Bullying, Harassment, & Intimidation of Students in Maryland Public Schools

We are all born with great potential. Shouldn’t we all have the chance to achieve it?
Overview

- **Background/introduction to bullying**
  - Definition
  - Characteristics
  - Types of bullying
  - Prevalence
  - Vignette
- **Anti-bullying policies, laws, & guidance**
  - Federal laws
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  - Federal guidance
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- **Bullying prevention**
  - Families
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  - Individualized Education Program (IEP)
  - Evidence-informed prevention strategies
- **Bullying resources**
INTRODUCTION TO BULLYING

We are all born with great potential. Shouldn’t we all have the chance to achieve it?
What is Bullying?

- **Unwanted, aggressive** behavior among school-aged children that involves a real or perceived **power imbalance** that is **repeated**, or has the potential to be repeated over time
  - Imbalance of power
    - Children who bully use their power (physical strength, access to embarrassing information, or popularity) to control or harm others
    - Power imbalances can change over time and in different situations, even if they involve the same people
  - Actions such as making threats, spreading rumors, attacking someone physically or verbally, and purposefully excluding someone from a group

http://www.stopbullying.gov/what-is-bullying/definition/index.html
Who is Affected?

EVERYONE!

Those who are bullied, those who bully, and those who witness bullying (e.g., peers, educators, administrators, or community members)

# Normal Peer Conflict vs. Bullying

<table>
<thead>
<tr>
<th>Normal Peer Conflict</th>
<th>Bullying</th>
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<tbody>
<tr>
<td>Equal power, friends</td>
<td>Imbalance of power, not friends</td>
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<tr>
<td>Happens occasionally</td>
<td>Repeated negative actions</td>
</tr>
<tr>
<td>Accidental</td>
<td>Purposeful</td>
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<tr>
<td>Not serious</td>
<td>Serious with threat of physical or emotional harm</td>
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<tr>
<td>Equal emotional reaction</td>
<td>Strong emotional reaction from victim and little or none from bully</td>
</tr>
<tr>
<td>Not seeking power or attention</td>
<td>Seeking power, control, or material things</td>
</tr>
<tr>
<td>Not trying to get something</td>
<td>No remorse- blames victim</td>
</tr>
<tr>
<td>Remorse- will take responsibility</td>
<td>No effort to solve problem</td>
</tr>
<tr>
<td>Effort to solve problem</td>
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</table>
Children Being Bullied

- Generally, children who are bullied have one or more of the following risk factors:
  - Are perceived as different from their peers, such as being overweight or underweight, wearing glasses or different clothing, being new to a school, or being unable to afford what children consider “cool”
  - Are perceived as weak or unable to defend themselves
  - Are depressed, anxious, or have low self-esteem
  - Are less popular than others and have few friends
  - Do not get along well with others, are seen as annoying or provoking, or antagonize others for attention

Children Bullying Others

- Two types of children who are more likely to bully others
  - Some are well-connected to their peers
    - have social power, are overly concerned about their popularity, and like to dominate others
  - Others are more isolated from their peers
    - may be depressed or anxious, have low self-esteem, be less involved in school, be easily pressured by peers, or not identify with the emotions or feelings of others
- Those who bully others do not need to be physically stronger or bigger than those they bully.
- Power imbalance can come from a number of different sources, such as popularity, strength, or cognitive ability.


Maryland Center for Developmental Disabilities at Kennedy Krieger Institute
Three Types of Bullying

• **Verbal bullying**: saying or writing mean things
  – Teasing
  – Name-calling
  – Inappropriate sexual comments
  – Taunting
  – Threatening to cause harm

• **Social bullying**: sometimes referred to as relational bullying, involves hurting someone’s reputation or relationships
  – Leaving someone out on purpose
  – Telling other children not to be friends with someone
  – Spreading rumors about someone
  – Embarrassing someone in public

• **Physical bullying**: involves hurting a person’s body or possessions
  – Hitting/kicking/pinching
  – Spitting
  – Tripping/pushing
  – Taking or breaking someone’s things
  – Making mean or rude hand gestures

http://www.stopbullying.gov/what-is-bullying/definition/index.html
Cyberbullying

- The intentional and repeated harm of others through the use of **computers**, **cell phones**, and other **electronic devices**.
- Characteristics
  - Can be anonymous
  - Impact can have a wider reach (due to speed and breadth of the internet)
  - A cyber bully can be a child who may not participate in face-to-face bullying behavior
  - It’s easier to be cruel when shielded from the target’s responses

http://www.stopbullying.gov/cyberbullying/what-is-it/index.html
Grace’s Law

- Grace McComas, a Glenelg High School sophomore, committed suicide on Easter day in 2012, after repeated social media cyber bullying
- In her honor, the Maryland legislature passed a bill, making it a misdemeanor to bully a person under age 18 via social media
- Charges could yield up to $500 min fines or up to 1 year in prison

http://www.stopbullying.gov/cyberbullying/what-is-it/index.html
Where and When Bullying Happens

• Bullying can occur during or after school hours.

