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**


**Resources**


Dear Colleague Letter from the Assistant Secretary Catherine E. Lhamon (PDF) [https://www2.ed.gov/about/offices/list/ocr/letters/colleague-bullying-201410.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](https://www.glsen.org/article/model-laws-policies)


Stop Bullying.gov Key Components in State Anti-Bullying Laws [https://www.stopbullying.gov/laws/key-components/index.html](https://www.stopbullying.gov/laws/key-components/index.html)
Safe environments for Muslim youth:

Stop Bullying.gov Federal Laws

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

NJ Supreme Court Issues Decision in Landmark Bullying Case

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

150–250 word limit

What background information is important to know to understand the context of your district? Consider things such as student population, number of schools, any relevant cultural information, and special considerations regarding student characteristics. Be mindful not to reveal anything confidential.

- **Passing:** Response includes all requested parts of the question. Writing is clear and easy to understand.

Part 2. Work Examples / Artifacts

Please Note: For artifacts the preferred file format is PDF

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

Artifact 1: Analysis

Analyze federal court cases, your state’s law(s), and school district’s policy regarding bullying prevention/intervention. Respond to each of the following:

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

- Do/Does your state’s law(s) address cyberbullying?

- In your opinion, 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?

- 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?

- Does your state have a model policy?

- Does your school district’s policy include the six core elements of model policy (found in the Method Components section)?

This artifact could be a text, video, or audio reflection.

**Artifact 2: Presentation**

After identifying a gap in your state or local laws/policy, create a formal presentation that requests additions or revisions to the law or policy. The intended audience may be state legislator(s) or a local school board.

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<tr>
<th>null</th>
<th>Proficient</th>
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<tbody>
<tr>
<td>Artifact 1: Analysis</td>
<td>Addresses all parts in a clear and cohesive way.</td>
<td>Addresses some parts in a clear and cohesive way.</td>
<td>Is missing or is not clear and cohesive.</td>
</tr>
<tr>
<td>Artifact 2: Presentation</td>
<td>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.</td>
<td>Policy change proposal includes recommendations for improving current practice but is not in a format that would be presentable to the Board of Education.</td>
<td>Policy change proposal does not include well-developed recommendations nor rationale.</td>
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**Part 3. Reflection**

200-300 word limit

How has the work on this micro-credential effected your practice surrounding bullying?

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

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