



## **Bullying: Lessons to Combat Cruelty**

United Educators Web Conference  
Reference Materials

Tuesday, July 15, 2008  
1:00 p.m. Eastern Time

Presented by

**Marlene Snyder**

Olweus Bullying Prevention Program  
Institute on Family and Neighborhood Life  
Clemson University

and

**Melanie Keeney**

Tueth, Keeney, Cooper, Mohan & Jackstadt, P.C.

Moderated by

**Karen-Ann Broe**

United Educators

# Contents

<b>PowerPoint Presentation Slides .....</b>	<b>3</b>
<b>Speaker Biographies .....</b>	<b>16</b>
<b>Materials from United Educators</b>	
• “Bullying: Lessons to Combat Cruelty,” by Karen-Ann Broe, <i>Public School News</i> , May 2008 .....	17
<b>Materials from the Olweus Bullying Prevention Program, Institute on Family and Neighborhood Life, Clemson University</b>	
• Similarities and Differences between Rough-and-Tumble Play, Real Fighting, and Bullying.....	27
• Model and Sample Policies on Bullying.....	29
• What Can Adults Do to Prevent and Address Cyber-Bullying? .....	30



## Bullying: Lessons to Combat Cruelty

Web Conference July 15, 2008



### Introduction and Speakers



**Marlene Snyder**  
Olweus Bullying Prevention Program



**Melanie Keeney**  
Tueth, Keeney, Cooper, Mohan & Jackstadt, P.C.



**Karen-Ann Broe**  
United Educators

- I. Overview
- II. Claims and Legal Issues
- III. Prevention
- IV. Intervention
- V. Questions and Answers



[www.stopbullyingnow.hrsa.gov](http://www.stopbullyingnow.hrsa.gov)

How would you rate your school (institution or group) in terms of being a physically and emotionally safe and healthy environment for all students?

- Excellent
- Very Good
- Good
- Poor

- Nearly 1 of 3 students report being bullied at school.
- Students who bully and those who are bullied are more likely to carry a weapon and engage in school violence.
- In a 2005 national survey, 43% of teens reported they were victims of cyber-bullying in the previous year.

- A person is bullied when he or she:
  - is exposed, repeatedly and over time
  - to negative actions on the part of one or more persons; and
  - has difficulty defending himself or herself
- Characterized by three types of aggression: physical, verbal and indirect

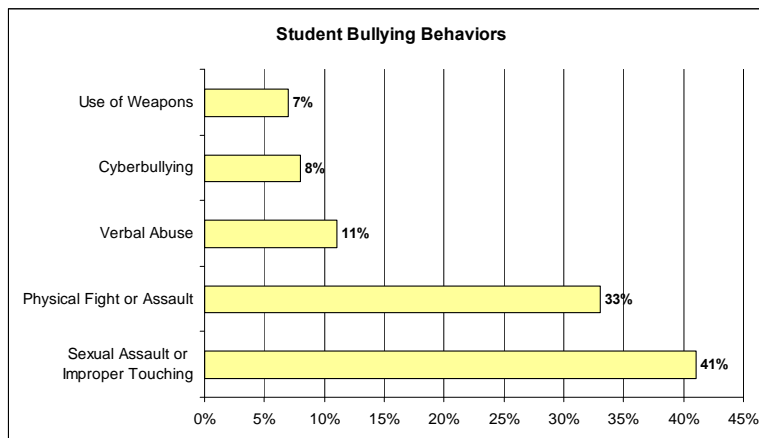
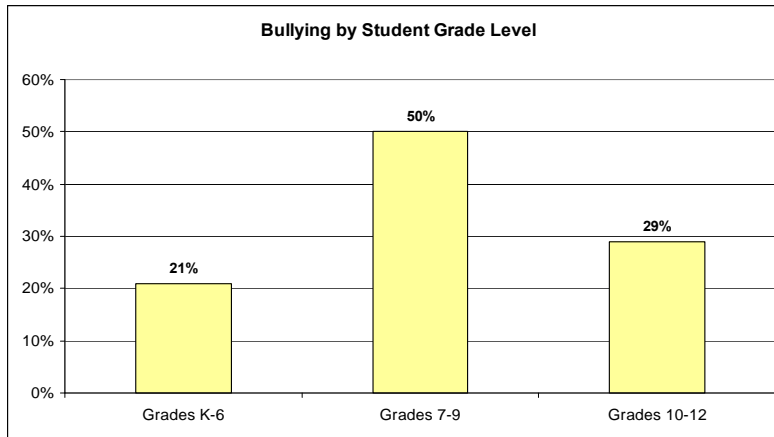
*- Olweus Bullying Prevention Group*

- Children who are bullied
- Children who bully others
- Bystanders
- School environment

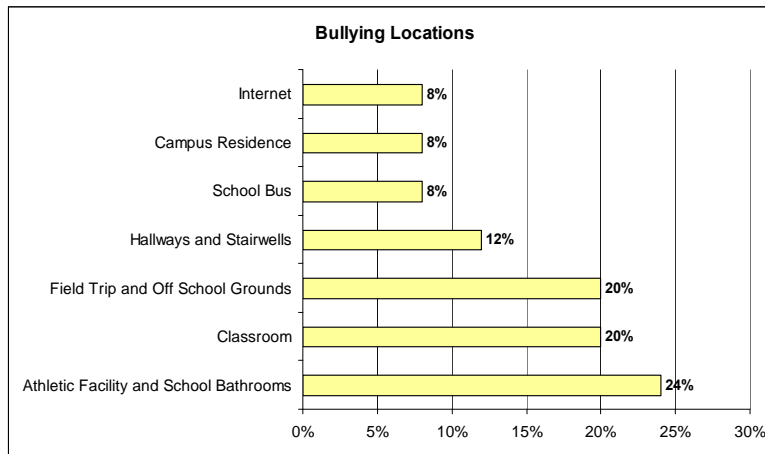


Has your school (institution or group) surveyed any of the following groups to assess the awareness and scope of student bullying?