• Most reported bullying happens in the school building, but a significant percentage also happens on the playground or the bus. It often happens in places with minimal adult supervision.

• Bullying can also happen traveling to or from school, in the youth’s neighborhood, or on the Internet.

• Cyberbullying can happen any time of the day or night, 24 hours a day, seven days a week, and reach a child even when he or she is alone.

http://www.stopbullying.gov/what-is-bullying/definition/index.html#where
http://www.stopbullying.gov/cyberbullying/what-is-it/index.html#whycyberbullying
Prevalence of Bullying

• Between one in four and one in three U.S. students report having been bullied at school.

• Most bullying happens in **middle school**.

• Most common types are **verbal** and **social** bullying.

• There is a growing awareness of the problem, which may lead some to believe that bullying is increasing; however, studies suggest that rates of bullying may be declining.

• Still remains a prevalent and serious problem in today’s schools.

http://www.stopbullying.gov/what-is-bullying/definition/index.html
http://www.stopbullying.gov/news/media/facts/#listing
Prevalence of Bullying, cont’d…

- Two sources of federally collected data on youth bullying
  - 2010-2011 School Crime Supplement (National Center for Education Statistics and Bureau of Justice Statistics)
    - 28 percent of students in grades 6-12 experienced bullying nationally
  - 2013 Youth Risk Behavior Surveillance System (Centers for Disease Control and Prevention)
    - 20 percent of students in grades 9-12 experienced bullying nationally

http://www.stopbullying.gov/news/media/facts/#listing
Research: Bullying of Children with Disabilities

- Children with disabilities – such as physical, developmental, intellectual, emotional, and sensory disabilities – are at an increased risk of being bullied.

- Research suggests that some children with disabilities may bully children with and without disabilities.

- Son, Parish, & Peterson (2012)
  - Prevalence and nature of peer victimization, among preschool children with disabilities, in school settings using a national sample
  - More than one-fifth to nearly one-third of these children experienced some form of peer victimization in school during the three study years

Why is Bullying a Problem?

• Typically, bullying increases the likelihood and degree of the following conditions for victims
  – Depression and anxiety
  – Increased feelings of sadness or loneliness
  – Poor academic achievement
  – Changes in sleep and eating patterns
  – Loss of interest in activities
  – Health complaints
  – Behavioral problems
  – Extreme cases such as suicide
• No definitive outcomes for children with disabilities
  – Cognitive limitations may be protective
  – Potential to increase behavioral problems

Case Vignette

- A vignette demonstrating how a hearing impairment can be protective for a child with multiple disabilities who is the victim of bullying.

- Project HEAL represented a 6th grade girl with multiple disabilities, including: autism spectrum disorder, intellectual disability, hearing impairment, tic disorder, receptive-expressive language disorder, and ADHD.

- The student received special education and related services in a self-contained classroom that included students with social, emotional, and behavioral disorders.

- The student was bullied daily, on the basis of her disability; however, she was unaware of the nature or extent of the bullying due to her cognitive limitations and hearing impairment.

- The bullying negatively affected her friend, who ultimately reported the nature and severity of the bullying to her mother.
ANTI-BULLYING POLICIES, LAWS, & GUIDANCE
Policies & Laws

- At present, **no federal law** directly addresses bullying.
- **46 states** have bullying laws and 45 of those state’s laws direct school districts to adopt bullying policies. However, 3 of the 46 states prohibit bullying without defining the behavior that is prohibited.
- **36 states** include provisions in their education codes prohibiting cyberbullying or bullying using electronic media. 13 states specify that schools have jurisdiction over off-campus behavior if it creates a hostile school environment.
- **41 states** have created model bullying policies, 12 of which were not mandated to do so under law.

