this request. Please contact Crystal Novotney at 465-4939 in my office if you have any questions or concerns.

ALASKA STATE LEGISLATURE

House of Representatives

COMMITTEE ASSIGNMENTS:

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SPONSOR STATEMENT FOR HB 482

TITLE: "An Act relating to harassment, intimidation, and bullying in schools."

House Bill 482 encourages school districts, city and borough offices of education, law enforcement agencies, and youth-serving agencies to develop and implement interagency strategies. Some of the possible programs may include in-service training programs and other activities to improve school attendance and reduce school crime and violence. HB 482 will reduce vandalism, drug and alcohol abuse, gang membership, gang violence, hate crimes, bullying, teen relationship violence, and discrimination and all harassment, including sexual harassment, in grades K-12.

Recent research studies suggest bullying has a negative effect on the social environment of schools. Bullying creates a climate of fear among students, inhibits their ability to learn, and leads to other anti-social behavior, such as vandalism, shoplifting, skipping and dropping out of school, fighting, and the use of drugs and alcohol. Sixty percent (60%) of the males studies who were bullies in grades six through nine were convicted of at least one crime as an adult. Thirty-five (35) to forty percent (40%) of these former bullies had three or more convictions by 24 years of age. Successful programs to recognize, prevent, and effectively intervene bullying behavior have improved safety and create a more inclusive learning environment.

Currently, 24 states have an anti-bullying law: Arkansas, Arizona, California, Colorado, Connecticut, Georgia, Illinois, Indiana, Louisiana, Maine, Maryland, Mississippi, Nevada, New Hampshire, New Jersey, Oklahoma, Oregon, Rhode Island, Tennessee, Texas, Vermont, Virginia, Washington and West Virginia. Also, 17 other states have anti-bullying laws pending: Alabama, Florida, Hawaii, Iowa, Kentucky, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Ohio, Pennsylvania, South Carolina, Utah, Wisconsin and Wyoming. Seven states have no record of proposing an anti-bullying law, and one state, New York, continues to struggle with passage of the bill.

Our children deserve to learn without fear in a safe school environment.

I ask for your support with HB 482.

ALASKA STATE LEGISLATURE

House of Representatives

COMMITTEE ASSIGNMENTS:

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ADMINISTRATION REGULATION REVIEW COMMITTEE, CHAIRMAN
JUDICIARY COMMITTEE, VICE-CHAIR

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email: Representative_Tom_Anderson@legis.state.ak.us

Sectional Analysis for HB 482

Section 1: Amends state law dealing with school safety and discipline by adding a new section Article 4 Harassment, Intimidation, and Bullying. The new Article 4 has five subsections:

Sec. 14.33.200: Harassment, intimidation, and bullying policy.

- (a) Requires school districts to adopt a policy on harassment, intimidation, and bullying by July 1, 2007 and share this policy with parents or guardians, students, volunteers, and school employees.
- (b) Outlines the policy adoption process, policy emphasis and other requirements to be included in the new policy.
- (c) Requires the Department of Education to provide model policy to school districts by January 1, 2007. This will give school districts six months to adopt policy as required by (a).

Sec. 14.33.210: Reporting of incidences of harassment, intimidation, or bullying.

Beginning with the 2007-2008 school year, each school district shall report to the Department all incidences involving harassment, intimidation, or bullying. The Department will then take all the data and report it to the House of Representatives and the Senate.

Sec. 14.33.220: Reporting; no reprisals.

- (a) A school employee, student, or volunteer is not allowed to engage in reprisal, retaliation, or false accusation against a victim or a witness.
- (b) A school employee, student, or volunteer who has witnessed, or has harassment information is encouraged to report the incident to an appropriate school official.

Sec. 14.33.223: Immunity from suit.

Any school employee, student, or volunteer who promptly reports an incident of harassment, intimidation, or bullying to an appropriate school official is immune from a cause of action for damages arising.

Sec. 14.33.250: Definitions.

Provides definitions of "district" and "harassment, intimidation, or bullying".

Fairbanks Daily News-Miner

Don't be a bully

Wednesday, March 15, 2006 - Have things gotten so bad in Alaska schools that it's time for the state to step in with a law barring the harassment, intimidation or bullying of students? Apparently. Why else would Alaska need such a law as that under consideration later this week in the state House?

The superintendent of Fairbanks' public schools says she's noticed an increase in bullying in the past decade, and the school board in September adopted a policy against it. "Intentional and generally unprovoked attempts by one or more individuals to inflict physical harm or emotional distress upon another person or group is prohibited and may result in disciplinary action."

Seems pretty clear.

The item in the Legislature, House Bill 482, would require each school district to have a policy against such behavior, would require the state to help districts establish such policies, and would require districts to make annual reports to the Department of Education and Early Development, which would provide the results to the Legislature. Whether the bill goes anywhere is anyone's guess looking from the outside.

For the moment, though, the bill by Anchorage Republican Rep. Tom Anderson provides an opportunity to talk about bullying and the harm it can do. It's an opportunity to remind parents to talk to their children about what's right and what's wrong and how children should relate to one another.

Kids are kids, and they are mean to each other at times--often fiercely so. That's probably not going to change much, but that's no reason to accept bad behavior. Accepting it will only allow it to become more widespread. But what is bullying? How is a parent to recognize it to be able to deal with it?

Common sense will tell. Seeing some of the definitions in the school district's new policy does bring out the reaction, "Well, that's what kids do." Punching, hitting, hair pulling, biting, ostracizing, name-calling and so on. But the policy does include more serious forms of harassment and intimidation such as sexual propositioning and unwanted physical contact.

All of those, and other bullying, can disrupt a child's schooling and well-being. That's reason to strive to eliminate it.

Reducing the amount of bullying and harassment has been one of the topics in a grant-funded Safe Schools, Healthy Students program of the Fairbanks North Star Borough School District, which on April 19 is having a "Bullying Prevention" seminar for school administrators, school board members and parents.

The school district's workshop and the legislation to be discussed this week in Juneau both are opportunities to bring more public awareness to what can become a ruinous torment for a child.



OJJDP FACT SHEET

June 2001 #27

Addressing the Problem of Juvenile Bullying

by Nels Ericson

Bullying, a form of violence among children, is common on school playgrounds, in neighborhoods, and in homes throughout the United States and around the world. Often occurring out of the presence of adults or in front of adults who fail to intercede, bullying has long been considered an inevitable and, in some ways, uncontrollable part of growing up. School bullying has come under intense public and media scrutiny recently amid reports that it may have been a contributing factor in shootings at Columbine High School in Littleton, CO, in 1999 and Santana High School in Santee, CA, in early 2001 and in other acts of juvenile violence including suicide. Bullying can affect the social environment of a school, creating a climate of fear among students, inhibiting their ability to learn, and leading to other anti-social behavior. Nevertheless, through research and evaluation, successful programs to recognize, prevent, and effectively intervene in bullying behavior have been developed and replicated in schools across the country. These schools send the message that bullying behavior is not tolerated and, as a result, have improved safety and created a more inclusive learning environment.

A recently published report by the National Institute of Child Health and Human Development (NICHD) on the U.S. contribution to the World Health Organization's Health Behavior in School-Aged Children survey found that 17 percent of the respondents had been bullied "sometimes" or "weekly," 19 percent had bullied others sometimes or weekly, and 6 percent had both bullied others and been bullied. The researchers estimated that 1.6 million children in grades 6 through 10 in the United States are bullied at least once a week and 1.7 million children bully others as frequently. The survey, the first nationwide research on the problem in this country, questioned 15,686 public and private school students, grades 6 through 10, on their experiences with bullying. In a study of 6,500 middle school students in rural South Carolina, 23 percent said they had been bullied regularly during the previous 3 months and 20 percent admitted bullying another child regularly during that time (Olweus and Limber, 1999).

What Is Bullying?

Bullying among children encompasses a variety of negative acts carried out repeatedly over time. It involves a real or perceived imbalance of power, with the more powerful child or group attacking those who are less powerful. Bullying can take three forms: physical (hitting, kicking, spitting, pushing, taking personal belongings); verbal (taunting, malicious teasing, name calling, making threats); and psychological (spreading rumors, manipulating social relationships, or engaging in social exclusion, extortion, or intimidation).

The NICHD survey found that males tend to bully and be bullied more frequently than females. For males, experiencing physical and verbal bullying is most common; for females, verbal bullying (both taunting and insults of a sexual nature) and spreading rumors are most common. Bullying generally begins in the elementary grades, peaks in the sixth through eighth grades, and persists into high school.

The Effects of Bullying

The NICHD study found that bullying has long-term and short-term psychological effects on both those who bully and those who are bullied. Victims experienced loneliness and reported having trouble making social and emotional adjustments, difficulty making friends, and poor relationships with classmates. Victims of bullying often suffer humiliation, insecurity, and a loss of self-esteem, and they may develop a fear of going to school. The impact of frequent bullying often accompanies these victims into adulthood; they are at greater risk of suffering from depression and other mental health problems, including schizophrenia. In rare cases, they may commit suicide.

Bullying behavior has been linked to other forms of antisocial behavior, such as vandalism, shoplifting, skipping and dropping out of school fighting, and the use of drugs and alcohol. Pioneering research by Professor Dan Olweus in Norway and Sweden suggests that bullying can lead to criminal behavior later in life: 60 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.

The NICHD study found that those who bully and are bullied appear to be at greatest risk of experiencing the following: loneliness, trouble making friends, lack of success in school, and involvement in problem behaviors such as smoking and drinking.

Addressing the Problem

A perpetrator's bullying behavior does not exist in isolation. Rather, it may indicate the beginning of a generally antisocial and rule-breaking behavior pattern that can extend into adulthood. Programs to address the problem, therefore, must reduce opportunities and rewards for bullying behavior. The Olweus Bullying Prevention Program, developed, refined, and systematically evaluated in Bergen, Norway, in the mid-1980s, is the best-known initiative designed to reduce bullying among elementary, middle, and junior high school children (Olweus and Limber, 1999). The strategy behind the program is to involve school staff, students, and parents in efforts to raise awareness about bullying, improve peer relations, intervene to stop intimidation, develop clear rules against bullying behavior, and support and protect victims. The program intervenes on three levels:

- ◆ **School:** Faculty and staff survey students anonymously to determine the nature and prevalence of the school's bullying problem, increase supervision of students during breaks, and conduct schoolwide assemblies to discuss the issue. Teachers receive inservice training on how to implement the program.
- ◆ **Classroom:** Teachers and/or other school personnel introduce and enforce classroom rules against bullying, hold regular classroom meetings with students to discuss bullying, and meet with parents to encourage their participation.
- ◆ **Individual:** Staff intervene with bullies, victims, and their parents to ensure that the bullying stops.

The Bergen research showed that the program was highly effective among students in elementary, middle, and junior high schools: Bullying dropped by 50 percent or more during the program's

2 years. Behavioral changes were more pronounced the longer the program was in effect. The school climate improved, and the rate of antisocial behavior, such as theft, vandalism, and truancy, declined during the 2-year period.

For Further Information

For more information on the Bullying Prevention Program, contact Susan P. Limber, Ph.D., Institute on Family and Neighborhood Life, Clemson University, 158 Poole Agricultural Center, Clemson, SC 29634-5205; 864-656-6271; 864-656-6281 (fax); <http://virtual.clemson.edu/groups/ifnl/index.htm>.

For information on the Blueprints for Violence Prevention series, contact Delbert S. Elliot, Ph.D., Director, Center for the Study and Prevention of Violence, Institute of Behavioral Science, University of Colorado at Boulder, Campus Box 439, Boulder, CO 80309-0439; 303-492-8465; 303-443-3297 (fax); www.colorado.edu/cspv/blueprints/index.html.

For additional information on bullying and conflict resolution, visit the following Web sites: Communities In Schools (www.cisnet.org), the National Center for Conflict Resolution Education (www.nccre.org), the Northwest Regional Educational Laboratory (www.nwrel.org), and the Office of Juvenile Justice and Delinquency Prevention (www.ojjdp.ncjrs.org).

Reference

Olweus, D., and Limber, S. 1999. *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.

Nels Ericson is a Senior Writer-Editor with the Office of Juvenile Justice and Delinquency Prevention.

