Illinois State Board of Education (ISBE)
Illinois School Bullying Prevention Task Force

ISBE VTEL Room	ISBE VTEL Room
100 W. Randolph, Suite 14-300	100 N. 1st Street
Chicago, IL	Springfield, IL

January 10, 2011
3:00 – 6:00 p.m.

Conference call information: please use conference phone number: 1-877-336-1831 and then enter the following access code: 5194937#

AGENDA

3:00 – 3:30 p.m.   **Welcome and Introductory Remarks**

- Darren Reisberg, Deputy Superintendent/General Counsel, Illinois State Board of Education

3:30 – 5:00 p.m.   **Presentations**

- Dorothy Espelage, Ph.D., University of Illinois at Urbana-Champaign
- Stacey Horn, Ph.D., University of Illinois at Urbana-Champaign
- Lucille Eber and Brian Meyer, Illinois PBIS Network
- Barbara Shaw, Illinois Violence Prevention Authority

5:00 – 5:45 p.m.   **Workgroup Meetings**

- Policy and Procedures Workgroup
- Professional Development Workgroup
- Youth Programming Workgroup
- Data Workgroup
- Legislative Workgroup

5:45 – 6:00 p.m.   **Workgroup Report Out and Identify Next Steps**

6:00 p.m.   **Adjourn**

Illinois State Board of Education
Illinois School Bullying Prevention Task Force

Thursday, October 7, 2010
Meeting Minutes

At 9:15 a.m. the first meeting of the Illinois School Bullying Prevention Task Force was called to order by Darren Reisberg, the Deputy Superintendent/General Counsel at the Illinois State Board of Education (ISBE). With one exception, all members were present or represented by a designee. A list of Task Force members appears on the final page of the minutes. There were ten members of the public present at the meeting. During public participation, one of these guests shared information about a bullying prevention program that he designed.

Mr. Reisberg welcomed the Task Force members and facilitated introductions. Shannon Sullivan, of the Safe Schools Alliance, welcomed the group to their offices for the first meeting. Mr. Reisberg noted that Learning Point Associates would be staffing and facilitating the Task Force at no cost to the state. He then reviewed the Open Meetings Act requirements, which apply to the Task Force, and will share a link to FAQs about the Act with the members of the Task Force. All agendas and minutes related to the Task Force meetings will be posted at: http://www.isbe.state.il.us/SBPTF/default.htm. Mr. Reisberg further noted that all Task Force members will need to complete ethics training. He had packets of information available for the members. The certification can be returned to Mr. Reisberg. He pointed out that the on-line ethics training version for state and government workers is not sufficient.

During the introductions, Barbara Shaw, of the Illinois Violence Prevention Authority (IVPA), noted that she would like to present about upcoming IVPA grant opportunities at the next meeting and gather feedback from the Task Force about the plans for those grants. She also mentioned the recently announced Neighborhood Recovery Initiative, which will fund a comprehensive range of supports for students and residents in 20 communities in Chicago. She looks forward to engaging the Task Force as this new initiative is launched in Illinois. Mr. Reisberg thanked Barbara for the information and encouraged the Task Force members to also inform ISBE of funding priorities as ISBE will be developing their budget for next year soon. ISBE welcomes the collaboration of stakeholders in the budget development process.

Before closing out the introductions, Mr. Reisberg asked the representatives from Carpentersville CUSD 300 and Rantoul School District 137 to describe the Positive Behavioral Interventions and Supports (PBIS) system that is used in their school districts. When naming members to the Task Force, it was a priority of State Superintendent Chris Koch to invite school leaders and teachers who have successfully implemented PBIS. The school district members described PBIS as a systems approach to establish a school climate that is conducive to learning for all students. It is

not a pre-packaged curriculum, but rather a data-driven approach that can be tailored to the needs of each school. Students are explicitly taught what the schoolwide expectations for behavior are and those expectations are continually reinforced. The general design includes three levels. The universal level provides proactive support for all students. The second level, for 10-15% of students, includes more intensive supports and interventions for students who are at-risk for behavioral problems and educational failure. Finally, the tertiary level, for those students with the most complex and chronic needs, involves supports from outside agencies. Parents/guardians are involved throughout the process.

Mr. Reisberg closed out the introductions and then provided the Task Force members with some background about the laws related to bullying prevention in Illinois. The first anti-bullying law was passed in June 2006. It was a bare-boned statute that found that bullying has a negative effect on school climate and is linked to other forms of antisocial behavior. The law defined bullying prevention, but not bullying, and made it optional for school districts to implement bullying prevention policies or programs.

In 2007 the General Assembly strengthened the law by adding a requirement for school districts to develop a bullying prevention policy, but provided no detail about the recommended content for these policies. School districts were further required to communicate the policy to parents and file a copy with ISBE. However, ISBE was not provided with any enforcement authority.

During this time, many other states were moving forward faster than Illinois in the development of statewide bullying prevention laws. Several states included a great deal of detail in their laws about the requirements for school policies and for districts reporting data back to the state. Inspired by the movement in other states, several organizations in Illinois collaborated to encourage the legislature to align the 2007 law with model laws from other states. In the spring of 2010 a robust bill was proposed in the legislative session. Although the bill was modified and is not as strong as ISBE had hoped, the resulting new law, Public Act 096-0952, became effective on June 28, 2010. The law provides a detailed definition of bullying, enumerates classifications of bullying, describes where and when bullying is explicitly prohibited, and charges both public and non-public non-sectarian school districts with developing a bullying prevention policy, updating it every two years, and filing a copy with ISBE. Currently, most districts do not have a great deal of detail in their bullying prevention policies and simply adopt the Illinois Association of School Boards (IASB) model policies. To strengthen these policies statewide, the Safe Schools Alliance is working with IASB to incorporate bulling prevention into their model policies.

Mr. Reisberg continued his discussion of the context related to the law by noting that ISBE has strong working relationships with stakeholders in the state, but there are certainly areas of tension. For example, because of the current fiscal crisis and the sensitivity of school districts to

increased mandates without increased funding, there was some controversy about the breadth of the state's authority and the responsibility of the district with this law. Brooke Whitted asked if there was an existing mechanism in state law that would enable ISBE to intervene in school buildings with toxic climates. Mr. Reisberg responded that there is not such a mechanism and that ISBE does not currently have the resources to support that type of intervention.

Finally, Mr. Reisberg highlighted how Public Act 096-0952 outlines the charge of the Task Force to: explore the causes and consequences of bullying in schools, identify promising practices that reduce incidences of bullying, highlight training and technical assistance opportunities for schools to effectively address bullying, and evaluate the effectiveness of schools' current anti-bullying policies and other bullying prevention programs. The first meeting is designed for Task Force members to get acquainted, place issues on the table, and solicit feedback from the members about topics that should be covered in the next three meetings, which will be more substantive. The second and third meetings will be devoted to the four objectives outlined by the legislature. A draft of the report will be circulated before the final meeting. Comments are welcome during that meeting and minority reports can also be drafted if there is disagreement about recommendations. By March 1, 2011, the Task Force will submit a final report to the Governor and the General Assembly and then the Task Force will be dissolved. Hopefully, Mr. Reisberg remarked, members will continue to be active to move the recommendations of the Task Force forward. Brooke Whitted expressed concern that three 2-hour meetings will not be enough to fulfill the Task Force's obligation. Mr. Reisberg responded that as the members of the Task Force are busy people, the goal will be to hold four meetings, which can be longer than 2-hours. If the Task Force decides that more meetings are necessary, scheduling additional time could be a possibility. Shannon Sullivan noted that the coalition, Prevent School Violence Illinois, was formed to pass the law, but still meets regularly and can support the work of the Task Force between meetings. Mr. Reisberg welcomed the offer, but offered a caveat that the coalition would need to be careful not to convene a majority of the members of the Task Force because this would constitute a Task Force meeting and would need to meet the requirements for public posting under the Open Meetings Act.

At this point, Rob Mayo, the Deputy Director of the National Charter School Resource Center at Learning Point Associates, who will be facilitating the Task Force, asked the Task Force members to share resources that could inform the work of the group. Task Force members recommended that the Task Force explore resources available from the Illinois Violence Prevention Authority, the Safe Schools Alliance, and the Illinois Center for Violence Prevention. Brooke Whitted prepared spiral bound books with information that he has gathered, indicating that several of his articles noted how bullying dovetails with school shooters as victims who were bullied have in some cases become school shooters.

Professor Dorothy Espelage has been studying bullying for 17 years and would welcome the opportunity to deliver a presentation for the Task Force. To help the Task Force members review the highest quality of evidence that is currently available, she will share two recent meta-analyses that have been completed. She is also conducting a randomized controlled trial of a bullying prevention program in 32 schools in Illinois. As a result of her expertise in this area, she can provide the members with a sense of what the research says, what is working, and where gaps in the research still exist. She also noted that, despite the recent media attention to cyberbullying, school-based bullying is more prevalent and should be the main focus of the Task Force.

Kim Fornero, of the Illinois Department of Human Services, mentioned that the Illinois Youth Survey, which was administered in 2010, is a rich longitudinal data source that the Task Force can access. The survey includes county and statewide data for students in grades 6, 8, 10, and 12. She can ask her staff to pull data related to bullying prevention and describe how responses on those questions are correlated with student responses in other sections of the survey. The Task Force can also make recommendations for adding questions to the survey in the future.

Malik Nevels, Shannon Sullivan, Brooke Whitted and Sukari Stone agreed that it would be important to have youth speak to the issue of bullying because they are directly impacted. Anna Rangos added that many students do not report bullying at school because they do not think the administration will act on the report. Thus, it will also be important to examine this aspect of the issue. Julie Justicz, of Health and Disability Advocates, encouraged the Task Force to include youth voices from elementary and secondary school students. She mentioned that the Human Rights Campaign has developed an elementary curriculum that might be helpful for the Task Force to review. Josh Gray agreed that it would be valuable to hear from youth, but also urged the Task Force members to focus on the need for adults in school buildings to take responsibility for developing a school climate in which all students feel safe. Professor Espelage agreed and observed that there needs to be a stronger focus on bullying prevention, classroom management and assessing the school climate in teacher pre-service training programs. Mr. Reisberg responded that ISBE recently updated their rules to ensure that bullying prevention is included in pre-service training. It might be helpful to have ISBE staff present on these new rules and the plan for implementation.

Jen Nielsen, of the Anti-Defamation League (ADL), mentioned that ADL is active in anti-bias initiatives which include helping students move from bystander to ally, delivering professional development for teachers, developing sample school policies for cyberbullying, and outlining the legal rights and responsibilities for victims. Mr. Whitted remarked that the focus on the bystander is critical. Programs like KiVa in Finland have found that it is effective to train bystanders to step up to the ally role. He recommended that the Task Force not be distracted by cyberbullying, but instead focus on school-based bullying. Ms. Nielsen acknowledge that school-

based bullying will be important to examine, but urged the Task Force not to discount cyberbullying because she has found that it is important to educate students about what cyberbullying is and how they can confront it.

Other Task Force members shared additional perspectives that the Task Force should consider. Abdi Maya observed that it would be important to examine the impact of language and culture on outreach. As larger percentages of Latinos and African-Americans are victims of bullying, the Task Force should pay particular attention to strategies that are effective both with students and with outreach to parents. Matthew John Rodriguez, of the Illinois Parent Teacher Association, mentioned that he is representing parents' perspective on the Task Force and recognizes the importance of engaging parents. Marc Kiehna, the Regional Superintendent of the Monroe/Randolph Regional Office of Education, commented that regional superintendents are interested in working with the Task Force on training for bus drivers and new teachers and principals to ensure that all stakeholders are involved in developing a school climate that is safe for all students.

Rob Mayo asked the Task Force members to join four small groups, related to the four objectives outlined in the legislation, and then brainstorm agenda items for future meetings that are related to each of those objectives. In future meetings, the causes and consequences group would like to analyze ignorance and intolerance as root causes, issues related to cultural context, and gaps in the research related to the causes of bullying. The evaluating effectiveness group would like to review bullying prevention policies in the 43 states where those policies currently exist, analyze district policies across the state of Illinois, which can be coded by graduate students from the University of Illinois, and monitor the existing system to ensure all stakeholders are aware of the policies, and that the policies are accessible for parents of different languages, cultures, and literacy levels. The promising practices group would like to review promising practices related to celebrating success (e.g. when a student moves from bystander to ally), diversity training for staff, what works in existing programs, and the youth perspective. The group on the phone would like to review promising practices related to community involvement and examine the existing system of compliance and monitoring. Marc Kiehna would be willing to lead the discussion related to compliance.

The Task Force members decided they would like to hold the remaining three meetings from 3-6 p.m. in the video conference spaces at the ISBE offices in both Chicago and Springfield. Learning Point Associates staff will request members' availability for the next three meetings to be held in early December, mid-January, and early to mid-February. Within the next two weeks, members will also receive the minutes from the first meeting and a draft agenda for the second meeting. Darren Reisberg thanked the members for attending. He adjourned the meeting at 11:05 a.m.