If a school fails to respond appropriately, it may be violating one or more civil rights laws including:

- Title IV and Title VI of the Civil Rights Act of 1964
- Title IX of the Education Amendments of 1972
- Section 504 of the Rehabilitation Act of 1973
- Titles II and III of the Americans with Disabilities Act
- Individuals with Disabilities Education Act (IDEA)

OSERS published guidance on August 20, 2013

OSERS reads, “Bullying of a student with a disability that results in the student not receiving meaningful educational benefit constitutes a denial of a free appropriate public education (FAPE) under the IDEA that must be remedied.”

- This is true whether or not the bullying is related to the student’s disability

Students with disabilities are more likely to be bullied than their non-disabled peers due to characteristics of their disabilities.

- Students with disabilities may be unable to report the situation to an adult because of the characteristics of their disabilities.
- Bullying of a child who has not previously been identified as a child with a disability may trigger a school’s “child find” obligations under the Individuals with Disabilities Education Act (2004).

OSERS Guidelines

- Students with disabilities are more likely to be bullied than their non-disabled peers due to characteristics of their disabilities.
  - Students with disabilities may be unable to report the situation to an adult because of the characteristics of their disabilities.
  - Bullying of a child who has not previously been identified as a child with a disability may trigger a school’s “child find” obligations under the Individuals with Disabilities Education Act (2004).
OCR published guidance on October 21, 2014

OCR expands the language from the OSERS 2013 guidance “Bullying of a student with a disability on any basis can similarly result in a denial of FAPE under Section 504 that must be remedied” (emphasis added).

http://www2.ed.gov/about/offices/list/ocr/letters/colleague-bullying-201410.pdf
Among the 50 states and the District of Columbia, 11 states have anti-bullying laws and 40 states and DC have both anti-bullying laws and policies.

Maryland Law and Policy

• Safe Schools Reporting Act (2005)
  – Reporting form established for students, parents, and close family relatives to report incidents of bullying, harassment, or intimidation to school administration.
  – All local school systems are required to record specific data from these forms and submit those data to the Maryland State Department of Education (MSDE) to include in its annual report to the Maryland General Assembly

• Model Policy (2008)
  – The Maryland General Assembly directed the MSDE to create and implement a Model Policy, which prohibited bullying, harassment, and intimidation in schools

Maryland’s Definition of Bullying

- Intentional conduct (verbal, physical, or written conduct, or an intentional electronic communication) that creates a hostile educational environment

- This conduct can interfere with a student’s educational benefits, opportunities, performance, and/or physical or psychological well-being

- Conduct is motivated by actual or perceived personal characteristics (e.g., race, national origin, sex, sexual orientation, gender, religion, ancestry, physical attributes, socioeconomic status, physical or mental ability, or disability)

- Conduct must occur: on school property, during a school-sponsored event, or significantly interrupts school operation
Bullying, Harassment, or Intimidation Reporting Form

Updated for the 2016-2017 School Year

BULLYING, HARASSMENT OR INTIMIDATION REPORTING FORM

Directions: Bullying, harassment, and intimidation are serious and will not be tolerated. This is a form to report alleged bullying, harassment, or intimidation that occurred during the current school year on school property, at a school-sponsored activity or event off school property, or at a school bus, on the way to and/or from school, on the internet, or on or off school property, or that substantially disrupted the orderly operation of the school. Bullying, harassment, and intimidation includes any intentional conduct, including verbal, physical, or written conduct, or an intentional electronic communication, that creates a hostile educational environment by substantially interfering with a student’s educational benefits, opportunities or performance, or with a student’s physical or psychological well-being.

Definitions:
1. Bullying – A pattern or behavior where a person repeatedly uses power in an intentional manner, including verbal, physical, or written conduct or intentional electronic communication against one or more students. 2. Cyberbullying – The use of electronic communications to harm or harass others in a deliberate, repeated, and hostile manner.

3. Harassment – Includes actual or perceived negative actions that inflict, or threaten, or threaten to inflict, upon any individual with regard to race, national origin, sexual orientation, gender identity, religion, ancestry, physical attributes, socioeconomic status, familial status, physical or mental abilities, or disability.

4. Intimidation – Subjecting an individual to intentional action that seriously threatens and induces a sense of fear and/or intimidation.

