

## Summary of Bully Laws & Legal Cases:

### **'Justice is served': Jury returns more than \$1M sexual harassment verdict against Alabama State University**

A federal jury returned a verdict totaling more than \$1 million Friday evening against Alabama State University. The jury found that the school had allowed an administrator to create a hostile work environment by racially and sexually harassing three female employees and that the women were retaliated against after they filed complaints. "Justice is served," said Cynthia Williams as she walked out of the courthouse about 6 p.m. Friday, alongside the two other plaintiffs, Jacqueline Weatherly and Lydia Burkhalter, who echoed the sentiment. The jury of four men and four women returned a verdict that includes compensation for emotional pain and mental anguish; back pay for Williams and Burkhalter, who were fired; and lost leave time for Weatherly. The jury found that Lavonette Bartley, an ASU employee for about 27 years, created a racially hostile environment for all three women. She was accused of regularly using the N-word, calling one of the plaintiffs a "white bitch" and a number of other specific allegations. The jury also ruled in favor of Burkhalter's claim of sexual harassment. The jury of four men and four women awarded Weatherly \$350,000; Burkhalter \$230,000; and Williams \$213,500 for emotional pain and mental anguish. Jurors also awarded Williams \$141,573.76 and Burkhalter \$94,592.51 in back pay and Weatherly \$9,453.06 in lost leave time.

<http://www.montgomeryadvertiser.com/article/20120218/NEWS01/202180339/-Justice-served-Jury-returns-more-than-1M-sexual-harassment-verdict-against-Alabama-State-University>

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### **15 at Colby sanctioned for sexual misconduct**

Colby College, a small liberal arts school in Maine, has found that the actions of 15 students violated the school's sexual misconduct policy, leading to suspensions and campuswide soul-searching. While administrators are silent on the specifics of the November incident that sparked the investigation, they said students committed a range of infractions, from sexual misconduct and sexual harassment to lying to college officials and conspiring to obstruct an investigation. A dozen students were suspended for a semester or more, two students voluntarily withdrew from Colby, and one case is pending. Citing federal privacy regulations, Colby administrators declined to identify the students involved or disclose details of what took place, beyond saying that a student contacted college authorities on Nov. 6 alleging that "some members of our community have violated Colby's sexual misconduct policy." While school administrators won't divulge information that could identify students, the student newspaper, The Colby Echo, reported that members of the football team were among those implicated. The college contacted the Waterville Police Department to determine if the allegations constituted a crime. The police consulted the district attorney's office. Law enforcement authorities determined that a crime had not been committed. Under Maine law, unlawful sexual contact has occurred if someone is under the legal age of consent or is mentally and physically unable to consent; if someone is drugged or threatened; and if there is an authority-figure relationship, including teacher/student and psychiatrist/patient. "There are all sorts of sexual misconduct that are not criminal," Rumsey said. Colby's policy declares that acts of sexual misconduct include unwelcome conduct of a sexual nature, including assault, harassment, voyeurism, intimidation, and "surpassing boundaries of consent (i.e. permitting others to secretly watch you engage in sexual activity)." On Feb. 6, about 200 students gathered for another forum about the effect the scandal has had on

the school. The conversation has moved beyond the specifics of the November incident and issues of sexual behavior.

<http://bostonglobe.com/metro/2012/02/13/colby-college-students-disciplined-for-sexual-misconduct/RvMZ4GwgoWltDDVjl6UnnK/story.html>

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### **School District Changes Policy Blamed for Bullying**

The Anoka-Hennepin School District in Minnesota on Monday night ended [a policy](#) in which teachers had to remain neutral if issues of sexual identity came up in class. The board replaced the policy, blamed for contributing to a school culture that led to the bullying, and eventually the suicides, of several gay students, with one that promotes "a respectful learning environment in which teachers facilitate student discussions of contentious topics in a balanced and impartial manner," the school district said. Minnesota's largest school district, Anoka-Hennepin has been under investigation by the federal Department of Education's office for civil rights since 2010. The district's former neutrality policy was created in 2009 to undo a 1995 directive to teachers that said homosexuality would not be taught as a "normal, valid lifestyle". Soon after adopting its new policy, the school district settled a lawsuit brought by a high school student taking classes at Anoka Technical College who was harassed by two teachers during the 2007-08 school year. One of the teachers singled out the student almost daily in the presence of other students, saying his "boat floats in a different direction than the rest of the guys in the class," and his "fence swings both ways," a report by the group said. The [new policy](#), called the Respectful Learning Environment-Curriculum policy is intended to establish the dignity and self-worth of all students. The policy opens with a commitment to a safe and respectful learning environment for all students and an education that respects all students and their families. It says teachers must follow the board-adopted curriculum and acknowledges that political, religious, social or economic issues may be contentious in a learning environment "in which conflicting views are held by a broad segment of people in our schools, our community and our nation," the school district said. The new policy says the district does not take positions on these issues and that staff shall not attempt to "persuade students to adopt or reject any particular viewpoint with respect to these issues." When contentious issues are discussed, the conversations must be appropriate for the developmental level of students, related to the course content, and presented in a balanced manner with varying points of view, the district said. They should be designed to help students "think critically and develop decision-making skills and techniques for examining and understanding differing opinions." And during these discussions, staff "shall affirm the dignity and self-worth of all students," the policy states.

[http://blogs.edweek.org/edweek/District\\_Dossier/2012/02/minnesota\\_school\\_district\\_chan.html](http://blogs.edweek.org/edweek/District_Dossier/2012/02/minnesota_school_district_chan.html)

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### **Students cyberbully principals; Court throws out cases**

The U.S. Supreme Court decided not to clarify the grounds in which students can be punished by public schools for off-campus online activity this week. On Tuesday, the court turned down two appeals from Pennsylvanian schools that were successfully sued by students who were suspended for derogative social media activity. The students in question created mock profiles of their principals as sex addicts and drug users on MySpace. The appeals court saw the cases as "vulgar, juvenile and nonsensical that no reasonable person could take its content seriously." In addition, the activities did not take place on school grounds, and were outside of school hours.

The cases highlight how social media has blurred the lines between on-campus and off-campus speech, and has put a school's duty of care responsibilities in to question. These rulings are an example of how confused the current legal system is when it concerns expanding social networking and the clash of free speech rights. In the UK, a school still is considered to maintain duty of care outside of school grounds and hours to a certain extent. If a child is bullied at a bus stop, for example, then the school can still issue detentions and bring the attention to parents. The court cases above come down to location — if a child paraded down a school corridor with a sign calling their principal a pedophile, then no-one would blink at their immediate suspension. However, doing it online, under an imagined distance from reality, means that parents believe they can sue school districts for punishing their children. The intention is exactly the same. Duty of care should relate both to students and staff, and online bullying campaigns, or comments that could future cause civic libel suits, should be treated in exactly the same manner as someone making the remarks on school grounds. Online bullying allows for a wider scope of abuse — as people join, what was once an off-hand remark by one student becomes an online campaign. Schools too may have underestimated the power of social networking — and now the law has been left behind. The recent cases offered the justice system a chance to update their student-speech rulings for the modern age. Instead, they are still basing decisions on a ruling from 1969 — which says schools cannot punish 'non-disruptive' speech. Whether words are stated verbally or online, the mental impact remains similar. Perhaps it is worse digitally, as online bullying can be accessed by a wider audience. Student protection can go too far, in order to avoid court cases or bad publicity for a school district. Why is it that a child can call a teacher a pedophile or rapist online, sue, and then be considered the victims? The teachers often doesn't, or can't, sue in kind for defamation — even though it can cause severe embarrassment and may affect both their personal and professional reputation. Some may argue that it is simply stupid, juvenile nonsense, and yet what lessons are we teaching children if they are not taught how to conduct themselves properly online? Who will children blame when they call their future employer a 'fag' on Facebook, in the public domain, then get fired or face a libel case? Instead of explaining to their children why this behaviour is unacceptable, reading them the riot act and creating a sensible punishment, the parents choose to sue the school. Cyberbullying among young people is on the rise, and yet there are no clear guidelines that school districts can follow. School officials seem to be 'pick and mix' when it comes to online behaviour — they can fire a member of staff for an image on Facebook, but a child's right to free speech is protected, no matter if they are accusing education professionals of being sex offenders or worse. Why do we consider it acceptable for students to harass each other or educational staff online, whereas if they did the same in public, it is not socially correct behaviour? A child walking down a school hall with a banner saying 'my teacher is a pedophile' is punishable, but for them to commit the same act, just using an online medium, parents defend their darlings and attempt to claim damages from the legal system. Perhaps children don't realise that their physical and online identities are one and the same. There is no hidden wall of privacy online, and you should be held accountable for your actions if they are damaging in any way. It is not about censorship or reducing free speech — it is about duty of care for both other students and teachers. Children should be taught correct online behaviour, and teachers shouldn't have to deal with that kind of disrespect online. They have enough of it every day.