Illinois State Board of Education
Illinois School Bullying Prevention Task Force Members

Representative	Organization	October 7, 2010 meeting
Darren Reisberg	Illinois State Board of Education	present
Barbara Shaw	Illinois Violence Prevention Authority	present
Rocco Claps	Illinois Department of Human Rights	represented by designee
Sarah Migas	Illinois Attorney General	present
Grace Hong Duffin	Illinois Department of Human Services	represented by designee
Shannon Sullivan	Safe Schools Alliance	present
Malik Nevels	African American Coalition	present
Lonnie Nasatir	Anti-Defamation League	represented by designee
Julie Justicz	Health and Disability Advocates	present
Peggy Thurow	Carpentersville CUSD 300	present
Lisa Brennan	Carpentersville CUSD 300	represented by designee
Mike Penicook	Rantoul School District 137	present
Maria McCarthy	Rantoul School District 137	present
Josh Gray	Chicago Public Schools	present
Kelly Keating	East Aurora District 131	present
Stacey Horn	University of Illinois Chicago	absent
Dorothy Espelage	University of Illinois	present
Anna Rangos	Student/ Maine South High School	present
Sukari Stone	Student/ Whitney Young College Prep	present
Marc Kiehna	Regional Superintendent Monroe/Randolph Regional Office of Education	present
Matthew John Rodriguez	Illinois Parent Teacher Association	present
Brooke Whitted	Individual	present
Susan Goodwin (President of Quincy Human Rights Commission)	Individual	present

MODEL POLICY ON
BULLYING
FOR SCHOOLS IN DUPAGE COUNTY

Preamble

An Anti-Bullying task force was convened in DuPage County under the Chairmanship of the Honorable James E. Ryan and co-chaired by Dr. Darlene Ruscitti, DuPage Regional Superintendant of Schools and the Honorable Joseph E. Birkett, DuPage State's Attorney. The purpose of this task force includes the creation of a model policy on Bullying to be used by all schools in DuPage County.

The purpose of such a Model Policy is to ensure, to the greatest extent possible, that no student will be subject to any bullying and to otherwise secure a safe, orderly and respectful environment that promotes teaching and learning. This Model Policy also includes a definition of Bullying that was developed by the DuPage County Anti-Bullying Task Force and that will ensure consistency in the enforcement of the Bullying Policy in all educational environments in the County.

All Task Force participants, including the school districts, the State's Attorney and the Regional Office of Education, agree to cooperate with each other in the implementation of this Policy and continued review of this Policy as may be needed. The partners further agree that system wide education regarding the issue of Bullying, its behaviors and consequences is an essential component to protecting our children.

A feature of this Policy is the Committee Comments to each section. The purpose of these Comments is to provide practical examples to assist in the interpretation and application of the Policy.

I.   The Illinois School Code

The Illinois General Assembly finds that "a safe and civil school environment is necessary for students to learn and achieve and that bullying causes physical, psychological, and emotional harm to students and interferes with students' ability to learn and participate in school activities....Because of the negative outcomes associated with bullying in schools, the General Assembly finds that school districts and non-public, non-sectarian elementary and secondary schools should educate students, parents, and school district personnel about what behaviors constitute prohibited bullying." 105 ILCS 5/27-23.7

and

"Every school district shall create and maintain a policy on bullying and must communicate its policy to students and their parents on an annual basis." Id.

and

"The school board, in consultation with the parent-teacher advisory committees on student discipline and other community based organizations, must include provisions in the student discipline policy to address students who have demonstrated behaviors that put them at risk for aggressive behavior, including without limitation bullying, as defined in the policy. These provisions must include procedures for notifying parents or legal guardians and early intervention procedures based on available community based and district resources." 105 ILCS 5/10-20.14(d).

II.   Bullying Defined

Bullying is any type of conduct that <u>may</u>:

> 1. Reflect a coercive **imbalance of power**; AND
> 2. Is **purposeful** and **repeated**; AND
> 3. Places an individual in **reasonable** fear of **substantial** detrimental effect to his or her person or property or to otherwise substantially interfere in participating in any activity.

Committee Comments

The Illinois legislature defines "Bullying" as meaning:
"Any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students that has or can be reasonably predicted to have the effect of one or more of the following:
> (1) placing the student or students in reasonable fear of harm to the student's or students' person or property;
> (2) causing a substantially detrimental effect on the student's or students' physical or mental health;
> (3) Substantially interfering with the student's or students' academic performance; or
> (4) Substantially interfering with the student's or students' ability to participate in or benefit from the services, activities, or privileges provided by a school."

105 ILCS 5/27-23.7(b)

The Illinois legislature also authorizes school boards and their discipline advisory committees broad discretion to establish appropriate behavioral standards for their respective schools, which take into consideration but are not limited to conduct prohibited by State and federal laws. See, 105 ILCS 5/10-20.14(d). The statutory definition of bullying set forth in the School Code is intended to be incorporated into the

Model Policy definition of bullying, but is not intended to limit conduct that otherwise falls within the Model Policy definition from being classified as bullying conduct if that conduct does not also fall within the School Code's definition.

For purposes of this Model Policy "Conduct" includes:
- Physical acts, such as physical contact with another, stalking, sexual assault and destruction or damage to property of another;
- Written and electronic communication any medium as well as verbal threats made to another or blackmail, or demands for protection money;
- Non-verbal threats or intimidation such as aggressive or menacing gestures may also be considered conduct for purposes of this policy;
- Use of school property, including computers, the electronic network, or any other electronic device, to communicate with others; and.
- Any of the above conduct which occurs off school grounds when such conduct creates, or reasonably can be expected to create, a substantial disruption in the school setting and/or at school sponsored activities and events.

In addition to that conduct described above, *examples* of conduct that may constitute bullying include the following:
- Blocking access to school property or facilities;
- Stealing or hiding or otherwise defacing books, backpacks or other personal possessions;
- Repeated or pervasive taunting, name-calling, belittling, mocking put-downs, or demeaning humor relating to a student's race, color, gender, sexual orientation, ancestry, religion, disability, or other personal characteristics, whether or not the student actually possesses them, that could reasonably be expected to result in the disruption of school activities or that results in a hostile educational environment for the student.

Conduct that would *not ordinarily* be considered bullying for purposes of this policy include:
- Mere teasing
- "talking trash"
- Trading of insults
- The expression of ideas or beliefs (expressions protected by the First Amendment), so long as such expression is not lewd, profane, or intended to intimidate or harass another.

Each school district may set rules or policies for civility, courtesy and responsible behavior to address conduct of this type.

The examples set out in these Comments are meant to be illustrative and are not exhaustive of conduct that may or may not be considered "Bullying." Nor are they intended to limit the exercise of discretion granted to school administrators under

Sections 5/10-20.12(d) or 5/10-22.6 of the School Code for addressing instances of student misconduct.

III. Bullying is prohibited

Bullying is NOT acceptable and is strictly prohibited. Bullying conduct that is covered by this Policy is conduct that occurs on school property or at school sponsored activities or events; while students are being transported or walking to or from school or school sponsored activities or events; while students are waiting at school bus stops, or when the conduct otherwise would substantially impede the educational environment, regardless of where the conduct occurs.

Any student who engages in bullying will be subject to appropriate discipline, up to and including suspension or expulsion and referral to local law enforcement. A student's bullying conduct also may be addressed through any other behavioral interventions.

Any student who is a bystander to any bullying conduct and who fails to take any action to discourage the bullying conduct also may be subject to appropriate discipline.

No student shall be retaliated against for reporting bullying conduct. Any student who is determined to intentionally have falsely accused another of bullying shall be subject to appropriate discipline.

Committee Comments

The highest risk location for bullying occurs:
> On the school bus
> Walking to and from school
> On school playgrounds
> In school cafeterias, locker rooms, and In bathrooms
> Through use of the Internet and cellular phones

This Policy applies to bullying that may occur at any of these locations, but is not limited to these locations.

For purposes of this Policy, a **bystander** to bullying is a witness to bullying conduct and may be considered to be aiding or abetting the bully. This aiding and abetting includes, but may not be limited to, standing idly by, looking away or otherwise actively encouraging the bully.

Responding to bullying: In determining the appropriate response to or discipline of students who engage in bullying behavior, the school's administration should consider the ages and maturity of the students involved; the type, frequency and any pattern of behaviors; the context in which the incidents occurred; and any other relevant circumstances.   In this regard, this Policy recognizes the sound principles of restorative justice and encourages application of these principles in any response or discipline that may be imposed.

IV.   Report and Investigation

The School shall develop a reporting procedure which shall include, to the extent possible, a written report.   Anyone who witnesses any conduct that could constitute bullying shall make such report as soon as possible to any school staff member.   This report then shall be submitted to the principal or designee(s) responsible for student discipline who as soon as practicable shall conduct or cause to be conducted a thorough investigation of the alleged incident.   Discipline and/or other intervention appropriate to the outcome of the investigation shall be imposed consistent with the School District's adopted discipline code.

The police and State's Attorney shall be notified immediately of all incidents involving bodily harm, property damage or any conduct which reasonably is believed by the school administrator(s) to be a violation of the criminal laws.   The investigation of any such bullying conduct shall proceed in cooperation with the police and other applicable law enforcement authorities.   The School District always retains its' right to investigate and impose any discipline for violation of this Policy, whether or not criminal charges are pursued.

The Superintendent or designee periodically shall review disciplinary incidents involving bullying conduct or conduct placing students at risk of bullying for purposes of monitoring: 1) the effectiveness of the District's programs and interventions in creating a climate of mutual respect and civility in the school community, and 2) the application of this policy in a non-discriminatory manner.   A report of the Superintendent's findings shall be made to the Board of Education at least once a year.

V. **Notification / Training**

Students and Parents/legal guardians will be notified of this Policy annually through receipt of the school's Handbook. The Policy is also posted on the school's website.

The school shall include a program on bullying prevention and character instruction appropriate to all grade levels. Such a prevention program includes incorporating student social and emotional development, as required by State law.

All partners to this agreement understand the importance of the most current and up-to-date information on issues relating to bullying and agree to utilize their best efforts in participating in training and sharing information on this important topic. Any training in the schools will include training for all teachers, administrators, paraprofessionals, coaches, sponsors of student groups and any volunteer who is engaged in interacting with students on a regular basis.

Committee Comments

The Committee recommends that the Task Force develop an "Anti-Bullying Pledge" that all students, parents and all school personnel shall sign at the beginning of each school year.

Effective Bully Prevention (BP) within a School-wide System of Positive Behavior Interventions & Supports (PBIS)

Technical Assistance (TA) Brief ▪ December 2010

The presence of bullying behavior in schools can seriously effect the overall school climate and the success and mental health of all students and faculty. Unfortunately, adults have historically underestimated the frequency and impact of this type of behavior (Nansel et. al., 2001). Researchers and practitioners alike recognize that simple solutions, such as stand-alone curriculums or targeting only a subset of students for interventions are not effective. Schools need systemic approaches that noticeably change aspects of the school culture, while also teaching ALL students the skills to meet their social needs without bullying (Olweus, 2003). Multiple levels of intervention and ongoing use of data to guide actions are also identified as critical for impacting issues of school violence such as bullying (Mayer, 2008).

Research studies have shown that implementing Positive Behavior Interventions and Supports (PBIS) with fidelity is associated with reductions in problem behavior including aggression, fighting, and harassment; significant increases in the perception of school safety; and the promotion of pro-social behaviors are also noted (Horner, Sugai, Anderson, 2010). Thus schools currently implementing PBIS with fidelity are likely to experience a decrease in behaviors associated with bullying as an effect of their school-wide PBIS efforts. At the same time, the severity of this problem, and the heightened local and national attention toward this issue, reinforces the need to be explicit in how bullying prevention can be embedded in PBIS, and how it can be specifically targeted towards the identified needs of individual schools.

This *Technical Assistance Brief* is intended to inform and support the effective application of bully prevention (BP) through a PBIS framework by: 1) summarizing the current knowledge and recommendations for implementing and sustaining bully prevention initiatives; 2) describing how PBIS provides a framework for effective and sustainable implementation of bully prevention; 3) providing research examples of bully prevention within PBIS; 4) describing how several Illinois schools have begun to integrate bully prevention into their school-wide PBIS system; and 5) summarizing the steps that the Illinois PBIS Network is taking to encourage and support schools to effectively integrate specific bully prevention strategies into their school-wide PBIS system.

INSIDE THIS BRIEF:

★ What is the current knowledge for effective bully prevention?

★ How does the PBIS framework support efficient and effective bully prevention?

★ How does PBIS address the challenges to effective bully prevention?

★ What are the results of studies targeting bully prevention within the PBIS framework?

★ What is the Illinois PBIS Network doing to encourage the integration of bully prevention into PBIS implementation?

FOR ADDITIONAL INFORMATION:

Visit www.pbis.org to view or download the BP-PBIS Guide.

What is the Current Knowledge Regarding Effective Bully Prevention?

The research and collective understanding of effective bully prevention is still in its infancy, but there are certain program features that consistently show more efficacy. For example, Espelage and Swearer's (2003) research on bullying led them to recommend that bully prevention efforts focus on the social climate of the school and give consideration to the role of the teacher, as well as other adults in the school. They also recommend partnerships with families and the community, and addressing the whole social ecology, including students, schools, families, and communities. Additionally, Espelage and Swearer (2003) point out that some students will need to receive highly individualized support such as Wraparound, a tier 3 intervention within the PBIS continuum that addresses a student's home, school, and community context.

A report by the Consortium to Prevent School Violence (Mayer, 2008) recommended multiple strategies to address school violence, which they defined as also including lower level acts of aggression and bullying. They highlight the lack of effectiveness of reactive and primarily punitive approaches that neither teach nor reinforce appropriate behavior. In the "What DOES Work Well" category, Mayer (2008) includes: intervening early, teaching school-wide behavioral expectations, addressing multiple levels of the student ecology, creating opportunities to practice new behaviors in the contextual setting, and utilizing multiple sources of data for analysis. Also, research by Ma (2002), suggests that one of the characteristics of schools with less bullying is strong parental involvement.

Investigating why so few bully prevention programs have been effective, Ross, Horner, and Stiller (2008) identified three critical issues in those programs that need to be resolved: 1) a difficulty conceptualizing and measuring bullying behavior due to the broad range of features found in the bullying construct, 2) the lack of program maintenance even when interventions have resulted in positive outcomes, and 3) effectively supporting the inclusion of bystanders in bullying intervention efforts. Good, McIntosh, and Piorer's (in press) research in a middle school concluded that bullying prevention programs should be implemented within existing and systemic behavior support efforts for effectiveness and sustainability. They further hypothesized that stand-alone anti-bullying programs may be as likely to exacerbate problems as to solve them, an unintended and negative outcome of some bully prevention programs that has been noted by others as well (Simonsen, Sugai, & Negron, 2008; U.S. Department of Justice, 2009).