Conduct that is of a sexual nature is generally thought to include actions, language, or written materials that specifically refer to, portray, or involve sexual activity or language. Conduct of a sexual nature may include overt, consensual, or consensual, but inappropriate, touching, sexual jokes, and inquiries about a person's sex. Sexual harassment is the broader term that encompasses conduct of a sexual nature such as unsolicited sexual advances, requests for sexual favors, and other verbal or physical contact of a sexual nature. Sexual harassment also includes acts that are not overtly sexual but rather directed at individuals based on their gender such as profanity or rude behavior that is gender-specific.

If you are a student, the parent/guardian of a student, a close adult relative of a student, or a school staff member and wish to report an incident of alleged bullying, harassment, or intimidation, complete this form and return it to the principal or the school victim’s school. You may contact the school for additional information or assistance at any time. (PLEASE PRINT ALL INFORMATION)

Today's date: / / Year School:

Parent/Parent’s name: ____________________________ Phone: ____________________________

Read Instructions: Please check all that apply:

1. Name of alleged victim: ____________________________ Age: ______ School: __________
2. Name of alleged witness (if known): ____________________________ Age: ______ School: __________
3. Name(s) of alleged offender(s) (if known): ____________________________ Age: ______ School: __________

Maryland State Department of Education in accordance with the Safe Schools Reporting Act of 2006

Signature: ____________________________

Maryland Center for Developmental Disabilities at Kennedy Krieger Institute
Reporting Form, cont’d

• The form includes the following
  – Basic information: date, school, school system
  – Person reporting incident
  – Name(s) of student victim, witnesses, and offenders
  – Date of incident(s)
  – Location of the incident(s)
  – Description of the physical injury suffered by the victim
  – Description of any permanent effects
  – Information regarding absenteeism
  – Psychological injury
  – Additional information

Case Law

- **T.K. v. New York City Dep’t of Educ.**
  - Parents of a disabled child brought an action against the city Department of Education, alleging that the school's failure to prevent bullying deprived the child of a free appropriate public education (FAPE) under the Individuals with Disabilities Education Act (IDEA).
  
  - The court held that the school personnel were deliberately indifferent to, or failed to take reasonable steps to prevent bullying. T.K. v. New York City Dep't of Educ., 779 F. Supp. 2d 289 (E.D.N.Y. 2011).
BULLYING PREVENTION

We are all born with great potential. Shouldn’t we all have the chance to achieve it?
Importance of Intervention

Only about **20-30%** of students who are bullied notify adults about the bullying.

When bystanders intervene, bullying stops within **10 seconds 57%** of the time.

**WHAT CAN WE DO ABOUT IT?**

http://www.stopbullying.gov/news/media/facts/#listing
Preventing Bullying: Teachers

- Provide opportunities for students to engage in positive, meaningful, and appropriate social interactions.
- Create a highly structured and safe classroom environment.
- Incorporate cooperative learning groups into instruction.
- Foster self-determination and independence among students.
- Implement targeted intervention programs.
- Refer students to the school counselor and situations to administrators as appropriate.
- Stay vigilant in monitoring for bullying.
- Be persistent.
- Follow-up. Show a commitment to making bullying stop for a student.
Preventing Bullying: Administrators

- Create a positive school culture.
- Conduct a school climate assessment.
- Increase monitoring in high-risk areas.
- Implement school and classroom awareness activities.
- Provide teacher training and professional development.
- Consistently collect data and monitor progress.
- Stay vigilant in monitoring for bullying.
- Be persistent.
- Follow-up. Show a commitment to making bullying stop in your school.
# Advice for Parents & Families

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<tr>
<th><strong>DO</strong></th>
<th><strong>AVOID</strong></th>
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<tbody>
<tr>
<td>• Keep an open dialogue with your children to determine if they have been bullied</td>
<td>• Encouraging your child to tease or face the bully</td>
<td></td>
</tr>
<tr>
<td>• Stop bullying between siblings and remind them that bullying can seriously hurt a person physically and emotionally</td>
<td>• Placing blame on your child</td>
<td></td>
</tr>
<tr>
<td>• Help your children with reporting incidents to school authorities</td>
<td>• Letting your child seek revenge or fight back</td>
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</tr>
<tr>
<td>• Monitor your child’s use of the Internet, social media, and cell phones to help curb cyberbullying</td>
<td>• Letting your child ignore the bullying</td>
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</tr>
<tr>
<td>• Advise your child to walk (or run) away</td>
<td>• Allowing your child to make self-degrading comments</td>
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<tr>
<td>• Advise your child to tell a trusted adult</td>
<td>• Bullying your child further or allowing siblings to bully your child further</td>
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<tr>
<td>• Advise your child to buddy up</td>
<td>• Ignoring the incident</td>
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<tr>
<td>• Advise your child to avoid the bully</td>
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<tr>
<td>• Advise your child to stand up for himself, e.g. “Leave me alone!”</td>
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<tr>
<td>• Advocate for your child’s Individualized Education Program (IEP) to include bullying prevention strategies through goals and objectives and supplementary aids and services</td>
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Addressing Bullying through the IEP