- Students
- Teachers
- Administrators
- Parents
- Others
- Not aware of survey







- Florida jury orders independent school to pay \$4 million to parents of 7<sup>th</sup> grade student who suffered neurological damage, including a broken arm, in a physical assault by a student bully. (2007).
- Kansas school district agrees to pay \$440,000 to a former student after persistent bullying and harassment from classmates caused him to drop out of school at age 16. (2005).
- Missouri woman indicted on criminal charges for allegedly participating in a MySpace hoax on a 13-year-old girl who later committed suicide. The woman allegedly created a false profile of a boy to see what the girl was saying about the woman's daughter. (2008).

- Common allegations against schools:
  - Negligent by failing to provide safe environment
  - Negligently or intentionally caused emotional distress
  - Permitted discrimination and harassment of the bullied student
  - Violated constitutional rights of students

- Acceptable use policies
- Personal computers and electronic devices
- Off-campus behavior
- Online communications



[www.stopbullyingnow.hrsa.gov](http://www.stopbullyingnow.hrsa.gov)

How often does your school (institution or group) conduct employee training to implement student anti-bullying policies?

- At least once a year
- Once every 2 or more years
- Don't know

### Key components of antibullying policies:

- Statement prohibiting bullying (including cyberbullying)
- Definition of bullying (including cyberbullying)
- Consequences for bullying, including repeat offenses
- Reporting of incidents
- Procedure for resolving complaints

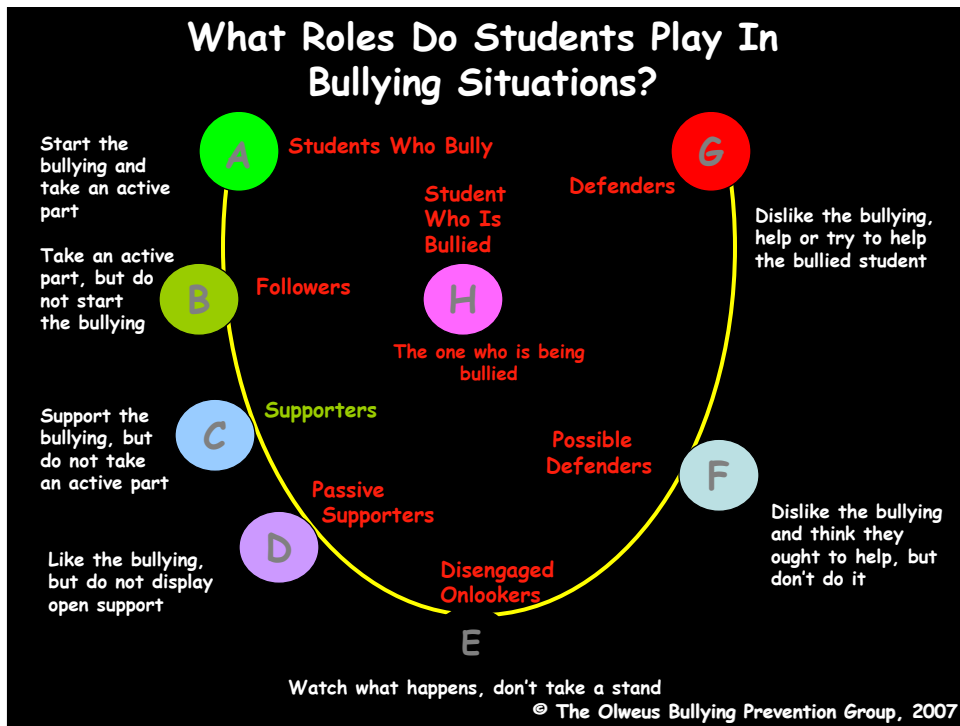
- Brief history
- Community components
- School components
- Classroom components
- Individual components



[www.pathwayscourses.samhsa.gov](http://www.pathwayscourses.samhsa.gov)

Does your school have a process to respond to informal or anonymous reports of student bullying?

- Yes
- No
- Don't know



**UE** United Educators

## Intervention: Case Study

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Lynn, 12 is a new student in school. While he sits alone eating his lunch in the cafeteria, three boys approach and call him “queer” and “gay,” and make fun of his “girlie” name. A teacher overhears the boys. What should she do?

The next day, one of the boys alleges that Lynn brought a handgun to school and threatened to shoot him. What should the school do?



- Complete the online evaluation today.
- Check [www.ue.org](http://www.ue.org) for future web conferences and telephone roundtables.

## Speaker Biographies

**Melanie Gurley Keeney**, Esq. is a founding shareholder of the Tueth, Keeney, Cooper, Mohan & Jackstadt, P.C. law firm located in St. Louis, Missouri and practices in the areas of school, higher education, labor and employment, and immigration law. After obtaining her B.A. from Baylor University, *magna cum laude* and *Phi Beta Kappa*, Melanie earned her J.D. from Washington University School of Law. Her experience in education law includes representing numerous Missouri school districts and institutions of higher education regarding a wide range of personnel and student matters. Melanie also specializes in First Amendment issues, ranging from free speech to religion in the schools, and she regularly advises school districts on these issues. She also serves as an invited speaker at local and national levels and has published articles on education law. Melanie has extensive experience litigating both federal and state cases. Melanie is a past board member of the National School Board Association's Council of School Attorneys and is past Chairman of the Missouri Council of School Attorneys.

**Marlene Snyder**, Ph.D., is the Director of Development for the Olweus Bullying Prevention Program (OBPP), Institute on Family and Neighborhood Life, Clemson University, Clemson, South Carolina. Dr. Snyder is a co-author of the Olweus Bullying Prevention Programs' *Schoolwide Guide*, and *Teacher Guide* and the related program CDs and DVDs (Olweus, Limber, Flerx, Mullin, Riese, Snyder). She serves as a national and international consultant in the areas of bullying prevention and intervention, education and mental health, child welfare, and juvenile justice issues. Dr. Snyder travels extensively for OBPP training of trainers as well as national and international conferences. Dr. Snyder is the founding president of the International Bullying Prevention Association. She has served as a National Board Member for CHADD (Children and Adults with Attention Deficit Disorder). She authored *AD/HD & Driving: A Guide for Parents of Teens with AD/HD*. Marlene's home is in Whitefish, Montana. She may be reached at: 864-710-4562 or nobully@clemson.