The Office of Juvenile Justice and Delinquency Prevention is a component of the Office of Justice Programs, which also includes the Bureau of Justice Assistance, the Bureau of Justice Statistics, the National Institute of Justice, and the Office for Victims of Crime.

FS-200127

FS-200127

Fact Sheet

PERMIT NO. G-91
DOJ/ODJP
POSTAGE & FEES PAID
PRESORTED STANDARD

U.S. Department of Justice
Office of Justice Programs
Office of Juvenile Justice and Delinquency Prevention
Washington, DC 20531
Official Business
Penalty for Private Use \$300

Bullying in Schools

Bullying has long been common among children and young people, but only recently—particularly after several widely publicized incidents of shootings at schools—has this behavior begun to be addressed by educators, by school boards, and in the media. Many bullying incidents involve students who are considered to be “different.” For example, some students fall victim to bullying based on their sex, race, religion, sexual orientation, mental or physical disability, or other personal traits or habits that are perceived as uncommon. While this is not new, in recent years bullying acts have become more violent and lethal. Bullying has also been considered as a contributing factor in other violent acts: two-thirds of 41 perpetrators in recent school shooting incidents described feeling persecuted, bullied, or threatened by their peers.

The academic consequences of bullying include decreased interest in school, increased absences, and decreased concentration levels for students. Bystanders are also affected by bullying. Many lack a sense of mental and physical well-being. The perpetrators of bullying incidents also experience short-term problems such as depression, anxiety, loneliness, suicidal thoughts, difficulties with school work and long-term problems such as low self-esteem and depression. Some more extreme long-term effects for the bully are equally disturbing; they include other antisocial behaviors such as vandalism, shoplifting, truancy, and frequent drug use. One in four boys that bully will have a criminal record by age 30.

Today, attitudes among parents, educators, and policymakers toward bullying are changing, and it is no longer accepted as a part of normal childhood experiences. Bullying is now considered a marker for serious or violent behavior, and information about how to effectively respond to bullying is readily available. The bad news is that tens of thousands of children are still afraid to go to school because of teasing, harassment and intimidation from other students. According to a study by the National Crime Prevention Council, **six out of ten American teenagers witness bullying in school once a day.** The number of students being bullied is on the rise, particularly among girls.

Issues to Consider

★ **Defining bullying, harassment, and intimidation.** In order for schools to address inappropriate behaviors, descriptive details are needed to define bullying. **Bullying is defined as systematically and chronically inflicting physical hurt and or psychological distress on one or more students.** The chart below provides further definitions of the major forms of bullying.

Descriptions of Common Forms of Bullying		
	Direct bullying	Indirect bullying
Verbal Bullying	Taunting, teasing, name calling	Spreading rumors
Physical Bullying	Hitting, kicking, destruction or theft of property	Enlisting a friend to assault someone for you
Nonverbal/Nonphysical Bullying	Threatening or obscene gestures	Excluding others from a group, manipulation of friendships, threatening email
D. Owlets, <i>Bullying at School: What We Know and What We Can Do</i> (Cambridge, MA: Blackwell Publishers, Inc., 1993).		

★ **Sexual harassment** is another form of bullying. Its intent is to demean, embarrass, humiliate, or control another person on the basis of their gender or sexual orientation. Both boys and girls can experience unwanted jokes, comments or taunts about sexual body parts, teasing about sexual orientation or starting rumors about sexual activities, passing unwanted notes or pictures about sex. However, inappropriate behavior has a more significant impact on girls. Female students that endure sexual harassment are less confident, more self-conscious, shamed, and embarrassed. They can be so affected by harassment that their grades fall.

★ **When bullying becomes a school issue.** Bullying becomes an issue of the school when it takes place on school property, at a school function, or on a school bus. Regardless of the type of bullying, the results are the same. Students who are bullied are afraid to go to school, have difficulty concentrating on their studies, have lower academic achievement levels, or are fearful of calling attention to

themselves by speaking up in class. Ultimately bullying creates a poor learning environment for all students. Some parents of students who are victims of bullying find it necessary to have their children transfer to other schools when bullying persists.

★ **Staff training and development.** Many educators simply are not aware of indirect and direct bullying that occurs around them. Effective policies provide training for teachers so that they can identify bullying behaviors and characteristics of a victim of bullying. Some states require local school systems and staff to develop a safe schools action plan. In Maryland this plan must include initial and annual training on harassment, bullying, bias, and discrimination; local school system policy; consequences for violating policies; and procedures for staff to address bullying incidents. Other components involve a system of record keeping for the school and system level, a continuum of consequences for all staff who participate in bullying, a process for training new staff, and development of training materials.

Implications for Policymakers

★ **Investigate ways of addressing bullying through school-based programs, strategies, and curriculum.** Some examples of programs include character education, cooperative discipline, conflict resolution, peer programs, and assertiveness training for students. These programs and strategies should take place at all levels.

★ **Assure that bullying policies and safe schools policies include language that is detailed and specific.** For example, language should address bias-motivated harassment incidents that involve race, gender, religion, and sexual orientation differences. A common language in the description of bullying will increase the recognition of such acts in schools. Information should be readily accessible to students, parents, and community members.

★ **Become familiar with the research on bullying intervention programs.** Some highly publicized policies and programs have had mixed results. For example the "zero tolerance" and "three strikes" policies, adopted in recent years by many school districts, expel or suspend students from school. This policy generally addresses only one type of bullying (physical) and the severe punishments tend to discourage students and staff from reporting bullying. Other policies that are also of questionable value include group treatment for bullies and short-term solutions to bullying (e.g., a one-shot, six week curriculum on bullying). Policies that assist in changing the overall school climate and behavioral norms and fostering school connectedness have been more successful.

State and National Actions

Michigan. The *Michigan Model* is an age-appropriate curriculum that is used throughout the state in grades K-12. In the early grades, the curriculum addresses similarities and differences among people, along with ways to avoid violence. Middle school students learn about stopping assault and preventing violence, respecting others, getting help, sexual harassment, and conflict resolution. The upper grades focus is on resolving conflict peacefully, stopping escalation of conflict, and helping others who are in violent situations. All of these components come with resource sheets on topics of communication, anger management, friendship, and bullying that are sent home to parents.

West Virginia's policy spells out clear guidelines for local districts about their role in the prevention and intervention of bullying behavior. Schools and school boards are encouraged to form a bullying prevention task force, program, or other initiative that involves school staff, students, teachers, administrators, volunteers, parents, law enforcement personnel, and community members. West Virginia encourages its schools to become "telling" schools where anyone who is aware of an act of harassment, intimidation, or bullying is encouraged to report the incident to a designated school staff member. As stated in the policy, full immunity is given to school employees, students, or volunteers who report information about bullying.

Nebraska. The Nebraska Anti-Bullying Policy targets three major areas. Area one details ways in which the state will provide information and resource development, such as disseminating the state board policy and expansion of the Nebraska Safety Website, which will include articles on positive behavior and include interactive question/answer sections for emerging issues. Area two focuses on training of staff and students. This includes ensuring that there are training resources and coordination of training sessions at various educational service units. Area three details ways that the plan can be evaluated. Surveys, monitoring websites, and periodic reports to the state board will be parts of the evaluation.

NASBE is partnering with the Health Resources and Services Administration (HRSA), Maternal and Child Health Bureau (MCHB) in its launch of *The National Bullying Prevention Campaign*. The purpose of this multi-year, research-based campaign is raise public awareness about bullying, prevent and reduce bullying behaviors, identify and provide appropriate interventions for 9- to 13-year-olds and other targeted audiences. The campaign will be launched in the early fall of 2003.

ERIC Identifier: ED407154

Publication Date: 1997-04-00

Author: Banks, Ron

Source: ERIC Clearinghouse on Elementary and Early Childhood Education Champaign IL.

Bullying in Schools. ERIC Digest.

Bullying in schools is a worldwide problem that can have negative consequences for the general school climate and for the right of students to learn in a safe environment without fear. Bullying can also have negative lifelong consequences--both for students who bully and for their victims. Although much of the formal research on bullying has taken place in the Scandinavian countries, Great Britain, and Japan, the problems associated with bullying have been noted and discussed wherever formal schooling environments exist. Bullying is comprised of direct behaviors such as teasing, taunting, threatening, hitting, and stealing that are initiated by one or more students against a victim. In addition to direct attacks, bullying may also be more indirect by causing a student to be socially isolated through intentional exclusion. While boys typically engage in direct bullying methods, girls who bully are more apt to utilize these more subtle indirect strategies, such as spreading rumors and enforcing social isolation (Ahmad & Smith, 1994; Smith & Sharp, 1994). Whether the bullying is direct or indirect, the key component of bullying is that the physical or psychological intimidation occurs repeatedly over time to create an ongoing pattern of harassment and abuse (Batsche & Knoff, 1994; Olweus, 1993).

EXTENT OF THE PROBLEM

Various reports and studies have established that approximately 15% of students are either bullied regularly or are initiators of bullying behavior (Olweus, 1993). Direct bullying seems to increase through the elementary years, peak in the middle school/junior high school years, and decline during the high school years. However, while direct physical assault seems to decrease with age, verbal abuse appears to remain constant. School size, racial composition, and school setting (rural, suburban, or urban) do not seem to be distinguishing factors in predicting the occurrence of bullying. Finally, boys engage in bullying behavior and are victims of bullies more frequently than girls (Batsche & Knoff, 1994; Nolin, Davies & Chandler, 1995; Olweus, 1993; Whitney & Smith, 1993).

CHARACTERISTICS OF BULLIES AND VICTIMS

Students who engage in bullying behaviors seem to have a need to feel powerful and in control. They appear to derive satisfaction from inflicting injury and suffering on others, seem to have little empathy for their victims, and often defend their actions by saying that their victims provoked them in some way. Studies indicate that bullies often come from homes where physical punishment is used, where the children are taught to strike back

physically as a way to handle problems, and where parental involvement and warmth are frequently lacking. Students who regularly display bullying behaviors are generally defiant or oppositional toward adults, antisocial, and apt to break school rules. In contrast to prevailing myths, bullies appear to have little anxiety and to possess strong self-esteem. There is little evidence to support the contention that they victimize others because they feel bad about themselves (Batsche & Knoff, 1994; Olweus, 1993). Students who are victims of bullying are typically anxious, insecure, cautious, and suffer from low self-esteem, rarely defending themselves or retaliating when confronted by students who bully them. They may lack social skills and friends, and they are often socially isolated. Victims tend to be close to their parents and may have parents who can be described as overprotective. The major defining physical characteristic of victims is that they tend to be physically weaker than their peers--other physical characteristics such as weight, dress, or wearing eyeglasses do not appear to be significant factors that can be correlated with victimization (Batsche & Knoff, 1994; Olweus, 1993).

CONSEQUENCES OF BULLYING

As established by studies in Scandinavian countries, a strong correlation appears to exist between bullying other students during the school years and experiencing legal or criminal troubles as adults. In one study, 60% of those characterized as bullies in grades 6-9 had at least one criminal conviction by age 24 (Olweus, 1993). Chronic bullies seem to maintain their behaviors into adulthood, negatively influencing their ability to develop and maintain positive relationships (Oliver, Hoover, & Hazler, 1994).

Victims often fear school and consider school to be an unsafe and unhappy place. As many as 7% of America's eighth-graders stay home at least once a month because of bullies. The act of being bullied tends to increase some students' isolation because their peers do not want to lose status by associating with them or because they do not want to increase the risks of being bullied themselves. Being bullied leads to depression and low self-esteem, problems that can carry into adulthood (Olweus, 1993; Batsche & Knoff, 1994).

PERCEPTIONS OF BULLYING

Oliver, Hoover, and Hazler (1994) surveyed students in the Midwest and found that a clear majority felt that victims were at least partially responsible for bringing the bullying on themselves. Students surveyed tended to agree that bullying toughened a weak person, and some felt that bullying "taught" victims appropriate behavior. Charach, Pepler, and Ziegler (1995) found that students considered victims to be "weak," "nerds," and "afraid to fight back." However, 43% of the students in this study said that they try to help the victim, 33% said that they should help but do not, and only 24% said that bullying was none of their business.