The collective research efforts to date strongly point to the need for an effective school-wide framework for systematically implementing and sustaining bully prevention efforts. As has been recently noted about specific character and social/emotional learning programs, sustainable change in student behavior is not achieved by just implementing a selected curriculum (U.S. Department of Education, National Center for Education Research, Institute of Education Sciences, 2010). Biggs, Vernverg, Twemlow, Fonagy, & Dill, (2008) note that when stand-alone bullying curriculums are implemented, staff view them as one more task to complete, are not well trained, and are not motivated to implement a curriculum with integrity if they doubt the effectiveness. Findings from Olweus, Limber, & Mihalic (1999), and Pepler, Craig, Ziegler, and Charach (1994) noted that programs involving consistent, school-wide efforts along with the creation of pro-social atmospheres tend to be more effective than programs that implement at the classroom level only or address just the victims and/or bullies involved.

How Does the PBIS Framework Support Efficient and Effective Bully Prevention?

Preventing and decreasing such specific and insidious behavior as bullying requires a systemic approach involving all staff, all students, as well as family/community. A school-wide system of PBIS, with its whole school focus on social climate and behavior change, offers a framework for effectively installing a bully prevention process. Additionally, PBIS has a strong focus on partnering with families and community, a necessary component of effective bully prevention efforts. Ross et al., (2008) identified six key features of PBIS as ideal components of effective bully prevention which are summarized in Figure 1 below.

The evidence base of PBIS effectively addresses the recommended features of bully prevention, while attending to the drawbacks noted in past and current bully prevention efforts and programs. These PBIS features include instruction of specific pro-social behaviors that are both observable and measurable; a systemic prevention focus; and ongoing evaluation of fidelity, as well as outcomes. It is also important to note that PBIS focuses on the practical application of research, and therefore moves theory to practice in a manner that is both economical and sustainable, thus enabling bully prevention efforts to be efficient and durable.

Schools currently implementing PBIS have an established multi-tiered structure for preventing, as well as remediating, problem behaviors associated with bullying. Universal/tier 1 defines and teaches school-wide behavioral expectations to all students and adults and includes modeling, practicing, acknowledging, and re-teaching as indicated by data. Schools implementing universal/tier 1 PBIS with fidelity typically experience lower levels of bullying behavior because they have created a climate in which appropriate social skills are the norm. This creates a predictable and positive social culture where bullying behaviors are less likely to be reinforced. Ongoing data review by trained teams allows for early access to scaled-up interventions for students with higher levels of need. Additional support at secondary/tier 2 includes interventions such as Check-in Check-Out, mentoring, structured peer supports, or quick/brief function-based behavior support plans. Additional tertiary/tier 3 interventions, including complex function-based behavior support plans and wraparound, are available to students and their families who need the most support.

Figure 1

Key Features of Bully Prevention in PBIS
From Ross, Horner, and Stiller (2008)*

1 The use of empirically-tested instructional principles to teach expected behavior outside the classroom to all students

2 The monitoring and acknowledgement of students for engaging in appropriate behavior outside the classroom

3 Specific instruction and pre-correction to prevent bullying behavior from being rewarded by victims or bystanders

4 The correction of problem behaviors using a consistently administered continuum of consequences

5 The collection and use of information about student behavior to evaluate and guide decision-making.

6. The establishment of a team that develops, implements, and manages the BP-PBIS effort

*BP in PBS @ www.pbis.org.

How Does PBIS Address the Challenges
to Effective Bully Prevention?

1) Conceptualizing and Measuring Bullying Behavior. Defining and evaluating bullying behavior is difficult but necessary as a first step in building an effective prevention and intervention system. School personnel often get side-tracked by the broad definition and the power dynamics of bullying behavior, thus limiting the effectiveness of their efforts. Because PBIS focuses on improvement of behaviors that are clearly defined, observable, and measurable, schools using this process can move quickly to effective bully prevention. Ross et al. (2008) point out that "...the definitions of these behaviors should not speculate on the intent of the behavior, the power of the individuals involved, or the frequency of its occurrence... Reducing peer maintained problem behavior outside the classroom is the main goal of bully prevention within the PBIS framework, and the reduction of 'bullying' behaviors is a sub-set of this process" (ch. 8. p. 4). Additionally, schools implementing universal/tier 1 PBIS define problem behaviors, determine which will be classroom managed or office referred, and establish a process for handling each category, thereby creating a systemic, cohesive, and consistent practice when responding to problem behaviors.

Other data used within PBIS includes tools for assessing school climate, implementation fidelity, identifying school needs, and tools to guide planning and decision-making. Measures of school climate and staff/student perception of school safety are also available. Data systems such as the School-wide Information System (SWIS) provide efficient monitoring of office discipline referrals (ODRs) for data-based decision-making. The three SWIS ODR categories that can be used for assessing a range of bullying behavior include *physical aggression, fighting,* and *harassment/bullying.* It is important to note that, because bullying behavior is not always seen by adults, additional tools for assessing student report of harassment/bullying frequency may also be needed.

2) Sustaining Bullying Prevention Efforts. As with other stand alone curriculums (i.e., character and social/emotional learning programs), bully prevention programs not launched within a school-wide systemic framework will likely fail to have the desired effect (U.S. Department of Education, National Center for Education Research, Institute of Education Sciences, 2010). Ross et al. (2008) note that despite some initial positive program outcomes, few bullying programs continue to produce similar results even two years later. Studies of school-wide PBIS implementation have consistently shown sustained effect over time for fidelity of implementation, reduction in problem behavior, and improved measures of school safety (Bradshaw, Koth, Thornton, & Leaf, 2009). The features of PBIS, which contribute to these positive results sustaining over time, include: research-based instruction of specific and measurable behaviors, implementation across all settings, and continuous team-based monitoring of fidelity and outcomes.

3) Addressing the Roles of Bully, Victim, and Bystander. Bullying typically includes the roles of a student or students displaying bullying behavior, victims, and bystanders. Ignoring the role of the bystander (including students and adults who witnesses bullying) allows the perpetrator to continue to receive reinforcement for their inappropriate behavior (Ross & Horner, 2009). Simply relying on reactive approaches to bullying—more rules, increasing severity of consequences for misbehavior—often tend to escalate problem behavior (Simonsen et al., 2008). Training adults and students on the dynamics of bullying and teaching specific behavioral expectations for handling bullying allows for the cycle of reinforcement of the bully to be interrupted (Ross et al., 2008). The Bully Prevention PBIS (BP-PBIS) Curriculum (Ross et al., 2008) provides specific behavioral lessons to proactively train victims, bystanders, and perpetrators. An integral part of implementation is that adults report incidents and also support the victim. Victims and bystanders are further reinforced for using the three-step response of stop-walk-talk. Schools fluent with PBIS systems and practices can easily integrate these lessons into their multi-tiered behavioral support system.

How are Illinois Schools Embedding Bully Prevention through the PBIS Framework?

A review of Illinois school office discipline referrals (ODRs) for bullying data indicates that Illinois schools implementing PBIS with fidelity experience fewer behaviors associated with bullying. Specifically, schools achieving fidelity through the Benchmarks of Quality (BoQ) or the School-wide Evaluation Tool (SET) in 2009-10, (n=303) had an average of 103.2 ODRs for bullying behaviors, while partially implementing schools, (n=35) had an average of 147.7 ODRs for bullying behaviors, a 43% difference. This data (Figure 2 below) suggests that schools that were further developed in implementing universal/tier 1 PBIS with integrity have the systems framework needed for teaching students alternatives to bullying behaviors. Clarifying how both adults and students should handle reporting such behaviors also contributed to a lower level of bullying behaviors in the schools fully implementing PBIS.

FY10 Average ODRs for Behaviors Associated with Bullying in Illinois PBIS Schools

Comparison of Fully & Partially Implementing Schools

35.5 % Difference

Fully Implementing (n=303) Partially Implementing (n=35)

■ Average ODRs for Bullying Behaviors
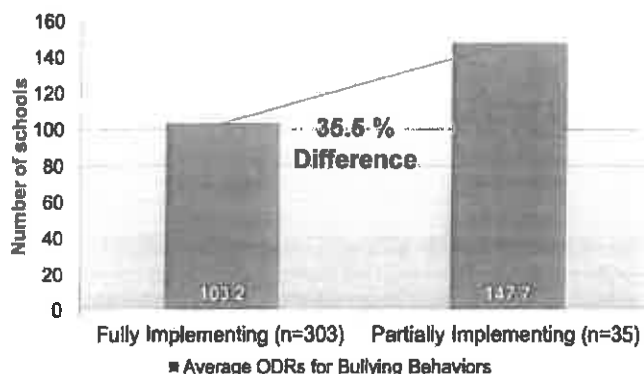
Results from Studies Targeting Bully Prevention within the PBIS Framework

To evaluate the initial effectiveness of the BP-PBIS curriculum, a pilot study was conducted in an Oregon elementary school during the 2007-08 school year (Ross, Horner & Stiller, 2008). Observations were conducted on three students as selected by the principal, along with a composite peer during lunch recess. Results indicated a significant reduction (55-69%) in problem behavior after the intervention. In addition, other students on the playground were significantly more likely to respond appropriately when they were bullied. This change in how students respond to bullying behaviors indicates that the school culture has changed.

After initial implementation of PBIS in the 2007-08 school year, a middle school of 500 students in Canada targeted bullying prevention within the PBIS framework during the 2008-09 school year (Good, McIntosh, Poirier, in press). Suspensions dropped about 65% after implementing PBIS for two years. After targeting bullying prevention, ODRs for bullying at the school decreased by 41%

An Illinois School Example
Applying Bully Prevention within a PBIS System

At the end of the 2009-10 school year, the staff at **Highland Elementary, in SD U-46 in Elgin** identified that 57% of the school's office discipline referrals (ODRs) for the year had been a result of behaviors associated with bullying. The school identified the curriculum guide *Bully Prevention in Positive Behavior Support* (Ross et al., 2008), as their guide to embed bully prevention within their existing PBIS systems. Highland staff was trained in the program components at the beginning of the 2010-11 school year including the dynamics of bullying behavior, and the relationships between the bully, the victim, and the bystanders. Staff also discussed which incidents of bullying behaviors would be handled in the classroom and which would be referred to the office. During the first two weeks of the school year, Highland students completed five instructional sessions specifically designed to prevent bullying behaviors by teaching social responsibility skills and a "stop/walk/talk" approach for students to apply in different scenarios. During the training, students were taught how to use the "stop" verbal command to deter the student that is making them feel unsafe, and how to respond to the stop prompt. The victim is taught to "walk-away" if the perpetrator persists. Finally, if the negative behavior continues, the victim is taught to report the incident ("talk") to an adult. The adults in the school were trained how to respond when the student "talks". The Highland staff shared the bully prevention program embedded in their PBIS system with parents at the Fall Open House, and at the October *Parent Education and Family Fun* night held at the YMCA.

A data collection system was put in place for the school to keep track of all incidents of bullying behavior, defined as when a student continues the negative behavior after the victim has tried to "stop" and "walk." The adult verifies the report and then fills out a brief tracking form that includes: the name of the person reporting the incident, the name of the perpetrator, the adult's name, and the date. The adult may also complete an ODR if they feel it is warranted. All of the bullying behavior reports are entered into a spreadsheet that is reviewed to identify trends.

By collecting this supplemental data, the school team was able to identify a student who didn't have any major or minor ODRs, and was not on Check-in/Check-out * (CICO), but was exhibiting bullying behaviors based on multiple student reports. Because of their vigilant use of data, they were able to put secondary interventions in place to address this student's needs more quickly than is typical for this behavior, which is hard to detect in early stages.

* Check-in/Check-out (CICO) is a tier 2 intervention that builds upon a school's tier 1 systems by providing some students a higher frequency of scheduled, positive feedback from adults regarding the school-wide behavior expectations

Students with multiple reports for bullying behaviors receive a targeted re-teaching of both the school-wide expectations and the lessons from the bully prevention curriculum. These students also participate in the tier 2 CICO system where staff members provide structured "Check-ins" with selected students and monitor effectiveness using *Daily Progress Report* (DPR) points. The number of reports that are made on the student for bullying behaviors is also monitored. Measures of impact being used to assess progress also include school-wide behavior data such as ODRs on all students, DPRs for some targeted students, and individual behavior monitoring for a few students. Measures of school safety and climate are also being considered to guide sustainability.

What is the Illinois PBIS Network Doing to Encourage the Integration of Bully Prevention into PBIS Implementation?

By investing in PBIS, schools and districts will be able to efficiently embed bully prevention within existing school-wide pro-social systems of support, thus increasing sustainable effects over time. The multi-tiered structures will expedite more focused interventions for those students who have higher level needs with respect to bullying behavior. To support these efforts, the Illinois PBIS Network is taking the following steps to inform and support schools and districts in their bully prevention initiatives:

- On May 11th, 2011, the Illinois PBIS Network will host a statewide forum on bully prevention for Illinois PBIS principals, coaches, and district administrators in partner and demonstration districts. Dr. Rob Horner, National PBIS TA Center, and Dr. Dorothy Espelage, University of Illinois and member of the ISBE Bully Prevention Task Force, will be key speakers at this forum.

- Through direct coaching with district leadership teams, and in regionally-held district summits, the Network is encouraging a district level approach to bully prevention as a model for sustainability.

- The Network is actively reviewing additional tools to efficiently measure climate and perception data associated with bullying behaviors. The Network will partner with demonstration districts to determine the use and effectiveness of the tools.

- The Network ensures that State and National PBIS Leadership Forums and Conferences in Illinois include sessions on implementing bully prevention within PBIS. Dr. George Sugai, Co-director National PBIS Center, University of Connecticut, will present a plenary on this topic at the January 2011, Illinois PBIS Leadership Forum in O'Fallon, Illinois.

