



Great Public Schools for Every Student

Federal, State, and Local Policy Related to Bullying

Educator demonstrates an understanding of federal, state, and local law and policy regarding student bullying and what their responsibilities are regarding reporting and intervention.

Key Method

The educator completes research into state law and local policies that address student bullying in various settings, including cyberspace. The educator then analyzes these laws and policies to determine whether they address the core elements of a model policy.

Method Components

Social justice includes a vision of a society in which the distribution of resources is equitable and all members are physically and psychologically safe and secure. Pursuing a goal of preventing bullying behaviors and addressing them when they occur are essential components in achieving social justice for all of our students.

Although existing federal laws do not directly address student bullying, federal legislation and court rulings regarding various forms of harassment have been interpreted to apply in bullying situations. Furthermore, all 50 states and the District of Columbia have legislated bullying prevention/intervention requirements for schools and educators, and school districts throughout the country have implemented policies that meet or exceed such requirements.

Core Elements of Anti-Bullying Policy

Policy addressing student bullying should include:

- Statement of purpose for the district's position against bullying
- Clear definition of bullying
- Responsibilities of stakeholders and instructions for reporting bullying incidents
- Description of the support(s) for targeted students
- Procedures and strategies for behavior reform including consequences for the bullying behavior
- Training procedures to address bullying prevention/intervention

Examples of protected groups include:

- Race
- National origin
- Marital status
- Sex

- Sexual orientation
- Gender identity
- Religion
- Ancestry
- Physical attribute
- Socioeconomic status
- Familial status
- Physical or mental ability or disability

Model Policy

Model policies provide state guidance, direction, and recommended standards to help local school systems create their own district and school policies or administrative regulations. Model policies may be developed based on requirements of state or federal laws. (See Resources section for examples of model policies.)

Supporting Research

Rigby, K. & Slee, P. T. (2008). Interventions to reduce bullying. *International Journal of Adolescent Medicine and Health*, 20, 165–83.

http://www.bullyingawarenessweek.org/pdf/Bullying_Prevention_Strategies_in_Schools_Ken_Rigby.pdf

U.S. Department of Education. (2012). U.S. Department of Education Provides Guidance to Help Classroom Teachers Combat Bullying [Press Release]. Retrieved from

<https://www.ed.gov/news/press-releases/us-department-education-provides-guidance-help-classroom-teachers-combat-bullying>

Cornell, Dewey & Limber, Susan P. (2015). Law and policy on the concept of bullying at school. *American Psychologist*, 70(4), 333–43. Web

<https://www.apa.org/pubs/journals/releases/amp-a0038558.pdf>

Resources

Department of Education Provides Guidance to Help Classroom Teachers Combat Bullying

<https://www.ed.gov/news/press-releases/us-department-education-provides-guidance-help-classroom-teachers-combat-bullying>

U.S. Education Secretary Highlights Best Practices of Bullying Policies

<https://www.ed.gov/news/press-releases/us-education-secretary-highlights-best-practices-bullying-policies>

Dear Colleague Letter from the Assistant Secretary Catherine E. Lhamon (PDF)

<https://www2.ed.gov/about/offices/list/ocr/letters/colleague-bullying-201410.pdf>

Model policy recommendations from GLSEN:

<https://www.glsen.org/article/model-laws-policies>

USDE Analysis of State Bullying Laws & Policy:

<https://www2.ed.gov/rschstat/eval/bullying/state-bullying-laws/state-bullying-laws.pdf>

National Center on Safe Supportive Learning Environments toolkit:

<https://safesupportivelearning.ed.gov/creating-safe-and-respectful-environment-our-nations-classrooms-training-toolkit>

USDE Office of Civil Rights “Dear Colleague” letter (2014):

<https://www2.ed.gov/about/offices/list/ocr/letters/colleague-bullying-201410.pdf>

USDE guidance for school bus drivers:

<https://www.ed.gov/news/press-releases/us-department-education-provides-guidance-help-school-bus-drivers-combat-bullying>