Parents are often unaware of the bullying problem and talk about it with their children only to a limited extent (Olweus, 1993). Student surveys reveal that a low percentage of students seem to believe that adults will help. Students feel that adult intervention is infrequent and ineffective, and that telling adults will only bring more harassment from

bullies. Students report that teachers seldom or never talk to their classes about bullying (Charach, Pepler, & Ziegler, 1995). School personnel may view bullying as a harmless right of passage that is best ignored unless verbal and psychological intimidation crosses the line into physical assault or theft.

INTERVENTION PROGRAMS

Bullying is a problem that occurs in the social environment as a whole. The bullies' aggression occurs in social contexts in which teachers and parents are generally unaware of the extent of the problem and other children are either reluctant to get involved or simply do not know how to help (Charach, Pepler, & Ziegler, 1995). Given this situation, effective interventions must involve the entire school community rather than focus on the perpetrators and victims alone. Smith and Sharp (1994) emphasize the need to develop whole-school bullying policies, implement curricular measures, improve the schoolground environment, and empower students through conflict resolution, peer counseling, and assertiveness training. Olweus (1993) details an approach that involves interventions at the school, class, and individual levels. It includes the following components:

- * An initial questionnaire can be distributed to students and adults. The questionnaire helps both adults and students become aware of the extent of the problem, helps to justify intervention efforts, and serves as a benchmark to measure the impact of improvements in school climate once other intervention components are in place.
- * A parental awareness campaign can be conducted during parent-teacher conference days, through parent newsletters, and at PTA meetings. The goal is to increase parental awareness of the problem, point out the importance of parental involvement for program success, and encourage parental support of program goals. Questionnaire results are publicized.
- * Teachers can work with students at the class level to develop class rules against bullying. Many programs engage students in a series of formal role-playing exercises and related assignments that can teach those students directly involved in bullying alternative methods of interaction. These programs can also show other students how they can assist victims and how everyone can work together to create a school climate where bullying is not tolerated (Sjostrom & Stein, 1996).
- * Other components of anti-bullying programs include individualized interventions with the bullies and victims, the implementation of cooperative learning activities to reduce social isolation, and increasing adult supervision at key times (e.g., recess or lunch). Schools that have implemented Olweus's program have reported a 50% reduction in bullying.

CONCLUSION

Bullying is a serious problem that can dramatically affect the ability of students to progress academically and socially. A comprehensive intervention plan that involves all students, parents, and school staff is required to ensure that all students can learn in a safe and fear-free environment.

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Bullying: Facts for Schools and Parents

By Andrea Cohn & Andrea Canter, Ph.D., NCSP
National Association of School Psychologists

Bullying is a widespread problem in our schools and communities. The behavior encompasses physical aggression, threats, teasing, and harassment. Although it can lead to violence, bullying typically is not categorized with more serious forms of school violence involving weapons, vandalism, or physical harm. It is, however, an unacceptable anti-social behavior that is **learned** through influences in the environment, e.g., home, school, peer groups, even the media. As such, it also can be unlearned or, better yet, prevented.

A **bully** is someone who directs physical, verbal, or psychological aggression or harassment toward others, with the goal of gaining power over or dominating another individual. Research indicates that bullying is more prevalent in boys than girls, though this difference decreases when considering indirect aggression (such as verbal threats).

A **victim** is someone who repeatedly is exposed to aggression from peers in the form of physical attacks, verbal assaults, or psychological abuse. Victims are more likely to be boys and to be physically weaker than peers. They generally do not have many, if any, good friends and may display poor social skills and academic difficulties in school.

Facts About Bullying

- Bullying is the most common form of violence in our society; between 15% and 30% of students are bullies or victims.
- A recent report from the American Medical Association on a study of over 15,000 6th-10th graders estimates that approximately 3.7 million youths engage in, and more than 3.2 million are victims of, moderate or serious bullying each year.
- Between 1994 and 1999, there were 253 violent deaths in school, 51 casualties were the result of multiple death events. Bullying is often a factor in school related deaths.
- Membership in either bully or victim groups is associated with school drop out, poor psychosocial adjustment, criminal activity and other negative long-term consequences.
- Direct, physical bullying increases in elementary school, peaks in middle

school and declines in high school. Verbal abuse, on the other hand, remains constant. The U.S. Department of Justice reports that younger students are more likely to be bullied than older students.

- Over two-thirds of students believe that schools respond poorly to bullying, with a high percentage of students believing that adult help is infrequent and ineffective.
- 25% of teachers see nothing wrong with bullying or putdowns and consequently intervene in only 4% of bullying incidents.

Why Do Some Children and Adolescents Become Bullies?

Most bullying behavior develops in response to multiple factors in the environment—at home, school and within the peer group. There is no one cause of bullying. Common contributing factors include:

- **Family factors:** The frequency and severity of bullying is related to the amount of adult supervision that children receive—bullying behavior is reinforced when it has no or inconsistent consequences. Additionally, children who observe parents and siblings exhibiting bullying behavior, or who are themselves victims, are likely to develop bullying behaviors. When children receive negative messages or physical punishment at home, they tend to develop negative self concepts and expectations, and may therefore attack before they are attacked—bullying others gives them a sense of power and importance.
- **School factors:** Because school personnel often ignore bullying, children can be reinforced for intimidating others. Bullying also thrives in an environment where students are more likely to receive negative feedback and negative attention than in a positive school climate that fosters respect and sets high standards for interpersonal behavior.
- **Peer group factors:** Children may interact in a school or neighborhood peer group that advocates, supports, or promotes bullying behavior. Some children may bully peers in an effort to “fit in,” even though they may be uncomfortable with the behavior.

Why Do Some Children and Adolescents Become Victims?

- Victims signal to others that they are insecure, primarily passive and will not retaliate if they are attacked. Consequently, bullies often target children who complain, appear physically or emotionally weak and seek attention from peers.
- Studies show that victims have a higher prevalence of overprotective parents or school personnel; as a result, they often fail to develop their own coping skills.
- Many victims long for approval; even after being rejected, some continue to make ineffective attempts to interact with the victimizer.

How Can Bullying Lead to Violence?

- Bullies have a lack of respect for others' basic human rights; they are more likely to resort to violence to solve problems without worry of the potential implications.
- Both bullies and victims show higher rates of fighting than their peers.

- Recent school shootings show how victims' frustration with bullying can turn into vengeful violence.

What Can Schools Do?

Today, schools typically respond to bullying, or other school violence, with reactive measures. However, installing metal detectors or surveillance cameras or hiring police to patrol the halls have no tangible positive results. Policies of "Zero Tolerance" (severe consequence for any behavior defined as dangerous such as bullying or carrying a weapon) rely on exclusionary measures (suspension, expulsion) that have long-term negative effects.

Instead, researchers advocate school-wide prevention programs that promote a positive school and community climate. Existing programs can effectively reduce the occurrence of bullying; in fact, one program decreased peer victimization by 50%. Such programs require the participation and commitment of students, parents, educators and members of the community. Effective school programs include:

- **Early intervention.** Researchers advocate intervening in elementary or middle school, or as early as preschool. Group and building-wide social skills training is highly recommended, as well as counseling and systematic aggression interventions for students exhibiting bullying and victim behaviors. School psychologists and other mental health personnel are particularly well-trained to provide such training as well as assistance in selecting and evaluating prevention programs.
- **Parent training.** Parents must learn to reinforce their children's positive behavior patterns and model appropriate interpersonal interactions. School psychologists, social workers and counselors can help parents support children who tend to become victims as well as recognize bullying behaviors that require intervention.
- **Teacher training.** Training can help teachers identify and respond to potentially damaging victimization as well as to implement positive feedback and modeling to address appropriate social interactions. Support services personnel working with administrators can help design effective teacher training modules.
- **Attitude change.** Researchers maintain that society must cease defending bullying behavior as part of growing up or with the attitude of "kids will be kids." Bullying can be stopped! School personnel should never ignore bullying behaviors.
- **Positive school environment.** Schools with easily understood rules of conduct, smaller class sizes and fair discipline practices report less violence. A positive school climate will reduce bullying and victimization.

What Can Parents Do?

- **Contact** the school's psychologist, counselor or social worker and ask for help around bullying or victimization concerns. Become involved in school programs to counteract bullying.
- **Provide positive feedback** to children for appropriate social behaviors and model interactions that do not include bullying or aggression.
- **Use alternatives to physical punishment**, such as the removal of privileges, as a consequence for bullying behavior.
- **Stop bullying behavior** as it is happening and begin working on

appropriate social skills early.

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Online:

National Mental Health and Education Center for Children and Families (NASP) www.naspcenter.org

Safe and Responsive Schools Project www.indiana.edu/~safeschl/

Safe Schools/Healthy Students Action Center www.sshsac.org/

National Resource Center for Safe Schools www.nwrel.org/safe

This article was developed from a number of resources including the chapter by George Batsche.

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Posted October 7, 2003.

Bullying Statistics

BULLYING STATISTICS

- Thirty percent (30%) of U.S. students in grades six through ten are involved in moderate or frequent bullying — as bullies, as victims, or as both — according to the results of the first national survey on this subject.
- Bullying is increasingly viewed as an important contributor to youth violence, including homicide and suicide. Case studies of the shooting at Columbine High School and other U.S. schools have suggested that bullying was a factor in many of the incidents.

RECENT STATISTICS SHOW THAT:

- 1 out of 4 kids is Bullied. The American Justice Department says that this month 1 out of every 4 kids will be abused by another youth.
- Surveys Show That 77% of students are bullied mentally, verbally, & physically.
- In a recent study, 77% of the students said they had been bullied. And 14% of those who were bullied said they experienced severe (bad) reactions to the abuse.
- 1 out of 5 kids admits to being a bully, or doing some "Bullying."
- 8% of students miss 1 day of class per month for fear of Bullies.
- 43% fear harassment in the bathroom at school.
- 100,000 students carry a gun to school.
- 28% of youths who carry weapons have witnessed violence at home.
- A poll of teens ages 12-17 proved that they think violence increased at their schools.
- 282,000 students are physically attacked in secondary schools each month.
- More youth violence occurs on school grounds as opposed to on the way to school.
- Playground statistics - Every 7 minutes a child is bullied. Adult intervention - 4%. Peer intervention - 11%. No intervention - 85%.

ACCORDING TO THE BUREAU OF JUSTICE STATISTICS - School Crime and Safety:

- 46% of males, and 26% of females reported they had been in physical fights.
- Those in the lower grades reported being in twice as many fights as those in the higher grades. However, there is a lower rate of serious violent crimes in the elementary level than in the middle or high schools.
- Teenagers say revenge is the strongest motivation for school shootings
 - — 87% said shootings are motivated by a desire to "get back at those who have hurt them."
 - — 86% said, "other kids picking on them, making fun of them or bullying them" causes teenagers to turn to lethal violence in the schools.
- Students recognize that being a victim of abuse at home or witnessing others being abused at home may cause violence in school.
 - — 61% said students shoot others because they have been victims of physical abuse at home.
 - — 54% said witnessing physical abuse at home can lead to violence in school.
- Students say their schools are not safe.