- Illinois PBIS Network quarterly newsletters and website will feature 'learning examples' of schools and districts implementing bully prevention as well as access to resource materials for schools. The Illinois PBIS Network January 2011 *Update* Newsletter will also reference the free BP-PBIS manuals available online for additional tools and strategies.

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Reducing the Effectiveness of Bullying Behavior in Schools[iii]

OSEP Center on Positive Behavioral Interventions and Supports

www.pbis.org

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Ensuring that children and youth have safe, caring, and respectful places to learn and socialize has been among the top concerns of the general public over the past 40 years (Bushaw & Lopez, 2010). However, effective classroom management and school discipline receive relatively minor attention in many teacher preparation programs and remain in the informal shadows of the academic mission of many schools (Baker, 2005; Oliver & Reschly, 2007; Siebert, 2005). The assumption is that students will come to school ready to learn, adequately prepared to navigate the classroom expectations, and have the social skills to establish lasting relationships with others. In addition, disciplinary consequences and policies are used to "control and punish" norm-violating actions. At best, learning the school and classroom behavioral expectations is informal and trial and error at best.

Calls for effective behavior management and better discipline spike when a school shootings occurs, a student takes her own life, or a youth hurts his classmate. Our immediate reactions are to demand more punishment-oriented consequences, greater student accountability and personal responsibility, and intensive screening for identification. Concerns about recent tragic bullying events and general lack of civility of children and youth have given high priority to bully proofing and violence prevention initiatives.

Although such efforts are understandable and admirable, they are not implemented for long, student behavior does not improve, and school climate remains negative and control-oriented. A **major message** of this paper is that the challenge is not that we don't know the characteristics of effective violence prevention strategies, but that we need to implement a systemic framework or process through which these strategies might actually prevent the development and occurrences of violent behavior for all students.

The **purpose** of this document is to provide an overview of how school-wide positive behavioral interventions and supports (PBIS) can provide such a framework for improving the effectiveness, efficiency, and relevance of practices that can help prevent school violence and bullying behavior, in particular. This overview is organized around eight main questions.

1. What Do We Know about Preventing Violence in Schools?

Decades of research provide excellent guidance on what competent school environments look like and do to prevent the development and occurrence of violent behavior, including bullying behavior, in schools and neighborhoods (e.g., Biglan, 1995; Gottfredson, 1997; Gottfredson, Gottfredson, & Hybl, 1993; Mayer, 1995; Morrison, Furlong, & Morrison, 1997; Tolan & Guerra, 1994; Walker, Ramsey, & Gresham, 2004). In general, effective schools formally invest in the following protective activities:

1. School-wide curriculum that emphasizes targeted social skills instruction.
2. Establishment of positive school and classroom social cultures where teaching and learning are emphasized.

3. Challenging and engaging instructional practices that effectively <u>maximize academic success for all students.</u>
4. <u>Continuous, positive, and active supervision</u> and monitoring of student behavior and learning.
5. Regular, frequent, and <u>positive acknowledgements and reinforcement</u> for student displays of academic and social behavior success.
6. Active involvement of all <u>students and family, faculty, and community members.</u>
7. <u>Multi-year and multi-component</u> approaches to implementation.
8. <u>Adults who model</u> the same positive social behaviors and values expected of students.

2. What is "Positive Behavioral Interventions and Supports?

To maximize the impact of effective violence prevention strategies, careful attention must be directed to the systemic supports that enable accurate, durable, and scalable implementation (Fixsen et al., 2005). In 1996, the U.S. Congress reauthorized the Individuals with Disabilities Education Improvement Act (IDEIA), and included authority to establish the National Technical Assistance Center for Positive Behavioral Interventions and Supports (PBIS, www.pbis.org).

It is important to understand that PBIS <u>is NOT</u> a packaged curriculum, scripted intervention, or manualized strategy. Rather, PBIS <u>IS</u> a prevention-oriented <u>multi-tiered framework</u> for school personnel to (a) organize evidence-based practices, (b) implement those practices with high fidelity, and (c) maximize academic and social behavior outcomes for all students (Sugai et al., 1999).

3. How Does School-wide PBIS Relate to the Prevention of Bullying Behavior?

PBIS begins with the premise that all students should have access to positive behavioral supports to prevent the development and occurrence of problem behavior, including bullying. To avoid stigmatizing any student, PBIS emphasizes what a student does and where it occurs. Instead of labeling a student as a bully, victim, perpetrator, or bystander, the emphasis is on labeling what the student does, for example, name-calling, teasing, intimidation, verbal aggression, and cyber-harassment. Bullying behavior is always described in the context or setting in which it occurs, for example, cyberspace, hallway, dance, field trip, bus, etc.

From a PBIS perspective, successful prevention of bullying behavior is linked directly to <u>teaching adults and students</u> (a) what bullying looks like, (b) what to do before and when bullying behavior is observed, (c) how to teach others what to do, and (d) how to establish a positive and preventive environment that reduces the effectiveness of bullying behavior (Ross, Horner, & Stiller, 2009).

4. What is the PBIS Approach to Preventing Bullying Behavior?

PBIS takes a <u>multi-tiered responsiveness-to-intervention</u> approach to preventing bullying behavior (Bradley, Danielson, & Doolittle, 2007; Sugai & Horner, 2009), which is derived directly from the "3-tiered" public health prevention logic (Walker et al., 1996).

At <u>Tier I</u>, all students and staff are taught directly and formally about how to behave in safe, respectful, and responsible ways across all school settings. The emphasis is on teaching and encouraging positive social skills and character traits. If implemented well, most students will benefit and be successful (Lewis & Sugai, 1999; Taylor-Greene et al., 1997; Sugai et al., 1999).

At <u>Tier II</u>, students whose behaviors do not respond to Tier I supports are provided additional preventive strategies (Crone, Hawken, & Horner, 2010; Fairbanks, Sugai, Guardino, & Lathrop, 2007) that involve (a) more targeted social skills instruction, (b) increased adult monitoring and positive attention, (c) specific and regular daily feedback on their behavioral progress, and (d) additional academic supports, if necessary.

At <u>Tier III</u>, students whose behaviors do not respond to Tier I and II supports are provided intensive preventive strategies (Crone & Horner, 2003; Eber, Sugai, Smith, & Scott, 2002; Walker, Ramsey, & Gresham, 2004) that involve (a) highly individualized academic and/or behavior intervention planning; (b) more comprehensive, person-centered and function-based wraparound processes; and (c) school-family-community mental health supports.

From a prevention and responsiveness-to-intervention perspective, not all students respond equally to bully prevention strategies because of a variety of risk and protective factors, for example, behavioral learning history, socio-economic status, social skill competence, academic achievement, disability, peer and family influences (Biglan, 1995; Mayer, 1995; Spivak & Prothrow-Stith, 2001; Walker, Ramsey, & Gresham, 2004). Effective Tier I prevention programs are intended to support most students and then to identify those who may require more intensive and specialized assistance (Tier II and III). This logic is important for students who engage in bullying behavior as well as those who are targets and observers of bullying behaviors. It is important to note that increasing the severity and number of more punishing consequences <u>is not</u> emphasized.

Many evidence-based practices for preventing bullying behavior are available (Bradshaw, Johnson, 2011; Elliott, Hamburg, & Williams, 1998; Espelage & Swearer, 2003; Lipsey & Wilson, 1993; Mayer, 1995; Morrison, Furlong, & Morrison, 1997; Olweus, Limber, & Mihalic, 1990; Ross & Horner, 2009); however, their effectiveness and durability are dependent upon the use of good data systems, efficient progress monitoring tools, competent school personnel, on-going and embedded professional development, formal coaching and coordination supports, and adequate school and district systems to sustain meaningful outcomes with accurate implementation (Fixsen et al., 2005; PBIS Implementation Blueprint, 2010; PBIS Evaluation Blueprint, 2009).

4. What Costs Are Associated with Implementing School-wide PBIS?

The National PBIS Center is funded by the Office of Special Education Programs in the U.S. Department of Education to disseminate and provide technical assistance to schools, districts, and states. The PBIS Center's website (www.pbis.org) provides a comprehensive collection of free and downloadable materials related to the multi-tiered approach to PBIS, including bullying behavior prevention.

Contact information for a network of state and district implementation efforts is also available at the website. Some states have formalized their training and professional development efforts such that costs are minimized. PBIS state coordinators can be contacted for more information about school and district implementation opportunities and costs.

Although specific trainer costs may vary depending on whether a state or district has established its own training capacity or relies on external trainers, a school's major costs will be associated with professional development days for a PBIS leadership team to develop, implement, and monitor the progress of a PBIS action plan (e.g., substitute teachers). Professional development costs depend on demographic characteristics (e.g., school and district size, number of schools, prior PBIS experiences). During the initial implementation years, schools should expect each team member to participate in 4 to 6 full days of professional development, and implementation action planning (PBIS Professional Development Blueprint, 2010).

Because implementation occurs in phases, the first two to three years are focused on establishing the working infrastructure and capacity for initial implementation of the three-tiered prevention continuum, especially Tier I supports. Over time, action planning shifts to sustaining and

improving implementation outcomes, behavioral capacity, and efficiency, and addressing other behavioral needs.

Most importantly, before implementing any PBIS component, schools, districts, and states are encouraged to complete a self-assessment audit of existing behavioral initiatives, programs, interventions, and priorities. The goal is to discontinue ineffective or poorly implemented practices, adjust effective initiatives to improve efficiency and durability, and combine or integrate efforts that have similar outcome expectations and objectives. PBIS implementation cannot be an "add-on" to existing initiatives and programs. Instead, existing resources are re-invested in the smallest number of the most effective, efficient, and relevant practices and initiatives possible. Doing a few things really well is preferred to doing many things partially, or not at all.

5. Does PBIS work better with different groups, settings, or contexts?

The research base for PBIS is established and expanding (e.g., Bradshaw, Mitchell, & Leaf, 2010; Horner, Sugai, & Anderson, 2010; Horner et al., 2009; Safran & Oswald, 2003). In general, experimental and quasi-experimental studies have demonstrated that when implemented with fidelity, school-wide PBIS is associated with improvements in perceived school health and safety; decreases in disciplinary referrals, detentions, and suspensions; increases in academic achievement; and improvements in concerns related to over-representation and disproportionality for students with disabilities and of color.

Although PBIS implementation has generally occurred at the elementary and middle school levels, high school applications are expanding. In general, the elements, processes, practices, and systems of PBIS are similar across all school levels; however, the specific appearance and implementation characteristics vary based on developmental, cultural, linguistic, organizational, etc. features of individual schools and communities (Flannery et al., 2009).

6. What Does School-wide PBIS Look Like When Bullying Behavior Needs to be Addressed?

By investing in the implementation of multi-tiered prevention frameworks, like PBIS, schools are creating school cultures that prevent the development and occurrences of bullying behavior. However, if a school suspects that bullying behavior might be becoming problematic, a team-based and data-driven problem-solving process is initiated. The following table summarizes the key features of this process.

PBIS Steps to Addressing Bullying Behavior at School
Step 1. If bullying behavior is identified as a concern, members of a PBIS school leadership team would start by examining their discipline data to determine

- How often what bullying behaviors (e.g., verbal/physical aggression, intimidation, teasing) were occurring.
- Where those behaviors were being reported (e.g., hallways, parking lots, cyberspace).
- How many and which students are involved in displays of bullying behavior (including students who are targets and/or observers of bullying behavior).
- Which staff members have been involved in bullying behavior incidents.
- When during the day (time/period) and week are bullying behavior being reported.

Step 2. A PBIS school leadership team would examine the extent to which Tier I practices and systems are being implemented accurately, fluently, and school-wide. The focus is on the extent to which staff members have

- Taught, provided practice for, and acknowledged the behaviors that represent three to five positive school-wide behavioral expectations (e.g., "respecting self, others, and environment;" "safety, responsibility, and honor").

- Actively and positively supervised all students across all school settings.

- Had high rates of positive interactions and contact with all students.

- Arranged their instruction so all students are actively academically engaged, successful, and challenged.

Step 3. To address bullying behaviors at Tier I, all students and staff would be taught a common strategy for preventing and responding to bullying behavior:

- How to avoid situations where bullying behavior is likely.

- How to intervene and respond early and quickly to interrupt bullying behavior, remove the social rewards for bullying behavior, and prevent bullying behavior from escalating.

- How to remove what triggers and maintains bullying behavior.

- How to improve the accuracy, fluency, and sustainability of implementation efforts.

- What to do when prevention efforts do not work.

- How and what to report and record when a bullying behavior incident occurs.

Step 4. If Steps 1 through 3 are done well, a relatively small proportion of students (initiators, targets, bystanders) will require more than Tier I supports. These students should not receive more of the same ineffective strategies, especially, more severe consequences. Instead, students whose bullying behavior does not improve should be considered for Tiers II and III supports.

- These supports would be initiated by increasing consideration of behavioral function or purpose (e.g., "bully behavior results in access to bystander, target, and/or adult attention;" "target behavior results in access to peer and/or adult attention;" "bystander behavior results in access to initiator attention").

- Based on the function of a student's behavior, students would (a) begin the day with a check-in or reminder about the daily expectations; (b) be more overtly and actively supervised; (c) receive more frequent, regular and positive performance feedback each day; and (d) conclude each day with a checkout or debriefing with an adult.

- More intensive supports would be highly individualized, multi-disciplinary, trans-situational (i.e., school, family, community), and long-term.

Step 6. Improving and sustaining implementation of an effective intervention or practice requires that

- Accuracy and fluency of implementation are monitored frequently and regularly.

- Behavioral data are reviewed regularly.

- Intervention features are adapted to improve outcomes and sustain implementation.

- Efficient and expert capacity are established to enable consideration of new or other behavioral concerns (scaling and continuous regeneration).

