

BULLYING IN ALABAMA

Certified Public Manager® Program
CPM Solutions Alabama 2017



SummaSource
at AUBURN MONTGOMERY

Solutions That Drive Success

CONTENTS

BULLYING IN ALABAMA TEAM MEMBERS.....3
ACKNOWLEDGEMENTS 4
INTRODUCTION5
WHAT IS BULLYING.....5
HISTORY OF BULLYING 6
THE PARTICIPANTS.....7
BULLYING BY GRADE LEVEL10
LONG-TERM EFFECTS..... 11
CULTURAL RESPONSE TO BULLYING12
LEGAL ASPECT OF SCHOOL BULLYING.....14
EXISTING ANTI-BULLYING PROGRAMS AND EFFORTS IN ALABAMA18
RECOMMENDATIONS 24
REFERENCES27
APPENDIX 33

Alabama Department of Corrections

Jelene Franklin

Alabama Department of Finance

Matthew Morgan

Alabama Department of Insurance

Todrick Burks

Alabama Department of Revenue

Lashena Davis

Jameka Elder

Danny Hanson

Sarah Johnson

Chilton County Board of Education

LaVerne Williams

Retirement Systems of Alabama

Inez Larkin

Valerie Summers

Erica Thomas

Jennifer Tritz

ACKNOWLEDGEMENTS

The **Bullying in Alabama** project team members would like to thank the following people and organizations for providing their assistance and support throughout this project.

Melanie Beasley and Shea Muller, Family Sunshine Center – River Region Respect Others Create Kindness program (R.O.C.K.), Montgomery, AL

Emily Cheatwood and Liz Wilson, Hand in Paw, Birmingham, AL

Officer Dennis Cobb, Headland Police Department, Headland, AL

Rebecca Ellis, Cole Ellis Foundation, Montgomery, AL

Ashley Foster, American Foundation for Suicide Prevention, Birmingham, AL

Dr. Jackie Hester, Assistant Principal, New Hope Elementary, New Hope, AL

Timothy Tyler, Deputy District Attorney, Montgomery Co. District Attorney's Office, Montgomery, AL

INTRODUCTION

Sticks and stones may break my bones but words will never hurt me. Everyone has heard this phrase, but is it true? Research and victim accounts are continuing to prove this phrase to be false by showing the link between verbal abuse and emotional, psychological, and even physical harm to the victim. The Bullying in Alabama Team was tasked with researching how Alabama defines bullying, determining the prevalence of bullying in Alabama compared to other states, and identifying resources that exist to educate adolescents about bullying. The Bullying in Alabama Team was also charged with evaluating and recommending new strategies to reduce bullying.

WHAT IS BULLYING

The definition of bullying varies depending on the resource, and it overlaps with many other types of aggressive behavior. Researchers generally agree that all bullying is aggressive, but not all aggressive behavior is bullying. It is important to note that the term bullying is primarily applied to children, as there are many other labels used for aggressive adult behavior.

The Centers for Disease Control and Prevention (CDC) defines bullying as *any **unwanted aggressive behavior(s)** by another youth or group of youths who are not siblings or current dating partners that involves an **observed or perceived power imbalance and is repeated multiple times or is highly likely to be repeated.** Bullying may inflict harm or distress on the targeted youth including physical, psychological, social, or educational harm* (Centers for Disease Control and Prevention, 2016).

Physical Bullying. Physical bullying, which includes hitting, shoving, tripping, or using other physical force to harm someone, is one of the least prevalent forms of bullying. It is more common for boys to engage in physical bullying than girls; boys are more prone than girls to react impulsively in a physical manner (Gordon, 2016). This makes it easier to identify this type of bullying by boys.

Verbal Bullying. Verbal bullying is one of the most common types of bullying and includes hurtful comments, teasing, or name-calling. This is a common occurrence among boys and girls, and there is a great deal of disagreement about where normal childhood teasing ends and bullying begins. Most observers agree that teasing or name calling has escalated from normal behavior to bullying when the offender has the intention of hurting the victim or a victim is upset by the behavior and the offender will not stop.

Social Bullying. Social bullying is particularly common among females and includes activities such as excluding others from a group or activities, breaking up friendships, or spreading rumors. With young females, this often includes activities such as pretending the victim is invisible or

that the bully cannot see or hear her. With older females, this may include rumors about sexual activity. Boys and girls tend to form groups around a bully leader, and girls are especially prone to compete within a clique for social status. Girls are more apt to plan bullying and disguise their behavior, therefore, the behavior may be covert and more difficult to discern than it is with boys (Gordon, 2016).

Cyberbullying. Cyberbullying is an extension of verbal and social bullying that has increased exponentially and is becoming the most common type of bullying. The (CDC) defines cyberbullying as *electronic aggression or bullying that occurs through technology such as through e-mail, a chat room, instant messaging, websites, text messaging, or videos or pictures posted through websites or sent via cell phone* (Centers for Disease Control and Prevention, 2016). Cyberbullying is the term used specifically when both the bully and the victim are minors. When adults are involved, it is cyber-harassment or cyber-stalking. Cyberbullying can be the most severe type of bullying as it offers quick distribution of the information with the largest audience and the biggest impact on the victim. One of the biggest problems with social media is that it was designed for adults but is being utilized by children. Particularly with young children and those in middle school, the frontal cortex is not fully developed, and they lack the maturity to manage the temptations and consequences that come with social media use (Hempe, 2017). Cyberbullying also offers bullies some degree of anonymity in the sense that they do not have to face their victims and they may post or send some information anonymously. Even if a bully uses a personal account, it is very difficult to hold them accountable or prove that the information was posted or sent by that individual.

HISTORY OF BULLYING

Although the scientific study of bullying is relatively recent, humans are born with a survival instinct, so we have no reason to believe that bullying has not always existed. Like humans, other primates live in groups and establish hierarchies within those groups. There is a competition for resources and a constant desire to move up in the hierarchy; this results in bullying to manipulate behavior, obtain resources, and gain social status.

Research on peer aggression has been available since the late 1800s, but significant data on “bullying” was not published until the 1970s. Dan Olweus studied peer aggression and, when his published work was translated into English, chose the word “bullying” to describe a distinct form of interpersonal aggression. There were fewer than 190 peer-reviewed articles published on bullying from 1980-2000 but over 600 published between 2000 and 2010 (Cook, Williams, Guerra, Kim, & Sadek, 2010).

It is natural for children to tease each other, push someone, or otherwise be unkind as they learn how to communicate their feelings and determine where they fit into the social hierarchy. People have historically accepted the idea that “children will be children” when it comes to bullying.

There are several notable catalysts that have helped change this perception and made people aware of the seriousness of bullying.

- In the 1970s, Dan Olweus brought attention to the issue of bullying and the negative effects that it had on children for decades to follow.
- School bullying became linked to serious consequences such as suicides and school shootings. Research of school shooters showed that approximately 66% of the shooters felt bullied or harassed prior to the shooting (www.stopbullying.gov, n.d.).
- The Information Age has made formerly private information public, offering more material for bullies to use against victims. Cyberbullying provides a larger audience with more impact and is more prevalent as almost everyone has access to the internet and personal electronic devices. With less accountability and the opportunity to be anonymous, this is a particularly volatile type of bullying.

THE PARTICIPANTS

Research by Cook, Williams, Guerra, Kim, & Sadek (2010) found that children who lack social problem-solving skills are more likely than others to bully or be victimized by bullies. Moore, Huebner, and Hills (2012) found that parental status influenced the likelihood of victimization and bullying. Specifically, if the biological parents were divorced or unmarried or the parents were not living together, the student was more likely to be a bully or a victim. They also found that bullies and victims had lower life satisfaction than peers who did not participate in the bullying process. Everyone who is involved in bullying, whether the bully, the victim, or a bystander, is impacted by bullying. They each have a different role in the process.

Bullies. The stereotypical “marginalized” bully has low self-esteem, ineffective problem-solving skills, and negative attitudes about himself or herself and others. Many refer to this individual as a bully-victim or provocative bully because he or she bullies and is a victim of bullying. This individual has a limited, if any, social network. This bully may be the easiest to spot, however, this is the least common type of bully.

Bullies who are socially intelligent have a higher social status in their peer group, and their bullying behavior is reinforced by the support of their peers. Peers are more accepting of this bully’s behavior because they recognize the bully’s status in the group and desire to win favor with the bully to move up in the social group. This does not necessarily mean that this bully is well-liked. It just means that peers acknowledge that he or she is popular and they do not want to take any action that might negatively affect their status in the group. This bully may victimize others because he or she feels entitled to do it.

There is no single cause of bullying; research indicates that many factors influence the likelihood of a child becoming a bully. As mentioned previously, some bullies have low self-esteem and ineffective problem-solving skills which result in inappropriate actions to deal with their

problems. Some bullying is learned, as we know that parents who bully are more likely to have children who bully (Bullying in today's society, 2017). According to Baldry (2003), girls who witnessed one parent's violence against another were some of the most likely children to become bullies.