STATS 2001:

SELECTED SCHOOL VIOLENCE RESEARCH FINDINGS FROM 2001 SOURCES

- According to the latest poll, thirty-two percent of parents fear for their child's physical safety when the child is at school. Thirty-nine percent of parents with a child in grade six or higher are more likely to say they fear for their child's safety. Twenty-two percent of parents whose children are in grade five or lower fear for their child's safety. (Parents Not Overly Concerned About School Environments for Their Children, Gallup News Service, 2001)
- Bullying generally begins in the elementary grades, peaks in the sixth through eighth grades, and persists into high school. (Addressing the Problem of Juvenile Bullying, Office of Juvenile Justice and Delinquency Prevention, 2001)
- Among students, homicide perpetrators were more than twice as likely as homicide victims to have been bullied by peers. (School-Associated Violent Deaths in the United States 1994-1999, Centers for Disease Control and Prevention and U.S. Departments of Education and Justice, 2001; findings published by the Journal of the American Medical Association, 2001)

- Overall, almost eleven percent of a representative sample of youth reported bullying others sometimes, and almost nine percent admitted to bullying others once a week or more. Experiencing bullying was reported with similar frequency, with almost nine percent bullied sometimes and just over eight percent bullied once a week or more. (Bullying Behaviors Among US Youth, Journal of the American Medical Association, 2001)
- Of a representative sample of youth, almost thirty percent reported some type of involvement in moderate or frequent bullying, as a bully, a target of bullying, or both. (Bullying Behaviors Among US Youth, Journal of the American Medical Association, 2001)
- Bullying was reported as more prevalent among males than females and occurred with greater frequency among middle school-aged youth than high school-aged youth. For males, both physical and verbal bullying was common, while for females, verbal bullying and rumors were more common. (Bullying Behaviors Among US Youth, Journal of the American Medical Association, 2001)
- Research shows that those who bully and are bullied appear to be at greatest risk of experiencing the following: loneliness; trouble making friends; lack of success in school; and involvement in problem behaviors such as smoking and drinking. (Addressing the Problem of Juvenile Bullying, Office of Juvenile Justice and Delinquency Prevention, 2001)
- Seventy-four percent of 8 - to 11-year-old students said teasing and bullying occur at their schools. (Talking With Kids About Tough Issues: A National Survey of Parents and Kids, Kaiser Family Foundation and Nickelodeon, 2001)
- Though recent studies show that as many as seventy-five percent of children have been victims of bullying during their school careers, about half of parents in this survey see bullying as no problem for their children. (Are We Safe?: The 2000 National Crime Prevention Survey, National Crime Prevention Council, 2001)
- Thirty-nine percent of middle schoolers and thirty-six of high schoolers say they don't feel safe at schools. (2000 Report Card: Report #1, The Ethics of American Youth: Violence and Substance Abuse: Data & Commentary, Josephson Institute of Ethics, 2001)

— North Carolina Department of Juvenile Justice and Delinquency Prevention Center for the Prevention of School Violence

Statistics compiled by Kathy Knoll at: <http://hometown.aol.com/kthynoll>

April 24, 2001 (National Institutes of Health)

Bullying Widespread in U.S. Schools, Survey Finds:

- Bullying is widespread in American schools, with more than 16 percent of U.S. school children saying they had been bullied by other students during the current term, according to a survey funded by the National Institute of Child Health and Human Development (NICHD).
- The study appears in the April 25, 2001, Journal of the American Medical Association. Overall, 10 percent of children said they had been bullied by other students, but had not bullied others. Another 6 percent said that they had both been bullied themselves and had bullied other children. Another 13 percent of students said they had bullied other students, but had not been bullied themselves.
- "Being bullied is not just an unpleasant rite of passage through childhood," said Duane Alexander, M.D., director of the NICHD. "It's a public health problem that merits attention. People who were bullied as children are more likely to suffer from depression and low self esteem, well into adulthood, and the bullies themselves are more likely to engage in criminal behavior later in life."
- The NICHD researchers surveyed 15,686 students in grades six-through-10, in public, parochial, and other private schools throughout the U.S. The nationally representative survey was part of the U.S. contribution to the World Health Organization's Health Behavior in School Children survey, an international effort in which many countries surveyed school-age children on a broad spectrum of health-related behaviors.
- For this study, researchers defined bullying as a type of behavior intended to harm or disturb the victim, explained the study's first author, Tonja R. Nansel, Ph.D. This behavior occurs repeatedly over time and involves an imbalance of power, with the more powerful person or group attacking the less powerful one, Dr. Nansel added. Bullying may be physical, involving hitting or otherwise attacking the other person; verbal, involving name-calling or threats; or psychological, involving spreading rumors or excluding a person.
- The children were asked to complete a questionnaire during a class period that asked how often they either bullied other students, or were the target of bullying behavior. A total of 10.6 percent of the children replied that they had "sometimes" bullied other children, a response category defined as "moderate" bullying. An additional 8.8 percent said they had bullied others once a week or more, defined as "frequent" bullying. Similarly, 8.5 percent said they had been targets of moderate bullying, and 8.4 percent said they were bullied frequently.
- Out of all the students, 13 percent said they had engaged in moderate or frequent bullying of others while 10.6 percent said they had been bullied either moderately or frequently. Some students-6.3 percent-had both bullied others and been bullied themselves. In all, 29 percent of the students who responded to the survey had been involved in some aspect of bullying, either as a bully, as the target of bullying, or both.
- Bullying occurred most frequently in sixth through eighth grade, with little variation between urban, suburban, town, and rural areas; suburban youth were 2-3 percent less likely to bully others. Males were both more likely to bully others and more likely to be victims of bullying than were females. In addition, males were more likely to say they had been bullied physically (being hit, slapped, or pushed), while females more frequently said they were bullied verbally and psychologically (through sexual comments or rumors).

- Regarding verbal bullying, bullies were less likely to make derogatory statements about other students' religion or race. "There seem to be stronger social norms against making these kinds of statements than against belittling someone about their appearance or behavior," Dr. Nansel said.
- Both bullies and those on the receiving end of bullying were more likely to have difficulty adjusting to their environment both socially and psychologically. Students who were bullied reported having greater difficulty making friends and poorer relationships with their classmates. They were also much more likely than other students to report feelings of loneliness.
- "It's likely that kids who are socially isolated and have trouble making friends are more likely to be targets of bullying," Dr. Nansel said. "In turn, other kids may avoid children who are bullied, for fear of being bullied themselves."
- The study authors also reported that bullies were more likely to be involved in other problem behaviors, such as smoking and drinking alcohol, and to do more poorly academically. However, youth who were both bullies and recipients of bullying tended to fare the most poorly of all, experiencing social isolation, as well as doing poorly in school and engaging in problem behaviors, like smoking and drinking.
- "Unfortunately, we don't know much about this group," Dr. Nansel said. "We need to learn more about them to provide them with the help they need." She added that it is not known whether these children are first bullied by others and then imitate the bullying behavior they experienced, or if they are bullies who were later retaliated against.
- The study's authors concluded that the prevalence of bullying in U.S. schools suggests a need for more research to understand, and devise ways to intervene against, bullying. The authors noted that researchers in Norway and England have shown that school intervention programs can be successful. These programs focused on increasing awareness of bullying, increasing teacher and parent supervision, establishing clear rules prohibiting bullying, and providing support and protection for those bullied.

The NICHD is part of the National Institutes of Health, the biomedical research arm of the federal government. The Institute sponsors research on development before and after birth; maternal, child, and family health; reproductive biology and population issues; and medical rehabilitation. NICHD publications, as well as information about the Institute, are available from the NICHD Web site, <http://www.nichd.nih.gov>, or from the NICHD Information Resource Center, 1-800-370-2943; e-mail NICHDInformationResourceCenter@mail.nih.gov.

Close

Here is an example of an Anti Bullying Policy that any public school would do well to copy.

STUDENTS

Prohibition of Harassment, Intimidation, and Bullying

The _____ School District is committed to a safe and civil educational environment for all students, employees, volunteer and patrons, free from harassment, intimidation or bullying. "Harassment, intimidation or bullying" means any intentional written, verbal, or physical act, when the intentional written, verbal, or physical act:

- Physically harms a student or damages the student's property; or
- Has the effect of substantially interfering with a student's education; or
- Is severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
- Has the effect of substantially disrupting the orderly operation of the school.

Nothing in this policy requires the affected student to possess a characteristic that is a perceived basis for the harassment, intimidation, or bullying, or other distinguishing characteristic.

Harassment, intimidation or bullying can take many forms including: slurs, rumors, jokes, innuendo's, demeaning comments, drawing cartoons, pranks, gestures, physical attacks, threats, or other written, oral or physical actions. "Intentional acts" refers to the individual's choice to engage in the act rather than the ultimate impact of the action(s).

This policy is not intended to prohibit expression of religious, philosophical, or political views, provided that the expression does not substantially disrupt the education environment. Many behaviors that do not rise to the level of harassment, intimidation, or bullying may still be prohibited by other district policies or building, classroom, or program rules.

Counseling, corrective discipline, and/or referral to law enforcement will be used to change the behavior of the perpetrator and remediate the impact on the victim. This includes appropriate intervention(s), restoration of a positive climate, and support for victims and others impacted by the violation. False reports or

retaliation for harassment, intimidation or bullying also constitutes violations of this policy.

The Superintendent is authorized to direct the development and implementation of procedures addressing the elements of this policy, consistent with the complaint and investigation components of procedure ____, Sexual Harassment.

Cross-References: Policy ____ Rights and Responsibilities

Policy ____ Nondiscrimination

Policy ____ Exceptional Misconduct

Legal Reference: Chapter ____ Law of ____

Adopted: _____

STUDENTS

Prohibition of Harassment, Intimidation, and Bullying

Informal Complaint Process: Anyone may use informal procedures to report and resolve complaints of harassment, intimidation, or bullying. At the building level, programs may be established for receiving anonymous complaints. Such complaints must be appropriately investigated and handled consistent with due process requirements. Informal reports may be made to any staff member, although staff shall always inform complaints of their right to, and the process for, filing a formal complaint. Staff shall also direct potential complaints to an appropriate staff member who can explain the informal and formal complaint process and what a complaint can expect. Staff shall also inform an appropriate supervisor or designated staff person when they receive complaints of harassment, intimidation, or bullying, especially when the complaint is beyond their training to resolve or alleges serious misconduct.

Informal remedies include an opportunity for the complainant(s) to explain to the alleged perpetrator that the conduct is unwelcome, disruptive, or inappropriate either in writing or face-to-face; a statement from a staff member to the alleged perpetrator that the alleged conduct is not appropriate and could lead to

E. The superintendent or designee, who is not the compliance officer, shall respond in writing to the complainant and the accused within thirty days, stating:

1. That the district intends to take corrective action; or
2. That the investigation is incomplete to date and will be continuing; or
3. That the district does not have adequate evidence to conclude that bullying, harassment or intimidation occurred.

F. Corrective measures deemed necessary will be instituted as quickly as possible, but in no event more than thirty days after the superintendent's written response, unless the accused is appealing the imposition of discipline and the district is barred by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded.

G. If a student remains aggrieved by the superintendent's designee's response, the student may pursue the complaint as one of discrimination pursuant to Policy ____, Nondiscrimination or a complaint pursuant to Policy ____, complaint Concerning staff or Programs.

Students will be provided with age-appropriate information on the recognition and prevention harassment, intimidation or bullying, and their rights and responsibilities under this and other district policies and rule at student orientation sessions and on other appropriate occasions, which may include parents. Parents shall be provided with copies of this policy and procedure and appropriate materials on the recognition and prevention of harassment, intimidation and bullying.

Cross References: Policy ____ Rights and Responsibilities

Policy ____ Nondiscrimination

Policy ____ Exceptional Misconduct

Legal Reference: Chapter ____ Law of ____

Adopted: _____

Also check out a complaint form for students (or a parent) to fill out:

discipline if proven or repeated; or a general public statement from an administrator in a building reviewing the district harassment, intimidation and bullying policy without identifying the complainant, parent, guardian, or because the district believes the complaint needs to be more thoroughly investigated.

Formal Complaint Process: Anyone may initiate a formal complaint of harassment, intimidation or bullying, even if the informal complaint process is being utilized. Complainant(s) should not be promised confidentiality at the onset of an investigation. It cannot be predicted what will be discovered or what kind of hearing may result. Efforts should be made to increase the confidence and trust of the person making the complaint. The district will fully implement the anti-retaliation provisions of this policy to protect complainant(s) and witness(es). Student complainants and witnesses may have a parent or trusted adult with them, if requested, during any district initiated investigatory activities. The superintendent or designated compliance officer (hereinafter referred to as the compliance officer) may conclude that the district need to conduct an investigation based on information in their possession regardless of the complainant's interest in filing a formal complaint. The following process shall be followed:

- A. All informal complaints shall be in writing. Formal complaints shall set forth the specific acts, conditions or circumstances alleged to have occurred that may constitute harassment, intimidation or bullying. The compliance officer may draft the complaint based on the report of the complainant, for the complainant to review and sign.
- B. Regardless of the complainant's interest in filing a formal complaint, the compliance officer may conclude that the district needs to draft a formal complaint based on the information in the officer's possession.
- C. The compliance officer shall investigate all formal, written complaints of harassment, intimidation or bullying, and other information in the compliance officer's possession that the officer believes requires further investigation.
- D. When the investigation is completed the compliance officer shall compile a full written report of the complaint and the result of the investigation. If the matter has not been resolved to the complainant's satisfaction, the superintendent shall take further action on the report.