7. Where can more information about PBIS be found?

Information about PBIS can be obtained from a number of sources:

- National Center on Positive Behavioral Interventions and Supports (www.pbis.org)

- Office of Safe and Drug Free Schools (www.ed.gov/osdfs)

- Office of Special Education Programs (www.ed.gov/osers/osep)

- Individual State Departments of Education

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ILLINOIS VIOLENCE PREVENTION AUTHORITY

FY 11 BULLYING PREVENTION GRANT PROGRAM

Purpose: The purpose of the Bullying Prevention Grants Program is to provide funds to support implementation of school-based bullying prevention programs for students in grades K-12, and training of school personnel and parents on bullying prevention. Funds may be awarded to applicants to provide training to personnel and parents associated with multiple schools funded under the Program.

Eligible Applicants: Eligible applicants include public school districts, including alternative schools and charter schools, and non-profit and/or tax exempt organizations with demonstrated capacity to provide school-based bullying prevention programs and/or training to school personnel on bullying prevention.

Program Requirements: Program requirements for funded programs include:

- Bullying prevention programs must be provided in school settings, must be multi-session, and must be provided to a specific number of identified schools and to a projected number of students by grade.
- Bullying prevention programs provided with grant funds must be identified in the application, must be an established, evidence-based program, and must include a focus on the role of bystanders.
- Training for school personnel and for parents of bullying prevention must be provided to a projected number of personnel and parents associated with the school receiving bullying prevention programs for students. Some, or all, of the training for school personnel may be provided to multiple grantees by one training entity.

Grantee Requirements: Additional grantee requirements include:

- A representative from each grantee must attend one training session during the first quarter of the grant period and one networking session later in the grant year, both held in a central location in the state. Costs for travel to these sessions must be included in the application budget.
- Grantees must participate in a statewide evaluation of the program

THE SECRETARY OF EDUCATION
WASHINGTON, DC 20202

December 16, 2010

Dear Chief State School Officers:

Recent incidents of bullying have demonstrated its potentially devastating effects on students, schools, and communities and have spurred a sense of urgency among State and local educators and policymakers to take action to combat bullying. The U.S. Department of Education (Department) shares this sense of urgency and is taking steps to help school officials effectively reduce bullying in our Nation's schools. Bullying can be extremely damaging to students, can disrupt an environment conducive to learning, and should not be tolerated in our schools.

Along with our partners from the Departments of Health and Human Services, Agriculture, Interior, Defense, and Justice, we are in the process of developing key strategies to support and encourage efforts to prevent bullying in our schools. Our ongoing work has included the first-ever Federal Bullying Prevention Summit in August, the launch of our interagency bullying-resource Web site, http://www.bullyinginfo.org. the continued support and growth of the Stop Bullying Now! campaign, and the development of research and guidance on bullying prevention. The Department also awarded eleven Safe and Supportive Schools Grants to states to develop measurement systems to assess schools' conditions for learning, including the prevalence of bullying, and to implement programs to improve overall school safety.

Recent guidance includes a Dear Colleague Letter issued on October 26 by the Department's Office for Civil Rights (OCR) that explains how, under certain circumstances, bullying may trigger legal responsibilities for schools under the civil rights laws enforced by OCR and the Department of Justice that prohibit discrimination and harassment based on race, color, national origin, sex, disability, and religion.[1] Schools must protect students from bullying and harassment on these bases, in addition to any obligations under state and local law.

Numerous stakeholders, including the National Conference of State Legislatures, the National Association of School Boards, the Leadership Conference on Civil and Human Rights, individual State legislators, and local school districts, among others, have asked the Department to provide assistance in crafting effective anti-bullying laws and policies. In response, the Department has prepared the attached summary of examples that

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[1] The Federal civil rights laws enforced by the Department include Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin; Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex; and Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990, which prohibit discrimination on the basis of disability. OCR's Dear Colleague letter on discriminatory harassment under these statutes is available at http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.html The Department of Justice has jurisdiction to enforce Title IV of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, sex, religion, or national origin.

illustrate how some states have tried to prevent and reduce bullying through legislation. States and local school districts can use these examples as technical assistance in drafting effective anti-bullying laws, regulations, and policies. The Department will also be working to produce additional helpful resource information.

Forty-five states have already passed laws addressing bullying or harassment in school Ultimately State officials will determine whether new or revised legislation and policies should be introduced to update, improve, or add bullying prevention provisions. It is our hope that this information will be of assistance to State officials and other interested stakeholders.

Though laws are only a part of the cure for bullying, the adoption, publication, and enforcement of a clear and effective anti-bullying policy sends a message that all incidents of bullying must be addressed immediately and effectively, and that such behavior will not be tolerated. State laws, and their related district- and school-level policies, cannot work in isolation, however. When responding to bullying incidents, schools and districts should remember that maintenance of a safe and equitable learning environment for all students, including both victims and perpetrators of bullying, often requires a more comprehensive approach.

If you wish to receive further technical assistance on addressing bullying, please do not hesitate to contact the Department's Office of Safe and Drug-Free Schools by visiting its Web site at http://www2.ed.gov/about/offices/list/osdfs/index.html or by calling at 202-245-7896.

I look forward to continuing our work together to ensure equal access to education and to promote safe and respectful schools for all of our students.

Sincerely,

Arne Duncan

Enclosure

Anti-Bullying Policies:
Examples of Provisions in State Laws

In response to requests for assistance by state and local officials, educators, and policymakers, we summarize below examples of key components of state anti-bullying laws. This document serves as technical assistance for those stakeholders looking to develop or revise anti-bullying legislation or policies. The Department has organized the key components into eleven categories for convenience. We include citations to state laws that illustrate the key components we identified, but we do not endorse any particular laws. Additional examples are included at the end of the document, but these citations are not intended to be comprehensive. Many other state and local laws and policies may provide helpful guidance on developing effective anti-bullying policies. As part of our technical assistance effort to disseminate useful information on this important topic, we welcome other examples of laws and policies that may be working effectively to address bullying in schools. States and local educational agencies (LEAs) should seek the guidance of state and local legal officials to ensure that the legislation is consistent with all applicable federal and state laws. The Department also plans to release a compendium of all current state laws and a study of their implementation.

The following are examples of components found in current state laws on bullying:

I. **Purpose Statement**

- Outlines the range of detrimental effects bullying has on students, including impacts on student learning, school safety, student engagement, and the school environment.

- Declares that any form, type, or level of bullying is unacceptable, and that every incident needs to be taken seriously by school administrators, school staff (including teachers), students, and students' families.

- *Example*[1]:

  o **Oklahoma**: Okla. Stat. Ann. Tit. 70, § 24-100.3 (2009): "The Legislature finds that bullying has a negative effect on the social environment of schools, creates a climate of fear among students, inhibits their ability to learn, and leads to other antisocial behavior. Bullying behavior has been linked to other forms of antisocial behavior, such as vandalism, shoplifting, skipping and dropping out of school, fighting, and the use of drugs and alcohol. . . . Successful programs to recognize, prevent, and effectively intervene in bullying behavior have been developed and replicated in schools across the country. These schools send the message that bullying behavior is not tolerated and, as a result, have improved safety and created a more inclusive learning environment."

II. Statement of Scope

- Covers conduct that occurs on the school campus, at school-sponsored activities or events (regardless of the location), on school-provided transportation, or through school-owned technology or that otherwise creates a significant disruption to the school environment.

- *Example[2]*:

    - **Indiana**: Ind. Code Ann. § 20-33-8-13.5 (b) (2010), Disciplinary Rule Requirements: "The discipline rules [related to bullying]…must apply when a student is: (1) on school grounds immediately before or during school hours, immediately after school hours, or at any other time when the school is being used by a school group; (2) off school grounds at a school activity, function, or event; (3) traveling to or from school or a school activity, function or event; or (4) using property or equipment provided by the school."

III. Specification of Prohibited Conduct

- Provides a specific definition of bullying that includes a clear definition of cyberbullying. The definition of bullying includes a non-exclusive list of specific behaviors that constitute bullying, and specifies that bullying includes intentional efforts to harm one or more individuals, may be direct or indirect, is not limited to behaviors that cause physical harm, and may be verbal (including oral and written language) or non-verbal. The definition of bullying can be easily understood and interpreted by school boards, policymakers, school administrators, school staff, students, students' families, and the community.

- Is consistent with other federal, state and local laws. (For guidance on school districts' obligations to address bullying and harassment under federal civil rights laws, see the Dear Colleague Letter: Harassment and Bullying, issued by the Department's Office for Civil Rights on October 26, 2010, available at http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.pdf.)

- Prohibited Conduct also includes:

    (1) Retaliation for asserting or alleging an act of bullying.

    (2) Perpetuating bullying or harassing conduct by spreading hurtful or demeaning material even if the material was created by another person (e.g., forwarding offensive e-mails or text messages).

- *Examples[3] [4]*:

  - **Florida**: Fla. Stat. Ann. 1006.147(3) (2010): "(a) 'Bullying' means systematically and chronically inflicting physical hurt or psychological distress on one or more students and may involve: (1) Teasing; (2) Social exclusion; (3) Threat; (4) Intimidation; (5) Stalking; (6) Physical violence; (7) Theft; (8) Sexual, religious, or racial harassment; (9) Public humiliation; or (10) Destruction of property. . . . (d) The definitions of 'bullying' and 'harassment' include: (1) Retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or harassment…[and] (2) Perpetuation of [bullying or harassing] conduct … by an individual or group with intent to demean, dehumanize, embarrass, or cause physical harm to a student. . . ."

  - **Kansas**: Kan. Stat. Ann. § 72-8256.C.2 (2009): "'Cyberbullying' means bullying by use of any electronic communication device through means including, but not limited to, e-mail, instant messaging, text messages, blogs, mobile phones, pagers, online games and websites."

IV. Enumeration of Specific Characteristics

- Explains that bullying may include, but is not limited to, acts based on actual or perceived characteristics of students who have historically been targets of bullying, and provides examples of such characteristics.

- Makes clear that bullying does not have to be based on any particular characteristic.

- *Examples[5]*:

  - **North Carolina**: N.C. Gen. Stat. § 115C-407.15(a) (2010): "Bullying or harassing behavior includes, but is not limited to, acts reasonably perceived as being motivated by any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, socioeconomic status, academic status, gender identity, physical appearance, sexual orientation, or mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics."

  - **Washington**: Wash. Rev. Code Ann. § 28A.300.285.2 (2010): "Nothing in this section requires the affected student to actually possess a characteristic that is a basis for the…bullying."

V. Development and Implementation of LEA Policies

- Directs every LEA to develop and implement a policy prohibiting bullying, through a collaborative process with all interested stakeholders, including school administrators, staff, students, students' families, and the community, in order to best address local conditions.

- *Example:*

    o **Maryland:** Md. Code Ann., Educ. § 7-424.1(c) (2010): "[1] Each county board shall establish a policy prohibiting bullying, harassment, or intimidation. . . . [3] A county board shall develop the policy in consultation with representatives of the following groups: (i) Parents or guardians of students; (ii) School employees and administrators; (iii) School volunteers; (iv) Students; and (v) Members of the community"[6]

VI. Components of LEA Policies

A. Definitions

- Includes a definition of bullying consistent with the definitions specified in state law.

- *Example[7]:*

    o **Oregon:** Or. Rev. Stat. § 339.356.2 (2009): "School districts must include in the policy…(b) Definitions of "harassment," "intimidation," or "bullying," and of "cyberbullying" that are consistent with [this statute]."

B. Reporting Bullying

- Includes a procedure for students, students' families, staff, and others to report incidents of bullying, including a process to submit such information anonymously and with protection from retaliation. The procedure identifies and provides contact information for the appropriate school personnel responsible for receiving the report and investigating the incident.

- *Example[8]:*

    o **Georgia:** GA. Code Ann. § 20-2-751.4(c) (2010): "Such … policy shall include: . . . (5) A procedure for a teacher or other school employee, student, parent, guardian, or other person who has control or charge of a student, either anonymously or in such person's name, at such person's option, to report or otherwise provide information on bullying activity; (6) A statement prohibiting retaliation following a report of bullying.…"

- Requires that school personnel report, in a timely and responsive manner, incidents of bullying they witness or are aware of to a designated official.

- *Example[9]*:

    o **Wisconsin**: Wis. Stat. § 118.46.1(a) (2009): "The [policy on bullying] shall include all of the following: . . . (6) A requirement that school district officials and employees report incidents of bullying and identify the persons to whom the reports must be made."

C. Investigating and Responding to Bullying

- Includes a procedure for promptly investigating and responding to any report of an incident of bullying, including immediate intervention strategies for protecting the victim from additional bullying or retaliation, and includes notification to parents of the victim, or reported victim, of bullying and the parents of the alleged perpetrator, and, if appropriate, notification to law enforcement officials.[10]

- *Example[11]*:

    o **Massachusetts**: 2010 Mass. Adv. Legis. Serv. Ch. No. 71.37O(g) (2010): "...Upon receipt of such a report, the school principal or a designee shall promptly conduct an investigation. If the school principal or a designee determines that bullying or retaliation has occurred, the school principal or designee shall (i) notify the local law enforcement agency if the schoo! principal or designee believes that criminal charges may be pursued against a perpetrator; (ii) take appropriate disciplinary action; (iii) notify the parents or guardians of a perpetrator; and (iv) notify the parents or guardians of the victim, and to the extent consistent with state and federal law, notify them of the action taken to prevent any further acts of bullying or retaliation."

D. Written Records

- Includes a procedure for maintaining written records of all incidents of bullying and their resolution.[12]

- *Example[13]*:
    o **California**: Cal. Educ. Code § 234.1 (2010): "The department shall assess whether local educational agencies have done all of the following: . . . (e) Maintained documentation of complaints and their resolution for a minimum of one review cycle."

E. Sanctions

- Includes a detailed description of a graduated range of consequences and sanctions for bullying.[14]

- *Example[15]*:

  - **Alabama**: Ala. Code § 16.28B.5 (2010): "The model policy, at a minimum, shall contain all of the following components: . . . [4] A series of graduated consequences for any student who commits an act of intimidation, harassment, violence or threats of violence. Punishment shall conform with applicable federal and state disability, antidiscrimination, and education laws and school discipline policies."