Olweus' work reveals that male bullies have a tendency to be stronger than other boys while male victims tend to be smaller and weaker. With modern technology, the bully no longer has to be bigger or stronger than the victim. According to Olweus (1993), bullies and typical victims tend to exhibit specific characteristics including impulsivity, anger, a need for domination, and a lack of empathy. Much of the current research agrees with his assessment. According to stopbullying.gov (n.d.), students who bully are more likely to abuse alcohol and drugs, drop out of school, be involved in fights, vandalize property, and become sexually active at a young age.

Victims. Most resources indicate that approximately 30% of students are victims of school bullying (Stopbullying.gov, n.d.), although there is a great deal of inconsistency in the statistics due to variation in the definition and subjective interpretation of bullying. It would be difficult to find any students who have not experienced name-calling or mean behavior, but an occasional experience does not normally qualify as bullying.

Olweus (1993) reported that victims tend to be shy, quiet, sensitive, withdrawn, have low self-esteem, and are prone to depression and suicidal ideation. Generally speaking, students who are perceived as being different than "normal" are the most likely victims of bullying. Any students with low self-esteem make easy targets for bullies because they are unlikely to stand up for themselves. Disabled students are particularly vulnerable to bullying because they may be unable to defend themselves. Alabama Disabilities Advocacy Program reports that disabled students are two to three times more likely than their peers to be victims of bullying (Bullying of youth with disabilities, n.d.). BullyingStatistics.org reported that students who are lesbian, gay, bisexual, transgender, and questioning/queer (LGBTQ) or perceived as LGBTQ are three times more likely than peers to be victims of bullying (Bullyingstatistics.org, n.d.). The Gay Lesbian Straight Education Network (GLSEN) 2015 National School Climate Survey found that Alabama secondary schools were not safe for most LGBTQ students and only 3% of students surveyed indicated that their school had specific protections based on gender identity or sexual orientation. (GLSEN, 2015). Alabama's Student Harassment Prevention Act includes "sex" as a protected classification, but does not mention gender identity or sexual orientation (Code of Alabama, § 16-28B-1 et. seq.). Stopbullying.gov (n.d.) reports that students with low economic status are more likely than students from wealthy families to be bullied. Specifically, communities with a large gap between the wealthy and the poor have the highest rates of victimization.

Research indicates that among other types of peer aggression or peer victimization, victims of bullying experience more significant issues with life satisfaction, physical health, school adjustment, happiness, and hope (Felix, Sharkey, Green, Furlong, & Tanigawa, 2011). Wallethub.com (Bernardo, 2016) states that every day 160,000 children do not attend school because they fear bullying. Stopbullying.gov (n.d.) states that victims of bullying are more likely to experience depression, anxiety, loneliness, medical ailments, changes in their sleeping and eating patterns, and loss of interest in activities they previously enjoyed. They are also more likely to miss days of school, have decreased academic

achievement, and drop out of school. Donaghue, Almeida, Brandwein, Rocha, & Callahan (2014) found that, when surveyed, most middle school students indicated that they would get support from others or use “adaptive approach strategies” if they were bullied. Those who had been bullied within the last month were more likely to indicate that they would use “maladaptive avoidance” if victimized in the future. In essence, middle schoolers tend to believe that they will be able to handle the situation if they are bullied, but those who have been bullied internalize their status as a victim. Victims who are chronically bullied begin to internalize that they are powerless.

One of the most severe victim reactions to bullying is *Bullycide*- suicide as a response to bullying. Victims of bullying are two to nine times more likely than non-victims to consider suicide (Bullying-suicide link, 2008). Children and teens who struggle with intense physical and emotional development and experience victimization are likely to struggle the most. Adults who experience victimization can often remove themselves from the situation, for example, by leaving a bad relationship or finding a new job. However, children are required to attend school, and some feel that the only way they can escape victimization is to end their own lives. They lack the maturity and life experience to understand that there is hope for a better future.

Bystanders. Peers are present in most bullying incidents; there is some variation in the statistics depending on the research, but Pepler, D., Craig, W., & O’Connell, P. (2010) reported that peers

According to Bullyingstatistics.org

- 30% of children report being a bully or a victim of bullying
- 25% of children report being bullied on a regular basis
- Children in grades 6 through 10 are the most likely to experience bullying
- 85% of school bullying incidents are not addressed by educators or administrators
- 80% of high school students report being bullied online
- 90% of LGBTQ teens report being bullied

are present in as many as 85% of incidents. A bystander's reaction significantly impacts the repetition of the bullying. If bystanders laugh or if they do nothing when they witness the behavior, they encourage the bullying. When bystanders take action, it reduces the bully's power (Gourneau, 2012). According to Stopbullying.gov (n.d.), children who witness bullying are more likely to have mental health problems, depression, and anxiety. They also have an increased use of alcohol, tobacco, or other drugs and are more prone to miss or skip school.

BULLYING BY GRADE LEVEL

Elementary School. Bullying exists in elementary school but is significantly less prevalent than in middle school (Bullying in elementary school, 2015). It can be difficult to label bullying at this age because a key element to bullying is that it is intentional. Despite the fact that children in this age group generally have the cognitive ability to understand how their actions make other people feel, they are not fully capable of distinguishing between teasing and bullying. Young children may exhibit behavior that would be labeled as bullying in older children, but without the intentionality of the act, it may not be appropriate to label it as bullying. Elementary aged children are learning to regulate their emotions, and educators tend to focus on teaching them to be kind to each other, rather than label bullying. Once a child is labeled as a bully, it impacts how the child thinks about himself and how other children think about him. (Reiney, E & Limber, S, 2013).

Bullies can target elementary aged children for various reasons. Veenstra, Lindenberg, Munniksmma, and Dijkstra (2010) found that preadolescent bullies are prone to target the least popular peers, so their peers will support their behavior. Bullying can begin at any age, and even children as young as two years old may show tendencies toward bullying. While bullying in elementary school is not new, it is becoming more violent in nature. The rise in elementary school bullying is even causing some parents to pull their children out of public schools (Bullying in elementary school, 2015). Rodkin, Farmer, Pearl & Van Acker (2000 and 2006) reported that despite the common belief that bullies are insecure individuals with poor self-images, elementary-aged highly aggressive boys may be among the most popular children.

Middle School. According to the CDC (2011), the majority of bullying occurs during middle school. Children are thrust into a new competition for social status as they are surrounded by new, older, peers when elementary schools feed into middle schools. In elementary school, they were the oldest and, presumably, the biggest children. Now in middle school, they are the youngest and smallest children. Particularly in school systems that put sixth graders in the same school as eighth graders, an opportunity is created for eighth graders to become bullies of sixth graders. At this age, children are coping with rapid physical development and increased academic and social competition. They have the strongest desire to be accepted and find their place in the social hierarchy. They are paying close attention to the appearance and behavior of their peers and quickly spot the students who are "different" than everyone else. Research

indicates that the majority of middle-schoolers are bullies because they are trying to become popular with their peers (American Psychological Association, 2014) and bullies are among the most popular students in school (Thunfors & Cornell, 2008). Wright (2015) found that among eighth-grade victims, there was a strong correlation to poor academic performance, absenteeism, and school behavior problems a year and a half after cyberbullying and cyber victimization occurred. For students with higher levels of victimization, the correlation was even stronger.

High School. High school bullying may be harder to detect than bullying at younger ages as teens become more sophisticated in their approach to bullying. High school bullying is different from middle school bullying in that it often occurs by packs of teens and is most likely to occur as emotional bullying, including cyberbullying (The unique nature of bullying in high school, 2015). High school students have significantly more interactions with each other without adult supervision. This opens the door for a new list of undesirable behaviors which may overlap with, but be even more severe than, bullying. These may include dating violence, hazing, stalking, or sexual harassment. Most high schools house ninth through twelfth grades, and this increases the risk for younger, smaller teens in the ninth grade to be bullied by the older, larger teens in higher grades. There is a significant difference in the physical and emotional maturity of a ninth grade student who has just finished middle school and a twelfth grader, creating an opportunity for bullying. High school bullies, especially smart ones, have had many years to cultivate their ability to manipulate their peers and they continue to do it in high school because they escaped any consequences from it when they were younger (The unique nature of bullying in high school, 2015). Bullying is an easy way for teens to achieve social dominance.

LONG-TERM EFFECTS

The majority of research regarding bullies and victims has found long-term effects lasting into adulthood. According to data collected by Nobullying.com (n.d.), 40% of male middle and high school bullies continued to be abusive and violent by the age of 30. Stopbullying.gov (n.d.) reports that student bullies are more likely to have criminal convictions and traffic violations as well as be abusive toward children and romantic partners as adults. Bullyingstatistics.org (n.d.) states that workplace bullying (more commonly referred to as harassment) most frequently occurs by those who were bullied as children. As adults, they may attempt to exert their dominance over those that they perceive as weak or threatening to them.