<http://www.bullypolice.org/KennForm01.pdf>

PROHIBITION OF HARASSMENT, INTIMIDATION & BULLYING complaint form
for students to fill out. *Need Adobe Reader

PROHIBITION OF HARASSMENT, INTIMIDATION & BULLYING

Please print:

Name _____ Date _____
Address _____
Telephone _____ or number where you may be contacted _____
during the hours of _____

I wish to register a complaint against:

Name of person, school (give department, program activity, etc.)

Specify your complaint by stating the problem as you see it. Describe the incident, participants, background to the incident, and any attempts you have made to resolve the problem. Please note relevant dates, times and places.

Indicate if there are other people who could provide more information regarding your complaint:

Name	Address	Telephone Number
_____	_____	_____
_____	_____	_____

Proposed Solution:

Indicate your opinion on how this problem might be resolved. Be as specific as possible.

I certify that there is no falsification of the above information and events are accurately depicted to the best of my knowledge.

Signature of Complainant_____
Date

Please return the original completed form to the Executive Personnel Director. A copy of this will be provided to the complainant.

Nov 6, 2002

House Special
Committee
on Education

March 16, 2006
11:00 a.m. Room 106

HB 482
Rep Anderson

"An Act relating to
harassment, intimidation, and
bullying in schools."

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Legislative Research Report

Alaska School District
Policies on Bullying
And Harrassment

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LEGISLATIVE RESEARCH REPORT

MARCH 11, 2005



REPORT NUMBER 05.197

ALASKA SCHOOL DISTRICT POLICIES ON BULLYING AND HARASSMENT

PREPARED FOR REPRESENTATIVE SHARON CISSNA

BY KATHLEEN L. WAKFIELD, LEGISLATIVE ANALYST

You asked about Alaska school districts' policies regarding bullying and/or harassment. Specifically, you wished to know how districts define bullying and harassment, and how they determine the motivating factors behind the behavior.

POLICIES ON BULLYING AND HARASSMENT

We contacted all school districts in Alaska about their policies regarding bullying and/or harassment. We received responses from 17 districts: Copper River, Delta/Greely, Fairbanks North Star Borough, Haines Borough, Iditarod Area, Juneau, Kenai Peninsula Borough, Klawock, Lower Yukon, Mat-Su Borough, Mt. Edgecumbe, Northwest Arctic, Pribilof, St. Mary's, Southeast Island, Valdez, and Wrangell. We received the following responses:

- ♦ Three of these school districts have no policies on bullying or harassment: Lower Yukon, St. Mary's, and Valdez. All three districts indicated that they are developing such policies.
- ♦ Copper River, Klawock, and Mt. Edgecumbe have specific policies that prohibit bullying.
- ♦ Juneau includes bullying in its policy prohibiting harassment.
- ♦ Administrators in the Mat-Su Borough School District recently developed a policy on harassment that includes bullying. The school board will address this proposed policy at its next meeting.

- ◆ Kenai, Pribilof, and Southeast Island districts have no specific policies against bullying, but include references to bullying under "Violent and Aggressive Behavior" and/or "Positive School Climate."
- ◆ Eight districts include sexual orientation or sexuality as a protected class in their policies on bullying and/or harassment. These districts are Copper River, Fairbanks North Star Borough, Haines, Juneau, Mat-Su, Mt. Edgecumbe, Northwest Arctic, and Pribilof.

The Association of Alaska School Boards (AASB) Policy Reference Manual also contains policies on harassment, bullying, violent and aggressive conduct, and sexual harassment. The AASB policies specifically address sexual orientation as a protected class. According to AASB officials, 43 school districts use the AASB policy system.¹ For example, the Iditarod, Northwest Arctic, and Pribilof school districts use the AASB policy on harassment, and administrators in Valdez are recommending that the board adopt this language on harassment, as well.² Since the policy on bullying was only released in January 2005, AASB officials do not know how many districts have adopted it, although they expect that most districts will eventually do so.

Most district policies require the school principal or a designee to investigate all reports of bullying and/or harassment, and to prepare a written report of the incident and findings. Policies provide for a range of sanctions for students found guilty of bullying or harassment, up to and including expulsion for the most serious offenses.

The attached table contains the definitions of bullying and/or harassment for the 17 districts that responded to our request, and for the AASB.

OTHER STATES' LAWS

Other states have also grappled with the issue of bullying in schools over the past several years. According to the National Conference of State Legislatures, lawmakers in Hawaii, Indiana, Kentucky, Massachusetts, Michigan, Nebraska, Nevada, New York, South Carolina, and Texas have introduced legislation this year that addresses school bullying. New Hampshire, New Jersey, Oklahoma, Oregon, Rhode Island, Vermont, and Washington have already passed legislation requiring school districts to adopt policies on bullying. In addition, a lawmaker in Washington introduced a bill this year—SB 5849—to expand the state's anti-bullying law to include "cyber-bullying," or the use of "electronic means" such as communication via electronic mail, internet-based communications, pager service, cell phones, and electronic text messaging.³

¹ Personal communication from Sharon Young, Associate Executive Director, Association of Alaska School Boards, March 7, 2005.

² Personal communications from Joyce Turner, Board Secretary, Iditarod Area School District, February 28, 2005; Robert Boyle, Superintendent, Northwest Arctic School District, February 24, 2005; Malcolm Fleming, Superintendent, Pribilof School District, February 24, 2005; Ernie Manzie, Superintendent, Valdez City School District, February 27, 2005.

³ We include a copy of SB 5849 as Attachment A.

In addition, the U.S. Congress has also considered bullying in schools. In 2004, Representative John Shimkus of Illinois introduced H.R. 4776 to amend the Safe and Drug-Free Schools and Communities Act to include bullying and harassment prevention programs. The bill died in committee.

FIRST AMENDMENT CONCERNS

While states and school districts continue to work to address bullying and harassment in schools, some challenges have been mounted due to concerns about violations of the First Amendment's free speech clause. For example, in 2001 an anti-harassment policy adopted by the Pennsylvania State College Area School District was challenged in district court.⁴ The plaintiffs—two students, and a school board member who also volunteered in the schools—argued that the policy prohibited their ability to express their beliefs about Christianity and certain moral topics such as homosexuality.

The district court disagreed with the plaintiffs, and granted the defendants' motion to dismiss. The plaintiffs appealed the case to the U.S. District Court of Appeals for the Third Circuit, which reversed the judgment, finding that the policy was "unconstitutionally overbroad since it appeared to cover substantially more speech than could be prohibited under the Tinker substantial disruption test." Maintaining that a substantial amount of offensive, distasteful speech still would not constitute actionable harassment under either federal or state law, the appeals court ruled in favor of the plaintiffs.

Also in 2001, a Christian Coalition group opposed SB 5528 and HB 1444, anti-bullying bills introduced in the Washington legislature. The group argued that the bills were "a cover for gay-rights efforts that could eventually force schools to teach about homosexuality in a positive light."⁵ Members of the coalition also contended that "anti-bullying policies in schools could violate the free-speech rights of students who expressed opposition to homosexuality."⁶

I hope you find this information to be useful. Please do not hesitate to contact us if you have questions or need additional information.

⁴ *David Warren Saxe v. State College Area School District*, 240 F.3d; U.S. App. (2001).

⁵ Mary Ann Zehr, "Legislatures Take on Bullies with New Laws," *Education Week*, May 16, 2001.

⁶ Washington lawmakers subsequently passed HB 1444, and the governor signed it into law, in 2002. We include copies of HB 1444 and RCW 28A.300.285 as Attachment B. We also include a copy of "Ask the Children: Youth and Violence—Students Speak Out for a More Civil Society, Summary and Discussion Guide," prepared by the Families and Work Institute and The Colorado Trust, as Attachment C.

School District Policies on Bullying and Harassment—Definitions

School District	Definition of Bullying	Definition of Harassment
Association of Alaska School Boards	Bullying is the repeated intimidation of others by inflicting or threatening physical, verbal, written, electronic, or emotional abuse, or damage to another's property. Bullying may include, but is not limited to, conduct such as physical abuse, damage or theft of another's property, social exclusion from activities, verbal taunts, name-calling, rumors, innuendoes, drawings, jokes, gestures, pranks, and put-downs relating to real or perceived differences, including another's culture, race, ethnicity, gender, sexual orientation, religion, body size, physical appearance, clothing, personality, age, socioeconomic status, ability or disability, or other distinguishing characteristics. [Board Policy 5131.43(a)]	Harassment means intimidation by threats of or actual physical violence; the creation by whatever means of a climate of hostility or intimidation; or the use of language, conduct, or symbols in such a manner as to convey hatred, contempt, or prejudice or to have the effect of insulting or stigmatizing an individual. Harassment includes, but is not limited to, harassment on the basis of race, sex, creed, color, national origin, religion, sexual orientation, marital status, pregnancy, parenthood, or disability. [Board Policy 5145.5(a)]
Copper River School District	Bullying is repeated intimidation of others by the real or threatened infliction of physical, verbal, written, electronic, or emotional abuse, or damage to another's property. Bullying may include, but is not limited to, conduct such as physical abuse, damage or theft of another's property, social exclusion from activities, verbal taunts, name-calling, rumors, innuendoes, drawings, jokes, gestures, pranks, and put-downs relating to real or perceived differences, including another's culture, race, ethnicity, gender, sexual orientation, religion, body size, physical appearance, clothing, personality, age, socioeconomic status, ability or disability, or other distinguishing characteristics. (Board Policy 5143)	

Delta/Greely School District		Harassment means intimidation by threats of, or actual, physical violence; the creation by whatever means of a climate of hostility or intimidation; or the use of language, conduct or symbols in such a manner as to convey hatred, contempt or prejudice, or to have the effect of insulting or stigmatizing an individual. Harassment includes, but is not limited to, harassment on the basis of race, sex, creed, color, national origin, religion, marital status, or disability. (Board Policy 5005)
Fairbanks North Star Borough School District		Harassment includes but is not limited to any oral, written, or physical conduct relating to race, creed, sex, national origin, marital status, political or religious beliefs, physical or mental conditions, family, social or cultural background, or sexual orientation that is sufficiently severe, pervasive, or persistent that it substantially interferes with or limits an individual's academic performance or creates an intimidating, hostile or offensive academic environment. (Board Policy 1012)
Haines Borough Schools		Harassment means intimidation by threats of or actual physical violence; the creation by whatever means of a climate of hostility or intimidation; or the use of language, conduct, or symbols in such a manner as to convey hatred, contempt, or prejudice or to have the effect of insulting or stigmatizing an individual. Harassment includes, but is not limited to, harassment on the basis of race, creed, color, national origin, religion, sexual orientation, marital status, or disability. [Board Policy 4119.12(a), and 5145(a)]

Iditarod Area School District	No policies—adopted AASB policies on discrimination and sexual harassment.	
Juneau School District		...the Board does not tolerate discrimination against, or harassment of, any member of the Juneau school community on the basis of race, color, creed, sex, national origin, age, political or religious beliefs, mental or physical condition or disability, marital status, changes in marital status, pregnancy, parenthood, social background, economic status, culture, or sexual orientation. Discriminatory harassment includes, but is not limited to, bullying, slurs, epithets, threats, derogatory comments, unwelcome jokes, teasing, stereotyping, sexual advances or requests for sexual favors, physical assault or abuse, or other forms of verbal or physical harassment which adversely affect a person's employment or education or creating an intimidating, hostile, or offensive educational or working environment. Harassment includes creation of a climate of hostility and intimidation; or the use of language, conduct, or symbols in such a manner as to convey hatred, contempt, or prejudice or to have the effect of insulting or stigmatizing an individual or group. (Board Policy 1120)