<http://www.zdnet.com/blog/igeneration/students-cyberbully-principals-court-throws-out-cases/14722?tag=nl.e539>

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### **Berkeley school district settles sexual harassment case**

The settled case centers on a Berkeley High counselor accused of sexually harassing a 16-year-old female student in the 2009-2010 academic year. The Berkeley School Board last night voted to approve a settlement in a federal sexual harassment lawsuit against the Berkeley Unified School District, which includes compensation of \$57,500 and conditions imposed on Anthony Smith, the Berkeley High counselor at the center of the case. BUSD has also committed to revising its training and policies on sexual harassment as part of the settlement. BUSD denies any liability in this case. Lilah R. (the fictitious name under which she sued) was a 16-year-old junior at Berkeley High in the 2009-2010 school year when she, she said, she was subjected to persistent and pervasive conduct of a sexual nature by Smith, her academic counselor. Lilah R. reported that Smith caressed her inner thigh and made unwelcome comments, such as he wanted to “share feelings” with her, asked her if she slept naked, and asked to work out together. Although Smith denied the charges in Lilah R.’s complaint, an initial BUSD investigation found that Lilah R. was the more credible witness and that Smith’s conduct was “inappropriate and unprofessional.” Lilah R. sued after BUSD rejected the family’s suggestion to remove Smith from the high school campus. Lilah R., who is now 18, said: “Students should feel safe when they go to school. I’m happy the school district is making changes that should help other girls like me.” The district will update its Student Handbook to include specific contact information for students who wish to report sexual harassment. The Berkeley High PTSA will be asked to convey to parents the resources available to them and their child should a complaint arise. And an advisory committee of parents and District staff will meet to clarify BUSD’s sexual harassment policy and its procedural timeline.

<http://www.berkeleyside.com/2012/01/12/berkeley-school-district-settle-sexual-harassment-case>

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### **Tennessee Bill Would Give Anti-Bullying Laws A ‘Religious And Political Beliefs’ Loophole**

A proposed bill in Tennessee would create a loophole in the state’s anti-bullying laws to protect those expressing religious, philosophical or political beliefs, which one proponent says would ensure that people can still express their “views on homosexuality.” The proposed bill would amend the state’s current anti-bullying laws to specify that the anti-bully policy should “not be construed or interpreted to infringe upon the First Amendment rights of students and shall not prohibit their expression of religious, philosophical, or political views” as long as there’s no physical threat or threat to another student’s property. Gay rights activists in the state say the new bill would create a “license to bully” gay teens, and point to the suicide of a teenager named Jacob Rogers, who had reportedly been repeatedly bullied for being gay. Tennessee’s legislature previously considered a “don’t say gay” bill — which prevented teachers from discussing gays and lesbians with students in grades K-8 — but it also stalled in the last session. In November, Michigan’s Republican-led state Senate approved a bill with similar language that carved out a “moral convictions” loophole for bullies, but they backed off and compromised in the resultant controversy.

[http://tpmmuckraker.talkingpointsmemo.com/2012/01/tn\\_bill\\_would\\_give\\_anti-bullying\\_laws\\_a\\_religious.php](http://tpmmuckraker.talkingpointsmemo.com/2012/01/tn_bill_would_give_anti-bullying_laws_a_religious.php)

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### **Emerson board of education to pay former student \$130K in bullying settlement**

The Emerson Board of Education has settled a lawsuit brought by a former student who said bullying linked to his perceived sexual orientation over a six-year period was ignored by school administrators. The student, who was not named in the complaint, will receive \$130,000 from the Bergen County school district, in what could be one of the largest settlements of a legal challenge over bullying in state history. "This is a fair outcome that resolves troubling allegations — a young man subjected to persistent harassment by other students over a period of six years," Attorney General Paula Dow said in a statement Friday. A state law adopted last year in the wake of Rutgers University freshman Tyler Clementi's suicide is the toughest anti-bullying law in the nation and could produce an increase in bullying suits brought against school districts by the state, a spokesman for the Attorney General's office said. A finding of probable cause issued by the state Attorney General's Division on Civil Rights last year details extensive alleged bullying. State investigators found the Emerson student was regularly called "gay," "clueless" and other derogatory names throughout middle and high school. He was also assaulted physically and taunted online, according to the complaint. The abuse became so severe and emotionally damaging that the teen spent his final months of high school being home-schooled to avoid his tormenters, according to the complaint. In all, the student's parents reported 17 instances of bullying and harassment to district officials, the complaint said. Two similar lawsuits against New Jersey school districts in which students have claimed administrators ignored their reports of bullying are pending before administrative law judges. In Old Bridge, a student was allegedly bullied for being Jewish and the perception that he was gay. In Gloucester County's Franklin Township, an elementary school student allegedly suffered race-based bullying over a four-year period.

[http://www.nj.com/news/index.ssf/2011/12/emerson\\_board\\_of\\_education\\_to.html](http://www.nj.com/news/index.ssf/2011/12/emerson_board_of_education_to.html)

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### **Jury finds in favor of principals, school system in bullying lawsuit**

A lack of evidence led a Baltimore jury to rule that two principals were not negligent in a \$1.3 million bullying lawsuit against the city school system, but jurors said they were also conscious of a snowball effect that could subject systems around the country to a barrage of lawsuits. "This weighed heavy on us because we realized what we did would affect systems nationwide," said Carl Armstrong, who served as Juror No. 6 in the four-day trial. "We took that heavily into consideration, because we knew we could open the possibility of lawsuits — from past, present and future parents of students — against schools across the country, and Baltimore City would have been at the forefront." The jury returned their decision Thursday morning in the lawsuit brought by parents Edmund and Shawna Sullivan, who alleged that their special-needs son and their older daughter were bullied while attending Hazelwood and Glenmount elementary schools and that their complaints were ignored by the principals. The jury said that a lack of documentation, witnesses and testimony was the primary reason the Sullivans lost the case. On Wednesday, Circuit Judge W. Michael Pierson granted the district's motion to throw out nine of the 13 counts, leaving the principals to each face a negligence and gross negligence count.

[http://articles.baltimoresun.com/2011-12-22/news/bs-md-ci-bullying-lawsuit-verdict-20111222\\_1\\_hazelwood-and-glenmount-principals-union-shawna-sullivan](http://articles.baltimoresun.com/2011-12-22/news/bs-md-ci-bullying-lawsuit-verdict-20111222_1_hazelwood-and-glenmount-principals-union-shawna-sullivan)

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### **Suit in Mass. bullying case was settled for \$225K**

A lawsuit brought by the parents of Phoebe Prince, a 15-year-old Irish immigrant in Massachusetts who committed suicide after relentless bullying, was settled for \$225,000. The settlement was reached more than a year ago, but the details weren't disclosed until Tuesday after a journalist won a court order for the release of the information. The documents show that Prince's parents settled claims against the town of South Hadley and its school department for \$225,000. In return, the parents promised to release the plaintiffs from any further claims. The American Civil Liberties Union represented Slate reporter Emily Bazelon. Prince hanged herself in January 2010 after classmates taunted her after she dated a popular boy. Five students later accepted plea deals in criminal cases connected with bullying that preceded her death.

[http://www.necn.com/12/27/11/Suit-in-Mass-bullying-case-was-settled-f/landing\\_nation.html](http://www.necn.com/12/27/11/Suit-in-Mass-bullying-case-was-settled-f/landing_nation.html)

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### **State school board approves anti-bullying policy to include gay, lesbian students**

For the first time in state history, gay and lesbian students will be expressly protected from school bullying after the West Virginia Board of Education unanimously adopted a new anti-bullying policy Wednesday. Under the new policy, bullying based on 13 categories including race, religion, ethnicity, and sexual orientation and "gender identity or expression" qualifies as a Level 3 disciplinary offense. Punishments for harassment can range from detention to suspension from school for 10 days. Students can also be punished for "vulgar or offensive speech" online if it disrupts school learning. "Students and teachers alike are entitled to a safe educational environment," said state Superintendent of Schools Jorea Marple. "This policy addresses behavior and school safety comprehensively by addressing inappropriate behaviors proactively to promote safe and supportive learning conditions." The policy will go into effect July 1. Across the country, 14 states have drafted bullying laws that include protections for LGBT students, said Alison Gill of the Gay, Lesbian and Straight Education Network, a national group that tracks LGBT protections in schools around the country.

