



Helpful Tips to Address Bullying on Campus

Bullying is a pervasive problem in schools. According to one study, in 2005, approximately 28% of students ages 12-18 reported being bullied during a 6-month period. *Indicators of School Crime and Safety: 2007*, U.S. Department of Education, <http://nces.ed.gov/programs/crimeindicators/crimeindicators2007/>.

Bullying is conduct engaged in with the purpose of intimidating or demeaning the victim. Bullying may be in the form of physical conduct or written or verbal expression, such as hazing, threats, taunting, confinement, assault, and ostracism. Bullies may even use electronic communications, a practice commonly referred to as *cyberbullying*. To meet most legal standards for bullying, the conduct must be severe, persistent, and pervasive enough to create an intimidating, hostile, or abusive educational environment for the victim.

Districts should appropriately address bullying as early as possible to prevent or otherwise lessen the negative impact such acts may have on the learning environment. Preventative measures may also help the district avoid events that may result in district liability.

1. Assess bullying on campus, and evaluate district practices that address bullying.

The district should develop a clear understanding of the nature and prevalence of bullying on district campuses. One way is to provide students an anonymous questionnaire. The district should also assess district anti-bullying policies and practices to determine if they are effective and how they may be improved.

2. Comply with state bullying prevention laws.

Texas Education Code section 37.001 requires districts to prohibit bullying as part of the district's student code of conduct and to ensure that employees enforce the prohibitions. Texas Education Code section 25.0341 requires a district to transfer an alleged bullying victim on request of a student's parent. The statute requires that the board or the board's designee verify that the student was in fact a bullying victim prior to granting the transfer. An effective way to address the statutory requirements is to adopt a bullying policy or procedure.

3. Adopt a bullying policy or procedure.

A written bullying policy or procedure can help districts manage risk and liability. Such a policy shows that districts are taking steps to address bullying to create a safe and effective learning environment. A detailed bullying policy and associated procedures provide the district with a comprehensive method to address incidents consistently and give staff direction on how to

respond appropriately if they suspect bullying has occurred. Although Texas does not have a law explicitly requiring districts to adopt anti-bullying policies, several experts and authorities recommend that districts establish school rules and policies as a best practice to address bullying. U.S. Department of Health and Human Services Health Resources and Services Administration, *Best Practice in Bullying Prevention & Intervention*, www.stopbullyingnow.hrsa.gov/adult/indexAdult.asp?Area=bestpractices; Olweus Bullying Prevention Program, www.clemson.edu/olweus/content.html.

One effective way to structure a bullying policy would be to mirror the model described in the U.S. Department of Education Office for Civil Rights guidelines *Protecting Students from Harassment and Hate Crime*, available at www.ed.gov/offices/OCR/archives/Harassment/harassment.pdf. Though the guidelines target harassment, they provide a useful template because the procedural and other concerns facing harassment complaints are similar to those found in the bullying context. Recommended TASB Policy FFI(LOCAL) includes many of the guidelines' principles.

Note that some bullying reports are considered harassment based on protected characteristics like race, sex, disability, and religion, acts addressed in the student harassment policies found at TASB Policies FFH(LEGAL) and (LOCAL).

Your district should also adopt detailed computer use policies and procedures to provide the district with an effective method to address cyberbullying that occurs using district resources.

For district policies and procedures to be successful, districts must communicate those policies to employees and students, for example, through the employee and student handbooks.

4. Implement a bullying prevention program.

The district should employ a program intended to lessen bullying by implementing procedures designed to prevent the behavior. Studies show that students respond to a comprehensive program that is incorporated into their regular school day and social interactions. A suggested program is the Olweus Bullying Prevention Program, endorsed by the United States Substance Abuse and Mental Health Services Administration and the Office of Juvenile Justice Delinquency Prevention. For more information regarding the program, see www.clemson.edu/olweus.

5. Train all district staff.

Train everyone, including administrators, teachers, paraprofessional and auxiliary staff, especially bus drivers, to recognize and report bullying. Train employees soon after hiring. Document your training efforts, and keep a record of what materials were used and who attended.

6. Monitor all places where bullying may occur.

Bullies rarely bully other students near staff, as they fear being caught. Districts should post added personnel in locations where bullying is suspected or reported to have occurred to discourage future incidents.

7. Investigate all complaints and suspicious conduct.

Districts should investigate complaints thoroughly and document the investigation efforts. Districts should treat all allegations seriously so that students will feel comfortable reporting.

8. Maintain confidentiality.

Students often fear that if other students find out they have complained about bullying, they will be retaliated against. To encourage students to report, districts must reassure them that their reports will be confidential to the extent possible. Additionally, during the course of bullying investigations conducted by school officials, student complaints and their detailed statements become a part of the students' education records, subject to the confidentiality requirements of Family Educational Rights and Privacy Act (FERPA).

9. Develop effective responses for both victims and bullies.

Districts should provide necessary support and services for victims such as counseling. Districts should also outline the potential consequences for a bully's behavior. The district should discipline all bullies consistently, based on the seriousness of the allegations and other relevant factors and in a manner calculated to end the bullying.

10. Coordinate bullying prevention efforts with parents.

District efforts can be even more effective if parents are involved and engaged in bullying prevention practices. Districts should keep parents informed about campus conditions and how they may assist the district's efforts on campus as well as encourage parents to develop practices that they may put in effect at home.

11. Reassess district policies and procedures regularly.

The methods bullies use to bully other students will evolve over time, and the district's policies and procedures need to be updated accordingly.

This document is provided for educational purposes only and contains information to facilitate a general understanding of the law. It is neither an exhaustive treatment of the law on this subject nor is it intended to substitute for the advice of an attorney. It is important for the recipient to consult with the district's own attorney in order to apply these legal principles to specific fact situations.

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