



THE STATE OF BULLYING

What the research
is telling us

Secretary Elizabeth Dudek and Dr. Judy Schaechter

Florida Children and Youth Cabinet Meeting

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Pay attention, get involved, and never, ever look away.

When asked for advice on how to deal with bullying, Barbara Coloroso, author of international bestseller *Kids are Worth It!*, often quotes an anonymous Holocaust survivor who said, "Pay attention, get involved, and never, ever look away."

The lessons we must take from school tragedies over the past several years are the same. Pay attention—bullying occurs in all schools. Get involved—with the bully, the bullied, and the bystander; each has a role. And never look away—grown-ups tend to dismiss bullying, which according to Coloroso is a grave mistake.



BULLYING BY THE NUMBERS

1 out of 4 kids are bullied every month in the U.S.



1 in 10 drops out of school due to repetitive bullying.

160,000

Children stay home from school each day because of fear of bullying.

81% of bullying acts aren't reported to adults.

56% of students have seen bullying in their school.

42% of students admit to having bullied a peer.



CURRENT RESEARCH

In 2011, the U.S. Department of Education conducted an analysis of state bullying laws and policies to paint a picture of how states are addressing this growing concern.

Their research yielded some interesting trends regarding existing bullying laws and policies and the differences in how each state addresses the issue.

Source: <http://www2.ed.gov/rschstat/eval/bullying/state-bullying-laws/state-bullying-laws.pdf>



WHAT IS “BULLYING”?

Bullying- systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees.

It is further defined as: unwanted purposeful written, verbal, nonverbal, or physical behavior, including but not limited to any threatening, insulting, or dehumanizing gesture that unreasonably interferes with the individual’s school performance or participation, is carried out repeatedly and is often characterized by an imbalance of power.



WHAT IS CYBERBULLYING?

Cyberbullying- is the use of the Internet and related technologies to harm other people, in a deliberate, repeated, and harmful manner.

Methods include: persistent text messages/emails, cyberstalking, threats, hate speech or defamatory false accusations posted to online properties such as social media or message boards, posting personal information (name, address, school) online, creating fake accounts to pose as their target, etc.



NATIONAL PERSPECTIVE

- Forty-six states have bullying laws and 45 of those laws direct school districts to adopt bullying policies. However, three of the 46 states prohibit bullying without defining the behavior that is prohibited.
- From 1999 to 2010, more than 120 bills were enacted by state legislatures nationally that have either introduced or amended education or criminal justice statutes to address bullying and related behaviors in schools.
- Thirty-six states include provisions in their education codes prohibiting cyberbullying or bullying using electronic media.



NATIONAL PERSPECTIVE

continued

- Most states frame legislation as law governing “bullying,” “bullying and harassment,” or “bullying, harassment, or intimidation” using terms interchangeably. Nine states distinguish between “bullying” and “harassment” and define them separately under the law. Two states only address “harassment” as it pertains to behavior in schools, with no mention of “bullying.”
- Thirteen states specify that schools have jurisdiction over off-campus bullying behavior if it creates a hostile school environment.



NOTED SHORTCOMINGS

Enumeration of protected groups- Much of the language protected students from being bullied/harassed based on their sex, religion, or race, but there are other lifestyles and demographics that are targeted for bullying.

Investigations and use of written records- Many states place this responsibility on the school district and thus lose visibility on the “big picture” when districts each develop their own unique protocols.

Mental health referrals- Also usually deferred to the school district. This is concerning, given recent studies that show both bullies and their targets are more susceptible to a variety of mental health issues over time.



NOTED SHORTCOMINGS

continued

Transparency and monitoring- This area addresses the frequency and format in which school districts must report their findings to the state. It also covers how a state will conduct reviews and monitor bullying within each school district.

Victim rights to pursue legal remedies- Generally cited a lack of education for students and their families in this area.

Scope- This topic refers to the limitations of schools and school districts in pursuing disciplinary action against bullies as well as the right for targets to seek protection from and legal action against their bullies.



HOW IS FLORIDA DOING?

The findings of the study imply that Florida is keeping pace with and, in some cases, leading the pack when it comes to anti-bullying legislation.

For example, only eight states – Arkansas, California, Delaware, **Florida**, North Dakota, Oklahoma, Oregon and Washington – mandate a formal review of policies at the state or county level.