<http://sundaygazette.com/News/201112140208>

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### **Study Finds Only 13 State Laws Address Off-Campus Bullying**

Just 13 states give schools the ability to intervene when behavior off campus creates a hostile environment at school, a [new review of state bullying laws](#) by the federal Department of Education. Dealing with off-campus issues that end up surfacing at school [has been a challenge](#) for schools, although they [have been warned](#) by the Education Department's Office for Civil Rights that if they don't act in cases of suspected bullying, they could be violating students' civil rights. A letter last year says "a school is responsible for addressing harassment incidents about which it knows or reasonably should have known." The review finds that many states do ban cyberbullying or bullying on electronic media, where the off-campus issue can really come into play. The researchers said "school jurisdiction over off-campus conduct is particularly relevant to issues of cyberbullying because students often commit acts of cyberbullying outside of the school setting using their own technology, rather than relying on school-owned or -leased computer systems. Experts cited by the researchers argue the need for schools to develop provisions for responding to any off-campus speech and behavior that results in 'substantial disruption of the learning environment.' " The review also rated states, 46 of which have bullying laws, and found of those, only Maryland and New Jersey have all of the key components researchers were looking for. Those components include where the law applies, definitions of

bullying, whether [relational aggression is banned](#) in addition to verbal and physical acts, if the law addresses cyberbullying, whether groups of students who are protected are listed, and if school districts are required to create bullying policies. Of the states that do have laws, 41 have model policies in place to guide school districts on creating their own bullying rules. But districts rarely addressed the mental health of students who are bullied, something researchers thought was critical. When bullying and its effects go unaddressed, [the long-term effects](#) can include depression and suicide.

[http://blogs.edweek.org/edweek/state\\_edwatch/2011/12/in\\_13\\_states\\_schools\\_can.html](http://blogs.edweek.org/edweek/state_edwatch/2011/12/in_13_states_schools_can.html)

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### **Bullied For Being Autistic? 12-Year-Old Student Hangs Himself**

12-year-old Michael Raven was found hanged in his bedroom at his home in Burnley, Lancashire, in the UK. The cause of Michael's death has yet to be confirmed but police are not treating his death as suspicious. Michael was a student at St. Wilfrid's Church of England Academy and, following his tragic death, Facebook tributes have emerged that claim that he was teased and bullied by girls because he was autistic. For students on the autism spectrum, there is no question that bullying is a huge concern. Social interactions can be very challenging for autistic individuals and all the more so for children who, as Michael was, are 12 years old — are entering adolescence and the teenage years. Students who are bullied are very likely not to come forward and inform school authorities, their parents and others, for a whole host of reasons including shame and the fear that nobody will believe them.

<http://www.care2.com/causes/bullied-for-being-autistic-12-year-old-student-hangs-self.html>

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### **One in five teens say they were bullied in the past year.**

Beyond mean and cruel behavior on social network sites, the more serious issue of bullying among youth has garnered increased attention in the U.S. in recent years. Yet, new research suggests that the rhetoric adults use to talk about bullying may not align with the language teens use to describe the same kinds of behavior. As such, reported instances of “bullying” may not be capturing the full picture of the sustained and hurtful harassment that is happening among youth. Overall, 19% of teens report that they have been bullied in the last 12 months under at least one of the four scenarios we queried in our survey –in person, by phone, text messaging, or online. And within that 19% who have been bullied, 50% of these teens say they were just bullied through one mode, while 50% said they were bullied in more than one place. When teens were asked directly about instances of bullying over the past 12 months, the most common type of harassment reported was in-person. Some 12% of all teens ages 12-17 say they have been bullied face-to-face in the past year. Younger teens ages 12-13 are more likely than older teens ages 14-17 to say that they have experienced in-person bullying in the last year (17% vs. 10%). Looking more closely at variations by age, 12-year-olds stand out as reporting the most in-person harassment, with 22% saying they had to deal with bullying in the last year. When younger teens and older teens are grouped together, there are no significant differences by gender and reported incidences of in-person bullying. There is a gap but not one that is large enough to be statistically significant: 9% of all boys ages 12-17 say they have experienced some form of in-person harassment in the past 12 months, compared with 15% of girls. However, when older and younger teens are sorted by gender, older teen boys ages 14-17 do stand out for being significantly less likely to say they have endured in-person bullying in the past year (only 5%

report this compared with 15% of older teen girls). Fewer than one in ten teens report being bullied by phone, text, or online. While the vast majority of teens, 87%, say they haven't experienced in-person bullying over the past year, harassment that occurs through other communications channels can be equally hurtful. Overall, 9% of teens ages 12-17 say that they have endured bullying via text messaging. Another 8% say they have experienced some form of online bullying – such as through email, a social network site, or IM. And 7% say they have been bullied over the phone. Surprisingly, although younger teens are more likely to experience in-person bullying, they are no more likely than older teens to report bullying in any other situation – via text messaging, online, or by phone. The situation with gender is just the opposite; while the gender differences with in-person bullying were not quite large enough to be significant, they are statistically significant for every form of technology-mediated bullying. Girls are more likely than boys to report bullying in every case. Teen girls are more likely than boys to report being bullied by text messaging (13% vs. 5%), online (12% vs. 4%), and by phone (11% vs. 4%). <http://pewinternet.org/Reports/2011/Teens-and-social-media/Part-2/Section-4.aspx?src=pre-number>

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### **Bullying's rising toll of suicides has political leaders taking action**

As another student's suicide reverberated across Quebec, schoolyard bullying was exploding into the political spotlight, with Ontario on Wednesday unveiling tough legislation that could lead to expulsion for students who send classmates hateful text messages or shove them in the hallways at school. Quebec on Wednesday said it would review its school anti-violence programs, and Edmonton's school board on Tuesday evening joined the Canadian school districts that have voted to adopt an anti-bullying policy for sexual minorities. "We want our schools to be warm, welcoming, safe, secure and accepting," Ontario Premier Dalton McGuinty said when the new law was introduced. "We want all our kids to feel free to be who they are." The worst fate currently facing students in Ontario caught bullying is a temporary suspension. The political efforts follow a grim tally of adolescent suicides. Quebec set up a program in 2008 to counter schoolyard violence, and about 80 per cent of schools have implemented it. Although rates of adolescent suicide in Canada have declined since the early 1980s, it remains the second-leading cause of death among teenagers, after car accidents. In 2007, the most recent year with available data, 218 people between 10 and 19 committed suicide. Bullying, meanwhile, remains a pervasive problem. A 2009 survey of Ontario students in Grades 7 through 12 by the Centre for Addiction and Mental Health found that almost one in three students has been bullied. <http://www.theglobeandmail.com/news/national/bullyings-rising-toll-of-suicides-has-political-leaders-taking-action/article2255929/?cmpid=nl-news1>

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### **Governor Signs Anti-Bullying Law**

Michigan is now one of 48 states with an anti-bullying law. Governor Rick Snyder signed a measure into law today that requires all school districts to adopt anti-bullying policies. The bill does not require those policies to include lists of the characteristics that should be protected from bullying - including weight, gender, and sexual orientation. State officials estimate 25 percent of school districts in Michigan do not have anti-bullying policies already in place. Snyder says he would like state lawmakers to continue to look into the importance of protecting kids from

bullying on the internet and via cell phones. Before this week, Michigan was one of three states with no anti-bullying law.

<http://ipr.interlochen.org/ipr-news-features/episode/17158>

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### **Anonymous tip line set up for victims of bullying**

Although school districts throughout the country have been on a crusade against bullying, some students are still afraid to speak up to administrators about problems they may be facing. In an effort to have more students notify administrators about bullying, Jennifer L. Gaffney-Goodnough, Sackets Harbor Central School District principal, signed the school up on [www.anonymoustips.com](http://www.anonymoustips.com). This website is free to any school. "As a community service, anonymoustips.com is providing a completely anonymous email capability for people to send leads and tips to schools, local police departments and/or government agencies," according to the mission statement on the website. The website also encourages tips on stalking, Internet harassment, domestic abuse and other harmful activities. The Sackets Harbor district signed up to allow students to send tips via the website last year, but Ms. Gaffney-Goodnough said it really took off with the students this year. In October, the school's "virtue of the month" was observance of laws and order. The high school science department created a presentation about anonymoustips.com for grades six through 12 to make sure students were aware of the site and how to use it. Ms. Gaffney-Goodnough has received about 20 tips since the beginning of the 2011-12 school year, including some about peer drug use. She receives the tips in her email inbox as soon as a student hits send on his or her computer. When Ms. Gaffney-Goodnough receives a tip, she calls the student who has been accused of bullying to her office to discuss potential consequences. Depending on the detail of the tip, the student's parents might be called to let them know what their child has been accused of. "Because these tips are anonymous, we can't handle them in disciplinary ways," she said. "We have to use these moments as teachable moments."

