

BULLYING IN SCHOOLS



Long Island Advocacy Center

Not Legal Advice

The information provided in this power point does not constitute legal advice and should not be used as a substitution for legal advice.

What is Bullying?

- US Dept. of Education defines bullying as “aggression used within a relationship where the aggressor(s) has more real or perceived power than the target, and the aggression is repeated, or has the potential to be repeated, over time”.
- Bullying can involve overt physical behavior or verbal, emotional, or social behaviors such as excluding someone from social activities, making threats, withdrawing attention, destroying someone’s reputation.
- Bullying can range from blatant aggression to far more subtle and covert behaviors.
- Cyberbullying, or bullying through electronic technology can include offensive text messages or e-mails, rumors or embarrassing photos posted on social networking sites or fake online profiles.

The Many Forms of Bullying in Adolescence

Physical bullying: Hitting, shoving, kicking, spitting, using objects to cause harm, stealing or damaging property.

Verbal bullying: taunting, mocking, name-calling, humiliating, threatening, racist comments, comments about gender or sexual orientation.

Social bullying: excluding, gossiping, spreading rumors, setting others up, attempting to ruin reputations.

Cyberbullying: threatening or harassing emails/text messages, distributing personal or embarrassing images, offensive websites, insulting messages posted on public forums.

Dating Aggression: any intentional sexual, physical or psychological attack against a partner in a dating relationship.

Sexual Harassment: unwanted comments, gestures, or behavior about sex or gender that makes one feel uncomfortable.

Cyberbullying

- Cyberbullying, unlike physical bullying, does not provide an option for its victims to walk away.
- Has no geographic boundaries.
- Students have 24/7 exposure, and tend to feel as though they have to manage the treat alone.
- Are sent anonymously.
- Can be distributed quickly to a wide audience.



**Bullying can take several forms.
It can be observable or secretive behavior.**

- **Observable Behavior:**
 - Intimidation and threats;
 - Name calling, insults, and comments about disability, gender, and race;
 - Teasing about personal characteristics or sexual harassment;
 - Physical assault, tripping, hitting, pinching and other physical abuse; and
 - Destruction of property, demanding money or other possessions;

Secretive Behavior

- Rejecting, excluding, and isolating victims from others;
- Spreading rumors and other public humiliation;
- Manipulating friends and relationships, passive aggression;
- Passing damaging notes or posting threatening or damaging emails or web material; and
- Blackmailing, harassment, and dangerous dares.

Where Does Bullying Most Frequently Happen

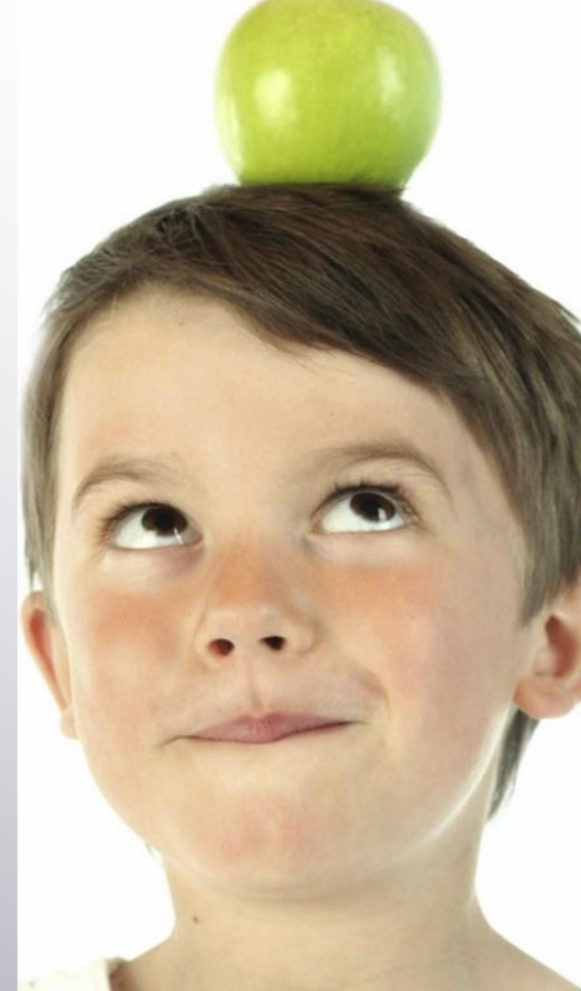
- Hallways
- Playgrounds
- Cafeterias
- Bathrooms
- Buses
- Internet

What do all these places have in common?