Kenai Peninsula Borough School District	No specific policy, but includes the following language on bullying under other sections: Violent and aggressive conduct: Violent and aggressive acts include, but are not limited to, possession, threat with or use of a weapon, physical assault, verbal abuse, intimidation, extortion, bullying, gang participation, harassment, stalking, defiance, and racial slurs. Positive School Climate: Students shall be subject to disciplinary procedures for bullying other students or for using insults, slurs, or fighting words which may disrupt school activities. (Board Policies 3522.6 and 5137)	Harassment means intimidation by threats of or actual physical violence; the creation by whatever means of a climate of hostility or intimidation; or the use of language, conduct, or symbols in such a manner as to convey hatred, contempt, prejudice or to have the effect of insulting or stigmatizing an individual. Harassment includes, but is not limited to, harassment on the basis of race, sex, creed, color, national origin, religion, marital status, disability, or any other real or perceived difference. (Board Policy 4119.12)
Klawock City School District	Bullying takes many forms: gossip, cruel comments, insults, snubbing, put-downs, threats (physical or verbal) and violent attacks. It is deliberate, hurtful behavior that is often repeated and a form of anti-social behavior that has no place at school. It is the intent of this policy to make sure all members of our school community remain vigilant and consistent to help insure that bullying behavior is actively resisted and stopped, and that we provide a safe school environment for all students. Any acts of bullying, at any level, will not be tolerated and will result in disciplinary action. (Board Policy 5131.95)	
Lower Yukon School District	No formal policy.	No formal policy.
Matanuska-Susitna Borough School District ¹	Harassment, bullying, and discrimination are prohibited. Abusive language, sexual harassment, inappropriate physical contact, racial or ethnic slurs, hazing, and other similar provocative actions are included in these categories of prohibited conduct. Harassment is behavior which is intended to trouble or annoy someone. It is the exertion of power by one person over another; it may be based on misunderstanding or a deliberate act and often contains a subjective perspective. Discrimination and harassment may be based on culture, ability, physical appearance, size, sexuality, or religion, among other things. Bullying is defined as an aggressive behavior that is intentional and that involves an imbalance of power or strength. Harassment, bullying, and discrimination can take many forms such as hitting, tripping, kicking, punching, unwanted touching, name-calling, swearing, threatening, spreading rumors, ignoring, staring, gesturing, "standing over," preventing someone from joining in an activity, hiding, sending mean notes or e-mails, or damaging someone else's property. [Board Policy 5144.1(12)]	

Mt. Edgecumbe	Bullying is the repeated intimidation of others by inflicting or threatening physical, verbal, written, electronic, or emotional abuse, or damage to another's property. Bullying may include, but is not limited to, conduct such as physical abuse, damage or theft of another's property, social exclusion from activities, verbal taunts, name-calling, rumors, innuendoes, drawings, jokes, gestures, pranks, and put-downs relating to real or perceived differences, including another's culture, race, ethnicity, gender, sexual orientation, religion, body size, physical appearance, clothing, personality, age, socioeconomic status, ability or disability, or other distinguishing characteristics.	
Northwest Arctic School District		Harassment means intimidation by threats of or actual physical violence; the creation by whatever means of a climate of hostility or intimidation; or the use of language, conduct, or symbols in such a manner as to convey hatred, contempt, or prejudice or to have the effect of insulting or stigmatizing an individual. Harassment includes, but is not limited to, harassment on the basis of race, sex, creed, color, national origin, religion, sexual orientation, marital status, pregnancy, parenthood, or disability [Board Policy 5145.5(a)]
Pribilof School District	No specific policy, but includes the following language on bullying under "Positive School Climate:" The schools shall not tolerate any comments or gestures which are vulgar or obscene or which denigrate others on account of gender, race, color, religion, ancestry, national origin, handicap or disadvantage. Students shall be subject to disciplinary procedures for bullying other students or using insults, slurs, or fighting words which may disrupt school activities. (Board Policy 5137)	Harassment means intimidation by threats of or actual physical violence; the creation by whatever means of a climate of hostility or intimidation; or the use of language, conduct, or symbols in such a manner as to convey hatred, contempt, or prejudice or to have the effect of insulting or stigmatizing an individual. Harassment includes, but is not limited to, harassment on the basis of race, sex, creed, color, national origin, religion, sexual orientation, marital status, pregnancy, parenthood, or disability. [Board Policy 5145.5(b)]
St. Mary's School District	No policy.	No policy.

Southeast Island School District	No specific policy, but includes the following language on bullying under "Positive School Climate:" The schools shall not tolerate any comments or gestures which are vulgar or obscene or which denigrate others on account of gender, race, color, religion, ancestry, national origin, handicap or disadvantage. Students shall be subject to disciplinary procedures for bullying other students or using insults, slurs, or fighting words which may disrupt school activities. (Board Policy 5137)	
Valdez City School District	No policy.	May adopt Association of Alaska School Boards language for harassment.
Wrangell Public Schools	No policy.	Harassment on the basis of sex, color, race, religion, national origin, age, mental or physical disability, marital status, changes in marital status, pregnancy, or parenthood is specifically prohibited. Harassment includes, but is not limited to, slurs, epithets, threats, derogatory comments, unwelcome jokes, teasing, unwelcome sexual advances or requests for sexual favors, displaying offensive words, objects or pictures and other verbal or physical conduct which adversely affects an individual's educational opportunities, or has the purpose or effect of unreasonably interfering with an individual's education or creating an intimidating, hostile, or offensive education environment. (Board Policy IV-044.)
Notes: Please note that those districts that submitted their policies on bullying may also have policies on harassment. Most districts also have policies specific to sexual harassment. 1. This is the proposed policy for the Matanuska-Susitna Borough School District, which the board will address at their March 16, 2005 meeting. Sources: Alaska Association of School Boards; school district superintendents.		



Education Program

School Bullying: Legislation and Laws

2005 Enacted Legislation

Tennessee

HB 2114/SB 1621

Requires each Local Education Agency (LEA) to adopt a policy that prohibits harassment, intimidation, or bullying and to forward a copy of the policy to the commissioner of education by January 1, 2006; encourages school employees, volunteers, and students to report incidents of harassment, intimidation or bullying to the appropriate school authorities; provides school employee who promptly report an incident of harassment, intimidation, or bullying immunity against any suit based upon the reporting employee's failure to remedy the reported act; and encourages school districts to form harassment, intimidation or bullying prevention programs and task forces.

Virginia

HB 2266

Directs the Board of Education to include bullying in its standards for school board policies on student conduct and requires school boards to include (i) instruction on the inappropriateness of bullying in their character education programs and (ii) bullying provisions in their student conduct codes. In addition, the measure requires the reporting of incidents of stalking to principals and division superintendents. Finally, except as may be prohibited by federal law, regulation, or jurisprudence, principals must report certain violent acts, stalking, and other conduct to parents of the minor student who is the target of the conduct; included in this report is disclosure that the incident has been reported to law enforcement, and that the parent may contact law enforcement for further information. This bill is identical to HB 2879 (Marshall, R.G.).

HB 2267

Civil immunity; school employees or volunteers reporting alleged acts of bullying or crimes. Immunizes school employees or volunteers from civil liability for the prompt good faith reporting to the appropriate school official, in compliance with specified procedures, of any alleged acts of bullying or any crimes.

2004 Enacted Legislation

New Hampshire

HB 1162

Requires school districts to notify the parents or legal guardians of the district's policies on bullying and requires that a report of any bullying incidents be made by telephone and by a written report sent by mail to the parent or legal guardian of the pupils involved.

Vermont

HB 629

Directs schools to include bullying in their policies for responding to misconduct on and off school grounds; and directs the commissioner of education to update model policies on student discipline to include a definition of bullying, a process for reporting acts of bullying, and responses to bullying.

Harassment Legislation

Vermont**HB 113**

Makes a variety of changes to the guidelines for harassment policies that educational institutions are required to maintain. The general definition of harassment is expanded to include written or visual conduct and conduct motivated by a student's perceived as well as actual membership in a protected category. Racial harassment is defined to mean conduct directed at the characteristics of a student's or a student's family member's actual or perceived race or color and includes the use of epithets, stereotypes, racial slurs, comments, insults, derogatory remarks, gestures, threats, graffiti, displays, or circulations of written or visual material, and taunts on manner of speech and negative references to racial customs.

Virginia**HB1331**

Relating to including hazing in the Board's guidelines and model policies for and school boards' regulations on codes of student conduct.

Archived Legislation**Select School Safety Enactments (1994-2003): Bulling and Student Harassment**

National Conference of State Legislatures (NCSL)

By Finessa Ferrell-Smith

SCHOOL BULLYING LAWS	
STATE/TERRITORY	CITATION
Arkansas	A.C.A § 6-18-514 (2004)
Arizona	HB 2368
California	Cal Ed Code § 32261, 32265, 32270, 35294.21
Colorado	C.R.S § 22-32-109.1 (2004)
Connecticut	Conn. Gen. Stat. § 10-222d (2003)
Georgia	O.C.G.A. § 20-2-751.4 (2004)
Guam	17 G.C.A § 3112.1
Illinois	105 ILCS 5/10-20.14 (2004)
Louisiana	La. R.S. 17:416.13 (2004)
New Hampshire	RSA 193-F3 (2004)
New Jersey	N.J. Stat § 18A:37-13 (2004)
New York	NY CLS Educ § 2801-a (2004)
Oklahoma	70 Okl. St. § 24-100.3-5 (2004)
Oregon	ORS § 339.356
Puerto Rico	L.P.R.A § 149f (2002)
Rhode Island	R.I. Gen Laws § 16-21-24 (2004)
Vermont	16 V.S.A. § 565 (2004)
Virginia	Va. Code § 22.1-208.01, 22.1-279.3:1, 22.1-279.6 (2005)
Washington	Rev. Code Wash. (ARCW) § 28A.300.285 (2004)
West Virginia	W. Va Code § 18-2C-1-5 (2004)

Source: NCSL 2005

Visitor counts for this page.

State	Bill Number	Last Action-Date	Summary
Alabama	HB 246	Jan-10, 2006—To House Committee on Education	N/A
Alaska	HB 233	Apr-28, 2005—From House Special Committee on Education: Do pass with substitute	Requires every governing body to adopt a policy prohibiting harassment, intimidation, or bullying.
Alaska	HB 482	Feb-13, 2006—To House Special Committee on Education	Outlines the requirement for adopting a policy prohibiting harassment, intimidation, or bullying. Outlines reporting procedures.
Arizona	HB 2325	Jan-17, 2006—Additionally referred to House Committee on Rules	Requires the school district to provide training to employed teachers to recognize and prohibit harassment, intimidation or bullying.
Arizona	HB 2368	Apr-20, 2005—Chapter No. 155	Requires every governing body to adopt a policy prohibiting harassment, intimidation, or bullying. Outlines reporting procedures.
Florida	HB 1303 SB 1848	Mar-29, 2005—In House. Laid on table. Apr-13, 2005—Withdrawn from further consideration.	Requires each local school district to adopt a policy prohibiting discrimination and harassment on school property, at school-sponsored functions, or on the school bus.
Florida	SB 1384	Jan-31, 2006—To Senate Committee on Education	Prohibits bullying or harassment of any student or school employee. Requires each local school district to adopt a policy prohibiting bullying and harassment on school property, at school-sponsored functions, or on the school bus. Outlines requirements for the policy.
Georgia	HB 424	Feb-10, 2005—To House Committee on Education	Allows each local education board to define bullying. Extends policies prohibiting bullying to apply to students from kindergarten to 12 th grade. Requires policies be developed in consultation with parent-teacher organizations, local school councils, and other

			community based organizations. Outlines minimum requirements for the policy.
Hawaii	HR 23 SCR 3	Apr-7, 2005—In House. Read third time. Passed House. Jan-25, 2006—Introduced	Requests schools to implement policy to reduce intimidation and promote safe and peaceful school environments that encourage learning.
Idaho	HCR 32	Feb-2, 2006—To House Committee on Education	Designates September 10-16, 2006, as Bullying Awareness Week
Illinois	SB 2630	Feb-16, 2006—Passed Senate***To House	Allows each school district to adopt policy preventing bullying in all grades.
Indiana	SB 285	Apr-27, 2005—Public Law No. 106	Requires the department of education to develop training for identifying, preventing, and intervening in bullying. Outlines minimum requirements for policy preventing bullying.
Iowa	HB 382	Feb-23, 2005—In House Committee on Education	Requires the board of directors of each school district to adopt and implement a policy prohibiting bullying and harassment. Outlines minimum requirements for the policy.
Iowa	SSB 2126	Feb-8, 2006—To Senate Committee on Education	Requires the board of directors of each school district to adopt and implement a policy prohibiting bullying and harassment. Outlines minimum requirements for the policy.
Kentucky	HB 270	Feb-6, 2006—To Senate Committee on Education	Requires school districts to have plans, policies, and procedures for harassment, intimidation, or bullying. Outlines requirements for the policy.
Kentucky	SB 15	Jan-5, 2006—To Senate Committee on Education	Requires school districts to establish a code prohibiting harassment, intimidation, or bullying. Outlines requirements for the code.
Maine	HB 419	Jun-3, 2005—Public Law No. 307	Defines bullying and harassment as unacceptable student behavior.
Massachusetts	HB 1029	Sept-15, 2005—In Joint	Requires the Department of Education to adopt policy