<http://www.watertowndailytimes.com/article/20111129/NEWS03/711299931>

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### **Cops: No charges in suicide of bullied NY gay teen**

Police investigating the suicide of a bullied gay teenager said Tuesday that offensive comments he endured online and at school couldn't be considered criminal and that no charges would be filed. Amherst investigators last month sent 14-year-old Jamey Rodemeyer's computer and cellphone to a forensics lab to help determine whether anyone should be prosecuted for the bullying he often talked about before taking his life Sept. 18. They also interviewed Jamey's family, friends and peers, uncovering five bullying episodes at Williamsville North High School, where he'd just begun his freshman year, Chief John Askey said. "He was exposed to stresses in every facet of his life that were beyond what should be experienced by a 14-year-old boy," Askey told reporters during a news conference at police headquarters. But neither the in-school bullying episodes, one of which involved pushing and an anti-gay remark, nor "insensitive and inappropriate" online comments were found to be prosecutable, Askey said, in part because the victim is dead and unable to help prove harassment or other charges that might have been filed. "I'm not satisfied, to be honest," said Askey, adding that officers had devoted hundreds of hours to the investigation. "I would like to have seen something we could have done from a prosecution standpoint." The investigation determined that three students had targeted Jamey in

high school, one of whom hired a lawyer after Jamey's death. Those students weren't the ones commenting inappropriately in online forums, the investigation determined. Anonymous posts on a Formspring account Jamey opened said "Kill your self!!!! You have nothing left!" and "Go kill yourself, you're worthless, ugly and don't have a point to live." While Jamey had told his parents the taunting he'd endured in middle school had not carried over to high school, he posted online notes ruminating on suicide, bullying, homophobia and pop singer Lady Gaga. After he hanged himself outside his home in suburban Buffalo, activists, journalists and Gaga herself seized on the suicide, decrying the loss of another promising life to bullying. Even though no criminal charges will be filed, Askey said there have been other consequences.

<http://online.wsj.com/article/AP66241897fb294968b9a97e12c80bc9ee.html>

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### **Anti-bullying legislation attacked for allowing bullying**

Anti-bullying legislation just approved by the Michigan Senate has been denounced by the father of the teenager for whom it was named because, he said, it actually allows bullying to continue. The legislation, called "Matt's Safe School Law," was named after Matt Epling, an honor-roll student who killed himself at the age of 14 in 2002 after being assaulted by anti-gay bullies at his school. The draft law, which passed the state Senate with 26 Republican votes against 11 Democratic votes and now advances to the lower house, includes language inserted before the vote that says the bill "does not prohibit a statement of a sincerely held belief or moral conviction" of a student or school worker. Activists say that the provision gives bullies license to prey on other students — especially those who are gay, lesbian or transgender — and, at least as important, gives bystanders who should be trying to stop bullying an excuse not to intervene. The boy's father, Kevin Epling, says the law, "would basically say it is okay to bully or to ignore instances of bullying based on your own religious beliefs and/or moral convictions, which is contrary to the rest of the bill and it is definitely contrary to what I've been telling students, to step in and step up when they see this taking place in their school. As a society, we need to decrease the bystander effect, those who sit idly by and watch as things happen." The added provision in the legislation, he said, would allow people to watch bullying happen to someone they think deserves it based on a religious or moral belief. Bullying is a big problem across the country. Government statistics show that at least a third of students ages 12 to 18 report being bullied during the school year. Most states have a law that makes bullying illegal, but there is little enforcement. One of the most important aspects of anti-bullying programs in schools is teaching students — and the adults in the school building — how to safely intervene to stop students from being harassed and assaulted. In fact, experts say anti-bullying programs can't work without this kind of training. The bystander syndrome is tough enough for adults to break. It is imperative that anti-bullying programs focus on this issue and give nobody an excuse not to intervene. According to a Web site devoted to Matt Epling, the teenager was attacked by upperclassmen on his last day of eighth grade during a "Welcome to High School" hazing activity. Little was done to those who assaulted him at the time. Forty days later, he took his own life.

[http://www.washingtonpost.com/blogs/answer-sheet/post/anti-bullying-legislation-attacked-for-allowing-bullying/2011/11/05/gIQARflapM\\_blog.html](http://www.washingtonpost.com/blogs/answer-sheet/post/anti-bullying-legislation-attacked-for-allowing-bullying/2011/11/05/gIQARflapM_blog.html)

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### **New Laws Take Aim at Bullying**

The issue of bullying rose on state legislative agendas this year, with 21 states passing anti-bullying laws—some of which expanded schools' responsibilities to keep a check on any harassment that goes on among their students. States set out to write clear definitions of bullying and to regulate school policies and responsibilities in reaction to the U.S. Department of Education's stepped-up focus on the behavior, renewed public concerns following a series of high-profile student suicides, and an increase in cyberbullying. But anti-bullying legislation is a relatively new priority, and legislatures are still refining their strategies. States began passing anti-bullying laws in earnest in the early 2000s, according to Josh Cunningham, a research analyst for the National Conference of State Legislatures, also in Denver. By late 2005, 17 states had passed anti-bullying legislation. By last week, only Michigan, Montana, and South Dakota had no such laws, according to the ECS. Bullying has come to the forefront this decade partly as a result of the deaths of several students and the rise of the behavior online. States in which suicides have occurred, such as New Jersey, cite the high-publicity tragedies as spurs in the creation of their laws. Though the laws vary from state to state, several trends in this year's batch were clear, according to the NCSL and the ECS. They include:

- Expanding the definition of bullying to include cyberbullying, with schools in states like Connecticut and New Jersey now responsible for addressing some incidents that take place off school property.
- Spelling out who are the potential victims of bullying, such as students who are gay, lesbian, bisexual, or transgender.
- Increasing protections for victims of bullying and those who report it.
- Mandating professional development for teachers and education for students on the issue.

[http://www.edweek.org/ew/articles/2011/10/19/08bully\\_ep.h31.html](http://www.edweek.org/ew/articles/2011/10/19/08bully_ep.h31.html)

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### **Alabama: Youths bullied in wake of immigration law**

It was just another schoolyard basketball game until a group of Latino seventh-graders defeated a group of boys from Alabama. The reaction was immediate, according to the Mexican mother of one of the winners, and rooted in the state's new law on illegal immigration. "They told them, 'You shouldn't be winning. You should go back to Mexico,'" said the woman, who spoke through a translator last week and didn't want her name used. She and her son are in the country illegally. Spanish-speaking parents say their children are facing more bullying and taunts at school since Alabama's tough crackdown on illegal immigration took effect last month. Many blame the name-calling on fallout from the law, which has been widely covered in the news, discussed in some classrooms and debated around dinner tables. Justice Department officials are monitoring for bullying incidents linked to the law. "We're hearing a number of reports about increases in bullying that we're studying," the head of the agency's civil rights division, Thomas Perez, said during a stop in Birmingham. The Justice Department has established a bilingual telephone hotline and special e-mail account for residents to report any violence or threats based on racial or ethnic background that could be linked to the law. Officials would not provide a breakdown on the types of complaints being received.

<http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2011/10/22/MNT51LL2RE.DTL>

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### **Efforts redoubled against school bullying in San Mateo County**

San Mateo County school districts, spurred by a recent grand jury report that pointed out a lack of policies specific to bullying, are working to strengthen their procedures. The governor has signed anti-bullying bills into law, and the federal government already launched several initiatives to address student-on-student harassment. Local students are also doing their part, whether it's participating in a simple round-table discussion or planning a rally to encourage other youngsters to stand up to bullying. Online bullying can be particularly devastating, said Dan Morgan, Fusion's chief administrator. "It's there forever. It's easy to say something anonymously, and it can really, really hurt." Brian Buntz, executive director of the youth-development nonprofit Dream Volunteers in Redwood City, agreed with that assessment. "What the Internet has done, especially social websites, is it has given young people tools to engage in bullying-type activities behind closed doors," Buntz said. As part of the nonprofit's anti-bullying campaign, which is being launched this year, teen members are organizing a free concert and rally to raise awareness of the severity of the problem. The event, which targets middle school students and their parents, is scheduled for 3:30 p.m. Oct. 24 at the Fox Theatre in Redwood City. According to the latest figures from the National Center for Education Statistics, 28 percent of students ages 12 to 18 reported that they endured bullying such as punching, name-calling and the posting of insulting messages online on a repeated basis during the 2008-09 academic year. About 6 percent of students in that age group reported being cyberbullied in 2008-09, according to the center. A higher percentage of students who were cyberbullied skipped school or got into campus fights than those who were not cyberbullied, the center said. According to the National Bullying Prevention Center, more than 160,000 children in the country miss school every day just to avoid being bullied. In California, Gov. Jerry Brown has approved a pair of anti-bullying laws. Assembly Bill 9 requires districts to have a uniform process for addressing bullying complaints. It also mandates that school personnel intervene, so long as it's safe to do so, if they see bullying. Assembly Bill 1156 requires that all school employees go through bullying-prevention training. It also allows bullying victims to change schools in their district.