F. Referrals

- Includes a procedure for referring the victim, perpetrator and others to counseling and mental and other health services, as appropriate.

- *Example[16]*:

  - **Maryland**: Md. Code. Ann., Educ. § 7-424.1.b (2010): "[2] The model policy...shall include: . . . (viii) Information about the types of support services available to the student bully, victim, and any bystanders...."

VII. Review of Local Policies

- Includes a provision for the state to review local policies on a regular basis to ensure the goals of the state statute are met.

- *Example[17]*:

  - **Illinois**: 105 Ill. Comp. Stat. Ann. 5/27-23.7(d) (2010): "The policy must be updated every 2 years and filed with the State Board of Education after being updated. The State Board of Education shall monitor the implementation of policies created under [this subsection of the statute]."

VIII. Communication Plan

- Includes a plan for notifying students, students' families, and staff of policies related to bullying, including the consequences for engaging in bullying.

- *Example[18]*:

  o **Arkansas**: Ark. Code Ann. § 6-18-514(b) (2009): "The policies shall: ... [6] Require that notice of what constitutes bullying, that bullying is prohibited, and the consequences of engaging in bullying be conspicuously posted in every classroom, cafeteria, restroom, gymnasium, auditorium, and school bus in the district; and [7] Require that copies of the notice. .be provided to parents, students, school volunteers, and employees."

IX. Training and Preventive Education

- Includes a provision for school districts to provide training for all school staff, including, but not limited to, teachers, aides, support staff, and school bus drivers, on preventing, identifying, and responding to bullying.

- *Example[19]*:

  o **South Carolina**: S.C. Code Ann. § 59-63-140(E) (2009): "Information regarding a local school district policy against harassment, intimidation or bullying must be incorporated into a school employee training program. Training also should be provided to school volunteers who have significant contact with students.

  o **Massachusetts**: 2010 Mass. Adv. Legis. Serv. Ch. No. 92.3(d)-2010: "The plan...shall include a provision for ongoing professional development to build the skills of all staff members, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities and paraprofessionals, to prevent, identify and respond to bullying."

- Encourages school districts to implement age-appropriate school- and community-wide bullying prevention programs.

- *Example[20]*:

  o **South Carolina**: S C. Code Ann. § 59-63-140 (F) (2009): "Schools and school districts are encouraged to establish bullying prevention programs and other initiatives involving school staff, students, administrators, volunteers, parents, law enforcement, and community members."

X. Transparency and Monitoring

- Includes a provision for LEAs to report annually to the state on the number of reported bullying incidents, and any responsive actions taken.

- *Example[21]*:

    o **New York**: N.Y. Educ. Law §15 (2010): "The Commissioner shall create a procedure under which material incidents of discrimination and harassment on school grounds or at a school function are reported to the department at least on an annual basis. Such procedure shall provide that such reports shall, wherever possible, also delineate the specific nature of such incidents. . . ."

- Includes a provision for LEAs to make data regarding bullying incidence publicly available in aggregate with appropriate privacy protections to ensure students are protected.[22]

- *Examples[23]*:

    o **Iowa**: Iowa Code § 280.28.7 (2008): "The board of directors of a school district and the authorities in charge of each nonpublic school...shall report data collected...as specified by the department, to the local community."

    o **Ohio**: Ohio Rev. Code Ann. § 3313.666.10 (2010): "...the district administration... [shall] provide ... a written summary of all reported incidents and post the summary on its web site...."

XI. Statement of Rights to Other Legal Recourse

- Includes a statement that the policy does not preclude victims from seeking other legal remedies.

- *Example*:

    o **Oregon**: Or. Rev. Stat. Ann. § 339.364 (2009): "Victim may seek redress under other laws. ...[This statute] may not be interpreted to prevent a victim of harassment, intimidation or bullying or a victim of cyberbullying from seeking redress under any other available law, whether civil or criminal."

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[1] For additional examples of purpose statements, see: 105 Ill. Comp. Stat. Ann. 5/27-23.7.a (2010), Iowa Code § 280.28.1 (2008); Md. Code Ann., Educ. § 7-424 (2010); Nev. Rev. Stat. Ann. § 388.132 (2009); N.J. Stat. Ann. § 18A:37.13 (2010); Or. Rev. Stat. § 339.353 (2009); Tenn. Code Ann. § 49-6-1014 (2010); W. Va. Code Ann. § 18-2C-1 (2009).

[2] For additional examples of statements of scope, see: Ark. Code Ann. § 6-18-514.2 (2009); Ga. Code Ann. § 20-2-751.4 (2010); 105 Ill. Comp Stat. Ann. 5/27-23.7.a (2010); 2010 Mass. Adv. Legis. Serv. Ch. No. 92-2010 (Lexis Nexis 2010); Md. Code Ann., Educ. § 7-424 (2010).

[3] For additional examples of bullying definitions, see: Del. Code Ann. Tit. 14, § 4112D.a (2010); Kan. Stat. Ann § 72-8256 (2009); 105 Ill. Comp. Stat. Ann 5/27-23.7(b) (2010).

[4] For additional examples of cyberbullying definitions, see: Iowa Code § 280.28.2 (a) (2008); Md. Code Ann., Educ. § 7-424.3 (2010); 2010 Mass. Adv. Legis. Serv. Ch. No. 92-2010 (Lexis Nexis 2010); N.J. Stat. Ann. § 18A 37.14.2 (2010); Okla. Stat. Ann. Tit 70, § 24-100.3 (2009)

[5] For additional examples of characteristic enumeration, see: 105 Ill. Comp. Stat. Ann 5/27-23.7.a (2010); Iowa Code § 280.28 (2008); Or. Rev. Stat. § § 339.351.3(2009).

[6] For additional examples of requirements for LEA policies, see: Del. Code Ann. Tit. 14, § 4112D.b (2010); Fla. Stat. Ann. 1006.147 (2010); N.J. Stat Ann. § 18A 37.15 (2010).

[7] For additional examples regarding definitions in LEA policies, see: Delaware Del. Code Ann. Tit. 14, § 4112D.b (2010); Fla. Stat. Ann. 1006.147 (2010); Iowa Code 280.28.3 (2008); Md. Code Ann., Educ. § 7-424 1 (2010); N.J. Stat. Ann. § 18A 37.15.b.2 (2010); N.C. Gen. Stat.§ 115C-407.16.b.2 (2010); S.C. Code Ann. § 59-63-140 (2010).

[8] For additional examples regarding requirements procedures for reporting bullying, see: Ariz. Rev. Stat § 14-341 (2010); Fla. Stat. Ann. § 1006.147 (2010); Iowa Code § 280.28.3.c (2008); Md. Code Ann., Educ. § 7-424 (2010); Or. Rev. Stat. § 339.356.2.g (2009); S.C. Code Ann. § 59-63-140 (2010).

[9] For additional examples regarding requirements for reporting of school staff, see: Alaska Stat. § 14.33.220 (2010); GA. Code Ann. § 20-2-751.4.c.2 (2010); W. Va. Code Ann. §18-2C-3.4 (2009).

[10] The Family Educational Rights and Privacy Act (FERPA) contains provisions restricting release of information pertaining to disciplinary actions taken against students. State and local officials are encouraged to seek guidance to make sure any policies comply with these provisions.

[11] For additional examples regarding requirements for investigating and responding to bullying, see. GA. Code Ann. § 20-2-751.4.c.3 (2010); Iowa Cod § 280.28.3 f (2008); Or. Rev. Stat. § 339.356.2.h (2009).

[12] FERPA contains provisions regarding the appropriate safeguarding of privacy in educational records. State and local officials are encouraged to seek guidance to make sure any policies comply with these provisions.

[13] For additional examples on requirements for maintaining written records, see: Md. Code Ann., Educ. § 7-424 (2010).

[14] The Individuals with Disabilities Education Act contains provisions related to the use of disciplinary measures with students with disabilities. State and local officials are encouraged to seek guidance to make sure any policies comply with these provisions.

[15] For additional examples regarding sanctions, see: Connecticut Gen. Stat. Ann § 10-222d, Massachusetts St 2010, c.92; New Mexico NIMAC § 6 12.7; Okla. Stat. Ann. Tit. 70, § 24-100.4 (2009).

[16] For additional examples regarding referrals, see: Fla. Stat. Ann. § 1006.147 (2010); Okla. Stat Ann. Tit. 70, § 24-100.4 (2009).

[17] For additional examples regarding review of policies, see: 24 Pa. Cons Stat Ann § 13-1303.1-a (2009).

[18] For additional examples regarding communication plans, see: Del. Code Ann. Tit. 14, § 4123.a (2010); Fla. Stat. Ann. § 1006.147 (2010); Iowa Code § 280.28.3 (2008); N.J. Stat. Ann § 18A 37.15.b.10-11 (2010).

[19] For additional examples regarding training of staff, see· Conn. Gen. Stat. § 10-222d (2010); Del. Code Ann Tit. 14, § 4123.a (2010); Iowa Code § 280.28 3 (2008); Nev. Rev. Stat Ann § 383.133 (2009); Or. Rev. Stat. § 339.359 (2009); Wyo. Stat. Ann. § 21-4-311 (2010).

[20] For additional examples regarding bullying prevention programming, see: Md. Code Ann , Educ. § 7-424 (2010); 2010 Mass. Adv. Legis. Serv. Ch. No. 92-2010 (Lexis Nexis 2010); Or Rev. Stat § 339 359 (2009).

[21] For additional examples regarding reporting incidents to the State, see: Alaska Stat. § 14.33.210 (2010); Conn. Gen. Stat. § 10-222d (2010); Md. Code Ann., Educ. § 7-424 (2010);

[22] FERPA contains provisions regarding the appropriate safeguarding of privacy in educational records. State and local officials are encouraged to seek guidance to make sure any policies comply with these provisions.

[23] For additional examples regarding requirements for reporting data to the public, see: Fla. Stat. Ann. § 1006.147 (2010); Iowa Code § 280.28 (2008).

Massachusetts Department of Elementary and Secondary Education

Model Bullying Prevention and Intervention Plan

The Department of Elementary and Secondary Education (Department) created the Model Bullying Prevention and Intervention Plan required under M.G.L. c. 71, § 37O, in consultation with state agencies, school personnel, advocacy organizations, and other interested parties. The Model Plan's format parallels the draft *Behavioral Health and Public Schools Framework*, and is designed to be used by schools and school districts as a framework for developing local Plans. In some sections there are examples of specific language that can be incorporated into local Plans, and in others there are recommendations for decision-making and planning strategies. Schools and districts may choose to use this format for creating their own Bullying Prevention and Intervention Plans, or develop an alternative format. A sample incident reporting form is attached as Appendix A.

Please note that in the Model Plan and in other Department publications we use the word "target" instead of "victim" and "aggressor" instead of "perpetrator."

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I.   **LEADERSHIP**

Leadership at all levels will play a critical role in developing and implementing Bullying Prevention and Intervention Plans ("the Plan") in the context of other whole school and community efforts to promote positive school climate. Leaders have a primary role in teaching students to be civil to one another and promoting understanding of and respect for diversity and difference. Leadership should be defined by the district or school, depending on existing roles and responsibilities and locally identified priorities for this initiative. Leadership is responsible for setting priorities and for staying up-to-date with current research on ways to prevent and effectively respond to bullying. It is also the responsibility of leaders to involve representatives from the greater school and local community in developing and implementing the Plan.

A. Public involvement in developing the Plan. As required by M.G.L. c. 71, § 37O, the Plan must be developed in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents, and guardians. Consultation must include, at a minimum, notice and a public comment period before the Plan is adopted by the school committee or equivalent authority. Schools and districts may choose to involve representatives from each of these constituencies in other aspects of Plan development, including needs assessments, working groups, task forces, and public meetings. The Plan should identify the ways that each of the various constituencies will be involved.

B. Assessing needs and resources. The Plan should be the school's or district's blueprint for enhancing capacity to prevent and respond to issues of bullying within the context of other healthy school climate initiatives. As part of the planning process, school leaders, with input from families and staff, should assess the adequacy of current programs; review current policies and procedures; review available data on bullying and behavioral incidents; and assess available resources including curricula, training programs, and behavioral health services. This "mapping" process will assist schools and districts in identifying resource gaps and the most significant areas of need. Based on these findings, schools and districts should revise or develop policies and procedures; establish partnerships with community agencies, including law enforcement; and set priorities.

Consider doing the following to allow for initial and periodic needs assessments: 1) surveying students, staff, parents, and guardians on school climate and school safety issues; and 2) collecting and analyzing building-specific data on the prevalence and characteristics of bullying (e.g., focusing on identifying vulnerable populations and "hot spots" in school buildings, on school grounds, or on school buses). This information will help to identify patterns of behaviors and areas of concern, and will inform decision-making for prevention strategies including, but not limited to, adult supervision, professional development, age-appropriate curricula, and in-school support services. The Plan should describe the methods the school will use to conduct needs assessments, including timelines and leadership roles.

C. Planning and oversight. Plans should identify the school or district leaders responsible for the following tasks under the Plan: 1) receiving reports on bullying; 2) collecting and analyzing building- and/or school-wide data on bullying to assess the present problem and to measure improved outcomes; 3) creating a process for recording and tracking incident

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reports, and for accessing information related to targets and aggressors; 4) planning for the ongoing professional development that is required by the law; 5) planning supports that respond to the needs of targets and aggressors; 6) choosing and implementing the curricula that the school or district will use; 7) developing new or revising current policies and protocols under the Plan, including an Internet safety policy, and designating key staff to be in charge of implementation of them; 8) amending student and staff handbooks and codes of conduct; 9) leading the parent or family engagement efforts and drafting parent information materials; and 10) reviewing and updating the Plan each year, or more frequently.