“The law makes the distribution of safe schools funds to a school district contingent upon the department of education’s approval of the school district’s bullying and harassment policy. The department’s approval of each school district’s policy must be certified by the department and must be “in substantial conformity with the department’s model bullying and harassment policy.” The Florida law further states that starting in fiscal year 2010–11 funds provided to a school district “shall be contingent upon and payable to the school district upon the school district’s compliance with all reporting procedures contained in this section”(Fla. Stat. Ann. §1006.147).”



HOW IS FLORIDA DOING?

The report goes on to commend Florida on its detailed language regarding the data elements and reporting procedures for submitting incident reports:

“One exception is the state of Florida where district bullying policies require the adoption of procedures for reporting incidents of bullying or harassment as part of their uniform school safety and discipline reporting. The law specifically requires districts to report individual incidents and their consequences, including discipline and referrals. The reports also include data on incidents of bullying or harassment that do not meet the criteria of a prohibited act, presumably to provide information to use in assessing the adequacy of definitions. The law requires the department of education to aggregate information contained in the reports and links district compliance with incident reporting requirements to the distribution of safe schools funds (Fla. Stat. Ann. §1006.147).”



HOW IS FLORIDA DOING?

Florida is one of only nine states that has taken the time to define both “bullying” and “harassment.”

This terminology has been set forth to distinguish between to similar, yet distinctly different interactions between students.

These efforts go a long way toward eliminating some of the “grey areas” that tend to come up while attempting to interpret the law.



CURRENT LEGISLATION

2013 Florida House Bill No. 609 – An Act Relating to Bullying in the Public School System *Amending Florida Statutes §1006.147* – Revising the definition of the terms “harassment” and “bullying,” defining the term “cyberbullying” and requiring each school district to incorporate a prohibition on cyberbullying into its policy.

2008 Florida House Bill No. 669 – Jeffrey Johnston Stand Up for All Students Act *Florida Statutes Annotated §1006.07* – District school board duties relating to student discipline and school safety.

2007 Florida Senate Bill No. 114 – An Act Relating to School Safety *Florida Statutes Annotated §1006.147* – Bullying and harassment prohibited. Criminal Code Statutes *Florida Statutes Annotated §784.048* – Stalking, definitions, penalties.



CURRENT LEGISLATION

continued

Consolidated List of Bullying Laws in State Legislative Analysis

Florida Statutes Annotated §1006.07 – District school board duties relating to student discipline and school safety. *Florida Statutes Annotated §1006.147* – Bullying and harassment prohibited.

State Model Policies/Guidance Documents Florida Department of Education Model Policy Against Bullying and Harassment

<http://www.fldoe.org/safeschools/doc/modelpolicy.doc>



CONSIDERATIONS

Enumeration of protected groups- Is the current statutory language comprehensive in addressing each demographic that can be targeted by bullying?

Investigations and use of written records- Explore ways that Florida can standardize investigation and reporting processes throughout the state.

Mental health referrals- Is there a need for more detailed language surrounding mental health referrals in bullying cases? Should they see a school counselor or an external mental health professional? How long should these meetings occur? What sort of documentation should be kept? How can it follow the student through the school system?



CONSIDERATIONS

continued

Transparency and monitoring- Explore ways that Florida can standardize these processes throughout the state.

Victim rights to pursue legal remedies- Current legislation requires that parents/guardians be notified, but should there be mandatory education in this area?

Scope- Where does the scope of a school district end? How does transferring the case to local law enforcement effect the students? How does reporting occur after this transfer?