**Karen-Ann Broe**, Esq., (moderator) is a Senior Risk Analyst at United Educators. In this position, she authors risk management publications and develops educational programs for K-12 and postsecondary education. Her areas of expertise include student risk and liability issues including mental health, sexual misconduct, discipline, substance abuse, athletics, student rights, discrimination and privacy. Karen-Ann earned a Bachelor's degree in Journalism from the University of Texas at Austin, and a Juris Doctor degree with honors from the Washington College of Law at American University. Her experience prior to joining United Educators included the ownership and management of child care centers, and legal practice with Hogan & Hartson LLP and the governments of the District of Columbia and Montgomery County, Maryland.



# Public School News

## Bullying: Lessons to Combat Cruelty

By Karen-Ann Broe, Senior Risk Analyst, United Educators

Bullying is an age-old form of peer abuse that is generating new concerns. In national surveys, nearly one out of every three children report being bullied at school. Students who bully and those who are victimized are more likely than other children to carry a weapon and engage in other acts of school violence. Many states have responded with new laws to combat bullying in schools, including cyberbullying via the Internet and cell phones.

While schools encounter bullying behaviors every day, our members typically report only the most serious incidents to United Educators. These include bullying in the form of sexual assaults, physical attacks, and severe verbal harassment.

### What Is Bullying?

United Educators studied bullying claims between 2003 and 2007, using the definition developed by Dan Olweus, a leading international expert:

*A person is bullied when he or she is exposed, repeatedly and over time, to negative actions on the part of one or more other persons, and he or she has difficulty defending him or herself.*

As the definition suggests, bullying is a type of peer abuse that injures another person. Bullying acts are often repeated, but they can occur just once. The bully is physically or psychologically stronger than the victimized person, or is perceived to be, sometimes for no other reason than that the bully is not acting alone.

Bullying is characterized by three types of aggression:

- **Physical:** hitting, kicking, shoving, spitting, obscene gestures, and sexual assaults.
- **Verbal:** name calling, threats, taunting, and degrading comments.
- **Indirect:** spreading nasty rumors, excluding someone, getting one person to bully another.

Cyberbullying is a form of indirect bullying. It is often defined as cruelty to others by sending or posting harmful material using the Internet, cell phone, or other electronic technologies. It differs from other forms of bullying in that it occurs at all hours of the day, the messages and images can be distributed instantly to a wide audience, and perpetrators often remain anonymous and difficult to trace.

Bullying can have serious negative effects on everyone involved: bullies, bullied children, those who witness the violence, and the entire school community. Children who bully are more likely than other students to engage in antisocial and delinquent behaviors (for example, vandalism, truancy, and substance abuse) at school and later as adults. Surveys show that bullied children have lower self-esteem and more frequent physical and mental health problems than other children as well as higher rates of absenteeism and lower academic performance. Bullying creates a climate of fear and disrespect in schools.

### UE Claims Study

UE identified 29 claims consisting of one or more of the following: reported incidents, monetary demands, or lawsuits involving the bullying of children ages 18 and under. Chart 1 identifies the most frequently reported bullying behaviors: sexual assaults and improper touching, physical fights or assaults, verbal abuse, cyberbullying, and the use of weapons. "Other" types of behaviors include bullying by cell phone or the Internet or making a threat with a gun.