Stopbullying.gov (n.d.) found that some of the symptoms that victims experience in childhood (e.g. depression, anxiety, sadness, and loneliness) persist into adulthood. In a 20-year longitudinal study of 1,420 youth starting at ages nine, eleven, and thirteen, researchers found long-term psychiatric disorders in those who had been victims, bullies, or both (Copeland, Wolke, Angold, & Costello, 2013). Even after controlling for childhood psychiatric disorders and family hardships, victims continued to have increased rates of agoraphobia, depression, generalized anxiety, and panic disorder. Bullies were found to have elevated rates of antisocial personality

disorder. However, bullies did not have difficulty with emotional functioning as adults, which many researchers agree is because they held all of the power in childhood relationships. Bully-victims were found to have higher rates of adult depression, panic disorder, agoraphobia (females only) and suicidal ideation (males only).

The American Academy of Pediatrics (AAP) published a special supplement focusing on bullying. Their research explored why bullying has traditionally been treated as a normal childhood experience that children must learn to deal with on their own. The AAP found that being victimized as a child can cause serious mental and physical health consequences, some of which continue into adult life. Therefore, as advocates for children's health, AAP sees tolerance of bullying as an ethical problem that demands attention. The AAP questions why bullying remains so difficult to prevent or control despite the increased awareness of the long-term effects of bullying (Lantos & Halpern, 2015). In their research, the AAP started to see bullying as a demonstration of the types of social hierarchies that are common in all human societies in which dominant members of the society are given special privileges, including the right to exploit and perhaps insult those who are lower in the hierarchy. The AAP has raised the idea that instead of asking why bullying persists, we must ask how we can overcome our tendency toward forming social pecking orders and dominant and subordinate roles (Lantos & Halpern, 2015).

CULTURAL RESPONSE TO BULLYING

Bullying can create a culture of fear. Students who experience or witness bullying may become reluctant to attend school and feel powerless or fearful. These victims or bystanders often feel guilty for not acting when they see someone being bullied and may have an increase in mental health problems such as depression and anxiety. Students who witness bullying have also shown an increase in the use of drugs such as tobacco and alcohol (The impact of bullying, 2013).

Although all U.S. states have laws against bullying or harassment and attitudes about bullying have changed in recent times, there is still a small degree of acceptance of bullying behavior, and most bullies go unpunished. In some cases, the victims who report the bullying are punished (Lantos & Halpern, 2015). Sometimes the easiest response for the school system is to transfer the victim to another classroom or make changes to their schedule. While this may remove the victim from the bully's path, it may be perceived as a punishment to the victim. When a victim responds to bullying by fighting back, he or she may be punished for fighting. In other cases, victims are blamed for causing the bullying behavior because of their actions, such as the way they dress or act.

If schools do not take action and bullying continues, the whole school's culture can be affected negatively. Allowing bullying to continue has a negative impact on students' ability to learn, parent's confidence in the school, and retention of staff. The school develops an environment of

fear and disrespect. Students may begin to dislike school and believe teachers and other officials have little control and do not care about them (The impact of bullying, 2013).

It is not surprising that children think it is acceptable to bully others because that is what they see from adults. “All those ingredients that go into bullying - power, domination, disregard for others, lack of empathy, win at all cost attitudes, blame, shame, discrimination, bigotry, group harassment, the persecution of those seen as different - all these memes can be found in ample supply throughout our society (Social and cultural causes of bullying, n.d.)”

Research suggests that the amount of violent content children are exposed to via television, movies, or video games may make some children and teens more aggressive (Gentile, 2014). Children are constantly exposed to bullying and socially aggressive behavior and, in many cases, it is portrayed as comedy through popular cartoon television shows such as *The Simpsons*, *Family Guy*, or *Rugrats*. Children and adolescents may have trouble differentiating between what is real and what is entertainment; they may copy negative behaviors. Adolescent programming, such as *Pretty Little Liars*, portrays extreme bullying as a normal behavior. Reality shows such as *Survivor*, *Hell's Kitchen*, or *The Apprentice* encourage backstabbing, bullying, manipulation, and other aggressive behavior to be successful. While it is not likely that watching a single episode of bullying on television would cause someone to become a bully, a lifetime of exposure to that type of behavior in the media would likely permeate our beliefs of what is acceptable behavior.

In contrast, some celebrities have used their fame to bring attention to the problem of bullying. Lady Gaga co-founded the Born This Way Foundation which includes youth programs dedicated to teaching kindness and reducing online harassment; her website also provides links to mental health resources (<https://bornthisway.foundation/>). Ellen DeGeneres has been an outspoken supporter of LGBTQ rights and has supported anti-bullying efforts on her television show and website (www.ellentv.com). She supported Unity Day (a day against bullying) and fought to change the rating of the 2012 documentary *Bully* from R to PG-13 so it could be shown in schools. The powerful documentary shares the stories of five students who experienced bullying, two of which resulted in suicide, but the initial rating of R prevented teens from seeing it until it was changed to PG-13.

When comparing bullying in different countries, the total wealth or poverty of a country did not affect bullying rates. However, the highest rates of bullying were seen in schools and countries with the highest disparity of wealth. Variations between countries and schools indicate that bullying is not a normal adolescent behavior, but a reflection of the social environment that needs to be taken into account when planning prevention and intervention strategies. It is important to note that socioeconomic status explained some differences in bullying rates but did not account for all of it. Elements such as legal protection for children and differences in disciplinary measures may also play a part (Kakarla, 2012).

Statistics also show that twenty-five percent of teachers see nothing wrong with bullying and as a result intervene in only 4% of bullying incidents (Lantos & Halpern, 2015). As noted By Dr. Deborah Temkin, Director of Education Research at Child Trends, most state laws only require the adoption of a bullying-prevention policy which means the laws will essentially do nothing to prevent bullying if schools do not comply with their state's law (Temkin, 2015).

LEGAL ASPECT OF SCHOOL BULLYING

How can kindness be legislated in schools? Protecting students from school bullying is complicated. Laws protect students, but they also add additional responsibilities to the already over-worked school employees and open up school systems to expensive litigation. Defining bullying in the law is also difficult. There has been a distinct difference between the definitions of bullying that are provided by scholars and those that are included in laws. Researchers have acknowledged bullying as a specific type of interpersonal aggression, and they typically focus on the perceived imbalance of power between the bully and victim. There is currently no federal law that specifically addresses school bullying, although there are several federal statutes that prohibit harassment based on sex, race, color, national origin, religion, or disability, and those have been used as the basis for litigation in bullying cases.

Federal Laws Related to Bullying. Since the early 1990s, there has been a dramatic increase in litigation related to school bullying; many of the complaints have been based on the 14th Amendment (due process and equal protection) and Title IX of the Education Amendments of 1972 (gender equality in education). Other related federal laws include Title VI of the Civil Rights Act of 1964 (prohibits discrimination based on race, color, or national origin), the Rehabilitation Act of 1973 (prohibits discrimination based on disabilities in federally funded programs), the Americans with Disabilities Act (equal access to public programs for those with disabilities), and Individuals with Disabilities Education Act (special education services for students with disabilities). In terms of school bullying, each of these laws provides that the protected individuals must be afforded the same education, opportunities, and legal protections as other students (**see appendix**). When these protected individuals experience school bullying, it may impair or limit their educational experience or may prevent them from participation or attendance. However, it is important to note that none of these laws restrict free speech under the First Amendment. It is imperative that educational institutions provide an environment where harassment is not welcome, and students are encouraged to be respectful when expressing differing viewpoints.

Alabama Laws Related to Bullying. In 1927, Alabama enacted a law requiring each local board of education to provide a written policy of appropriate school behavior (*Code of Alabama of 1975*, §16-28-12). It has been modified numerous times, and, while it is not specific to bullying, it sanctions punishment or fines for parents or guardians who do not require their children to comply with school rules, including harassment of other students. It also provides punishment

for principals and superintendents who fail to properly report misbehaviors. Some Alabama school systems include this information on their websites or in the code of conduct.

Alabama enacted anti-hazing legislation in 1981 which protects students from striking, beating, bruising, or maiming in connection with their initiation into an organization (*Code of Alabama of 1975*, §16-1-23). The law specifically states that hazing related to initiation is prohibited regardless of whether it occurs on or off campus. Persons who are found guilty of hazing may be imprisoned for up to three months or charged a \$500 fine.