Stop Bullying.gov Key Components in State Anti-Bullying Laws

<https://www.stopbullying.gov/laws/key-components/index.html>

Safe environments for Muslim youth:

<https://www.stopbullying.gov/blog/2017/01/10/research-practice-building-supportive-and-inclusive-programming-american-muslim-youth.html>

Stop Bullying.gov Federal Laws

<https://www.stopbullying.gov/laws/federal/index.html>

Jury Verdicts in Bullying Cases by State (2014):

<https://publicjustice.net/sites/default/files/downloads/BullyingVerdictsandSettlements-020714.pdf>

DAVIS, as next friend of LaSHONDA D. v. MONROE COUNTY BOARD OF EDUCATION et al. CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

<https://www.law.cornell.edu/supct/html/97-843.ZS.html>

NJ Supreme Court Issues Decision in Landmark Bullying Case

<http://www.edlawcenter.org/news/archives/bullying-and-residence/nj-supreme-court-issues-decision-in-landmark-bullying-case.html>

Model Policies

<https://www.stopbullying.gov/laws/key-components/index.html#modelpolicy>

Davis v. Monroe County Board of Education

<https://www.oyez.org/cases/1998/97-843>

Submission Guidelines & Evaluation Criteria

To earn the micro-credential, you must receive a “passing” for Parts 1 and 3 and a “Proficient” evaluation for each artifact in Part 2.

Part 1. Overview Questions

500 word limit

Analyze federal court cases, your state’s law(s), and school district’s policy regarding bullying prevention/intervention. What terms to describe student behavior (i.e., bullying, harassment, intimidation) are used in your state’s anti-bullying laws and regulations?

Does your district policy/state law(s) address cyberbullying?

What protected groups are listed under your state’s anti-bullying laws and regulations?

Does your district policy explicitly include educational support professionals (ESP) in the prevention/intervention process?

After reviewing jury verdicts in your state involving bullying (see Resources) as well as landmark federal cases (i.e., Davis v. Monroe County Board of Education), do laws and policy in your state and district go far enough to deter bullying behavior?

- **Passing:** Responses completely address each question using supporting evidence Answer shows evidence that state and local laws/policy were researched by including evidence that responds directly to specific state and local laws/policies. Writing is organized and easy to understand.

Part 2. Work Examples / Artifacts

To earn this micro-credential, please submit the following:

- After identifying a gap in your state or local laws/policy, create a formal presentation of no more than 10 power point slides or 200 words that requests additions or revisions to the law or policy. The intended audience may be state legislator(s) or a local school board.
- A parent guide that details the district policies for bullying. No more than 2 pages.

Please include the following:

1. Consequences, procedures, and strategies that you and/or your school implements to prevent bullying behavior and
2. How faculty and staff intervene in the event of such incidents.

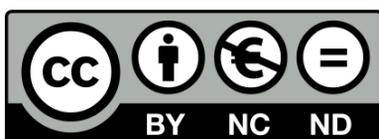
null	Proficient	Basic	Developing
Presentation	Policy change proposal is clearly written in a format ready for presentation to the Board of Education and includes a recommendation for a specific change to improve existing policy.	Policy change proposal includes recommendations for improving current practice but is not in a format that would be presentable to the Board of Education.	Policy change proposal does not include well-developed recommendations nor rationale.
Handbook	Parent Guide is easily readable and includes a comprehensive review of district policy, as well as consequences, procedures, and strategies for addressing bullying behavior and the faculty/staff involved in implementation.	Parent Guide includes basic information regarding district policy but does not address implementation for the school nor involvement of faculty and/or staff members.	Parent Guide is basic and does not include description of school's consequences, procedures, and strategies for addressing bullying behavior.

Part 3. Reflection

300 word limit

In your opinion, what are the consequences, procedures, and strategies for addressing bullying behavior in your district's policy adequate for creating a safer environment for all students? If not, what would you recommend? How has your approach to bullying in your school changed after working on this micro-credential?

- **Passing:** Reflection shows evidence of learning and uses specific examples from personal and/or professional situations.



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