- **Measurable annual goals and objectives**
  - Learning self-advocacy skills
  - Increasing self-esteem
  - Improving peer relations in the school setting

- **Supplementary aids**
  - Adult support
  - Hall pass (to leave early or late)
  - Flash pass to access to school psychologist, social worker, or counselor
  - Peer buddy
  - Lunch bunch
  - Social skills groups
Addressing Bullying through the IEP, cont’d …

• **Related services**
  – Psychological services
  – Social work services
  – Counseling services
  – Social skills training

• **Programmatic supports and modifications**
  – Administrators, educators, transportation staff, or student disability awareness trainings
  – Administrators, educators, transportation staff, or student in-service trainings on bullying, harassment, and intimidation
Evidence-Informed Prevention Strategies


- **Microsystem**: parent-youth relationship, inter-parental violence, peer relationships, school connectedness, school environment
- **Mesosystem**: teacher involvement
- **Exosystem**: exposure to media violence, neighborhood environment
- **Macrosystem**: cultural beliefs, religious affiliations
- **Chronosystem**: consistency or change of the individual and the environment over the life course (e.g., changes in family structure)

Multifaceted whole-school approach in which all staff, faculty, parents, community members, and students need to be included

Raskauskas & Modell (2012): Modifying anti-bullying programs to include students with disabilities. *Teaching Exceptional Children*.

- **Needs assessment modifications** should include accurate data collection from students with disabilities by providing them with questions they can comprehend and reflect upon.

- Program components modifications should include a school environment that is aware of disability concerns and sensitive to bullying and harassment.
  - Publicized statements and procedures for managing bullying and harassment complaints
  - Training for staff and students to recognize and manage potential bullying and harassment
  - Counseling services for bullies and victims
  - Monitoring system to follow up on resolved issues
  - Regular assessment and modification of existing disability harassment policies and procedures

- Delivery modifications should include **program delivery methods appropriate for students with disabilities**.
  - Printed materials in Braille and/or with enlarged font for students with vision impairments
  - Specific concrete examples and scenarios for students with intellectual disabilities

Evidence-Informed Prevention Strategies, cont’d …


- Teacher-facilitated strategies: providing opportunities for students to engage in **positive, meaningful, and appropriate social interactions in a safe environment**
  - Forming cooperative learning groups

- Teachers can also foster **self-determination and independence** among their students, as many students with disabilities suffer from social deficits
  - Creating a highly structured classroom environment with clear policies and procedures
  - Implementing targeted interventions, such as reinforcement strategies

- School-wide programs
  - School climate assessment
  - Increased monitoring in high-risk areas
  - School and classroom awareness activities
  - Teacher training and professional development
  - Student engagement
  - Consistent progress monitoring and data collection

What Can All of Us Do?

- Assure the child that bullying is not their fault
- Know that children who are bullied may struggle talking about it
- Give advice about what to do
  - This may involve role-playing and thinking through how the child might react if the bullying occurs again
- Work together to resolve the situation and protect the bullied child
  - The child, parents, and school or organization may all have valuable input
  - It may help to develop a game plan for all parties involved and ask for the child’s input on what makes him/her feel safe
- Be persistent—commit to making it stop and consistently support the bullied child
- Follow-up—show a commitment to making bullying stop
Online Resources

- www.marylandpublicschools.org
- www.stopbullying.gov
- www.stopbullyingnow.com
- www.bullyfree.com
- www.autismsafety.com
- www.bullypolice.org
- www.bullyingprevention.org
- www.pacerkidsagainstbullying.org
- www.suicidepreventionlifeline.org
Contact Info

Maureen van Stone, Esq., M.S.
Associate Director, Maryland Center for Developmental Disabilities
Director, Project HEAL (Health, Education, Advocacy, & Law)
Faculty, Center for Innovation & Leadership in Special Education
716 N. Broadway, Office 106
Baltimore, MD 21205
(443) 923-4416
vanstone@kennedykrieger.org

www.projectheal.kennedykrieger.org