In 2009, Alabama passed the *Student Harassment Prevention Act*; unlike most states, the word *bully* is not within the text of the law (*Code of Alabama of 1975*, §16-28B). The law prohibits “student against student harassment, intimidation, violence, and threats of violence in the public schools of Alabama, grades prekindergarten through 12.” Like many other states’ anti-bullying laws, it borrows terminology from existing civil rights laws. The model policy developed by the Alabama State Department of Education (ALSDE) includes a list of classifications that are protected under the policy due to specific characteristics including race, sex, religion, national origin, or disability. It is important to note that, although this law is limited in who is protected, Alabama has a general anti-harassment law which classifies harassment as a Class C misdemeanor and protects all persons from physical and verbal harassment as well as harassment through electronic or written communication (*Code of Alabama of 1975*, §13A-11-8). Alabama’s Student Harassment Prevention Act allows a local board of education to add protected characteristics to the list but not to remove any characteristics that are provided in the model policy. The law is somewhat restrictive in that it requires that any complaint of harassment must

Key Details of the *Alabama Student Harassment Prevention Act*:

Harassment is defined as: a **continuous** pattern of **intentional** behavior on school property, a school bus, or at a school function

It may put a student in **fear** for his person or property, interfere with educational performance, opportunities or benefits, disrupt the operation of the school, create a hostile environment, or be severe and persistent enough that it creates an intimidating, threatening, or abusive educational environment

It includes written, electronic, verbal, or physical attacks that are motivated by a particular characteristic of the victim (race, sex, religion, national origin, or disability)

be filed by the student or by the parent or guardian of the student on a form that is authorized by the local school board. Education employees are not permitted to file a complaint for an affected student. However, the Alabama Juvenile Justice Act provides that anyone over the age of 18 can

execute a petition against a child for behavior such as bullying through the District Attorney's office (*Code of Alabama of 1975*, §12-15-121). Local school boards were permitted to develop their own reporting form, so there is a great deal of variation in what is required to file a complaint for different school boards. Schools are required to incorporate anti-harassment information into existing character education curricula and report statistics on the number of student harassment incidents in their system each year. The law specifically prohibits bullying on school property, a school bus, or at a school function, but the consequences of harassing are vague. The law says that school boards must develop "a series of graduated consequences" for students who harass others. Many schools have mandated controversial zero tolerance policies which result in a serious punishment regardless of the severity or the intention of the behavior. Data published by the ALSDE shows that there were only 720 student harassment cases reported in the entire state in 2013 (Student harassment data, 2012-2013, 2014). This number is unrealistically low considering that there are more than 700,000 students enrolled in Alabama public schools (Quick facts, 2016) and research shows that 30% of students experience bullying (bullyingstatistics.org, n.d.). In response to what is now referred to as *bullycide*, a suicide resulting from victimization of bullying, the Alabama legislature amended The Student Harassment Prevention Act in 2016 to require education employees to receive training to manage student suicide, harassment, intimidation, and violence.

Bullying In Other States. To bring awareness to the harmful effects of such violence to America's youth and society as a whole, WalletHub measured the prevalence and prevention of bullying in 45 states (excluding Colorado, Iowa, Minnesota, Oregon, and Washington due to data limitations) and the District of Columbia. The comparison of states was evaluated on the following three characteristics: bullying prevalence, bullying impact and treatment, and anti-bullying laws. These three characteristics were based on a range of 17 key metrics including "bullying-incident rate," "truancy costs for schools," and "percentage of high school students bullied online." Each of these metrics was graded on a 100-point scale with 100 representing the highest prevalence of bullying. The scores were calculated using a weighted average and used to calculate the final ranking. Michigan was ranked number one for states with the worst bullying problem followed by Louisiana. Massachusetts was ranked the state with the lowest bullying problem coming in at number 46 followed by North Carolina; Alabama was ranked as the eighth in the United States on the list of states with the worst bullying problems (Bernardo, 2016).

10 Worst States for Bullying

Overall Rank	State*	Total Score	'Bullying Prevalence' Rank	'Bullying Impact & Environment' Rank	'Anti-Bullying Laws' Rank
1	Michigan	60.18	5	5	17
2	Louisiana	59.34	1	2	45
3	West Virginia	58.93	6	20	12
4	Montana	56.92	7	40	1
5	Arkansas	55.40	2	16	42
6	Texas	55.08	27	1	3
7	Idaho	54.43	3	28	25
8	Alabama	52.76	28	12	2
9	South Carolina	51.98	25	9	7
10	Alaska	51.97	20	13	13

Bully Police USA, a volunteer watchdog organization that advocates for bullied children, provides reporting on State anti-bullying laws. When the organization began in 2002, there were only nine states with anti-bullying statutes; as of 2015, all 50 states enacted anti-bullying laws. Bullypolice.org also provides a list of grades for each state's law (High, n.d.).

Bully Police grades state laws on the following points:

1. *The word "bullying" must be used in the text of the bill, law, or statutes.*
2. *The law must clearly be an anti-bullying law, not a school safety law.*
3. *There must be definitions of bullying and harassment, and should not be any major emphasis on defining victims by the way they act or physically look.*
4. *There should be recommendations about how to make policy and what needs to be in the model policy.*
5. *A good law involves education specialists at all levels, starting with the State Superintendent's office and including the school districts, schools, parents, and students.*
6. *A good law does not suggest but mandates anti-bullying programs.*
7. *Laws should include a date the model policy is due, when the schools need to have their policies in place, and when the anti-bullying programs must be in effect.*

8. *There must be protection against reprisal, retaliation, or false accusation.*
9. *There must be school district protection against lawsuits upon compliance to policies.*
10. *A top-rated law will put the emphasis on the victims of bullying by assigning counseling for victims who suffer for years after peer abuse.*
11. *There must be accountability reports made to either Lawmakers or the State Education Superintendent, and there must be a consequence assigned to schools or districts who do not comply with the law. There should be mandatory posting and/or notification of policies and reporting form procedures for students and parents.*
12. *Laws should include a cyberbullying or “electronic harassment” law.*

The current scores range from A++ to C-. There are no states currently receiving an F grade. States with worthless bullying laws receive a D grade. States with mediocre laws are graded with a C, and states with acceptable laws receive a B. States with near perfect laws receive A's. States only receive an A+ if there is an emphasis on the victims' rights to receive free counseling or a cyberbullying clause. To receive an A++, the state's law must emphasize victims' rights to free counseling and a cyberbullying clause. Even though Michigan was rated the worst state for bullying, the state's law received an A++ grade. Massachusetts, the state ranked the lowest for bullying problems, also received an A++ grade. The state of Alabama currently has a B+ grade (High, n.d.). When considering the disparity between the laws and the prevalence of bullying in states, it is evident that the definition of bullying and the reporting have a significant effect on the rankings.

EXISTING ANTI-BULLYING PROGRAMS AND EFFORTS IN ALABAMA

There are hundreds of anti-bullying programs and resources available, and a few notable ones are described below. Some efforts are governmental in nature, while anti-bullying programs are available from non-profit organizations or sold by for-profit companies. Statistics on the success of anti-bullying programs vary widely. As stated previously, part of the problem of measuring the rate of bullying is the variation in reporting and definitions.

Federal Programs. There are many anti-bullying efforts which start with the federal government. The United States Department of Education has taken significant steps to reduce bullying such as issuing many *Dear Colleague* letters to public schools which address the issues of harassment and bullying (U.S. Department of Education, n.d.). These letters offer policy guidance and discuss practices being used by existing systems. The U.S. Dept. of Education created modules to train teachers and school bus drivers on bullying and requires that public schools report incidents of harassment to their office. The U.S. Dept. of Education also works with the United States Department of Health and Human Services to maintain the

www.stopbullying.gov website. This website contains a plethora of resources on bullying and bullying prevention including articles, videos, and an online anti-bullying course. The U.S. Dept. of Education also provides funding to the CDC's Division of Violence Prevention to collect data and provide resources on bullying. According to the website, the CDC's goal is to prevent bullying before it starts. The CDC uses developing research to understand bullying and implement school-based bullying prevention programs (Centers for Disease Control and Prevention, 2016).

PACER. *PACER, The National Center for Bullying Prevention* (pacer.org, n.d.), is a non-profit organization that has attempted to change the perception that bullying is a normal experience of childhood through research and education. *PACER* provides numerous free resources to combat bullying to parents, children, and educators. Printed resources are available to be shipped at a minimal cost.

No Place for Hate. *No Place for Hate* is a free customizable anti-bullying and anti-hate program designed by the Anti-Defamation League, a non-profit Jewish-based organization which offers anti-bias training to children and adults (Anti-Defamation League, n.d.). The program focuses on respectfulness and inclusivity so that all students can succeed. Participants in the training are asked to make the *No Place for Hate* promises including kindness to everyone, reporting bullying to an adult, and acknowledging that everyone should feel safe at school. According to the Anti-Defamation League (n.d.), schools receive their *No Place for Hate* designation by doing the following:

- *Building inclusive and safe communities in which respect is the goal, and all students can thrive.*
- *Empowering students, faculty, administration and family members to take a stand against hate and bullying by incorporating new and existing programs under one powerful message.*
- *Engaging schools and communities in at least three anti-bias activities per year, which ADL helps to develop.*
- *Sending a clear, unified message that all students have a place to belong.*

In Alabama, *No Place for Hate* was first used by Huntsville City Schools. In 2014, all 40 schools in the Huntsville City Schools System were recognized as No Place for Hate schools (Southern Jewish Life Magazine, 2014).