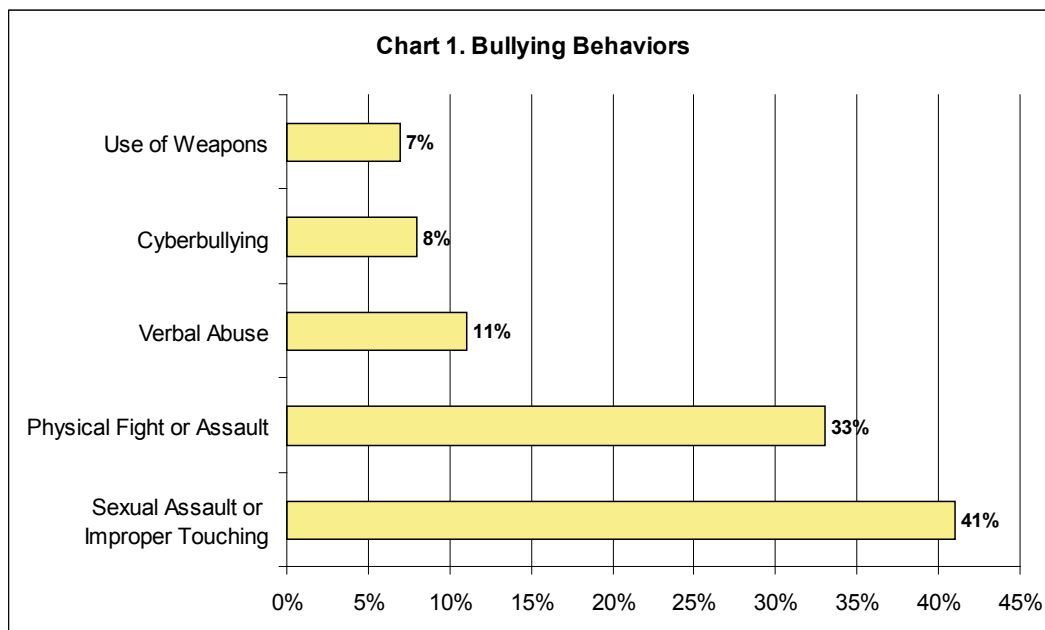
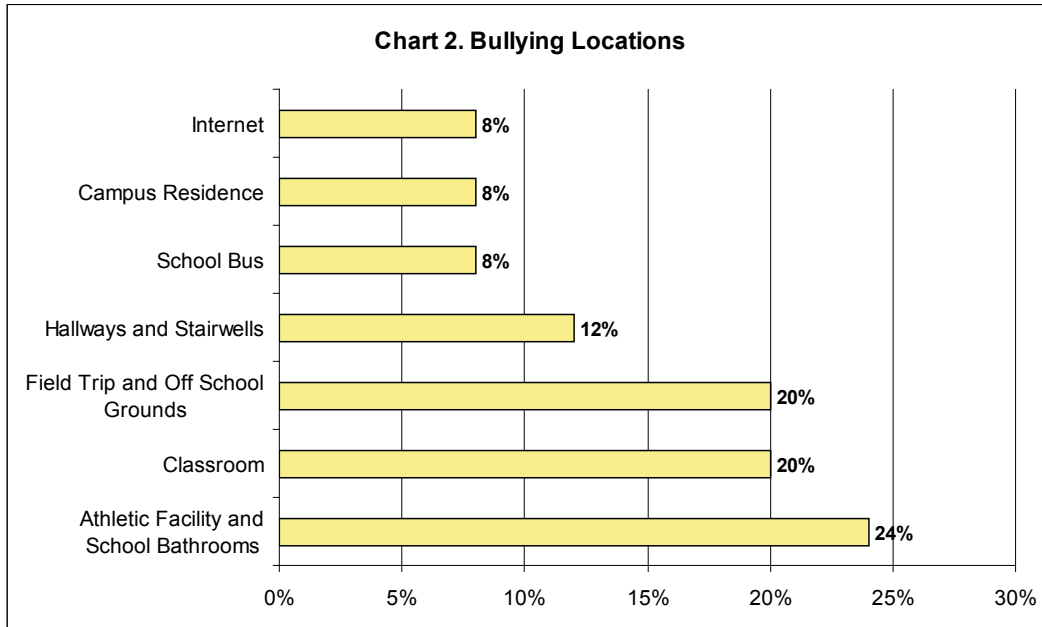
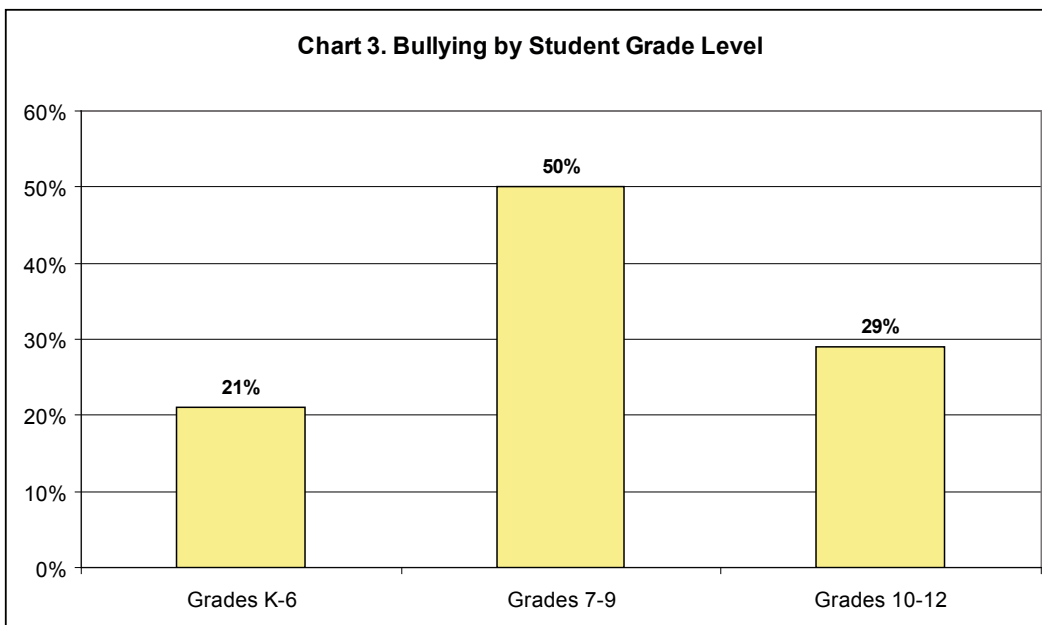


Chart 2 shows where the bullying acts occurred. Of the claims that identified a specific location, bullying occurred most often in school athletic facilities and bathrooms. Next in frequency were incidents during field trips and off school grounds (including student homes) and in school classrooms. The remaining locations identified in the study were school hallways and stairwells, on the Internet, school buses, and for boarding schools, in a campus residence.



As chart 3 shows, half of the bullying incidents reported to UE involved students in grades 7–9. Next most common were bullying in grades 10–12, followed by grades K–6. Boys were identified as the bullies in 26 of the 29 UE claims, and boys were victimized slightly more often than girls.



### Legal Claims

More than one-third of the UE claims involved state or federal lawsuits. In these cases, bullied students and their families alleged that schools and educators

- were negligent by failing to provide a safe environment and protect the students from harm
- negligently or intentionally caused emotional distress
- were responsible for discrimination and harassment of the bullied students based on their race, sex, disability, religion, color, national origin, sexual orientation, or other protected status
- violated the constitutional rights of public school students to equal protection and due process under the law

While several of the claims in the UE study are not yet resolved, UE and its member schools have spent nearly \$3 million in payments to victimized students and legal defense costs to date. Legal defense costs alone in at least two of the cases have each exceeded \$500,000.

## Lessons for Educators

School is a place where children should feel safe, valued, and ready to learn. Based on our claims and research, UE has developed the following fictional scenarios to demonstrate key lessons on how to combat bullying in schools.

### 1. **Adopt and enforce an antibullying policy.**

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The parents of Philip, 14, bring a lawsuit alleging that the middle school failed to protect him from name calling, intimidation, spitting, and fist fights initiated by several boys. The parents believe the school unfairly blamed Philip for several incidents and did not consistently discipline the other students. The school does not have a written antibullying policy. Would the lack of a policy hurt the school's position in this case?

---

Yes. Many states require public schools to adopt written policies that define and prohibit bullying by students. Even without a statutory mandate, all public and independent schools should adopt these policies. The absence of an antibullying policy could be used to establish that a school does not meet the standards for professional practice in education.