[http://www.mercurynews.com/top-stories/ci\\_19124217](http://www.mercurynews.com/top-stories/ci_19124217)

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### **Anti-dating-violence law rarely used against boys**

A law designed to prevent teenage dating violence sees more use in central Ohio as a way to resolve disputes between girls. In Richland County, eight of nine requests for civil protection orders against juveniles have come from girls against other girls. One involved a girl against a boy. Protection orders restrict contact between individuals by imposing penalties if contact occurs. A person must feel threatened physically or emotionally to petition for a protection order; a criminal offense is not required, said Licking County Juvenile Court Magistrate Chris Strefelt. Emergency protection orders must be addressed within one day. Licking County Juvenile Court has received 16 requests since a law permitting them took effect June 17, 2010. None of the requests has stemmed from dating violence, which was the original intent of the law, Strefelt said. Nearly half of requests come from girls in dispute with other girls, according to juvenile court records. The Ohio General Assembly passed legislation in March 2010 that would allow people to file protection orders against individuals younger than 18. The law was named after Shynerra Grant, a 17-year-old girl from Toledo who was fatally shot by her ex-boyfriend in 2005. Shynerra attempted to obtain a civil stalking protection order after her ex-boyfriend broke her jaw in 2004; she was unsuccessful.

<http://www.mansfieldnewsjournal.com/article/20111016/NEWS01/110160301/Anti-dating-violence-law-rarely-used-against-boys>

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### **U.S.: Bully victims need more help in law**

A report by the U.S. Commission on Civil Rights finds federal laws and many states do not fully protect all students from peer-to-peer bullying and harassment. The report, "Peer-to-Peer Violence and Bullying, Examining the Federal Response,"

([www.usccr.gov/pubs/2011statutory.pdf](http://www.usccr.gov/pubs/2011statutory.pdf)) examined the role played by the Departments of Education and the Department of Justice in addressing peer-to-peer discrimination on the basis of race, national origin, religion, disability, sex and/or lesbian, gay, bi-sexual and transgender status. Specifically, the commission's found:

- Bullying and harassment based on sex, race, national origin, disability, sexual orientation or religion, are harmful to American youth.
- Federal civil rights laws do not provide the U.S. Department of Education with jurisdiction to protect students from peer-to-peer harassment that is solely on the basis of religion.
- Federal civil rights laws do not protect students from peer-to-peer harassment that is solely on the basis of sexual orientation.

The U.S. Commission on Civil Rights is an independent, bipartisan agency charged with monitoring federal civil rights enforcement.

[http://www.upi.com/Health\\_News/2011/09/30/US-Bully-victims-need-more-help-in-law/UPI-66041317423757/#ixzz1ZkLp0XFk](http://www.upi.com/Health_News/2011/09/30/US-Bully-victims-need-more-help-in-law/UPI-66041317423757/#ixzz1ZkLp0XFk)

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### **'Bullying: Words Can Kill' 48 Hours Special Addresses School Bullying**

As students are heading back to school for the start of a new year of learning, for many, the focus is beyond the scope of the textbook. Every day, 160,000 kids miss school because they're afraid of being bullied, according to the National Crime Prevention Council. And when they don't skip school, students say they walk school halls with feelings of desperation, fear and hopelessness -- a constant battle that one mother told CBS correspondent Tracy Smith that she sees just dropping her son Johnny off at school. "I felt like every day, I was sending him off to war," Lisa Cagno told Smith. [CBS' 48 Hours aired a special this week, Bullying: Words Can Kill,](http://www.cbsnews.com/2718-18559_162-1249.html)

([http://www.cbsnews.com/2718-18559\\_162-1249.html](http://www.cbsnews.com/2718-18559_162-1249.html)) that featured several students from Birchwood Middle School in North Providence, R.I. CBS followed the students for six months to tell their stories and to delve into the school's efforts to combat bullying. "You can be bullied for anything nowadays," Johnny Cagno tells Smith in the segment. "You're judged, constantly, whether it's your orientation, your clothing, how you look. You know, everything." Studies have shown that beyond the emotional trauma associated with being bullied, students who report being bullied see lower GPAs, [especially high achieving blacks and Latinos](#). Most recently, New Jersey instituted in its schools what is considered to be the toughest anti-bullying law in the country, [and its measures have garnered both praise and criticism](#). In addition to the full segment above, 48 Hours has added [several Web extras](#) that were not aired, focusing even more on the students that are featured in the special. Smith also includes a piece on [what she was able to learn about bullying by working on the piece for 48 Hours](#).

[http://www.huffingtonpost.com/2011/09/18/bullying-words-can-kill-4\\_n\\_968622.html](http://www.huffingtonpost.com/2011/09/18/bullying-words-can-kill-4_n_968622.html)

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## **Bullying Remains Federal Priority; More Research Needed**

When Congress gets around to revamping the No Child Left Behind law, U.S. Education Secretary Arne Duncan said he'd like to see a provision that calls for surveying students about bullying. Duncan told this to a crowd Wednesday at the [second annual national conference on bullying](#), sponsored by his department and several other agencies. Students should be asked questions about whether they feel safe in school and if they would recommend their school to another student. He said students are a "huge missing part of the equation" on addressing bullying. This week's conference coincides with the suicide of Jamey Rodemeyer, a 14-year-old from New York who killed himself Monday. Last year, Jamey recorded a video for the "It Gets Better" series, which is intended to give gay, lesbian, bisexual, and transgendered teens—frequent targets of bullies—hope that their lives will improve. But in recent blog posts, Jamey reported being bullied both in person and online. The current version of the Elementary and Secondary Education Act does contain provisions that address school safety. But part of the goal was to show which schools were dangerous and give students the option of transferring out of them. [http://blogs.edweek.org/edweek/campaign-k-12/2011/09/bullying\\_remains\\_federal\\_prior.html](http://blogs.edweek.org/edweek/campaign-k-12/2011/09/bullying_remains_federal_prior.html)

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## **School board member: How I was bullied at school**

Dana Smith, of Waddington, NY, is a member of the St. Lawrence-Lewis Board of Cooperative Educational Services and a member of the board of directors of the New York State School Boards Association. She writes: Bullying is, obviously, a problem in our nation's schools. Sometimes it leads to suicides or lawsuits, and that ends up making headlines. Bullying can also coast under the radar of adults in the form of social ostracizing, taunting and catty postings on the Internet. Bullying can and does happen in cafeterias, auditoriums, gymnasiums and school recreation areas. It can happen during chorus rehearsal, extracurricular activities and even advanced placement classes. I now realize that I was bullied on many occasions when I was a student in a small, upstate, rural central school. I was short and "big boned" in stature and came from a poor socio-economic family. I can remember putting on my clothes in the morning and knowing that I would be viewed differently by my classmates and the other students in the school, as they often made comments about my size and my appearance. It contributed to what I now realize was low self-esteem. While that prompts many students to turn inward, it motivated me to make "friends" and be part of a group. Now I'm a school board member and therefore in a position to address the issue of bullying. What have we been doing about this problem? Assemblies have been held for students and professional development opportunities have been provided for staff. Peer counselors have been trained. In many school districts, anti-bullying programs are part of the curriculum. The [National School Boards Association](#) and my [state school board association](#) have offered many seminars on legal and organizational approaches to the bullying problem. School policies have been written and rewritten to try to prevent bullying and ensure it can be swiftly addressed when it does occur. [http://www.washingtonpost.com/blogs/answer-sheet/post/school-board-member-how-i-was-bullied-at-school/2011/09/14/g1QA3ifKTK\\_blog.html](http://www.washingtonpost.com/blogs/answer-sheet/post/school-board-member-how-i-was-bullied-at-school/2011/09/14/g1QA3ifKTK_blog.html)

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## **Bullying Law Puts New Jersey Schools on Spot**

Under a new state law in New Jersey, lunch-line bullies in the East Hanover schools can be reported to the police by their classmates this fall through anonymous tips to the Crimestoppers hot line. But while many parents and educators welcome the efforts to curb bullying both on campus and online, some superintendents and school board members across New Jersey say the new law, which takes effect Sept. 1, reaches much too far, and complain that they have been given no additional resources to meet its mandates. The law, known as the Anti-Bullying Bill of Rights, is considered the toughest legislation against bullying in the nation. Propelled by public outcry over the suicide of a Rutgers University freshman, Tyler Clementi, nearly a year ago, it demands that all public schools adopt comprehensive antibullying policies (there are 18 pages of "required components"), increase staff training and adhere to tight deadlines for reporting episodes. Each school must designate an antibullying specialist to investigate complaints; each district must, in turn, have an antibullying coordinator; and the State Education Department will evaluate every effort, posting grades on [its Web site](#). Superintendents said that educators who failed to comply could lose their licenses. In most cases, schools are tapping guidance counselors and social workers as the new antibullying specialists, raising questions of whether they have the time or experience to look into every complaint of harassment or intimidation and write the detailed reports required. Some administrators are also worried that making schools legally responsible for bullying on a wider scale will lead to more complaints and open the door to lawsuits from students and parents dissatisfied with the outcome. But supporters of the law say that schools need to do more as conflicts spread from cafeterias and corridors to social media sites, magnifying the effects and making them much harder to shut down. This summer, thousands of school employees attended training sessions on the new law; more than 200 districts have snapped up a \$1,295 package put together by a consulting firm that includes a 100-page manual and a DVD. The law also requires districts to appoint a safety team at each school, made up of teachers, staff members and parents, to review complaints. It orders principals to begin an investigation within one school day of a bullying episode, and superintendents to provide reports to Trenton twice a year detailing all episodes. Statewide, there were 2,846 such reports in 2008-9, the most recent year for which a total was available.