MINIMAL ADULT SUPERVISION

WHO IS BULLIED?

- Children who have poor social skills, are passive and who are isolated socially
- Children with special needs are disproportionately victims of bullying
- Bullied children tend to have fewer friends than children who do not experience bullying..
- A victim of bullying is often perceived poorly by peers and may have experienced peer rejection. These children are often found alone at recess and lunchtime.
- Being physically weaker than peers also seems to put a child at increased risk of being bullied.
- About ten to fifteen percent of victims can be described as, "provocative victims." These children are restless and easily aroused emotionally.



What is the Impact of Bullying?

- Bullying can have a wide-ranging impact on teens – from victims, to those who witness bullying (the observer effect), to the bullies themselves – and affect each one well into adulthood.
- Bullying behavior harms both the victim and the perpetrator. If a child experiences chronic intimidation, he or she may learn to expect this from others. He may:
 - develop a pattern of compliance with the unfair demands of those he perceives as stronger.
 - become anxious or depressed.
- identify with the bully and become a bully himself.

Short Term Effects for the Victim:

- Depression--seems sad and withdrawn
- Loss of self-esteem or self-worth.
- Trouble sleeping - bad dreams - nightmares.
- Bed wetting might occur, especially in younger victims.
- Physical Symptoms (upset stomach, headache, etc...)
- Anxiety about going to school or riding the bus.
- Truancy.
- Anxiety about attending social events with peers
- Drop in grade average

Short Term Effects for the Bully:

- Difficulty in maintaining friendships with others.
- Generally does not do well in school
- Tends to be truant and often drops out of school.
- Higher risk for alcohol or substance abuse.



Long Term Effects for the Victim

- Chronic depression leading to suicidal tendencies.
- Long term psychological post traumatic stress disorders.
- Self-destructive behavior.
- Alcohol or substance abuse may result.
- If given immediate help the victim should have limited long term effects. This is especially true if the victim is given assistance by a child mental health care professional to resolve the issues of being victimized.



Long Term Effects for the Bully

- Increased percentage are convicted of a crime by age 24.
- Increased dependency on alcohol and illegal drugs
- Increased chance of spousal or child abuse as an adult.
- Continued relationships leading long term



The Response: DASA

New York's Dignity for All Students Act (DASA) seeks to provide the State's students with a safe and supportive environment free from discrimination, intimidation, taunting, harassment and bullying on school property, school buses and at school sponsored activities and events off school property.

DASA requires districts and schools to promptly and thoroughly investigate reports of harassment, bullying and discrimination and to take prompt actions reasonably calculated to end the wrongful conduct and ensure the safety of the student(s) toward whom harassment, bullying or discrimination was directed.

The Response

- **Prevent: Use a Comprehensive multitiered behavioral framework**
 - Teach appropriate behaviors and how to respond.
 - Provide active adult supervision -especially in hallways, cafeteria, playground and extracurricular events.
 - Train and provide ongoing support for staff and students.
 - Develop and implement clear policies to address bullying.
 - Monitor and track bullying behaviors.
- **Communicate:**
 - Notify parents/school when bullying occurs.
 - Documenting in writing alleged bullying, including names and details of each incident. Include information about the impact of the bullying and ask for a meeting with the DASA coordinator.

The Response

- Investigate:
 - A school's Code of Conduct must include procedures by which violations are reported and investigated.
 - The principal, superintendent or their designee must lead or supervise the thorough investigation of all reports of harassment, bullying, and/or discrimination and ensure that such investigation is completed promptly after receipt of any written reports.

Act:

–when an investigation verifies a material incident of harassment, bullying, and/or discrimination, the superintendent, principal, or designee must take prompt action, reasonably calculated to end the harassment, bullying and/or discrimination, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior and ensure the safety of the target/s.

The Response

Act: The remedial response must correct the behavior, prevent another occurrence and protect the target. Appropriate remedial measures may include, but are not limited to:

- peer support groups
- assignment of an adult mentor at school that the student checks with at the beginning and end of the day.
- corrective instruction that reemphasizes behavioral expectations.
- engagement of the student in a reflective activity to identify the harm and make amends.
- supportive intervention – restorative practices.
- behavioral assessment or evaluation – refer to CSE.
- behavior intervention plan.
- student counseling and parent conferences.