Definitions of bullying vary. Most school policies cover physical, verbal, and indirect actions or threats by students that harass, intimidate, or place a student in reasonable fear of personal harm or damage to his property. Policies should also address cyberbullying. (See lesson 2.) Bullying may include the harassment of students on the basis of race, sex, disability, religion, national origin, sexual orientation, gender identity, or other protected status.

The policy may apply to student conduct at school and sponsored functions as well as away from school, especially if it interferes with or substantially disrupts the school environment. It is also important to state the range of disciplinary consequences for bullying, including suspension, expulsion, and as appropriate, reporting of incidents to law enforcement.

To be effective, the antibullying policy must be well written, broadly communicated, and consistently enforced. Schools should incorporate the antibullying rules into all applicable student, staff, and parent handbooks, discipline policies, and student behavior contracts. The

policies should describe the roles and responsibilities of educators and encourage students and parents to report and try to stop bullying incidents. Assistance of legal counsel is highly recommended in drafting these policies.

## 2. Address cyberbullying.

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Farah, 15, wears a hijab, or head scarf, as an expression of her Muslim faith. During a computer class, Melissa opens the school's online yearbook and posts a false student profile referring to Farah as a terrorist and member of Osama bin Laden's family. From home, Melissa's friends send emails and instant messages to other students with similar disparaging comments about Farah. What school policies are necessary to hold Melissa and the other students accountable for their behavior?

---

Nearly all schools have "acceptable use" policies that govern student use of school computers and the Internet. These policies require students and their parents to agree not to create, access, copy, or transmit material that violates the school's code of conduct, such as information that is pornographic, threatening, rude, discriminatory, or meant to bully or harass another student.

Acceptable use policies advise students and their parents that information posted on the school's information networks is not private. School officials must regularly monitor student use of school computers and networks to ensure compliance with acceptable use policies.

In addition to acceptable use policies, schools should consult with their legal counsel to draft cyberbullying policies that apply to students while they are using their personal computers, cell phones, electronic devices, or other means of electronic communication during or away from school.

In this scenario, Melissa's actions in posting the false profile of Farah in the online yearbook would clearly violate the school's acceptable use policies. Melissa's actions may be deemed harassment on the basis of Farah's Muslim religion or national origin. Most schools would impose severe discipline for this type of behavior.

A more complicated question is whether a public or independent school could discipline Melissa's friends for sending the disparaging emails and instant messages while they were at home. The answer depends in part on the type of school in which they are enrolled and the content of their messages. The speech of students in public schools is protected by the First Amendment to the U.S. Constitution. Students in independent schools generally do not receive the same degree of protection.

Courts have approved public school discipline of students for off-campus or online communications that constitute a "true threat" to harm another person or property; are vulgar, lewd, or plainly offensive; or invade the rights of others. Discipline is also permitted if the communications are reasonably likely to cause a substantial disruption to the school environment. Independent schools can also discipline students on these and other grounds, so long as they act reasonably and in accordance with their own policies and enrollment agreements.

### 3. Monitor bullying “hot spots.”

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During an after school program, two 12-year-old boys set up a game of “find and go seek.” They take 7- and 8-year-old boys into the bathroom one at a time during outdoor play periods and tell them to reach into an older boy’s underpants and find a quarter. One of the older boys stands watch outside the bathroom. The 12-year-olds tell the younger boys not to tell anyone about the game. Could the school have prevented these behaviors?

---

Yes. Bullying occurs most often in places with the least adult supervision. In this example, school employees apparently did not regularly monitor the bathrooms. Educators should watch for unusual behaviors such as older boys regularly accompanying younger boys or the same students repeatedly going in and out of the bathroom.

Each school has so-called “hot spots” where bullying is most likely to occur. Typically, these are hallways, stairwells, locker rooms, athletic fields, gymnasiums, bathrooms, and school buses where there is less adult supervision. Bullying is also common during less structured times or on field trips where students room and travel together.

Consider going on a “walking tour” with older, trusted students to identify the areas of school that are less safe. Determine the times of the day and reasons why particular areas are safe or not. Increase the level of adult supervision where bullying is most likely to occur.

### 4. Understand children’s roles in bullying situations.

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Mary, 14, gets straight A’s in school and is viewed by her classmate Cindy as a teacher’s pet. Cindy tells other students that Mary is a “dork,” and they should not talk to her. Some students follow Cindy’s lead and begin calling Mary cruel names to her face and behind her back. Other students were previously friendly with Mary but start avoiding contact with her. Yet, some students feel sorry for Mary and would like to help her but are unsure what to do. Finally, a couple of students try to console Mary and befriend her in various ways. How can teachers address the roles that students play in bullying situations like this one?

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This scenario illustrates the importance of training teachers and educating children on how bullying situations evolve. While Cindy initiates the bullying, there are other students who start bullying Mary because Cindy prompted them to do it. Other students passively support the bullying by avoiding contact with Mary. It is likely that some students notice the bullying and avoid taking a stand, while other students sympathize with Mary but are unsure what to do. Finally, some students seek to help Mary.

It is essential that every school and classroom has rules making it clear that bullying is not tolerated. For example, the Olweus Bullying Prevention Program recommends that teachers encourage students to discuss bullying and agree on the following: (1) They will not bully other students; (2) they will try to help students who are being bullied; (3) they will include in activities those students who are left out; and (4) they will tell a teacher, parent, or other trusted adult when they know someone who is being bullied.

Many bullying prevention programs are based on case studies and activities that help children understand and apply the antibullying rules. Teachers can lead discussions that prompt

understanding of what bullying is and what it is not, and build empathy for bullied students. These conversations help students take a stand against bullying and support other children who need help.

Research indicates that few students who witness bullying tell adults. Teachers need to help students understand that it is not tattling to inform an adult when they witness a student breaking the antibullying rules.

## 5. Intervene in bullying situations.

---

Lynn, 12, is a new student in school. While Lynn sits alone eating his lunch in the cafeteria, three boys walk up and call him “queer” and “gay,” making fun of his “girlie” name. A teacher sees and overhears the boys. What should she do?