<http://www.nytimes.com/2011/08/31/nyregion/bullying-law-puts-new-jersey-schools-on-spot.html>

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### **Court backs W.Va. school in online bullying case**

A federal appeals court on Wednesday upheld the suspension of a West Virginia student who created a web page suggesting another student had a sexually transmitted disease and invited classmates to comment. A three-judge panel of the 4th U.S. Circuit Court of Appeals unanimously refused to reinstate Kara Kowalski's lawsuit against school officials in Berkeley County. She claimed her five-day suspension from Musselman High School in 2005 violated her free speech and due process rights, and that school officials lacked authority to punish her because she created the web page at home. The appeals court said the web page was created primarily for Kowalski's classmates, so the school had the right to discipline her for disrupting the learning environment. Other students posted messages commenting on the photos and ridiculing the student, whose parents complained to school officials the next day. Officials concluded Kowalski had created a "hate website" in violation of the school's anti-bullying policy. Although the ruling in the Kowalski case was unanimous, University of Arizona cyberbullying expert Sheri Bauman said such cases present "a real conundrum" for courts trying to balance

students' First Amendment rights against the need to maintain order in schools. "This is all quite new. That's what makes it so difficult for schools to decide when and where they have the option to intervene," said Bauman, director of the university's school counseling program and author of the book "Cyberbullying: What Counselors Need to Know." She said one of the issues that needs clarification is the definition of "substantial disruption" of the learning environment. She predicted that the U.S. Supreme Court eventually will be asked for guidance on this and other issues involving school cyberbullying.

<http://www.eschoolnews.com/2011/08/01/court-backs-w-va-school-in-online-bullying-case/>

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### **FL School bullying reports: Zero in some districts, 4,000 in another**

To Debbie Johnston, whose son killed himself after years of intimidation by a classmate, not one of Florida's 67 school districts can claim kids there aren't being bullied. Yet nine districts have reported zero incidents in the two years after Florida's anti-bullying law took effect and required them to document and investigate every complaint. One of those districts, Gilchrist County in north Florida, has only four schools and 2,800 students. Bullying isn't a problem, said school board Chairman Robert Rankin. At the other end of the scale is the Palm Beach County School District, with about 172,000 students, where nearly 4,000 bullying incidents were reported from 2008 to 2010 – many times more than any other district. In between, about half of Florida's districts reported fewer than 10 incidents during the two years. Such wide variations in reporting raise questions about whether Florida is getting what it asked for with the adoption of Jeffrey's Law, named for Johnston's son. Schools are incorporating anti-bullying programs into lesson plans, and administrators, parents and students are talking about the problem more openly. In the years since her son's death, Johnston advocated for anti-bullying legislation, founding the group Students for Safer Schools and helping win the passage of Jeffrey's Law in 2008. Last fall, the U.S. Department of Education took Jeffrey's law and 44 others like it across the country and added another step. The department's Office for Civil Rights now requires states to identify bullying victims based on race, color, national origin, sex and disability to ensure their rights haven't been violated. "Bullying can be extremely damaging to students, can disrupt an environment conducive to learning, and should not be tolerated in our schools," U.S. Secretary of Education Arne Duncan said in a December letter to state education departments. The incidents also can land school districts in court as more parents turn to litigation. Schools are required to adopt anti-bullying programs and many use a prevention program called Olweus, developed at Clemson University, which teaches children they shouldn't be silent bystanders. Principals and teachers also work with parents to identify problems.

<http://www2.tbo.com/news/education-news/2011/jul/18/3/b-ar-244153/?referer=None&shorturl=http://tbo.ly/pODOzB>

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### **Rhode Island act prevents cyber bullying, not social media access**

Rhode Island's recently-approved "[Safe School Act](#)," created in response to online bullying, seeks to standardize school responses to online bullying issues. And despite some media reports decrying the bill's apparent ban of all social media at all times, the bill's author clarifies that social media use is, in fact, encouraged for educational purposes. The act defines cyber bullying as bullying through the use of technology or electronic communication, including eMail, instant messages, impersonating another person as the author of posted content, as well as a variety of

other internet communications. The Safe Schools Act is meant to provide a statewide policy of disciplinary actions in response to online bullying, including the prompt notification of parents of both the victim and the bully. The new law also protects students who anonymously report bullying. A reading of the bill, which details provisions for preventing online bullying both on and off school grounds, reveals one bullet point that reads: “Students shall be prohibited from accessing social networking sites at school, except for educational or instructional purposes and with the prior approval from school administration.” Rhode Island Rep. Deborah Ruggiero, who authored the bill, says, “That’s not part of the bill in terms of limiting social media. What it means, though, is bullying has changed dramatically in the past several years because of social media,” Ruggiero said. “Years ago when the bell rang, you left the bullying in the school yard. Today that bully follows you home with Facebook, Twitter, blogs, and instant messaging, so it’s 24/7.” She added that one of the reasons she chose to author the bill was the suicide of Jeffrey Michaelnka, a 16-year-old Rhode Island student. “He was bullied to the point of suicide,” she said, terming the cause of death “bullycide.” “No parent should bury a child, and certainly not because of bullycide.” Ruggiero cited a 2010 Rhode Island study that found that 43 percent of students polled said they were bullied in school, while about 60 percent were unsure whether they had been bullied. “Every single student should feel safe in school. ... State law says that children have to go to school, but they have the right to a safe, secure learning environment, and that’s why I wanted to make sure that every student felt safe,” Ruggiero said. Suspension from school will not be listed as a punishment for cyber bullies, however. “What happens when you suspend a student? What to do they do? They go home, they get on the computer, and they start blogging. So the last thing you want to do is that,” Ruggiero said.

<http://www.eschoolnews.com/2011/07/12/rhode-island-act-prevents-cyber-bullying-not-social-media-access>

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### **Anti-Bullying Programs Pushed Aside by Federal Budget Woes**

At the same time that educators, parents and politicians decry bullying and other school violence, the Obama administration has presided over the elimination of all funding for the chief federal program designed to prevent school violence — a program that had been the backbone for anti-school-violence efforts across the country. From 1987 through 2009, Congress sent hundreds of millions of dollars a year in Safe and Drug Free Schools and Communities grants to the states. That money funded violence prevention programs in almost every school district in the country. But those programs have been running on fumes for the last two years. Faced with federal budget problems, Congress opted in 2009 to eliminate Safe and Drug Free Schools grants entirely. Because districts were allowed to spend Safe and Drug Free School grants they received in 2009 over the course of 27 months, the funding shortfall is slowing rippling to the local level. The cutbacks stunned the counselors and school administrators closest to the programs — not just because they believe the programs have been well-worth the investment, but also because they thought, that after years of declining budgets, Obama administration officials were sure to be allies. “We were really surprised,” one state official said. “We thought we would get more support. We were fighting off Republican plans to make all these cutbacks for years. But then Obama came in, and just like that it’s all gone.” Those involved in violence prevention at the local level say the Safe and Drug Free Schools cuts are dismantling an entire infrastructure of professionals, programs and relationships that has served as the backbone for efforts to combat bullying, drugs and other social problems in the schools.