		Committee of Education: Heard. Eligible for Executive Session	prohibiting bullying. Outlines minimum requirements for the policy.
Massachusetts	HB 1067	Sept-15, 2005—In Joint Committee on Education: Heard. Eligible for Executive Session	Establishes, in consultation with parents, guardians, teachers, administrators, students, student councils where applicable and, where appropriate, the community at large, each public school district shall promulgate and implement a safe school plan, including procedures for preventing and disciplining bullying.
Massachusetts	HB 1068	Sept-15, 2005—In Joint Committee on Education: Heard. Eligible for Executive Session	Requires each county/school board of education to establish a policy prohibiting harassment, intimidation or bullying. Outlines minimum requirements for the policy.
Massachusetts	HB 1109	Sept-15, 2005—In Joint Committee on Education: Heard. Eligible for Executive Session	Requires the commissioner of education to update and distribute a model school plan on student discipline on bullying.
Massachusetts	HB 1181	Sept-15, 2005—In Joint Committee on Education: Heard. Eligible for Executive Session	Requires the department of education to mandate every public school to create a "safe school plan." Outlines the requirements for the "safe school plan."
Massachusetts	HB 3809	Feb-15, 2006—In Joint Committee on Labor and Workforce Development: Set aside for Study	Requires the division on occupation safety to analyze the cost of psychological harassment in the workplace.
Michigan	HB 4026	Jan-27, 2005—To House Committee on Education	Requires the board of a school district or board of directors of a public school academy to adopt a bullying policy. Outlines minimum requirements for the policy.
Michigan	HB 4581	Mar-24, 2005—To House Committee on Education	Requires the board of a school district or board of directors of a public school academy to adopt a policy prohibiting harassment, intimidation or bullying at school. Outlines minimum requirements for the policy

Michigan	HB 5616	Jan-31, 2006—To House Committee on Education	Requires the board of a school district or board of directors of a public school academy to adopt a policy prohibiting harassment or bullying at school. Outlines minimum requirements.
Michigan	SB 44	Jan-25, 2005—To Senate Committee on Education	Requires the board of a school district or board of directors of a public school academy to adopt a policy prohibiting harassment, intimidation or bullying at school. Outlines minimum requirements for the policy.
Michigan	SB 369	Apr-12, 2005—To Senate Committee on Education	Requires the board of a school district or board of directors of a public school academy to adopt a policy prohibiting harassment, intimidation or bullying at school. Outlines minimum requirements for the policy.
Michigan	SB 1012	Jan-26, 2006—To Senate Committee on Education	Requires the board of a school district or board of directors of a public school academy to adopt a policy prohibiting harassment or bullying at school. Outlines minimum requirements.
Minnesota	HB 14	Jan-6, 2005—To House Committee on Education Policy and Reform	Requires the commissioner of education to make a model policy prohibiting intimidation and bullying available to school boards and schools. Requires each school board to adopt policy prohibiting intimidation and bullying of any student. Outlines minimum requirements for the policy.
Minnesota	HB 408 SB 40 SB 41	Jan-24, 2005—To House Committee on Education Policy and Reform Jan-6, 2005—To Senate Committee on Education Jan-6, 2005—To Senate Committee on Education	Requires the commissioner of education to make a model policy prohibiting intimidation and bullying available to school boards and schools. Requires each school board to adopt policy prohibiting intimidation and bullying of any student. Outlines minimum requirements for the policy.

Minnesota	HB 2152 SB 1939	Mar-29, 2005—To House Committee on Civil Law and Elections Mar-29, 2005—To Senate Committee on Judiciary	Allows school districts to release information on a juvenile pertaining to incidences of bullying to the juvenile justice system.
Missouri	HB 1218	Jan-27, 2006—To House Committee on Elementary and Secondary Education	Requires each school district to establish and adopt a policy prohibiting harassment, intimidation, or bullying at school. Outlines minimum requirements for the policy.
Missouri	HB 1502	Jan-26, 2006—To House Committee on Elementary and Secondary Education	Prohibits bullying or discrimination on school property, at any school function, or on a school bus. Requires each school district to establish and adopt a policy prohibiting harassment, intimidation, or bullying at school. Outlines minimum requirements for the policy.
Nebraska	LR 55	Mar-23, 2005—Passed Legislature	Designates September 12-16, 2005, as Nebraska School Bullying Awareness Week.
Nebraska	LR 109	May-9, 2005—To Legislative Committee on Executive Board	Authorizes a study to determine the feasibility of establishing a policy prohibiting bullying behavior in public schools.
New Jersey	AB 744 AB 3791 SB 993 SB 2222	Jan-10, 2006—To Assembly Committee on Education Feb-14, 2005—To Assembly Committee on Education Jan-17, 2006—To Senate Committee on Education May-23, 2005—From Senate Committee on Education	Prohibits bullying, intimidation and harassment from occurring through electronic communication, including but not limited to, a telephone, cellular phone, computer or pager.
New Jersey	AB 1181	Jan-10, 2006—To Assembly Committee on Education	Appropriates \$70,000 in FY 2005 to the Department of Education to reimburse school districts for the costs of establishing programs for the prevention of

			harassment and bullying.
New Mexico	HJM 8	Jan-19, 2006—To Senate Committee on Corporations and Transportation.	Requests the Labor Department to convene a task force to study bullying in the workplace.
New York	AB 1755	Jan-21, 2005—To Assembly Committee on Education	Requires instruction on civility, citizenship and character education to include methods of discouraging bullying. Prohibits bullying on school property or school functions. Requires school employees to report suspected bullying. Specifies bullying shall be disciplined according to the district's code of conduct. Establishes aggravated harassment of a teacher or school personnel is a class B misdemeanor.
New York	AB 3185 AB 9406	Feb-1, 2005—To Assembly Committee on Codes Jan-11, 2006—To Assembly Committee on Codes	Prohibits bullying on school property or school functions. Requires school employees to report suspected bullying. Specifies bullying shall be disciplined according to the district's code of conduct. Grants immunity to school employees that report bullying. Requires the commissioner to create a central registry for reporting alleged bullying or hazing.
New York	AB 8218	May-12, 2005—To Assembly Committee on Education	Requires the commissioner, in consultation with parents, school personnel and other interested parties, to promulgate rules and regulations prohibiting bullying, harassment, or intimidation.
New York	SB 5703	Jun-15, 2005—To Senate Committee on Rules	Creates an anti-bullying act. Prohibits bullying on school property or school functions. Specifies bullying shall be disciplined according to the district's code of conduct.
Ohio	HB 276	Jan-31, 2006—To Senate Committee on Education	Requires each board of education, in consultation with parents, school employees, school volunteers,

			students, and community members, to establish policy prohibiting bullying, harassment, or intimidation.
Pennsylvania	HB 178	Jun-29, 2005—In House. Laid on Table	Requests school entities to adopt policy prohibiting bullying, harassment, or intimidation.
Pennsylvania	HB 772 SB 1013	Mar-14, 2005—To House Committee on Education Nov-14, 2005—To Senate Committee on Education	Requires each school district to develop a coordinated bullying and student intimidation prevention plan. Requires the plan to be submitted to the Department of Education for approval.
Pennsylvania	SB 71	Jan-31, 2005—To Senate Committee on Education	Requires all school entities to establish policy or student code of conduct prohibiting bullying.
South Carolina	HB 3573	Feb-16, 2005—To House Committee on Education and Public Works	Requires each local school district, in consultation with parents and guardians, school employees, volunteers, students, administrators, and community representatives, to adopt a policy prohibiting harassment, intimidation, or bullying at school.
Tennessee	HB 2114	May-19, 2005—Public Chaptered. Chapter No. 202	Requires each school district to adopt policy prohibiting harassment, intimidation or bullying. Outlines minimum requirements for the policy.
Tennessee	HB 2470 SB 2687	Feb-8, 2006—To House Committee on Education Feb-9, 2006—Introduced	Requires local education agency to adopt a policy prohibiting harassment, intimidation, or bullying of teachers by principals or administrators. Outlines minimum requirements for the policy.
Utah	SCR 1	Feb-16, 2006—To House Committee on Health and Human Services	Request parents, individuals, and organizations to review and assist in the adoption of policies prohibiting bullying.
Virginia	HB 2266 HB 2879	Mar-21, 2005—Acts of Assembly. Chapter No. 461 Mar-21, 2005—Acts of Assembly. Chapter No. 484	Requires bullying to be included in the code for student conduct.
Virginia	HB 2267	Mar-21, 2005—Acts of Assembly.	Prohibits a school employee or school volunteer from

		Chapter No. 462	being held liable for reporting alleged acts of bullying.
Washington	HB 1968	Mar-3, 2005—Referred to House Committee on Appropriations	Encourages employers to create policy prohibiting bullying in the workplace.
Wisconsin	AB 627 SB 310	Aug-30, 2005—To assembly Committee on Education Jan-6, 2006—In assembly. Amendment No. 3 offered.	Requires the Department of Public Instruction to create a model school policy on bullying. Requires each school board to develop and adopt a policy prohibiting bullying.

Created February 24, 2006

Source: Lexis Search

House Special
Committee
on Education

March 16, 2006
11:00 a.m. Room 106

HB 482
Rep Anderson

"An Act relating to
harassment, intimidation, and
bullying in schools."

1

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3

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**Fiscal
Note**

7

FISCAL NOTE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: HB 482
() Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: EED
Title An Act relating to harassment, intimidation, RDU Teaching & Learning Support
and bullying. Component Student & School Achievement
Sponsor Anderson
Requester House Education Component No. 2796

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Personal Services	35.0					
Travel	5.0					
Contractual	60.0					
Supplies	10.8					
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	110.8	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	110.8					
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	110.8	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2006) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal: ☐

POSITIONS

Full-time						
Part-time	1					
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill would require EED staff to meet and work with a variety of statewide groups to develop model policies and training materials on harassment, intimidation, and bullying prevention and disseminate those resources to school districts. EED staff would need to research nationally recommended models, develop a sample model policy, and plan and facilitate specific training requirements for school district staff. This bill also requires the department to report currently uncollected incidents of harassment to the Legislature in an unspecified format.

Prepared by: Barbara Thompson Phone 465-8727
Division Teaching & Learning Support Date/Time 3/15/06 1:30 PM
Approved by: Roger Sampson, Commissioner Date 03/15/2006
Agency Education and Early Development

FISCAL NOTE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB482-LAW-L&SA-3-14-06
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: LAW
 Title "An Act relating to harassment, intimidation, RDU CIVIL
and bullying in schools." Component Labor and State Affairs
 Sponsor Representative Anderson
 Requester House Special Committee on Education, Health.. Component No. _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2006) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal: ☐

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill creates Article 4 in AS 14.33 requiring each school district to adopt a policy that prohibits the harassment, intimidation, or bullying of any student. It also requires that the policy be shared with parents or guardians, students, volunteers, and school employees. The bill further requires that violations of the policy be reported to the Department of Education and Early Development, and it prohibits reprisal against and provides immunity from suit to those who report violations of the policy in good faith.

Passage of this legislation will not have a fiscal impact on the Department of Law.

Prepared by: Kathryn Daughetee, Director Phone 465-3673
 Division: Administrative Services Division Date/Time 3/14/06 9:54 AM
 Approved by: Kathryn Daughetee for David Márquez, Attorney General Date 3/14/2006
 Agency: Department of Law

TESTIMONY HB 482
TOM HARVEY, NEA-ALASKA EXECUTIVE DIRECTOR

Chairman Neuman and members of the House Special Committee on Education. My name is Tom Harvey and I serve as the Executive Director for NEA-Alaska. NEA-Alaska represents over 11,400 active public school employees and over 1,300 retired public school teachers.