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The teacher should immediately intervene. For example, she could stand next to Lynn and repeat what she heard. She would ask the boys whether they were bullying in violation of school rules and then ask them to apologize to Lynn. If a teacher believes it is not safe to handle the situation alone, she could ask another employee or a school resource officer to assist her. In either case, appropriate corrective or disciplinary action should be taken as soon as possible.

Children today often tease or harass one another by using terms like *gay* and *homo*, and by calling a girl “boy” or a boy “girl.” Educators should explain that words such as *gay*, *lesbian*, and *homosexual* are used to describe a category of people who are attracted to the same sex. These and other words describing male and female genders should not be used in a negative way to embarrass another student.

When intervening, educators should support the bullied student and provide assistance if needed, while maintaining his or her dignity. The teacher should also address the roles that other students play in these situations. For example, the teacher can point out how some students are responsible for encouraging the bully or doing nothing when it would have been better to help the bullied student. In addition, teachers need to praise those students who tried to help or support the bullied student.

Schools need to contact parents after bullying incidents. Both the parents of the bully and of the bullied student need to know what happened and discuss the next steps for corrective behavior or support for their children. Invite the parents to work with the teacher and school to respond to any future bullying behaviors involving their children.

## 6. Investigate all threats of violence.

---

Duncan, 11, observes Hank mocking a girl as they exit a school bus. Duncan tells Hank to stop, and they get into a fist fight. After the fight, Hank follows Duncan on his walk home. Duncan goes inside his house and comes outside with a handgun. Hank runs away, and the next day tells his teacher that Duncan threatened to kill him. What should the school do?

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The school must immediately contact the police. Although both students may be at fault, the greatest immediate concern would be Duncan’s access to the handgun and threat to kill Hank. Where a student has access to a deadly weapon or threatens lethal violence, the police

would conduct the threat assessment and criminal investigation. The police and school would coordinate in their interviews of students who witnessed the altercation, teachers and other students who know Duncan and Hank, and their parents.

School officials would likely suspend both students pending the law enforcement investigation. Either or both students may be referred to the juvenile or criminal justice system. The school or court system would likely also refer the students to a psychologist who would assess their mental health and make recommendations regarding their continued enrollment at their present or an alternative school.

State crime reporting laws vary. Most states require schools to report student behavior such as threats of violence, use of a deadly weapon, assault and battery, sexual offenses, robbery, hate crimes, arson, vandalism, and drug or alcohol violations on school property.

## **7. Consider the needs of students with disabilities.**

---

Max, 12, has learning disabilities. Most of his classes are with students who do not have disabilities; however, he spends one period each day in a resource class related to his learning disabilities. On several occasions, male classmates have called him a “retard” and other derogatory names. Recently, Max threw a softball at a student’s head, leading to a fist fight. Max’s parents claim that the school has failed to adequately protect him. What should the school do?

---

A school’s decision of whether to discipline a student with a disability involves special considerations. Research indicates that students with special needs or disabilities are at greater risk of being bullied than most other students. Moreover, it is not unusual for a student who has been victimized to act out and bully other children.

In this scenario, the school’s response will depend in part on whether Max attends a public or independent school. In public schools, the Individuals with Disabilities Education Act (IDEA) governs the provision of education services and discipline for eligible children with disabilities. IDEA requires primary and secondary schools to make available to all eligible children with disabilities a free appropriate public education in the “least restrictive environment” appropriate to their individual needs. An individualized education program (IEP) is developed, and the student is placed in an educational program designed to meet his or her needs.

If Max has an IEP, the school would determine if his conduct of throwing the softball at the other student and getting into a fist fight merited discipline. Among other things, the school would convene the IEP team, including Max’s parents, to determine if his aggressive behavior was related to his disability. The school would not discipline Max for any aggressive behavior that is found to be related to his disability. However, the IEP team may decide that Max needs a change in his education plan as well as counseling and guidance to encourage more positive interactions with other children.

Independent schools are not subject to the IDEA. Section 504 of the Rehabilitation Act provides requirements similar to the IDEA for students in primary, secondary, and postsecondary schools that receive federal financial assistance. Independent schools are also subject to Title III of the Americans with Disabilities Act and state laws that prohibit discrimination and require reasonable accommodations for students with disabilities.



## Ending the Cruelty

Bullying is cruel behavior that harms students and damages schools. Schools can combat it by adopting an antibullying policy and program that is broadly communicated and consistently enforced. All children should feel safe, valued, and respected at school.

## Acknowledgments

United Educators would like to thank the following people for reviewing this article prior to publication: Melanie Gurley Keeney, Esq., of Tueth, Keeney, Cooper, Mohan & Jackstadt, P.C., and Marlene Snyder, director of development, Olweus Bullying Prevention Program, Clemson University.

## Resources

### Center for the Study and Prevention of Violence

Bullying Prevention

[www.colorado.edu/cspv/safeschools/bullying/overview.html](http://www.colorado.edu/cspv/safeschools/bullying/overview.html)

### National Conference of State Legislatures

School Bullying

[www.ncsl.org/programs/educ/bullyingoverview.htm](http://www.ncsl.org/programs/educ/bullyingoverview.htm)

### National School Safety Center

School Bullying

[www.schoolsafety.us/Bullying-p-26.html](http://www.schoolsafety.us/Bullying-p-26.html)

### National Youth Violence Prevention Resource Center

Bullying

[www.safeyouth.org/scripts/topics/bullying.asp](http://www.safeyouth.org/scripts/topics/bullying.asp)

### Olweus Bullying Prevention Program

[www.clemson.edu/olweus/](http://www.clemson.edu/olweus/)

### PACER Center

National Center for Bullying Prevention

[www.pacer.org/bullying/](http://www.pacer.org/bullying/)

### Stop Bullying Now

U.S. Department of Health and Human Services

<http://stopbullyingnow.hrsa.gov/index.asp?area=main>

Storey, Kim, Slaby, Ron, Adler, Melanie, et al. *Eyes on Bullying*. Newton, Mass.: Education Development Center, 2008. [www.eyesonbullying.org/](http://www.eyesonbullying.org/)