D. Developing priority statements. Priority statements can be used to communicate within the Plan the school's or district's vision in creating and implementing its bullying prevention and intervention strategies. The following are examples of priority statements that may be included in local Plans:

> The school or district expects that all members of the school community will treat each other in a civil manner and with respect for differences.

> The school or district is committed to providing all students with a safe learning environment that is free from bullying and cyberbullying. This commitment is an integral part of our comprehensive efforts to promote learning, and to prevent and eliminate all forms of bullying and other harmful and disruptive behavior that can impede the learning process.

> We understand that members of certain student groups, such as students with disabilities, students who are gay, lesbian, bisexual, or transgender, and homeless students may be more vulnerable to becoming targets of bullying, harassment, or teasing. The school or district will take specific steps to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing.

> We will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyberbullying, or retaliation, in our school buildings, on school grounds, or in school-related activities. We will investigate promptly all reports and complaints of bullying, cyberbullying, and retaliation, and take prompt action to end that behavior and restore the target's sense of safety. We will support this commitment in all aspects of our school community, including curricula, instructional programs, staff development, extracurricular activities, and parent or guardian involvement.

> The Bullying Prevention and Intervention Plan ("Plan") is a comprehensive approach to addressing bullying and cyberbullying, and the school or district is committed to working with students, staff, families, law enforcement agencies, and the community to prevent issues of violence. In consultation with these constituencies, we have established this Plan for preventing, intervening, and responding to incidents of bullying, cyberbullying, and retaliation. The principal is responsible for the implementation and oversight of the Plan.

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II.   TRAINING AND PROFESSIONAL DEVELOPMENT

The Plan must reflect the requirements under M.G.L. c. 71, § 37O to provide ongoing professional development for all staff, including but not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, and paraprofessionals. The Plan should state the content and frequency of staff training and ongoing professional development as determined by the school's or district's needs, and list other topics to be included in these staff programs. The locally identified additional areas of training should be based on needs and concerns identified by school and district staff.

The law lists six topics that must be included in professional development. Additional topics may be identified by the school or district leadership as they consider the unique needs of the school or district community. Plans should also identify which trainings will be provided districtwide and which will be school-based.

The following is sample language for Plans:

A. <u>Annual staff training on the Plan</u>. Annual training for all school staff on the Plan will include staff duties under the Plan, an overview of the steps that the principal or designee will follow upon receipt of a report of bullying or retaliation, and an overview of the bullying prevention curricula to be offered at all grades throughout the school or district. Staff members hired after the start of the school year are required to participate in school-based training during the school year in which they are hired, unless they can demonstrate participation in an acceptable and comparable program within the last two years.

B. <u>Ongoing professional development</u>. The goal of professional development is to establish a common understanding of tools necessary for staff to create a school climate that promotes safety, civil communication, and respect for differences. Professional development will build the skills of staff members to prevent, identify, and respond to bullying. As required by M.G.L. c. 71, § 37O, the content of schoolwide and districtwide professional development will be informed by research and will include information on:

    (i)   developmentally (or age-) appropriate strategies to prevent bullying;
    (ii)   developmentally (or age-) appropriate strategies for immediate, effective interventions to stop bullying incidents;
    (iii) information regarding the complex interaction and power differential that can take place between and among an aggressor, target, and witnesses to the bullying;
    (iv) research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment;
    (v)   information on the incidence and nature of cyberbullying; and
    (vi) Internet safety issues as they relate to cyberbullying.

    Professional development will also address ways to prevent and respond to bullying or retaliation for students with disabilities that must be considered when developing students' Individualized Education Programs (IEPs). This will include a particular focus on the needs of students with autism or students whose disability affects social skills development.

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Additional areas identified by the school or district for professional development include:

- promoting and modeling the use of respectful language;
- fostering an understanding of and respect for diversity and difference;
- building relationships and communicating with families;
- constructively managing classroom behaviors;
- using positive behavioral intervention strategies;
- applying constructive disciplinary practices;
- teaching students skills including positive communication, anger management, and empathy for others;
- engaging students in school or classroom planning and decision-making; and
- maintaining a safe and caring classroom for all students.

C. <u>Written notice to staff</u>. The school or district will provide all staff with an annual written notice of the Plan by publishing information about it, including sections related to staff duties, in the school or district employee handbook and the code of conduct.

III.   ACCESS TO RESOURCES AND SERVICES

A key aspect of promoting positive school climates is ensuring that the underlying emotional needs of targets, aggressors, families, and others are addressed. The Plan should describe the strategies for providing supports and services necessary to meet these needs. In order to enhance the school's or district's capacity to prevent, intervene early, and respond effectively to bullying, available services should reflect an understanding of the dynamics of bullying and provide approaches to address the needs of targets and aggressors. Plans must include a strategy for providing counseling or referral to appropriate services for aggressors, targets, and family members of those students. These locally established strategies should be reflected in the school or district Plan.

A. <u>Identifying resources</u>. The Plan should include the school's or district's process for identifying its capacity to provide counseling and other services for targets, aggressors, and their families. This will include a review of current staffing and programs that support the creation of positive school environments by focusing on early interventions and intensive services. Once this mapping of resources is complete, the school or district can develop recommendations and action steps to fill resource and service gaps. This may include adopting new curricula, reorganizing staff, establishing safety planning teams, and identifying other agencies that can provide services. The Plan should outline the local processes for identifying existing and needed resources.

B. <u>Counseling and other services</u>. The Plan should identify the availability of culturally and linguistically appropriate resources within the school and district. If resources need to be developed, the Plan should identify linkages with community based organizations, including Community Service Agencies (CSAs) for Medicaid eligible students. In addition, the Plan should identify staff and service providers who assist schools in developing safety plans for students who have been targets of bullying or retaliation, providing social skills programs to prevent bullying, and offering education and/or intervention services for students exhibiting bullying behaviors. Schools may consider current tools including, but not limited to,

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behavioral intervention plans, social skills groups, and individually focused curricula.

C. <u>Students with disabilities</u>. As required by M.G.L. c. 71B, § 3, as amended by Chapter 92 of the Acts of 2010, when the IEP Team determines the student has a disability that affects social skills development or the student may participate in or is vulnerable to bullying, harassment, or teasing because of his/her disability, the Team will consider what should be included in the IEP to develop the student's skills and proficiencies to avoid and respond to bullying, harassment, or teasing.

D. <u>Referral to outside services</u>. Schools and districts should establish a referral protocol for referring students and families to outside services. Clear protocols will help students and families access appropriate and timely services. Referrals must comply with relevant laws and policies. Current local referral protocols should be evaluated to assess their relevance to the Plan, and revised as needed.

IV.   ACADEMIC AND NON-ACADEMIC ACTIVITIES

The law requires each school or district to provide age-appropriate instruction on bullying prevention in each grade that is incorporated into the school's or district's curricula. Curricula must be evidence-based. Effective instruction will include classroom approaches, whole school initiatives, and focused strategies for bullying prevention and social skills development. The Department will publish guidelines for implementing social and emotional learning curricula by June 30, 2011. Other resources are currently available on the Department's website at http://www.doe.mass.edu/ssce/bullying/. Plans should include specific information about local priorities and approaches that will be used, and how schools and districts will integrate the Plan into the school's and/or district's curricula.

The following is sample language that may be amended to reflect locally established priorities:

A. <u>Specific bullying prevention approaches</u>. Bullying prevention curricula will be informed by current research which, among other things, emphasizes the following approaches:

   * using scripts and role plays to develop skills;
   * empowering students to take action by knowing what to do when they witness other students engaged in acts of bullying or retaliation, including seeking adult assistance;
   * helping students understand the dynamics of bullying and cyberbullying, including the underlying power imbalance;
   * emphasizing cybersafety, including safe and appropriate use of electronic communication technologies;
   * enhancing students' skills for engaging in healthy relationships and respectful communications; and
   * engaging students in a safe, supportive school environment that is respectful of diversity and difference.

   Initiatives will also teach students about the student-related sections of the Bullying Prevention and Intervention Plan. The Plan should include specific information about how and when the school or district will review the Plan with students.

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B. General teaching approaches that support bullying prevention efforts. The following approaches are integral to establishing a safe and supportive school environment. These underscore the importance of our bullying intervention and prevention initiatives:

- setting clear expectations for students and establishing school and classroom routines;
- creating safe school and classroom environments for all students, including for students with disabilities, lesbian, gay, bisexual, transgender students, and homeless students;
- using appropriate and positive responses and reinforcement, even when students require discipline;
- using positive behavioral supports;
- encouraging adults to develop positive relationships with students;
- modeling, teaching, and rewarding pro-social, healthy, and respectful behaviors;
- using positive approaches to behavioral health, including collaborative problem-solving, conflict resolution training, teamwork, and positive behavioral supports that aid in social and emotional development;
- using the Internet safely; and
- supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength.

V.   POLICIES AND PROCEDURES FOR REPORTING AND RESPONDING TO BULLYING AND RETALIATION

To support efforts to respond promptly and effectively to bullying and retaliation, schools or districts must put in place policies and procedures for receiving and responding to reports of bullying or retaliation. These policies and procedures will ensure that members of the school community – students, parents, and staff – know what will happen when incidents of bullying occur. Schools and districts should describe in the Plan detailed procedures for staff reporting of incidents, processes for communicating to students and families how reports can be made (including anonymous reports), and procedures to be followed by the principal or designee once a report is made. Incorporate these procedures into the local Plan.

The following is sample language that may be included in a Plan, and is based on the requirements of M.G.L. c. 71, § 37O. Schools or districts may modify this to include local procedures and provide due process as required.

A. Reporting bullying or retaliation. Reports of bullying or retaliation may be made by staff, students, parents or guardians, or others, and may be oral or written. Oral reports made by or to a staff member shall be recorded in writing. A school or district staff member is required to report immediately to the principal or designee any instance of bullying or retaliation the staff member becomes aware of or witnesses. Reports made by students, parents or guardians, or other individuals who are not school or district staff members, may be made anonymously. The school or district will make a variety of reporting resources available to the school community including, but not limited to, an Incident Reporting Form,[1] a voicemail box, a dedicated mailing address, and an email address.

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[1] See Appendix A for Sample Incident Reporting Form.

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Use of an Incident Reporting Form is not required as a condition of making a report. The school or district will: 1) include a copy of the Incident Reporting Form in the beginning of the year packets for students and parents or guardians; 2) make it available in the school's main office, the counseling office, the school nurse's office, and other locations determined by the principal or designee; and 3) post it on the school's website. The Incident Reporting Form will be made available in the most prevalent language(s) of origin of students and parents or guardians.

At the beginning of each school year, the school or district will provide the school community, including administrators, staff, students, and parents or guardians, with written notice of its policies for reporting acts of bullying and retaliation. A description of the reporting procedures and resources, including the name and contact information of the principal or designee, will be incorporated in student and staff handbooks, on the school or district website, and in information about the Plan that is made available to parents or guardians.

1.   Reporting by Staff

A staff member will report immediately to the principal or designee when he/she witnesses or becomes aware of conduct that may be bullying or retaliation. The requirement to report to the principal or designee does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with school or district policies and procedures for behavior management and discipline.

2.   Reporting by Students, Parents or Guardians, and Others

The school or district expects students, parents or guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the principal or designee. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. Students, parents or guardians, and others may request assistance from a staff member to complete a written report. Students will be provided practical, safe, private and age-appropriate ways to report and discuss an incident of bullying with a staff member, or with the principal or designee.

B. Responding to a report of bullying or retaliation.

1.   Safety

Before fully investigating the allegations of bullying or retaliation, the principal or designee will take steps to assess the need to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents. Responses to promote safety may include, but not be limited to, creating a personal safety plan; pre-determining seating arrangements for the target and/or the aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a "safe person" for the target; and altering the aggressor's schedule and access to the target. The principal or designee will take additional steps to promote safety during the course of and after the investigation, as necessary.

The principal or designee will implement appropriate strategies for protecting from bullying

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or retaliation a student who has reported bullying or retaliation, a student who has witnessed bullying or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of bullying or retaliation. (Include locally established student safety planning policies and procedures here.)

2. Obligations to Notify Others

a. Notice to parents or guardians. Upon determining that bullying or retaliation has occurred, the principal or designee will promptly notify the parents or guardians of the target and the aggressor of this, and of the procedures for responding to it. There may be circumstances in which the principal or designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.

b. Notice to Another School or District. If the reported incident involves students from more than one school district, charter school, non-public school, approved private special education day or residential school, or collaborative school, the principal or designee first informed of the incident will promptly notify by telephone the principal or designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.

c. Notice to Law Enforcement. At any point after receiving a report of bullying or retaliation, including after an investigation, if the principal or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the principal will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 and locally established agreements with the local law enforcement agency. Also, if an incident occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in school, the principal or designee shall contact the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the aggressor.

In making this determination, the principal will, consistent with the Plan and with applicable school or district policies and procedures, consult with the school resource officer, if any, and other individuals the principal or designee deems appropriate.

C. Investigation. The principal or designee will investigate promptly all reports of bullying or retaliation and, in doing so, will consider all available information known, including the nature of the allegation(s) and the ages of the students involved.

During the investigation the principal or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The principal or designee (or whoever is conducting the investigation) will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action.

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Interviews may be conducted by the principal or designee, other staff members as determined by the principal or designee, and in consultation with the school counselor, as appropriate. To the extent practicable, and given his/her obligation to investigate and address the matter, the principal or designee will maintain confidentiality during the investigative process. The principal or designee will maintain a written record of the investigation.

Procedures for investigating reports of bullying and retaliation will be consistent with school or district policies and procedures for investigations. If necessary, the principal or designee will consult with legal counsel about the investigation. (Align this with school or district procedures.)

D. Determinations. The principal or designee will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the principal or designee will take steps reasonably calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefiting from school activities. The principal or designee will: 1) determine what remedial action is required, if any, and 2) determine what responsive actions and/or disciplinary action is necessary.