IMPLEMENTATION REPORT

Jeffrey Johnston **Stand Up for All Students** **Act**

Section 1006.147 Florida Statutes

Florida Department of Education

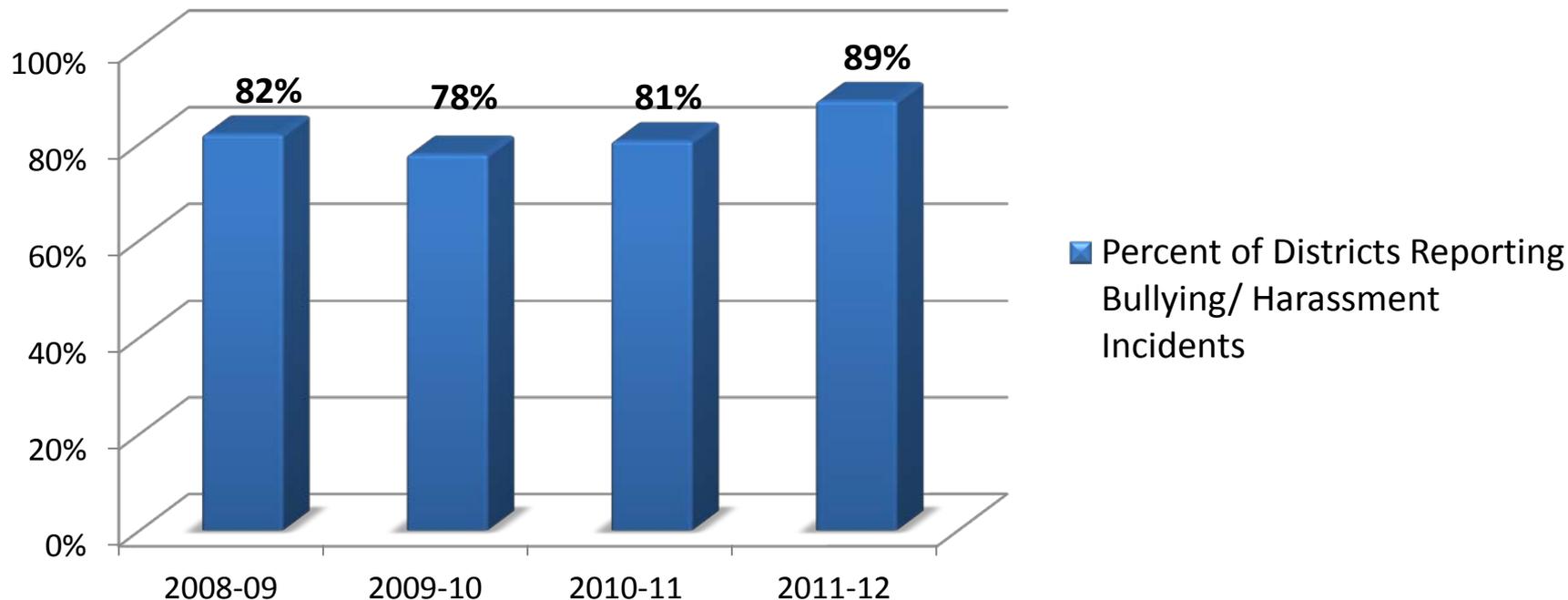
Office of Safe Schools

January 1, 2013



IMPLEMENTATION REPORT

Percent of Districts Reporting Bullying/Harassment Incidents

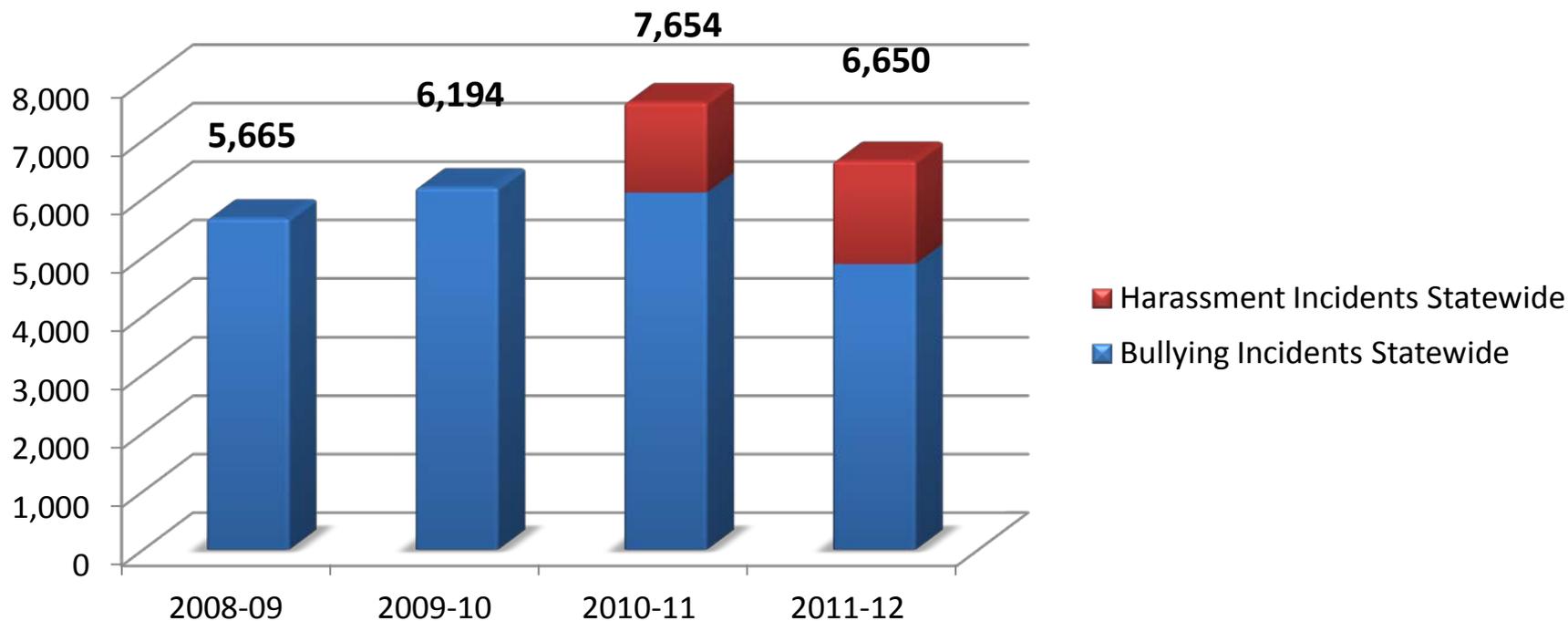


Note: Bullying/Harassment incidents were combined until the 2010-11 school year



IMPLEMENTATION REPORT

Total Bullying/Harassment Incidents in Florida as Reported by Districts



Note: Bullying/Harassment incidents were combined until the 2010-11 school year



IMPLEMENTATION REPORT

Bullying Measures on the Youth Risk Behavior Survey

In 2011, approximately 256,600 Florida public high school students (33%) reported experiencing at least one form of bullying, teasing, name calling in the past 12 months. This means that in 2011, these students had been:

- Bullied on school property
- Electronically bullied
- The victim of teasing or name calling because of their weight, size or physical appearance, and/or
- The victim of teasing or name calling because someone thought they were gay, lesbian or bisexual.



IMPLEMENTATION REPORT

Bullying Measures on the Youth Risk Behavior Survey continued

- In 2011, approximately 110,200 students (14%) were bullied on school property during the past 12 months.
- In 2011, approximately 50,800 students (6.5%) did not go to school on one or more of the past 30 days because they felt unsafe at school or on their way to and from school.
- In 2011, approximately 73,300 students (12.4%) were bullied electronically during the past 12 months.
- In 2011, approximately 174,600 students (22.3%) were victims of teasing or name calling in the past 12 months because of their weight, size or physical appearance.
- In 2011, approximately 73,300 (9.4%) were victims of teasing or name calling in the past 12 months because someone thought they were gay, lesbian or bisexual.



IMPLEMENTATION REPORT

Bullying Measures on the Florida Youth Substance Abuse Survey