NEA-Alaska thanks Rep. Anderson for bringing this legislation forward. NEA-Alaska has adopted several resolutions that address the issues of harassment, intimidation and bullying.

We believe that a safe and effective school climate is necessary for promoting educational excellence in public schools. The Association also believes that all education employees, parents/guardians, students, school governing boards, and community members and agencies must work cooperatively to establish and maintain safe and orderly school communities. Students and education employees must be safe from physical, verbal, and psychological violence, the threat thereof, and all forms of harassment. There must be procedures to prevent and eliminate all types of harassment that might occur. Plans and procedures regarding discipline and/or harassment must include due process.

These plans and procedures must be provided to police and other community agencies that might be called upon when harassment, intimidation or bullying is detected. Parents/guardians must be made aware of the existence of these plans.

The Association also believes that students must be taught strategies and skills, including conflict resolution, that develop respect, self-discipline, and self-control. Students must learn to distinguish between their own rights and responsibilities and the rights and responsibilities of others. There must be appropriate services and placement within regular education and alternative education programs and/or with state and/or community agencies for students who disrupt the learning environment or who are dangerous to other students, education employees, and themselves.

The Association believes that a safe and effective school has a positive environment in which education employees, students, parents/guardians, and the community care for, communicate with, respect, understand, and trust each other.

The Association has developed several resources for schools, parents, students and community groups to utilize in their efforts to combat harassment, intimidation and bullying. Those resources are attached to this testimony.

Every school in Alaska ought to be a sanctuary where all students can learn, teachers can teach, and other school employees can work without the fear of intimidation or harassment. Many school districts are already engaged in good efforts to address these issues. Rep. Anderson's proposed legislation guarantees that every school will take the steps necessary to provide a good school climate for learning.

State Anti-bullying Policies

State	State Level Support	Public School Reporting Requirements	Teacher/Staff Reporting	Teacher/Staff Training	Prevention Task Forces/Programs
Arkansas	X		X	X	X
Arizona			X		
California	X				
Colorado		X			
Connecticut		X	X	X	
Georgia					
Indiana				X	
Illinois		X			
Louisiana					
Maine		X			
New Hampshire			X		
New Jersey	X		X	X	X
New York					
Oklahoma	X				
Oregon			X		X
Rhode Island	X		X	X	X
Tennessee			X		X
Vermont	X	X	X	X	
Virginia	X	X		X	
Washington	X	X	X	X	
West Virginia	X		X	X	X

Prepared by the National Conference of State Legislatures -- March 2006

Staff Contact: Sara Vitaska, (303) 856-1647, sara.vitaska@ncsl.org

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Safe Schools Manual: A Resource on Making Schools, Communities, and Families Safe for Children

NEA's *Safe Schools Manual: A Resource on Making Schools, Communities, and Families Safe for Children* synthesizes the best research on school safety and offers guidelines on making children safe in three broad areas: schools, communities, and families. This important publication was updated in October 2005. Please use this resource in your community. <http://www.nea.org/schoolsafety/safeschoolsmanual.html>

NEA School Safety Resources

<http://www.nea.org/schoolsafety/nearesources-schoolsafety.html>

NEA's National Bullying Awareness Campaign

NEA has been working with other national organizations to reduce, and eventually eradicate, bullying in America's public schools. Read [more about the problem and how you can help](#). And here are some additional resources here on www.NEA.org on bullying:

- [The ABCs of School Bullying](#): Tips for parents and teachers
- [Stop Bullying Now!](#): activities to teach tolerance and prevent bullying
- [Conflict Resolution](#): From bullying to international justice, activity ideas from PBS TeacherSource address conflict resolution
- [A Child's Plea Becomes an Adult's Crusade](#): Author Jodee Blanco talks about bullying
- [Are You a Bully?](#): Do teachers bully, too? Or, is it good classroom management?

State Anti-bullying Policies

State	State Level Support	Public School Reporting Requirements	Teacher/Staff Reporting	Teacher/Staff Training	Prevention Task Forces/Programs
Arkansas	X		X	X	X
Arizona			X		
California	X				
Colorado		X			
Connecticut		X	X	X	
Georgia					
Indiana				X	
Illinois		X			
Louisiana					
Maine		X			
New Hampshire			X		
New Jersey	X		X	X	X
New York					
Oklahoma	X				
Oregon			X		X
Rhode Island	X		X	X	X
Tennessee			X		X
Vermont	X	X	X	X	
Virginia	X	X		X	
Washington	X	X	X	X	
West Virginia	X		X	X	X

Prepared by the National Conference of State Legislatures -- March 2006

Staff Contact: Sara Vitaska, (303) 856-1647, sara.vitaska@ncsl.org

Bullying, Harassment and Intimidation Legislation

Good morning! My name is Sara Vitaska and I'm a Policy Associate in the Education Program at the National Conference of State Legislatures. Representative Anderson's office invited me to testify before you all today. His office has asked me to provide you with a general overview of anti-bullying legislation and a summary of introduced bills from the 2005-2006 legislation session. In addition, I will touch on a few components of anti-bullying policies, including defining bullying, state level support, public school reporting requirements, individual reporting requirements and immunity, and training opportunities for teachers and staff.

A growing body of research on the prevalence of school bullying, the likelihood of school bullies to develop anti-social behavior, and the impact of bullying on its victims and the school climate have heightened the issue. Anti-bullying legislation has been motivated, at least in part, by a surge in school violence and tragic school shootings at several U.S. high schools in the late 1990's. In addition, a 2002 U.S. Secret Service report, entitled *Safe Schools Initiative*, found that bullying played a major role in several of the shootings. According to research published in the *Journal of the American Medical Association*, approximately 30 percent of American schoolchildren, in grades 6 through 10, have been bullied or have bullied other children "sometimes" or more often within a semester.

State legislatures continue to find that a safe and civil environment in school is necessary for students to learn and achieve high academic standards. Bullying, like other disruptive behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe, non-threatening environment. Legislative findings also show that students learn by example. As a result, school administrators, faculty, staff and volunteers should be commended for demonstrating appropriate behavior, treating others with civility and respect, and refusing to tolerate bullying, and to encourage others to do so.

A total of 21 states have enacted anti-bullying legislation. To date, at least 24 states have introduced anti-bullying legislation during the 2005-2006 legislative session. Of those states, 16 are considering anti-bullying policies and 6 are seeking to amend their current anti-bullying statutes. During the 2005 legislative session, 4 states (Arizona, Indiana, Maine, and Tennessee) enacted anti-bullying policies and 2 states (Arkansas & Virginia) amended their existing anti-bullying statutes. This analysis does not include states that have enacted or are introducing harassment and intimidation policies that do not specifically include bullying. Maryland, Mississippi and Nevada have enacted such policies.

There are several components of anti-bullying policies, including:

- prohibiting bullying;
- defining bullying;
- state-level support;
- school intervention strategies;
- individual reporting and immunity;
- public school reporting;
- parental rights;
- teacher and staff training;
- prevention task forces and programs;
- and integrated curriculum instruction.

Defining Bullying Generally, states have been fairly uniform in defining bullying to include written, verbal or physical acts. However, states have taken different approaches to the issue of intent or motivation. For example, Colorado, Connecticut, and Indiana make clear the need for the act of bullying to have been intended to cause *"injury, distress, ridicule, humiliation or intimidation"* in order for bullying to have occurred. Other states, such as New Jersey and Vermont, have narrowly defined bullying to target students with specific characteristics. For example, New Jersey's bullying behavior is based on *"an actual or perceived characteristic such as race, color, religion, ancestry,*

national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory handicap, or by any other distinguishing characteristics."

State-Level Support A handful of states establish requirements for the state board, department of education, or commissioner of education to facilitate anti-bullying efforts in the schools. State support in California, New Jersey, Rhode Island, Vermont, Virginia and West Virginia, provides districts with model policy to assist them in approving their own policies and programs. In Washington, the superintendent of public instruction has sole authority for policy development. School districts in Washington were directed to adopt the superintendent of public instruction's model policy or amend an existing policy to be considered in compliance. In Arkansas, the state board of education must review every district's anti-bullying policies and may recommend changes or improvements. And in Oklahoma, the state department of education is mandated to disseminate *"a list of research-based prevention programs"* to every public school in the state.

Public School Reporting Requirements Some states' anti-bullying legislation contains procedures for school districts to report incidents of bullying. Colorado, Connecticut, and Virginia require incidents of bullying to be made available to the general public. Illinois, Maine, and Virginia have guidelines in place to report certain incidents to local law enforcement agencies relating to criminal offenses committed by students. Similar to Colorado and Connecticut, Vermont requires schools to collect data on the number of reported incidents of bullying and make the data available to the commissioner and to the public. In addition, the commissioner must report to the senate and house committees on education on implementation of the policy. The report must include pertinent data such as incidences of bullying gathered by school districts. In Washington, each district is required to report to the superintendent of public instruction annually all bullying incidents that result in a short or long-term suspension or expulsion on school premises or on transportation systems used by schools. The superintendent must compile the data and report to the appropriate committees of the house and senate.

Individual Reporting Requirements and Immunity Some states, including Arkansas, Arizona, Connecticut, New Hampshire, New Jersey, Vermont and West Virginia, require teachers and staff to report suspected bullying to the appropriate authority. Arkansas, for example, requires that *"any school employee who has witnessed or has reliable information that a pupil has been bullied"* must report the incident to the principal. The principal, in turn, must report the incident to the superintendent and the school board. Oregon, Rhode Island, Tennessee and Washington encourage teachers and staff to report suspected incidences. Most states that require or encourage teachers and staff to report incidents of bullying also provide immunity from tort liability. In addition, Arizona, Connecticut, and Vermont enables students and parents to report incidents of bullying.

Teacher and Staff Training Almost half of the states with anti-bullying laws, including Arkansas, Connecticut, Indiana, New Jersey, Rhode Island, Vermont, Virginia, Washington and West Virginia, contain provisions allowing or requiring districts to offer teacher training. In Arkansas, local school boards may provide opportunities for school employees to participate in programs or other activities designed to develop the knowledge and skills to prevent and respond to incidents of bullying by students. Connecticut and Vermont include an intervention strategy for school staff to deal with bullying. Indiana provides professional development needs for faculty and staff to implement methods that decrease bullying. In Rhode Island, each school district must provide training on the district's bullying practices to school employees and volunteers who have significant contact with students. Washington provides training materials which must be disseminated in workshops and other staff development activities, and through the office of the superintendent of public instruction's web site. To the extent that funds are possible, school districts in New Jersey and West Virginia are encouraged to train school personnel and educate students about the anti-bullying policy. The Virginia board of education's model policy includes standards for in-service training of school personnel on the appropriate management of student conduct and student offenses in violation of school board policies.

Introduced Bills Several states have introduced bills during the 2005-2006 legislative session to amend their exiting anti-bullying policies. Arizona would require school districts to provide training to employed teachers to recognize and prohibit bullying. Georgia would allow each local board of education to define bullying, extend policies prohibiting bullying to students in all grades, and require policies to be developed in collaboration with parent-teacher organizations, local school councils and other community based organizations. Illinois would allow each school district to adopt an anti-bullying policy in all grades and provide that the department of education may assist in the development of instructional materials and teacher training. New Jersey would prohibit bullying from occurring through electronic communication, including but not limited to, telephone, cellular phone, computer or pagers. New Jersey would also appropriate \$70,000 in FY 2005 to the Department of Education to reimburse school districts for the costs of establishing prevention programs. New York would prohibit bullying on school property or at school functions, require school employees to report suspected bullying and grant them immunity, and require the commissioner to create a central registry for reporting alleged bullying. And finally, Tennessee would require local education agencies to adopt a policy prohibiting bullying of teachers by principals or administrators.

Lastly, I will leave you with a list of sixteen states, including Alaska, that have introduced legislation to adopt, in various forms, an anti-bullying policy:

Alabama, Florida, Hawaii, Idaho, Iowa, Kentucky, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Mexico, Ohio, Pennsylvania, South Carolina, Utah, and Wisconsin.

Thank you for your attention!