U.S. Bureau of Justice Statistics and National Center for Education Statistics. Indicators of School Crime and Safety: 2007. <http://nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2008021>

U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration. The ABCs of Bullying. <http://pathwayscourses.samhsa.gov/>

**Willard, Nancy.** *Educator's Guide to Cyberbullying and Cyberthreats.* Center for Safe and Responsible Use of the Internet, April 2007. [www.cyberbully.org/cyberbully/docs/cbcteducator.pdf](http://www.cyberbully.org/cyberbully/docs/cbcteducator.pdf)

### **United Educators Resources**

"Cyberbullying: Protecting Children in the School Domain," *Public School News*, Issue 2, 2004.  
[www.ue.org/membersonly/getDocument.asp?id=584](http://www.ue.org/membersonly/getDocument.asp?id=584)

"Don't Look Away: Peer Sexual Misconduct in Schools," *Independent School News*, March 2006.  
[www.ue.org/membersonly/getDocument.asp?id=818&date=20060301](http://www.ue.org/membersonly/getDocument.asp?id=818&date=20060301)

"Don't Look Away: Peer Sexual Misconduct in Schools," *Public School News*, March 2006.  
[www.ue.org/membersonly/getDocument.asp?id=822&date=20060915](http://www.ue.org/membersonly/getDocument.asp?id=822&date=20060915)

Random Violence in Educational Settings: A UE Resource Packet for Members, August 2007.  
[www.ue.org/membersonly/getDocument.asp?id=910](http://www.ue.org/membersonly/getDocument.asp?id=910)

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**We welcome your suggestions regarding issues you would like UE to address. Please contact us at [risk@ue.org](mailto:risk@ue.org). For more information about UE, its services, and its policies, please visit our website at [www.ue.org](http://www.ue.org).**

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## Similarities and Differences between Rough-and-Tumble Play, Real Fighting, and Bullying

The table below shows how these three behaviors differ or are similar in characteristics such as the relationship between the participants, the balance of power between them, and the intent of the action.

Characteristics	Rough-and-Tumble Play	Real Fighting	Bullying
<b>Relationship between Parties</b>	Usually friends*	Usually not friends	Usually not friends
<b>Number of Participants</b>	May be two, but often more	Usually two	May be two, but often a group of two to three against one <sup>+</sup>
<b>Balance of Strength or Power</b>	Usually equal (can be deliberately adjusted)	Can vary, but often is relatively equal	Unequal <sup>+</sup>
<b>Expression and Atmosphere</b>	Smiling or neutral face, laughter, friendly*	Staring, serious face with furrowed eyebrows, tense, hostile	<i>The inferior party:</i> often sad, depressed, crying, angry, despairing  <i>The superior party:</i> may vary, but often laughter and scornful smiles; serious, not friendly <sup>+</sup>
<b>Underlying Intention</b>	Friendly, positive*	Negative, aggressive, desire to inflict injury or discomfort	Negative, aggressive, desire to inflict injury or discomfort, to humiliate and insult
<b>Activity Repeated with Same Partner(s)</b>	Often yes	Usually not	Yes <sup>+</sup>

\* Indicates characteristics that primarily distinguish rough-and-tumble play from real fighting and bullying.

+ Indicates characteristics that primarily distinguish bullying and real fighting.

<b>Characteristics</b>	<b>Rough-and-Tumble Play</b>	<b>Real Fighting</b>	<b>Bullying</b>
<b>Role Switching</b>	Yes (who has the superior/inferior position; who "wins" and "loses")*	No	No
<b>Self-Imposed Limiting of Own Strength</b>	Yes, often light blows or only marking of blows; slaps (open fist), use of limited physical force*	No, to a minor degree	No, to a minor degree
<b>Gathering of Curious Bystanders (Spectators)</b>	No, of little interest to those who do not participate themselves*	Yes	Yes, if the bullying is relatively open and visible
<b>Relations Immediately after Episode</b>	The parties often participate in a new, common activity*	The participants leave each other	The participants leave each other

\* Indicates characteristics that primarily distinguish rough-and-tumble play from real fighting and bullying.

+ Indicates characteristics that primarily distinguish bullying and real fighting.

## Model and Sample Policies on Bullying

Although not an exhaustive listing, this chart provides links to various model or sample policies published by state departments of education and state or national organizations. These Web sites were verified in February 2007. Please note that some of the Web addresses will not take you to a Web site but will download a document directly to your computer.

State	Internet Source for Model/Sample Policies
Arkansas	<a href="http://arkedu.state.ar.us/commemos/static/fy0203/attachments/Policy_Writing_Recs.doc">http://arkedu.state.ar.us/commemos/static/fy0203/attachments/Policy_Writing_Recs.doc</a>
California	<a href="http://www.cde.ca.gov/ls/ss/se/samplepolicy.asp">www.cde.ca.gov/ls/ss/se/samplepolicy.asp</a>
Colorado	<a href="http://www.colorado.edu/cspv/safeschools/bullying/bullying_casbpolicy.html">www.colorado.edu/cspv/safeschools/bullying/bullying_casbpolicy.html</a>
Iowa	<a href="http://www.iowasafeschools.org/training.htm">www.iowasafeschools.org/training.htm</a>
Maine	<a href="http://www.maine.gov/education/bullyingprevention/schools.htm">www.maine.gov/education/bullyingprevention/schools.htm</a>
Michigan	<a href="http://www.michigan.gov/documents/ModelCode_75513_7.pdf">www.michigan.gov/documents/ModelCode_75513_7.pdf</a>
Minnesota	<a href="http://battlelake.k12.mn.us/Policies%2006/514.mht">http://battlelake.k12.mn.us/Policies%2006/514.mht</a>
New Jersey	<a href="http://www.state.nj.us/njded/parents/bully.htm">www.state.nj.us/njded/parents/bully.htm</a>
Ohio	<a href="http://www.ebasedprevention.org/uploadedFiles/robbs/Sample_District_policy2(1).doc">www.ebasedprevention.org/uploadedFiles/robbs/Sample_District_policy2(1).doc</a>
Rhode Island	<a href="http://www.ridoe.net/psi/docs/child_family/substance/Bullying%20guidance%20and%20ModelPolicy%2011-21-03.pdf">www.ridoe.net/psi/docs/child_family/substance/Bullying%20guidance%20and%20ModelPolicy%2011-21-03.pdf</a>
Vermont	<a href="http://www.state.vt.us/educ/new/pdfdoc/pgm_safeschools/pubs/bullying_prevention_04.pdf">www.state.vt.us/educ/new/pdfdoc/pgm_safeschools/pubs/bullying_prevention_04.pdf</a>
Virginia	<a href="http://www.doe.virginia.gov/VDOE/Instruction/Sped/stu_conduct.pdf">www.doe.virginia.gov/VDOE/Instruction/Sped/stu_conduct.pdf</a>
Washington	<a href="http://www.k12.wa.us/Safetycenter/LawEnforcement/StudentDiscipline.aspx">www.k12.wa.us/Safetycenter/LawEnforcement/StudentDiscipline.aspx</a>
West Virginia	<a href="http://wvde.state.wv.us/policies/p4373.html">http://wvde.state.wv.us/policies/p4373.html</a>