R.O.C.K. Recognizing that child bullies are at a high risk for perpetrating domestic violence as adults, the Family Sunshine Center and LWT Communications worked together to create a program in Montgomery to address bullying in schools called *River Region R.O.C.K. (Respect Others Create Kindness)*. This coalition of educators, parents, law enforcement, community groups, and youth educate students about how they can prevent bullying. One of the themes of the program is to be an *upstander*, not a bystander, since the actions of bystanders significantly

impact the rate of bullying. There is no charge to schools for ROCK to present the program to students.

P.R.E.S.S. In 2009, Dr. Jackie Hester in Madison, AL responded to a bullying problem at her school by developing the no-cost *P.R.E.S.S.* program so that students could anonymously report bullying and other misbehaviors to administrators (Hester, Bolen, Thomas, Vinson, & Heatherly, 2011). Due to a new school construction delay, the school unexpectedly ended up over capacity with fifth through eighth-grade students housed in one building. In an interview with Dr. Hester (J. Hester, April 6, 2017), she said that she noticed smaller/younger children being pushed around and sought to find the true problem – the overcrowded environment and fearful students who did not want to be victimized for “snitching”- and determine how to fix it. One of the key points that she made is that “Children are a product of their environment,” which goes far beyond bullying. When children are surrounded by negativity such as a building in disrepair, overcrowding, bullying, violence, or a lack of resources, it impacts the amount of effort they are willing to make and increases the likelihood of negative behavior. Dr. Hester emphasized the importance of making connections with people – educators, students, and the community – to build their trust and get their buy-in to support a positive school environment. She acknowledged that teachers are already overwhelmed with responsibilities, and any anti-bullying program should not be too extreme because teachers would not be willing to follow through with it. The acronym stands for:

P - Providing a Positive, Open, Safe Environment: Administrators interacted with students throughout the day and maintained a presence in hallways, classrooms, and the cafeteria.

R - Reporting Systems: Students could anonymously report bullying behavior by using the Bully Reporting button on the school website or by submitting notes to administrators.

E – Educating Students and Stakeholders: The assistant principal held bullying education sessions during the students’ language arts block. Educators were encouraged to implement anti-bullying messages into their lesson plans. Cyberbullying resources were made available to parents.

S – Stand up and be a Bystander; Students were encouraged to stand up against bullying and create a safer environment for everyone.

S – Snitch-Free Environment: One of the students’ primary concerns was that “snitches get stitches” so all reporting was anonymous and students were assured that their identity would not be revealed.

The *P.R.E.S.S.* program resulted in a significant decrease in disciplinary action related to fighting and defiance, and there was no financial cost to implement the program (Hester, Bolen, Thomas, Vinson, & Heatherly, 2011).

Pawsitive Living. Hand in Paw is a 501(c)3 nonprofit organization in Birmingham, Alabama that offers two innovative animal assisted therapy programs found to decrease bullying behavior. The first program, *Pawsitive Living* is a 12- session program established by Hand in Paw that

teaches anger management, empathy, compassion, breaking down stereotypes, respect for self and others, and handling stressful events and confusing situations (Hand in Paw, n.d.). Each volunteer team consists of a dog and pet partner who are paired to one youth. The youth learn about training dogs and how to reshape behavior, which applies to animals as well as to the children. One striking example of learning about stereotypes came from a session in which the children were asked to place stereotype labels on sheets of paper with the dogs' names on them. The children did not want to use the stereotypes such as "bad," "dangerous," or "smelly" to describe the dogs that they had come to know and love. After the labels had been applied, the group discussed how the negative labels did not really apply to the dogs. The children learned that a label does not make a dog or a person what the label says. They also learned that it is harder to apply a negative label to an acquaintance than to stereotype or make assumptions of a stranger. The youth enjoy playing with the dogs, but in the process, they learn kindness and empathy in a non-confrontational way (Cheatwood, E & Wilson, L, personal communication, April 27, 2017).

No More Bullies. *No More Bullies*, which is a curriculum designed by Wayside Waifs, is the second program implemented at Hand in Paw. The program recognizes that people who are abused, often abuse animals; people who abuse animals are likely to abuse other people. The program offers character education and helps third through fifth-grade students learn the skills needed to solve problems and stand up for themselves and those who are weaker than others. Facilitators find that students are more receptive to an anti-bullying message when animals are present, and they can understand the similarities in how we connect to animals and how we connect to humans. The children learn about the responsibilities of pet ownership and that dogs have many of the same needs and feelings that people have. That is the first step to learning empathy. They do not want to hurt the dogs, and that leads them to learn not to hurt other people. Animals that have been abused are a great example to abused children that abuse can be overcome and that they can survive and thrive, just like the dogs. The cost to buy the *No More Bullies* curriculum from Wayside Waifs is \$564 for 90 student packets (Wayside Waifs, n.d.). Hand in Paw does not charge schools who request their *No More Bullies* program, but it is important to note that the number of requests for this popular program far outweigh the funding and volunteers available to implement it (Hand in Paw, n.d.).

The Olweus Bullying Prevention Program. The *Olweus Bullying Prevention Program* (OBPP) was created by Dr. Dan Olweus, a research professor of psychology from Norway who is often considered the "pioneer" in bullying research. The *Olweus* program is a whole school program used to reduce bullying for students in elementary, middle, and junior high schools. Although, research has shown that the Olweus Program is also effective in high schools too with some program modification. The *OBPP* consists of surveys, classroom curriculum, and resources and training administered by certified *Olweus* trainers. All students participate in the program, but students identified as bullies or targets of bullying receive individualized

interventions. The program is designed to better peer relations and make school environments safer places. Schools using *OBPP* have seen reductions in bullying behavior and rates of drug and alcohol abuse. Students also showed improvement in academic achievement. Statistics show fifty percent or more reductions in students reporting being bullied and bullying others. With successful implementation, there are fewer reports of vandalism, violence, fighting, theft, and truancy. There are also considerable improvements in discipline and social relationships, as well as more positive attitudes and greater support for students who are bullied (Home of The Olweus Bullying Prevention Program, 2016). The cost of implementing the program with 500 students is over \$12,000.

D.A.R.E. Drug Abuse Resistance Education (D.A.R.E.) was established in 1983 as an anti-drug campaign which has evolved and, in 2016, added anti-bullying and critical thinking to their lesson plans (D.A.R.E., n.d.). According to certified D.A.R.E. Officer Dennis Cobb, D.A.R.E. is active in all 50 states and many other countries although there are very few schools in Alabama utilizing the program (D. Cobb, personal communication, May 4, 2017). The program can only be implemented by a uniformed law enforcement officer who has completed the 80-hour training program. The program offered to elementary and middle school children is called Keepin' it Real, which teaches a decision-making model that applies to bullying and other life situations, and includes a lesson on safely reporting bullying. It redefines D.A.R.E. as an acronym for Define, Assess, Respond, and Evaluate (D.A.R.E., n.d.).

- *Define – Describe the problem, challenge, or opportunity.*
- *Assess – What are the choices and consequences of the choices?*
- *Respond – Make a choice. Use the facts and information that you have gathered.*
- *Evaluate – Review your decision. Did you make a good choice?*

The second program for middle school students starts in fifth grade and is called *GREAT* (*Gang Resistance Education and Training*). Critical thinking skills are the central focus of the program, and it includes an anti-bullying lesson. *GREAT* is redefined as an acronym for (D.A.R.E., n.d.):

- *Give thought to the problem.*
- *Review all your options.*
- *Evaluate the positive and negative outcomes of each option.*
- *Assess and choose the best option.*
- *Think it over afterwards. Would you make the same decisions next time?*

The cost to train a D.A.R.E. officer can be as much as \$700. Each participating student will need a workbook, which costs \$1.29 (D.A.R.E., n.d.).

The Leader in Me. The Leader in Me is a purchasable program developed on the leadership principles of *The 7 Habits of Highly Effective People* by Stephen Covey and adapted to meet the

needs of children and teens (The Leader in Me, n.d.). The focus of the program is teaching life skills such as leadership, problem-solving, and effective communication. These are imperative skills that research shows are lacking for students who bully and are victimized by bullies. The principles are incorporated into existing curriculum, and students participate in goal setting, data tracking, leadership roles, and leadership events. The program provides some on-site training, phone calls, videos, lesson resources, digital training modules, and more. The Leader in Me (n.d.) teaches the following habits to students:

1. *Be Proactive -take responsibility and initiative*
2. *Begin With the End in Mind – plan ahead and set goals*
3. *Work First, Then Play*
4. *Everyone Can Win – look for solutions so that everyone can get what they want*
5. *Seek First to Understand, Then to Be Understood*
6. *Together is Better – value other people’s strengths and ideas*
7. *Balance Feels Best – take care of your body and spend time with family and friends*

The program cost is not within the budget of many school systems at approximately \$40 to \$50 per student per year for the first three years of implementation and \$14 to \$19 per student per year after the third year (The Leader in Me, 2017). Schools that qualify for Title I funds (those that serve large numbers of low-income students) may choose to use those funds toward the cost of the program.