Depending upon the circumstances, the principal or designee may choose to consult with the students' teacher(s) and/or school counselor, and the target's or aggressor's parents or guardians, to identify any underlying social or emotional issue(s) that may have contributed to the bullying behavior and to assess the level of need for additional social skills development.

The principal or designee will promptly notify the parents or guardians of the target and the aggressor about the results of the investigation and, if bullying or retaliation is found, what action is being taken to prevent further acts of bullying or retaliation. All notice to parents must comply with applicable state and federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of student records, the principal or designee cannot report specific information to the target's parent or guardian about the disciplinary action taken unless it involves a "stay away" order or other directive that the target must be aware of in order to report violations.

E. Responses to Bullying. *Use this section of the Plan to enumerate the school's or district's chosen strategies for building students' skills, and other individualized interventions that the school or district may take in response to remediate or prevent further bullying and retaliation. The following is sample language that may be included in school or district Plans:*

    1.   Teaching Appropriate Behavior Through Skills-building

Upon the principal or designee determining that bullying or retaliation has occurred, the law requires that the school or district use a range of responses that balance the need for accountability with the need to teach appropriate behavior. M.G.L. c. 71, § 37O(d)(v). Skill-building approaches that the principal or designee may consider include:

- offering individualized skill-building sessions based on the school's/district's anti-bullying curricula;

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- providing relevant educational activities for individual students or groups of students, in consultation with guidance counselors and other appropriate school personnel;
- implementing a range of academic and nonacademic positive behavioral supports to help students understand pro-social ways to achieve their goals;
- meeting with parents and guardians to engage parental support and to reinforce the anti-bullying curricula and social skills building activities at home;
- adopting behavioral plans to include a focus on developing specific social skills; and
- making a referral for evaluation.

2. Taking Disciplinary Action

If the principal or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the principal or designee, including the nature of the conduct, the age of the student(s) involved, and the need to balance accountability with the teaching of appropriate behavior. Discipline will be consistent with the Plan and with the school's or district's code of conduct.

Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA), which should be read in cooperation with state laws regarding student discipline.

If the principal or designee determines that a student knowingly made a false allegation of bullying or retaliation, that student may be subject to disciplinary action.

3. Promoting Safety for the Target and Others

The principal or designee will consider what adjustments, if any, are needed in the school environment to enhance the target's sense of safety and that of others as well. One strategy that the principal or designee may use is to increase adult supervision at transition times and in locations where bullying is known to have occurred or is likely to occur.

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the principal or designee will contact the target to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If so, the principal or designee will work with appropriate school staff to implement them immediately.

VI. COLLABORATION WITH FAMILIES

Effective Plans will include strategies to engage and collaborate with students' families in order to increase the capacity of the school or district to prevent and respond to bullying. Resources for families and communication with them are essential aspects of effective collaboration. The law requires the district or school Plan to include provisions for informing parents or guardians about the bullying prevention and intervention curricula used by the school district or school including: (i) how parents and guardians can reinforce the curricula at home and support the school or district plan; (ii) the dynamics of bullying; and (iii) online safety and cyberbullying. Parents and guardians must also be notified in writing each year about the student-related sections of the Bullying Prevention and Intervention Plan, in the language(s) most prevalent

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among the parents or guardians. School- or district-specific approaches to collaboration should take into account age, climate, socio-economic factors, linguistic, and cultural make-up of students and the parents.

Identify in local Plans the parent resource and information networks that the school or district will collaborate with in working with parents and guardians.

A. <u>Parent education and resources</u>. The school or district will offer education programs for parents and guardians that are focused on the parental components of the anti-bullying curricula and any social competency curricula used by the district or school. The programs will be offered in collaboration with the PTO, PTA, School Councils, Special Education Parent Advisory Council, or similar organizations.

B. <u>Notification requirements</u>. Each year the school or district will inform parents or guardians of enrolled students about the anti-bullying curricula that are being used. This notice will include information about the dynamics of bullying, including cyberbullying and online safety. The school or district will send parents written notice each year about the student-related sections of the Plan and the school's or district's Internet safety policy. All notices and information made available to parents or guardians will be in hard copy and electronic formats, and will be available in the language(s) most prevalent among parents or guardians. The school or district will post the Plan and related information on its website.

VII.   PROHIBITION AGAINST BULLYING AND RETALIATION

The law requires each Plan to include a statement prohibiting bullying, cyberbullying, and retaliation. The statement must be included in the Plan and included in the student code of conduct, the student handbook, and the staff handbook. The following statement is incorporated directly from M.G.L. c. 71, § 37O(b), and describes the law's requirements for the prohibition of bullying. It may be tailored to meet the specific priorities of the school or district. Alternative language is included in the draft priority statements in Part I.D above.

Acts of bullying, which include cyberbullying, are prohibited:
- (i) on school grounds and property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function, or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased, or used by a school district or school; or through the use of technology or an electronic device owned, leased, or used by a school district or school, and
- (ii) at a location, activity, function, or program that is not school-related through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the acts create a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt the education process or the orderly operation of a school.

Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying is also prohibited.

As stated in M.G.L. c. 71, § 37O, nothing in this Plan requires the district or school to staff any non-school related activities, functions, or programs.

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VIII.   DEFINITIONS

Several of the following definitions are copied directly from M.G.L. c. 71, § 37O, as noted below. Schools or districts may add specific language to these definitions to clarify them, but may not alter their meaning or scope. Plans may also include additional definitions that are aligned with local policies and procedures.

Aggressor is a student who engages in bullying, cyberbullying, or retaliation.

Bullying, as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:
- i.   causes physical or emotional harm to the target or damage to the target's property;
- ii.   places the target in reasonable fear of harm to himself or herself or of damage to his or her property;
- iii. creates a hostile environment at school for the target;
- iv.   infringes on the rights of the target at school; or
- v.   materially and substantially disrupts the education process or the orderly operation of a school.

Cyberbullying, is bullying through the use of technology or electronic devices such as telephones, cell phones, computers, and the Internet. It includes, but is not limited to, email, instant messages, text messages, and Internet postings. See M.G.L. c. 71, § 37O for the legal definition of cyberbullying.

Hostile environment, as defined in M.G.L. c. 71, § 37O, is a situation in which bullying causes the school environment to be permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive to alter the conditions of a student's education.

Retaliation is any form of intimidation, reprisal, or harassment directed against a student who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying.

Staff includes, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals.

Target is a student against whom bullying, cyberbullying, or retaliation has been perpetrated.

IX.   RELATIONSHIP TO OTHER LAWS

Consistent with state and federal laws, and the policies of the school or district, no person shall be discriminated against in admission to a public school of any town or in obtaining the advantages, privilege and courses of study of such public school on account of race, color, sex, religion, national origin, or sexual orientation. Nothing in the Plan prevents the school or district from taking action to remediate discrimination or harassment based on a person's membership

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in a legally protected category under local, state, or federal law, or school or district policies.

In addition, nothing in the Plan is designed or intended to limit the authority of the school or district to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H½, other applicable laws, or local school or district policies in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

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Patrick-Murray Administration Unveils Model Bullying Prevention and Intervention Plan

MALDEN - The Department of Elementary and Secondary Education today released new guidance and a model plan to assist schools and districts in crafting their own strategies to respond to and prevent bullying in schools.

After Governor Deval Patrick strongly advocated for and signed An Act Relative to Bullying in Schools (Chapter 92 of the Acts of 2010), the Department was charged with developing the Model Bullying Prevention and Intervention Plan to serve as a blueprint for all public and private schools, charter schools, residential schools and collaboratives which are directed to develop local policies as part of the law.

"Schools have no greater responsibility than ensuring a safe learning environment for all children," said Governor Patrick. "With this model plan as a guide, schools and districts will be able to craft locally-developed anti-bullying plans and initiatives that strengthen protections for our students and tools for our administrators."

"Student safety has a major impact on student learning so we're committed to doing what we can as a state to help districts prevent and manage bullying in schools," said Lieutenant Governor Timothy Murray.

The model plan includes details on the roles of school leaders, required professional development for all school and district staff, identification of and access to appropriate and useful resources, development of age-appropriate instruction on bullying prevention for all grades and draft policies and procedures for reporting and responding to incidents of bullying and retaliation. The plan also suggests ways to involve families and partner with community resources.

"School should be a safe place for students," said Elementary and Secondary Education Commissioner Mitchell D. Chester. "As educators and parents, we must teach children what type of behavior is acceptable, and promote a healthy understanding and respect for the rich diversity in our classrooms and communities."

"Good relationships between adults and students are the best defense against bullying but the state must play an active role in assisting districts," said Education Secretary Paul Reville. "The model plan released today provides a great guide for districts to develop policies that make the most sense for them."

"The model plan not only offers schools guidance in their response to bullying behavior, but begins with the recognition that by focusing on school climate and creating a safe and respectful school environment, we can prevent much bullying behavior before it happens," said Department of Public Health Commissioner John Auerbach.

"We have seen the tragic consequences that bullying, if left unaddressed, can have on many of our children," said Attorney General Martha Coakley. "We will continue to address the root causes of bullying by bringing schools and communities together to change school climate and proactively prevent bullying in the first place. This model plan is an important tool for educators, parents and law enforcement to build upon the work they are currently doing and is another step toward developing a comprehensive approach to tackling this problem."

"I am thrilled to see the beginning phase of implementation of the anti-bullying legislation," said Senator Robert O'Leary, co-chair of the Joint Committee on Education. "With the start of the new school year approaching, schools will now have guidance in developing their own prevention plans. This is a great first step in curbing the increase in bullying we are seeing in our schools, and this will lead to increased safety and security for our students."

"This model bullying prevention and intervention plan will guide schools as they develop their own strategies to prevent bullying and respond to it appropriately when it does occur," said Representative Marty Walz, co-chair of the Joint Committee on Education and author of the anti-bullying legislation. "The release of this model plan is an important step toward changing school climates and fostering an environment of respect, but the important work of implementation remains ahead of us. The true success of this model plan will be measured in how well schools successfully prevent bullying."

The state's model plan was created in consultation with the Department of Public Health, the Department of Mental Health, the Massachusetts Office of Attorney General, the Massachusetts District Attorneys' Association, the Massachusetts Aggression Reduction Center, the Massachusetts Advocates for Children, the Massachusetts Association of School Superintendents, principals and other school personnel and parent and advocacy organizations.

School districts, charter schools, approved private special education day and residential schools and collaborative schools must submit a copy of their bullying prevention and intervention plans to the Department by December 31, 2010.

Additional resources, including directions on how to file a plan, are available on the Department's website at http://www.doe.mass.edu/ssce/bullying/.

Last Updated: August 24, 2010

APPENDIX A
SAMPLE BULLYING PREVENTION AND INTERVENTION INCIDENT REPORTING FORM

1. **Name of Reporter/Person Filing the Report:** _____
   (Note: Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report.)

2. **Check whether you are the:** Target of the behavior ☐   Reporter (not the target) ☐

3. **Check whether you are a:** ☐ **Student** ☐ **Staff member (specify role)** _____
   ☐ **Parent** ☐ **Administrator** ☐ **Other (specify)** _____
   Your contact information/telephone number: _____

4. **If student, state your school:** _____ Grade: _____

5. **If staff member, state your school or work site:** _____

6. **Information about the Incident:**

   Name of Target (of behavior): _____

   Name of Aggressor (Person who engaged in the behavior): _____

   Date(s) of Incident(s): _____

   Time When Incident(s) Occurred: _____

   Location of Incident(s) (Be as specific as possible): _____

7. **Witnesses (List people who saw the incident or have information about it):**

   Name: _____   ☐ Student ☐ Staff ☐ Other _____

   Name: _____   ☐ Student ☐ Staff ☐ Other _____

   Name: _____   ☐ Student ☐ Staff ☐ Other _____

8. **Describe the details of the incident (including names of people involved, what occurred, and what each person did and said, including specific words used). Please use additional space on back if necessary.**

FOR ADMINISTRATIVE USE ONLY

9. **Signature of Person Filing this Report:** _____ Date: _____
   (Note: Reports may be filed anonymously.)

10: **Form Given to:** _____ Position: _____ Date: _____

   Signature: _____ Date Received: _____

APPENDIX A
II. INVESTIGATION

1. Investigator(s):_____ Position(s):_____

2. Interviews:

   □ **Interviewed aggressor**   Name: _____ Date: _____

   □ **Interviewed target**   Name: _____ Date: _____

   □ **Interviewed witnesses**   Name: _____ Date: _____

   Name: _____ Date: _____

3. Any prior documented Incidents by the aggressor?   □ Yes □ No

   If yes, have incidents involved target or target group previously?   □ Yes   □ No

   Any previous incidents with findings of BULLYING, RETALIATION   □ Yes   □ No

Summary of Investigation:

(Please use additional paper and attach to this document as needed)

III. CONCLUSIONS FROM THE INVESTIGATION

1. **Finding of bullying or retaliation:**

   □ **YES**   □ **NO**

   □ **Bullying**   □ **Incident documented as** _____

   □ **Retaliation**   □ **Discipline referral only**_____

2. **Contacts:**

   □ **Target's parent/guardian   Date:**_____   □ **Aggressor's parent/guardian   Date:** _____

   □ **District Equity Coordinator (DEC)   Date:** _____   □ **Law Enforcement   Date:** _____

3. **Action Taken:**

   □ **Loss of Privileges**   □ **Detention**   □ **STEP referral**   □ **Suspension**

   □ **Community Service**   □ **Education**   □ **Other** _____

4. **Describe Safety Planning:** _____

   Follow-up with Target: scheduled for _____ **Initial and date when completed:** _____

   Follow-up with Aggressor: scheduled for _____ **Initial and date when completed:** _____

Report forwarded to Principal: Date_____ **Report forwarded to Superintendent: Date**_____
   (If principal was not the investigator)

   Signature and Title: _____ Date: _____