## What Can Adults Do to Prevent and Address Cyber-Bullying?

Adults seldom are present in the online environments frequented by children and youth. Therefore, it is extremely important that adults pay close attention to cyber-bullying and the activities of children and youth when using these new technologies.

### Suggestions for Parents

#### *Tips to help prevent cyber-bullying:*

- Keep your home computer(s) in easily viewable places, such as a family room or kitchen.
- Talk regularly with your child about online activities he or she is involved in.
  - a. Talk specifically about cyber-bullying and encourage your child to tell you immediately if he or she is the victim of cyber-bullying, cyber-stalking, or other illegal or troublesome online behaviors.
  - b. Encourage your child to tell you if he or she is aware of others who may be the victims of such behavior.
  - c. Explain that cyber-bullying is harmful and unacceptable behavior. Outline your expectations for responsible online behavior and make it clear that there will be consequences for inappropriate behavior.
- Although adults must respect the privacy of children and youth, concerns for your child's safety may sometimes override these privacy concerns. Tell your child that you may review his or her online communications if you think there is reason for concern.
- Consider installing parental control filtering software and/or tracking programs, but don't rely solely on these tools.

#### *Tips for dealing with cyber-bullying that your child has experienced:*

Because cyber-bullying can range from rude comments to lies, impersonations, and threats, your responses may depend on the nature and severity of the cyber-bullying.

*This publication was originally created for "Take a Stand. Lend a Hand. Stop Bullying Now!" a campaign of the Health Resources and Services Administration, the Maternal and Child Health Bureau, and the U.S. Department of Health and Human Services.*

[www.StopBullyingNow.hrsa.gov](http://www.StopBullyingNow.hrsa.gov)

Here are some actions that you may want to take after the fact:

- Strongly encourage your child not to respond to the cyber-bullying.
- Do not erase the messages or pictures. Save these as evidence.
- Try to identify the individual doing the cyber-bullying. Even if the cyber-bully is anonymous (for example, is using a fake name or someone else's identity), there may be a way to track him or her through your Internet service provider. If the cyber-bullying is criminal (or if you suspect that it may be), contact the police and ask them to do the tracking.
- Sending inappropriate language may violate the "terms and conditions" of email services, Internet service providers, Web sites, and cell phone companies. Consider contacting these providers and filing a complaint.
- If the cyber-bullying is coming through email or a cell phone, it may be possible to block future contact from the individual who cyber-bullied. Of course, he or she may assume a different identity and continue the bullying.
- Contact your school. If the cyber-bullying is occurring through your school district's Internet system, school administrators have an obligation to intervene. Even if the cyber-bullying is occurring off campus, make your school administrators aware of the problem. They may be able to help you resolve the cyber-bullying or be watchful for face-to-face bullying.
- Consider contacting the cyber-bully's parents. These parents may be very concerned to learn that their child has been cyber-bullying others, and they may effectively put a stop to the bullying. On the other hand, these parents may react very badly to your contacting them. So, proceed cautiously. If you decide to contact a cyber-bully's parents, communicate with them in writing—not face to face. Present proof of the cyber-bullying (for example, copies of an email message) and ask them to make sure the cyber-bullying stops.
- Consider contacting an attorney in cases of serious cyber-bullying. In some circumstances, civil law permits those who are being bullied to sue a bully or his or her parents in order to recover damages.
- Contact the police if cyber-bullying involves acts such as threats of violence; extortion; obscene or harassing phone calls or text messages; harassment, stalking, or hate crimes; or child pornography.

If you are uncertain if cyber-bullying violates criminal laws, contact your local police, who will advise you.

### Suggestions for Educators

- Educate your students, teachers, and other staff members about cyber-bullying, its dangers, and what to do if someone is cyber-bullied.
- Be sure that your school's anti-bullying rules and policies address cyber-bullying.
- Closely monitor students' use of computers at school.
- Use filtering and tracking software on all school computers, but don't rely solely on this software to screen out cyber-bullying and other problematic online behavior.
- Investigate reports of cyber-bullying immediately. If cyber-bullying occurs through the school district's Internet system, you are obligated to take action. If the cyber-bullying occurs off campus, consider what actions you might take to help address the bullying:
  - a. Notify parents of students who are bullied and parents of students who are known or suspected of cyber-bullying.
  - b. Notify the police if the known or suspected cyber-bullying involves a threat.
  - c. Closely monitor the behavior of the affected students at school for possible bullying.
  - d. Talk with all students about the harms caused by cyber-bullying. Remember, cyber-bullying that occurs off campus can travel like wildfire among your students and can affect how they behave and relate to each other at school.
  - e. Investigate to see if the student or students who have been cyber-bullied could use some support from a school counselor or school-based mental health professional.
- Contact the police immediately if known or suspected cyber-bullying involves acts such as threats of violence, extortion, obscene or harassing phone calls or text messages, or harassment, stalking, or hate crimes.

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