[http://www.youthtoday.org/view\\_article.cfm?article\\_id=4809](http://www.youthtoday.org/view_article.cfm?article_id=4809)

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### **Minnesota's anti-bullying law among weakest in nation**

At just 37 words, Minnesota's law against bullying is one of the shortest in the nation: "Each school board shall adopt a written policy prohibiting intimidation and bullying of any student. The policy shall address intimidation and bullying in all forms, including, but not limited to, electronic forms and forms involving Internet use." That's the only requirement. Approved in 2005 and amended two years later, Minnesota's law leaves individual districts largely responsible for implementing bullying prevention measures. A six-month Minnesota Public Radio News investigation of bullying policies across the state found a patchwork of policies that don't always incorporate the newest research on bullying. There is virtually no tracking of bullying incidents by Minnesota school districts, and critics say that makes it impossible to gauge how effective schools are at preventing bullying. What is clear is that bullying persists in every Minnesota school district. A new analysis by the state departments of Health and Education found that 13 percent of Minnesota sixth-, ninth- and 12th-graders are bullied regularly, once a week or more. The only states with fewer restrictions on bullying are Hawaii, Michigan, Montana and South Dakota — none of which have laws against it, according to Bully Police USA, a nationwide grassroots group of bullying prevention advocates and researchers. The group, which grades state bullying laws, gave Minnesota a C-, the lowest grade in the nation. [http://www.winonadailynews.com/news/local/article\\_321d4cf4-7f6d-11e0-9110-001cc4c03286.html](http://www.winonadailynews.com/news/local/article_321d4cf4-7f6d-11e0-9110-001cc4c03286.html)

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### **FORMER STUDENT ACCEPTS DEAL IN RUTGERS SUICIDE CASE**

A former Rutgers University student who allegedly watched a web video secretly taken of a male student's sexual encounter with another man has been admitted to a pretrial intervention program. Molly Wei pleaded not guilty Friday to two counts of invasion of privacy, according to a statement from the Middlesex County Prosecutor's Office. The case exposed the issue of bullying and suicide on school campuses after a grand jury indictment alleged that Wei's classmate Dharun Ravi secretly streamed online the encounter between his roommate, Tyler Clementi, and another man in September 2010. Should Wei complete the three-year program without additional legal troubles, the invasion of privacy charges for allegedly watching the video will be dropped, the office said. Wei will be required to complete 300 hours of community service and must participate in counseling associated with cyberbullying and alternate and cultural lifestyles. The deal also requires that she testify against Ravi, who allegedly set up the camera. A grand jury indicted Ravi on 15 counts including invasion of privacy, bias intimidation, tampering with physical evidence, witness tampering and hindering apprehension or prosecution. <http://www.cnn.com/2011/CRIME/05/06/new.jersey.rutgers.suicide/index.html>

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### **Student Arrested For Ranking Female Classmates On Facebook**

In January, an Oak Park-River Forest High School student found himself in hot water after publishing a list of 50 of his female peers, ranking them based on physical attributes and reported sexual conquests. The list was circulated on Facebook, and on Monday, the teen was arrested. The unnamed student reportedly ranked the girls on a 10-point scale based on facial features, a 5-

point ranking for various body parts and a ranking of whether their "stock" is up or down. Girls were also given nicknames like "The Designated Drunk" and "The Amazing Bisexual." The list was circulated on Facebook, and in the halls on photocopied flyers. The school suspended the 17-year-old for a week in January, and said at the time they were considering further disciplinary action. On Monday, he was arrested in his Oak Park home and charged with misdemeanor disorderly conduct. The charges were levied with cooperation from the Cook County State's Attorney's Office and Oak Park police said there will not be any additional charges. The list, which was full of misogynistic language and racial slurs, led some students to start a campaign against sexism. "You're walking down the halls, looking at people, and you don't know what they might have read about you or what might have been said about you," junior Zoe McNeil [told the Chicago Tribune](#) in January. Another junior, Julia Levy, bristled at the student body's reaction: "Overwhelmingly, people found that it was no big deal or just boys being boys." [http://www.huffingtonpost.com/2011/05/10/student-arrested-for-rank\\_n\\_860115.html](http://www.huffingtonpost.com/2011/05/10/student-arrested-for-rank_n_860115.html)

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### **2 guilty pleas, no jail time in Massachusetts bullying suicide case**

Two classmates of a high school freshman who hanged herself in the stairwell of her family's apartment pleaded guilty to charges of criminal harassment, but other more serious charges were dismissed and neither will serve time, prosecutors said Wednesday. Sean Mulveyhill and Kayla Narey, both 18, each received one year's probation, with special stipulations that include 100 hours of community service to assist underprivileged or at-risk youth, an order that they have no contact with the victim's family unless they get the family's consent, and barring them from financially profiting from the case while on probation. <http://www.cnn.com/2011/CRIME/05/05/massachusetts.bullying.trial/index.html>

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### **NH Senate rejects changes to anti-bullying law**

New Hampshire's Senate has voted unanimously to reject changes to the state's anti-bullying law, such as limiting school responsibility in dealing with off-campus incidents. Senators said Wednesday that the current law is only months old and needs further study before any changes are made. The current law was amended last year for the electronic age. It defines bullying and cyberbullying and allows schools to step in if the conduct happens outside of school and interferes with a student's education or substantially disrupts school operations. Many states have been moving in this direction, but some New Hampshire lawmakers wanted to restrict the boundaries to school grounds. The House passed a bill in March that would remove that provision and make other changes. The Senate's rejection leaves the measure's future in doubt. <http://www.google.com/hostednews/ap/article/ALeqM5hIOfNM-udPYiNjm63rRheGBXvkw?docId=60b2d71be51445b3861cb5c08588eee1>

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### **1 in 4 report bullying at Mass. schools**

One-fourth of Massachusetts middle-schoolers and 16 percent of high school students report enduring bullying at school, according to a federal report released yesterday that puts the state at the center of the national discussion over the issue. For the first time, Massachusetts health authorities included questions about bullying in a survey regularly given to gauge the health and behaviors of the state's students, and the findings not only define the scope of the problem, but

also suggest the cause. Most notable was the link between violence at home and bullying at school. The report found that students who said they had been involved in bullying, as both a perpetrator and a victim, were five times more likely to report they had been hurt physically by a family member, compared to those who said they were neither a victim nor a bully. And they were substantially more likely to have witnessed violence against other family members. The study was released a year after Governor Deval Patrick signed a law requiring schools to adopt clear procedures for reporting and investigating cases of bullying, as well as methods for preventing retaliation against those who report problems. The survey, conducted in 2009 and released yesterday, also found that students who said they were both victims and perpetrators were significantly more likely than other students to report they had attempted suicide or seriously considered it in the previous 12 months. And they were much more likely to say they drank or used drugs, the report found. The anonymous survey of roughly 6,000 students, conducted with pen and paper, was completed during one class period in 138 public middle and high schools. The findings took into account differences among age, sex, race, ethnicity, and nonresponses. Researchers from the CDC helped analyze the data. A separate study by the Massachusetts Aggression Reduction Center further underscores the scope of the problem. Preliminary results from a survey of 21,000 third- through 12th-graders suggest roughly half of students who identified themselves as bullies also said they had been victims of bullying. [http://www.boston.com/news/education/k\\_12/articles/2011/04/22/1\\_in\\_4\\_report\\_bullying\\_at\\_ma\\_ss\\_schools](http://www.boston.com/news/education/k_12/articles/2011/04/22/1_in_4_report_bullying_at_ma_ss_schools)

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### **Dignity for All Students Act**

In New York State, the “Dignity for All Students Act” (effective July 1, 2012), requires school districts to provide staff training and designate one person in each school who will be specially trained to deal with bullying issues. Districts must also revise their codes of conduct and adopt policies “intended to create a school environment free from harassment and discrimination.” To ensure implementation success a 15-member Task Force and Advisory Work groups have been formed. For information on the Act (DASA) go to: [http://www.nyclu.org/files/OnePager\\_DASA.pdf](http://www.nyclu.org/files/OnePager_DASA.pdf); for NYSED’s plan for implementation, go to: <http://www.regents.nysed.gov/meetings/2011Meetings/January2011/111p12d1.pdf>.

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### **The Bullying Advocates: Report Exposes the Religious Right's Effort to Stop Anti-Bullying Programs in Schools**

As states and school districts work to stem a tide of anti-gay bullying in American schools, a powerful group is out to stop them. The Religious Right has been leading a concerted effort to stop programs that seek to protect LGBT youth from bullying and to deny that the problem of anti-gay bullying exists. Today, People For the American Way released a report exposing the Religious Right's pro-bullying efforts and the myths it is using to promote them. The report, *Big Bullies: How the Religious Right is Trying to Make Schools Safe for Bullies and Dangerous for Gay Kids*, can be found online at <http://www.pfaw.org/rww-in-focus/big-bullies-how-the-religious-right-trying-to-make-schools-safe-for-bullies-and-dangero> "The anti-anti-bullying movement sounds like a joke, but it's frighteningly real. The Religious Right is desperately trying to protect bullies and further marginalize gay and gay-perceived kids by stopping efforts to make schools safe for every child," said Michael Keegan, President of People For the

American Way. The Right's anti-anti-bullying effort relies on four central strategies, according to the report:

- The Indoctrination Myth: Religious Right activists claim that anti-bullying policies will result in "homosexual indoctrination" in schools.
- The "Special Rights" Smear: Opponents claim that recognizing and confronting the problem of anti-gay bullying amounts to granting "special rights" to LGBT kids.
- Playing the Victim: The Religious Right has tried to turn the realities of school bullying on their head, claiming that anti-gay bullies are the real victims, and gay rights groups the real bullies.
- Blaming the Victim: In the crudest part of the anti-anti-bullying effort, Religious Right activists are trying to blame the gay rights movement and gay kids themselves for anti-gay bullying.