Programs in Other States. Several other states have made notable efforts in the campaign against bullying. New Jersey has a “Week of Respect” in which students learn about bullying and empathy. In conjunction with the “Week of Respect,” Jennifer Ansbach, an English teacher, had 11th-grade students read “A World of Misery Left by Bullying” and then relate the article to their own experiences. Students spent the week thinking through the material, discussing it in small groups, and writing responses. The students learned that many negative behaviors are bullying, even though they did not realize it prior to the assignment. Many of the students assumed that victims would forget about the bullying with time, but the assignment helped them understand that bullying has long-term consequences (Ansbach, 2012).

With the concern surrounding the implementation of laws that will put school districts at risk of lawsuits, one city found a way to put the responsibility for bullying on the parents of the bullies. The city of Shawano, Wisconsin passed a controversial ordinance in 2016 which fines parents if their child is caught bullying someone. The officials say that the parents will be warned after the first incident, but subsequent incidents will result in fines of \$366.00 for the first incident and \$681.00 for additional incidents. Supporters say that this is intended to punish true bullies who are intentionally trying to harm others. Critics are concerned that determining which offenses

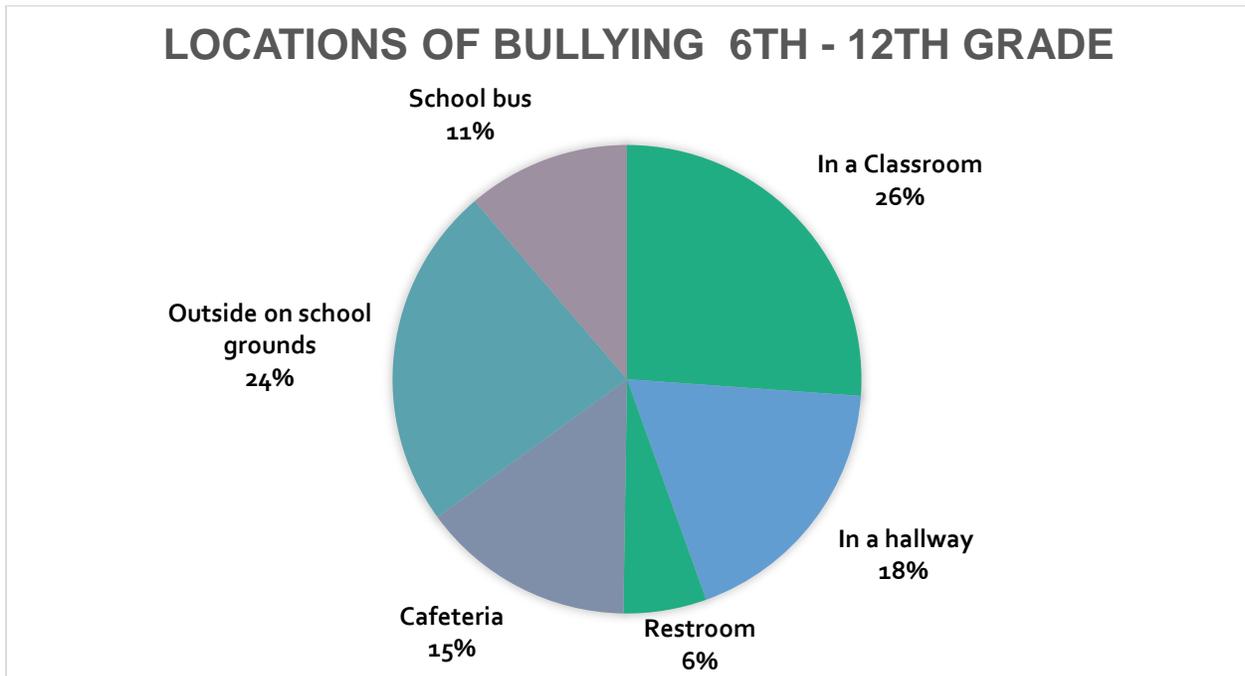
should be punished is somewhat subjective (Krumholz, 2016). According to Police Chief Mark Kohl, the ordinance was simply a way to get parents involved in their children's behavior and to increase parents' communication with the school and police department. Since the ordinance has gone into effect, the department has not reported any fines. The police have worked with parents to address bullying incidents, but they have not issued any citations. Kohl stated that he believes the program has been a huge success, and that the sign of a good community program is to show a decrease in reports of crimes and violations instead of an increase in arrests and tickets (Ryan, 2016). Whether or not the program has long-term success, it has succeeded in bringing needed attention to the seriousness of bullying.

RECOMMENDATIONS

Holistic Programs. Research has consistently shown that the most effective anti-bullying programs are holistic and designed to change the norms for behavior; they include the school employees, the students, the parents, and the community. The most frequently bullied students are those who are considered to be “different,” so it is imperative that character education that includes diversity training about being respectful to all people be provided in the schools. Children fear what they do not understand, so it is important that they are exposed to those who are different from them. There should be regular events throughout the school year, and the principles of the program should be reinforced in the classrooms such as in writing assignments. Life is competitive and is filled with aggressive behavior whether it is in business, sports, or academics. It is important to teach appropriate social and communication skills so that bullies learn not to bully others, and victims and bystanders learn to stand up against the behavior.

Adult Supervision. According to the U.S. Department of Education's 2015 Crime Supplement to the National Crime Victimization Study(2016), the majority of bullying occurs in the classroom. Even though there is a teacher in each classroom, many teachers are overwhelmed with responsibilities and are drastically outnumbered by the students in their classrooms. If schools were provided with proper funding for classroom aides, this could reduce bullying. Schools should also consider utilizing parent volunteers, when available. Outside on school grounds, in the hallway, and in the cafeteria are particularly fertile ground for bullying as scores of students are thrust together with minimal adult supervision. Schools need to be provided with adequate funding to provide adult supervision, whether it be with security guards or other employees, in those areas. School buses are manned by one adult and filled with up to 72 student passengers. The driver cannot possibly ensure proper behavior of that many children while operating a bus so bus aides should be provided on every route.

The chart below reflects the locations of bullying for 6th through 12th grade (U.S. Department of Education, 2016).



Reporting. Because the number of documented bullying cases and the amount of bullying indicated on educator surveys is significantly lower than the number of cases reported when children and teens are surveyed, it is apparent that most victims are unlikely to report bullying to a teacher or parent. The reasons vary, but many of them fear retaliation, are embarrassed, or they do not think an adult can or will help them. Research has shown that providing them with an anonymous method to report bullying is very effective. Children need to be educated about bullying so that they understand that it is not acceptable and that adults will support them if they report it.

School Demographics. One of the common issues, especially in middle school, is older students bullying younger students. There is a distinct difference between the size, maturity, and cognitive ability of a ninth grader versus a 12th grader or a sixth grader versus an eighth grader. By housing a smaller number of grades within a school, it may reduce the opportunities for the larger, older students to bully the smaller, younger students.

Anti-Bullying Policies and Education. School systems should implement comprehensive anti-bullying policies and state well-defined punishments, including legal ramifications, for the behavior. There is much administrative discretion about the enforcement of anti-bullying policies, and that results in different consequences, if any, for each offending student. The code

of conduct could be better utilized if it contained this information as well as laws about bullying and parental liability. School systems could include information for parents about the dangers of cyberbullying, the importance of monitoring youth's electronic devices, and signs to look for if a child is being bullied.

Reach the Students through Media. Today's youth are "always connected" to media and electronic devices. If an anti-bullying campaign could be developed that would permeate social media, it would have a better chance of succeeding than the television ads that impacted previous generations against drugs or smoking. For example, when a youth wants to access online games, the ads could display before the game becomes available. Also, targeted ads could be placed on popular social media sites to educate youth about bullying. Youth also need to be educated on how to respond to bullies and how to block cyberbullies.

Educate the Educators. Teachers and other staff members need to be more aware of their legal responsibilities with respect to school bullying and how to spot bullying. Alabama's Student Harassment Prevention Act requires a brief training for educators and staff, but more training would help them to identify potential problems before a bullying situation turns into a school shooting or suicide. If school employees do not buy-in to an anti-bullying program, it will never succeed. The school board officials and administrators must stress the importance of a successful anti-bullying program, and they should ensure that an anti-bullying program is not too demanding on the already overworked school employees.