The Response

Act:

- Set up a buddy system in unstructured settings.
- Provide a pass to eliminate being in the halls during passing time.
- Separate students- allow for change of class schedule.

Put the plan in writing.

Address ongoing concerns:

Students whose school behavior is not consistent with school expectations may need: (a) more focused social skill instruction; (b) frequent, specific feedback on their behavior, or (c) increased adult engagement

What can be done if the response is inadequate?

- OCR offers technical assistance to help schools achieve voluntary compliance with the civil rights laws it enforces. See <http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm>.
- A complaint of discrimination can be filed by anyone who believes that a school that receives Federal financial assistance has discriminated against someone on the basis of race, color, national origin, sex disability or age. The person or organization filing the complaint need not be a victim of the alleged discrimination, but may complain on behalf of another person or group. Information about filing a complaint is at <http://www2.ed.gov/about/offices/list/ocr/complaintintro.htm> or 1-800-421-3481.

Bullying and IDEA

- Is the student with an IEP being denied FAPE due to bullying?
 - A school district's failure to stop bullying may constitute a denial of FAPE.
 - Parents may initiate administrative due process procedures under IDEA, Section 504 or Title II to address a denial of FAPE, including a denial that results from disability harassment.

August 20, 2013 Dear Colleague letter from US DOE

- Provides an overview of a school district's responsibility under the IDEA to address bullying of student with disabilities.
- States that bullying of a student with a disability that results in the student not receiving meaningful educational benefit constitutes a denial of a FAPE and must be remedied.
- States that schools should intervene immediately to stop bullying on the spot.
- States that student's with disabilities are disproportionately affected by bullying.
- States that in circumstances involving a student who has not previously been identified as a child with a disability under IDEA, bullying may also trigger a school's child find obligations under IDEA.
- States that schools should, as part of its appropriate response to the bullying, convene the IEP team to determine whether, as a result of the effects of bullying, the student's needs have changed such that the IEP is no longer designed to provide meaningful educational benefit.
- States that schools **may not** attempt to resolve the bullying situation by unilaterally changing the frequency, duration, intensity, placement, or location of the student's special education and related services.

How can Bullying be addressed in the IEP?

- Does the IEP adequately and appropriately address the child's needs?
- Are social skills deficits being addressed?
- Is the child seeking out inappropriate relationships because they are frustrated in school?
- Is the disability compromising the child's ability to defend himself or putting them into potentially dangerous situations?

IEP goals and objectives can help prevent and intervene against bullying.

- Include goals and objectives that
 - Improve social skills such as sharing, taking turns, or thinking before acting;
 - Develop ability to carry on a 2-way conversation;
 - Identify social norms for the child who does not catch on to them by himself;
 - Increase self advocacy skills so child can say “no” or “stop that”;
 - Improve speech intelligibility so child can interact with peers;
 - Identify and practice direct and indirect ways to react to, handle and avoid bullying behavior.

IEP supplemental aids and services and program modifications that help prevent and intervene against bullying.

- Hallway or playground monitoring by school staff
- Allowing child to leave class early to avoid hallway incidents
- Use social stories to help child understand difficult situations when they occur
- In-service school staff to understand child/s disability and vulnerability
- In-service classroom peers to help them understand child's disability and/or child's use of assistive technology, paraprofessional, or interpreter (i.e. anything that is different)
- Educate peers about school district policies on bullying behavior
- Set up no-questions-asked procedure for child to remove him or herself from a situation where bullying behaviors occur

What about when the bully is a child with a disability?

- Equal consideration must be given.
- The IEP must address goals and objectives and supplemental aids, services and program modifications to prevent future bullying.
- Invoke procedural safeguards under IDEA when the child's IEP are not appropriate or when bullying behaviors are a manifestation of the disability.

Resources

- www.bullies2buddies.com
- <http://www.healthyplace.com/abuse/bullies/>
- www.thebullyproject.com
- http://www.p12.nysed.gov/technology/internet_safety/documents/cyberbullying.html
- <http://stopbullying.gov/>
- *Bullying at School* by Dan Olweus (Blackwell Publishing Ltd. 1993)
- www.prevner.ca
- www.kzoo.edu
- www.pacer.org/bullying
- www.pbis.org
- <http://nichcy.org/schoolage/behavior/bullying>
- www.FindYouthInfo.gov