"The pro-bullying movement shows just how far the Religious Right is willing to go to stop the recognition and acceptance of gay people at every level of society, and to paint themselves as the victims of the gay rights movement," said Keegan. "The real bullies are the adults who are willing to hurt kids in order to push a political agenda of intolerance and exclusion."

<http://www.truthout.org/bullying-advocates-report-exposes-religious-rights-effort-stop-anti-bullying-programs-schools/130267>

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### **Nevada Presses Plans to Tackle Schools' Trans Fats and Bullies**

A bill to ban trans fats in schools advanced in spite of Republican objections that the proposed rules are meddlesome. SB230 requires school districts to approve policies barring trans fats, which are known to raise levels of bad cholesterol in the body, but makes exceptions for food at fundraisers such as bake sales. The bill now heads for the Senate floor after a 4-3 vote in the Senate Education Committee. SB276, which is sponsored by Sen. David Parks, D-Las Vegas, and sets up requirements for anti-bullying programs, training & incident reporting, passed out of the Senate Education Committee 4-3 on party lines. SB276 was diluted to reduce the financial impact to school districts—a requirement that schools appoint an anti-bullying coordinator was removed, while an October "Week of Respect" remains intact.

[http://www.edweek.org/ew/articles/2011/04/13/420510nvschoolbills\\_ap.html](http://www.edweek.org/ew/articles/2011/04/13/420510nvschoolbills_ap.html)

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### **Texas Legislature Spotlights Bullying in Schools**

The scariest part of the school day for one student in the Austin Independent School District is before classes begin. For the female-to-male transgender 16-year-old, the "nerve-racking" minutes he spends trying to find his friends at school each morning is when bullies are most likely to strike. "People don't mess with groups of people," he said. "But they see someone walking by themselves, and there's no fear there." In Texas, the most highly publicized of those stories is Asher Brown's. Asher, an eighth grader at a Cypress-Fairbanks middle school, shot himself last fall after what his parents said was two years of harassment for his small size, religion and perceived sexuality. Asher's death has given momentum to antibullying bills filed in the Legislature this session — there are currently more than 15. But the prospect of legislation, supported by teacher organizations and advocacy groups like the Anti-Defamation League, has drawn opponents as diverse as the American Civil Liberties Union and the Liberty Institute, a conservative legal organization. They question how successful any new law will be in curbing

aggression in schools and say that policing such conduct is best accomplished locally. A bill by Representative Mark Strama, Democrat of Austin, expands the definition of bullying and includes a section on cyberbullying. It would allow school officials to move bullies to separate classrooms — existing law permits that only for victims — and would require districts to report incidents of bullying to the state. Existing state law requires schools to have codes to prohibit bullying, but in some instances, parents have struggled to have them enforced. A 2007 study from the Gay, Lesbian and Straight Education Network found that just 32 percent of Texas students who identified as lesbian, gay, bisexual, or transgendered said that reporting incidents of bullying resulted in effective intervention from public school staff members.

<http://www.nytimes.com/2011/03/04/us/04ttbullying.html>

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### **Parents of Bullied Kids Hiring Lawyers, Suing School Districts**

There is a growing trend in Central Florida and nationally: Parents are hiring lawyers and suing school districts, accusing them of letting schoolyard bullies frighten, intimidate and sometimes beat up their children. The uptrend started around 2007, said Sonja Trainor, senior staff attorney at the National School Boards Association in Alexandria, Va. And some people and agencies have begun treating bullying as a public-health threat. The U.S. Department of Health and Human Services has launched a nationwide campaign, dubbed "Stop Bullying Now!" with tips for parents and kids. And there is now an online video channel—"[It Gets Better](#)"—founded last year in response to the suicides of teenagers who were bullied because they were gay or suspected of being gay. Attorney Frank Kruppenbacher represented Orange County Public Schools for 30 years. He's now in private practice and says he gets about six calls a day from Central Florida families, complaining that they have a child who's being bullied and need legal help. He is stunned by the demand. Kruppenbacher said he has sent about 100 letters to school districts in Central Florida in the past two months, "putting them on formal notice that there's a situation that is causing damage to the child. We're not looking to file suit, quite candidly, but if they don't remedy the situation, it's going to move to that, and it could move to significant damages." The U.S. Department of Education has issued guidelines to schools on how to handle bullying, and the Florida Legislature in 2008 ordered local school boards to enact anti-bullying policies.

[http://www.edweek.org/int\\_page.html?url=http%3A%2F%2Fwww.edweek.org%2Fews%2Farticles%2F2011%2F01%2F31%2F20mct\\_fbullying.h30.html](http://www.edweek.org/int_page.html?url=http%3A%2F%2Fwww.edweek.org%2Fews%2Farticles%2F2011%2F01%2F31%2F20mct_fbullying.h30.html)

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### **Blindsided by bullies**

In November, Tacoma police investigated a trash-talking blog aimed at Tacoma teens. The website included names of students, pictures and nasty rumors – material that Tacoma Public Schools Superintendent Art Jarvis described as “disgusting stuff.” One mother said her daughter was reduced to tears by the site. Even though it was created off-campus, school officials feared it might incite trouble there. So they sent letters to parents of students named on the site, alerting them. State and school officials don’t break out statistics on cyberbullying, but educators say the problem has worsened as technology has advanced and social media such as Facebook have proliferated. In Tacoma, the trash-talk site – which was eventually shut down – helped push the school district toward a new initiative aimed at curbing bullying in all forms. It includes staff training, selection of a new anti-bullying curriculum and a yet-to-be-determined mechanism for

listening to student voices. The district's athletics and activities director will oversee the efforts, adding the title of director of student life to her duties. The pervasiveness of bullying has everyone scrambling for fresh solutions to the age-old problem. In Federal Way, Sequoyah Middle School Principal Vince Blauser noticed the surge in bullying incidents, especially online, when he moved back to a middle school after spending five years at Todd Beamer High School. So he decided to attack the problem head-on at Sequoyah. He hired a teacher part-time to write a bullying prevention curriculum. Students studied literature on the topic. He also held kids accountable for their behavior. "Once we made this a focus, kids came forward, because we made it safe to do so," Blauser said. "It changed the culture of our school." The Washington Legislature last year updated state law, which mandates that school districts adopt policies on harassment, intimidation and bullying – HIB, in education parlance. Washington has had a law prohibiting HIB in schools since 2002. In 2007, the law was amended to include electronic bullying. The latest version of the state law requires school districts to name someone as the district's primary contact person on the bullying issue, clarifies the responsibilities of school staff and shortens timelines for acting on complaints. State budget analysts estimated the new policy requirements would cost school districts statewide about \$1.2 million this year. In previous generations, parents might have urged their kids to ignore schoolyard bullies. Or even to retaliate in kind. Today, parents are more likely to take their complaints to the principal or the school board. And when they don't get satisfaction, they seek help from police and courts. Parents and guardians of bullying victims say one of their biggest frustrations is persuading schools to take action when their child is bullied. But school officials say that even if they do discipline a bully, they can't share the information with the victim's family due to privacy laws. Some students at Lakes High School in Lakewood aren't sitting quietly, waiting for teachers or parents to solve bullying problems for them. This year, when the kids in Lakes' ASB Leadership group saw bad things happening in the hallways, they fought back – with a student-produced assembly. "We heard about underclassmen getting harassed, among other things," said junior Zach Banner. "Our whole thing we wanted to do was to make sure they didn't bring anything into school." The assembly had students relate their personal experiences with bullying. It got students all over the school talking, students and teachers say.

<http://www.thenewstribune.com/2011/01/16/1504180/gays-often-the-targets.html>

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### **Gov. Christie signs 'Anti-Bullying Bill of Rights'**

Gov. Chris Christie has signed a bill advocates say gives New Jersey the toughest anti-bullying law in the nation. The new law is intended to eliminate loopholes in the state's first anti-bullying law, passed in 2002, that encouraged school districts to set up anti-bullying programs but did not mandate it. It will require training for most public school teachers, administrators and other employees on how to spot bullying and mandate that all districts form a "school safety team" to review complaints. School districts would be graded by the state on their efforts to combat the problem. Administrators who do not investigate reported incidents of bullying would be disciplined, while students who bully could be suspended or expelled. School employees would also be required to report all incidents they learn of, whether they took place in or outside of school. The bill sailed through the Assembly and Senate in November. It passed 73-1, with 5 abstentions, in the Assembly. It passed the Senate 30-0.

[http://www.nj.com/news/index.ssf/2011/01/gov\\_christie\\_signs\\_anti-bully.html](http://www.nj.com/news/index.ssf/2011/01/gov_christie_signs_anti-bully.html)

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