In an environment filled with bullying and harassment, children may become focused on survival rather than education. School bullying may never completely end, but there are many steps that can be taken by schools, students, parents, educators, and members of the community to reduce it. The rules against bullying, consequences for bullying, and laws should be clearly stated to every student, teacher, and parent. Proper funding and adequate staff should be provided to every school. Students should be encouraged to report bullying and taught how to cope with it. Children must be taught to treat others with respect. Holistic anti-bullying and character education programs should be implemented in each school. We have a responsibility to our children to provide a safe school environment where they can learn and grow and even simple efforts could reduce bullying or prevent the death of a young life.

REFERENCES

- Alabama Harassment Law, Code of Alabama of 1975, § 13A-11-8 (ALISON 2017).
- Alabama Juvenile Justice Act, Code of Alabama of 1975, § 12-15-121 *et seq.* (ALISON 2017).
- Alabama School Hazing Law, Code of Alabama of 1975, § 16-1-23 (ALISON 2017).
- Alabama School Attendance Law, Code of Alabama of 1975, § 16-28-12 (ALISON 2017).
- Alabama Student Harassment Prevention Act, Code of Alabama of 1975, § 16-28B-1 *et seq.* (ALISON 2017).
- Ali, R. (2010, Oct 26) Dear colleague letter. Washington, DC: U.S. Department of Education, Office for Civil Rights.
- Americans with Disabilities Act of 1990, 42 USC § 12101 *et seq.* (OLRC 2017).
- American Psychological Association (2014, September 29) Psychologist offers insight on bullying and how to prevent it: Child development expert Dorothy Espelage, Ph.D., discusses recent research. Retrieved from <http://www.apa.org/news/press/releases/2014/09/prevent-bullying.aspx>.
- Ansbach, Jennifer (2012) Long-term effects of bullying: Promoting empathy with nonfiction. *English Journal*, 101 (6), 87-92.
- Anti-Defamation League (n.d.) No place for hate. Retrieved from: <https://www.adl.org/who-we-are/our-organization/signature-programs/no-place-for-hate>.
- Baldry, A. C. (2003). Bullying in schools and exposure to domestic violence. *Child Abuse & Neglect*, 27, 713–732.
- Battle, S & Wheeler, T.E. (2017, Feb 22). Dear colleague letter. Washington, DC: U.S. Department of Education, Office for Civil Rights.
- Bernardo, R. (2016, August 16). 2016's states with the biggest bullying problems. Retrieved from <https://wallethub.com/edu/best-worst-states-at-controlling-bullying/9920/>
- Bullying-suicide link explored in new study by researchers at Yale (2008, July 6). Retrieved from: <http://news.yale.edu/2008/07/16/bullying-suicide-link-explored-new-study-researchers-yale>
- Bullying in elementary school. (2015, Dec 22). Nobullying.com Retrieved from <https://nobullying.com/bullying-in-elementary-school/>

Bullying in today's society. (2012, May 18). PR Newswire. Retrieved from <http://www.prnewswire.com/news-releases/bullying-in-todays-society-152024335.html>

Bullying of youth with disabilities (n.d.) Alabama Disabilities Advocacy Program. Retrieved from <http://adap.ua.edu/bullying.html>

Bullying statistics. (2016, October 19). Retrieved from Nobullying.com: <https://nobullying.com/bullying-statistics-2014/>.

Bullyingstatistics.org (n.d.) Retrieved from: www.bullyingstatistics.org

Centers for Disease Control and Prevention. (2016). Bullying factsheet. Retrieved from *Understanding Bullying*: https://www.cdc.gov/violenceprevention/pdf/bullying_factsheet.pdf

Centers for Disease Control and Prevention. (2011, April 22). Bullying among middle school and high school students – Massachusetts, 2009. Morbidity and Mortality Weekly Report. Retrieved from <https://www.cdc.gov/mmwr/preview/mmwrhtml/mm6015a1.htm>

Cook, C.R., Williams, K.R., Guerra, N.G., Kim, T.E., Sadek, S.S. (2010) Predictors of bullying and victimization in childhood and adolescence: A Meta-analytic Investigation. *School Psychology Quarterly*, 25 (2), 65-83.

Copeland, W.E., Wolke, D., Angold, A. & Costello, E.J. Adult psychiatric outcomes of bullying and being bullied by peers in childhood and adolescence. *JAMA Psychiatry*, 70(4), 419-426.

Drug Abuse Resistance Education D.A.R.E. (n.d.) Retrieved from www.dare.com.

Davis v. Monroe Co. Board of Education, No. 97-843, 526 U.S. 629 (U.S.S.C., 1999).

Donaghue, C., Almeida, A., Brandwein, D. Rocha, G., & Callahan, I. (2014). Coping with verbal and social bullying in middle school. *International Journal of Emotional Education*, 6(2), 40-53.

Eccleston et al. v. Pine Bush Central School District, 58 F.Supp.3d 332 (S.D.N.Y., 2015).

Felix, E. D., Sharkey, J. D., Green, J. G., Furlong, M. J., & Tanigawa, D. (2011). Getting precise and pragmatic about the assessment of bullying: The development of the California bullying victimization scale. *Aggressive Behavior*, 37, 234–247.

Gentile, D.A. (Ed). (2014). Media violence and children: A complete guide for parents and professionals (advances in applied developmental psychology). Santa Barbara, CA: Praeger.

GLSEN. (n.d.). 2015 National School Climate Survey retrieved from <https://www.glsen.org/article/2015-national-school-climate-survey>

Gordon, Sherri (2016, April 15). Do girls and boys bully differently? Examining the differences in bullying based on gender. Retrieved from <https://www.verywell.com/do-girls-and-boys-bully-differently-460494>

Gourneau, B. (2012). Students' perspectives of bullying in schools. *Contemporary Issues in Education Research*, 5 (2), 117-125.

Hand in Paw (n.d.) Retrieved from www.handinpaw.org

Hempe, M (2017, Mar 26). Why social media is not smart for middle school kids: Tweens' brains are simply too immature to use social media appropriately. Retrieved from <https://www.psychologytoday.com/blog/mental-wealth/201703/why-social-media-is-not-smart-middle-school-kids>

Hester, J., Bolen, Y., Thomas, B., Vinson, B.M., Heatherly, B. (2011). Middle School Infractions Decrease with the Implementation of an Aggressive Anti-Bullying Initiative – P.R.E.S.S. *Review of Higher Education & Self Learning*, 4(13), 103-107.

History of Bullying. (2012, December 6). Retrieved from <https://bullypreventionblog.wordpress.com/2012/12/06/history-of-bullying/>

High, B. (n.d.). Retrieved from Bully Police USA: <http://www.bullypolice.org/>

Home of The Olweus Bullying Prevention Program. (2016). Retrieved from Violence Prevention Works! Safer Schools, Safer Communities: http://www.violencepreventionworks.org/public/olweus_bullying_prevention_program.page

The impact of bullying (2013, November 28). Retrieved from <http://www.education.vic.gov.au/about/programs/bullystoppers/Pages/impact.aspx>

Individuals with Disabilities Education Act of 1990, 20 U.S.C. § 1400 *et seq.* (ORLC 2017).

Kakarla, N. (2012, Sep 11). Research brief: Low socioeconomic status contributes to bullying risk [Web log post]. Retrieved from <https://www.stopbullying.gov/blog/research-brief-low-socioeconomic-status-contributes-bullying-risk>

Kowalski v. Berkeley Co. Schools, No. 10-1098, 652 F.3d 565 (4th Cir. July 27, 2011).

Krumholz, B. (2016, May 2). Parents could be fined in Shawano anti-bullying ordinance. Fox 11 news. Retrieved from <http://fox11online.com>

The Leader in Me (n.d.) Retrieved from <http://www.theleaderinme.org/>

Lhamon, C. & Gupta V. (2016, May 13) Dear colleague letter. Washington, DC: U.S. Department of Education, Office for Civil Rights.

Lantos, J. D., & Halpern, J. (2015). Bullying, Social Hierarchies, Poverty, and Health Outcomes. *Pediatrics*. 135 (2). Retrieved from http://pediatrics.aappublications.org/content/135/Supplement_2/S21.full

Moore, P.M., Huebner, E.S., & Hills, K.J. (2012). Electronic Bullying and Victimization and Life Satisfaction in Middle School Students. *Social Indicators Research*, 107 (3), 429-447.

Nabozny v. Podlesny et al., No. 95-3634, 92 F.3d 446 (7th Cir., 1996).

Nobullying.com (n.d.). Retrieved from <https://nobullying.com>

Olweus, D. (1993). *Bullying at school: What we know and what we can do*. Malden, MA: Blackwell Publishing.

Pacer Center (n.d.) Retrieved from <http://www.pacer.org>

Pepler, D., Craig, W., & O'Connell, P. (2010). "Peer processes in bullying: Informing prevention and intervention strategies," in S. R. Jimerson, S. M. Swearer, & D. L. Espelage (eds.), *Handbook of bullying in schools: An international perspective* (pp. 469–479). New York, NY: Routledge.