- In 2011, approximately 4% of students in grades 6 – 12 skipped school because of bullying.
- In 2011, approximately 27% of students in grades 6 – 12 were taunted or teased.
- In 2011, approximately 8% of students in grades 6 – 12 were victims of cyber bullying.
- In 2011, approximately 4.6% of students in grades 6 – 12 cyber bullied others.
- In 2011, approximately 16.9% of students in grades 6 – 12 verbally bullied others.



WHAT IS BEING DONE?

- In the summer and fall of 2012, the Office of Safe Schools (OSS) provided guidance and technical assistance support to invited school district personnel, law enforcement, and any other interested party. Thirteen school districts and over 2,000 people received training on state and federal legislative requirements and expectations.
- Florida served as a pilot state to offer free training by the National Center on Safe and Supportive Learning Environments to school-, district- and state-level contacts.
- Ongoing technical assistance from the OSS on strategies to effectively address bullying and harassment, and maintain the accuracy and integrity of data reported.
- Launched a new monitoring process in the Spring of 2013 to assess compliance with legislative requirements (currently on-going)

<http://www.fldoe.org/safeschools/monitoring.asp>



WHAT CAN THE CABINET DO?

- Work with state agencies to infuse prevention into each agency's mission.
- Collaborate with school districts to create a comprehensive strategic plan that is integrated across disciplines with an evaluation plan that is outcome driven.
- Increase awareness among youth-serving agencies and organizations (youth of all ages and staff) and families.
 - Encourage the development of prevention and intervention plans.
- Conduct statewide/regional forums on the topic of bullying/prevention that:
 - Bring together school/organizational personnel to share strategies and develop skills,
 - Provide legal case reviews to increase knowledge base, and
 - Educate citizens outside the school system.