

Key Components in State Anti-Bullying Laws, Policies and Regulations

Below is a list of the most common components included in state laws, policies, and regulations. States and local educational agencies (LEAs) should check with their state and local officials to ensure consistency with all applicable federal and state laws.

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.

Definition

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.

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).

Scope

Defines where the law, regulation, or policy applies, for example, stating that the law addresses conduct that occurs on school grounds, 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.

Protected Groups

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.

District Policy Requirement

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.

Reporting and Investigations

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.

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

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.

Consequences

Includes a detailed description of a graduated range of consequences and sanctions for bullying.

Communication of Policy

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

Safeguards and Supports

Includes a procedure for providing safeguards for students who been bullied and/or referring students involved in bullying incidents to counseling and mental and other health services, as appropriate.

Review and Update of Local Policies

Includes a provision for districts to review and update policies on a regular basis and/or requires the state to review local policies to ensure the goals of the state statute are met.

Preventive Education

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

Staff Training

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.

Parent Engagement

Encourages or requires districts to involve parents in bullying prevention and response efforts, for example, by contributing to the development of district policies or by requiring that districts notify parents when a student is involved in a bullying incident.

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