Quick facts. (2016). Alabama Department of Education. Retrieved from <https://www.alsde.edu/sec/comm/quick%20facts/qf-2016-online.pdf>

Reiney, E & Limber S.P. (2013, Oct 23). Why we don't use the word bully to label kids. Retrieved from <https://www.stopbullying.gov/blog/2013/10/23/why-we-don%25E2%2580%2599t-use-word-%25E2%2580%259Cbully%25E2%2580%259D-label-kids>

Rodkin, P. C., Farmer, T. W., Pearl, R., & Van Acker, R. (2000). Heterogeneity of popular boys: Antisocial and prosocial configurations. *Developmental Psychology*, 36, 14-24.

Rodkin, P. C., Farmer, T. W., Pearl, R., & Van Acker, R. (2006). They're cool: Social status and peer group supports for aggressive boys and girls. *Social Development*, 15, 175-204

Ryan, T. (2016, December 9). Chief says ordinance has spurred more cooperation from parents. *The Shawano Leader*. Retrieved from www.shawanoleader.com

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794 *et seq.* (OLRC 2017).

Social and Cultural Causes of Bullying (n.d.). Retrieved from <http://www.keepyourchildsafe.org/bullying/social-cultural-bullying-causes.html>

Southern Jewish Life Magazine (2017) Retrieved from <http://www.sjlmag.com/2014/06/all-of-huntsvilles-schools-are-deemed.html>.

Stopbullying.gov. (n.d.). Retrieved from stopbullying.gov:
<https://www.stopbullying.gov/index.html>

Student harassment data 2012-2013. (2014, Aug 28). Alabama State Department of Education. Retrieved from www.alsde.edu

Temkin, D. (2015, June 27). *All 50 States Now have a Bullying Law. Now What?* Retrieved from HuffingtonPost: http://www.huffingtonpost.com/deborah-temkin/all-50-states-now-have-a_b_7153114.html

Theno v. Tonganoxie Unified Sch. Dist., No. 464, 377 F.Supp.2d 952, 965 (D.Kan., 2005).

Thunfors, P., Cornell, D. (2008). The popularity of middle school bullies. *Journal of School Violence*; London 7.1: 65.

Title II of the Americans with Disabilities Act of 1990, 42 USC §§ 12131-12134 (OLRC 2017).

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (OLRC 2017).

Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 *et seq.* (OLRC 2017).

T.K. and S.K. v. N.Y.C. Dept. of Education, No. 14-3078, 810 F.3d 869 (2d Cir., 2016).

The unique nature of bullying in high school. (2015, Dec 22). Nobullying.com Retrieved from <https://nobullying.com/the-unique-nature-of-bullying-in-high-school/>

U.S. Const. amend. XIV

United States Department of Education (n.d.). Retrieved from <http://www.ed.gov/2017>

United States Department of Education (2016). Student reports of bullying: Results from the 2015 School Crime Supplement to the National Crime Victimization Survey Retrieved from <https://nces.ed.gov/pubs2017/2017015.pdf>

Veenstra, R., Lindenberg, S., Munniksmma, A., & Dijkstra, J. K. (2010). The complex relation between bullying, victimization, acceptance, and rejection: Giving special attention to status, affection, and sex differences. *Child Development*, 81, 480–486.

Wayside Waifs (2017) Humane education. Retrieved from http://www.waysidewaifs.org/site/PageServer?pagename=Humane_education_new

Whitaker v. Kenosha Unified School District No. 1 Board of Education et al., No. 16-3522 (7th Cir., May 30, 2017).

Wright, M.F. (2015) Adolescents' cyber aggression perpetration and cyber victimization: the longitudinal associations with school functioning. *Social Psychology of Education*, 18, 653-666.

Federal Laws and Cases Related to Bullying

The 14th Amendment (U.S. Const. amend.), ratified in 1868, requires equitable treatment under the law, and it can be broadly used to protect any group of people from mistreatment or inequity, including school bullying. One of the earliest cases to challenge anti-gay school bullying under the 14th Amendment was *Nabozny v. Podlesny et. al* (1996). Nabozny was verbally bullied and was beaten so badly by classmates that he needed surgery. School officials responded that he should expect to be bullied because he was gay. The Seventh Circuit Court of Appeals found that the chronic physical and verbal bullying of Nabozny was a violation of his right to equal protection and he was awarded a settlement of \$962,000.

A bully attempted to defend her rights to cyberbully other students by citing her 14th Amendment rights (*Kowalski v. Berkeley Co. Schools*, 2011). Despite the belief that educators are unable to take action against students for behavior that happens away from school, Berkeley Co. Schools suspended Kowalski for cyberbullying. Kowalski’s attorney argued that she had been denied *equal protection* and *due process* by being deprived of her right to a free education without adequate notice that she could be punished for activities outside of school. The court ruled that her behavior outside of school was contrary to a school policy that students should “create an atmosphere free of bullying,” and it impacted the school environment, so it was punishable.

Title IX of the Education Amendments of 1972 (20 U.S.C. §1681) provides gender equality in any education program that receives federal funds and has been a focus of many school bullying lawsuits. In terms of bullying, it protects students and employees in these educational settings from sexual harassment and gender-based harassment. For Title IX to apply to bullying, the behavior must be specifically on the “basis of sex.” In other words, a female who is bullied based on a characteristic other than her gender, such as her weight or appearance, would not be protected under Title IX.

Davis v. Monroe Co. Board of Education (1999) is a landmark U.S. Supreme Court case regarding the application of Title IX to bullying. A fifth-grade girl was repeatedly harassed by a male student who touched her and made sexual statements and gestures. The U.S. Supreme Court ruled 5-4 that the school was legally liable because the treatment was “serious enough to have the systemic effect of denying the victim equal access to an education program or activity.” She was not the only victim of the behavior, but her courage to fight in court impacted all girls.

The case established four conditions that have to be met for the school to be liable:

1. The victim must be victimized because they are in a protected category;
2. The harassment at school must be severe;

3. The school authorities must be aware of the harassment; and
4. Schools are liable only if they are deliberately indifferent.

It is important to note that the U.S. Department of Education subsequently issued guidance indicating that administrators have a responsibility to take action in these cases and that the U.S. Dept. of Education is not concerned with what bullying they actually knew about, but with what they should have known (Ali, R. 2010).

In the 2005 case of *Theno v. Tonanixie Unified School District*, a male student was relentlessly bullied and called homosexual names such as “faggot” and “gay” by classmates for five years because he did not conform to gender stereotypes. After numerous unanswered requests for assistance from the school district, he successfully sued the school district for failing to protect him from sexual harassment under Title IX and was awarded a \$250,000 settlement (*Theno v. Tonanixie Unified School District*, 2005).

President Barack Obama’s administration issued guidelines indicating that gender identity, not just sex, is protected under Title IX (Lhamon & Gupta, 2016). President Donald Trump’s administration repealed those guidelines in 2017 (Battle & Wheeler, 2017) resulting in the U.S. Supreme Court refusing to make a determination on transgender protection under Title IX. Despite the repeal of those guidelines, in a landmark decision on May 30, 2017, the Seventh U.S. Circuit Court of Appeals ruled that transgender students are protected under Title IX (*Whitaker v. Kenosha Unified School District*, 2017).

Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d) prohibits any education program in receipt of federal funds from discrimination on the basis of race, color, or national origin. In the case of *Eccleston v. Pine Bush Central School District*, five Jewish students were verbally and physically bullied by classmates from elementary school through high school. They endured assault, anti-Semitic slurs, and numerous threats of harm based on their religion and national origin. The court found that the school system showed deliberate indifference by the lack of action to address the students’ claims. The plaintiffs were awarded a \$4.48 million settlement (*Eccleston v. Pine Bush Central School District*, 2015).

There are several federal laws which guarantee opportunities for students with disabilities and protect them from maltreatment, such as school bullying. One of the primary laws, the Rehabilitation Act of 1973, has been modified several times. In terms of bullying, Section 504 of the Rehabilitation Act provides protections to persons with disabilities stating that they cannot be excluded from participation in programs, such as public school, that receive federal funds (29 U.S.C. § 794). Title II of the Americans with Disabilities Act (1990) increased the protection by adding that any public program must provide equal benefits and access to persons with disabilities, regardless of whether the program receives federal funds (42 USC § 12101). The Individuals with Disabilities Education Act of 1990 (IDEA), also enacted in 1990, provides

federal funds to state and local education agencies to ensure that students with qualifying disabilities receive a free and appropriate public education (FAPE) in addition to requiring that these students have an individual education plan.

In the case of T.K. and S.K v. the New York City Department of Education (2016), a 12-year-old disabled student, L.K., had a qualified disability under IDEA. She was frequently bullied by students, and her academic and emotional development was negatively affected. Testimony from special education aides confirmed that teachers did not punish bullies or take action to prevent the bullying. When students refused to touch a pencil because L.K. had touched it, a teacher wrote her name on the pencil so no one else would use it. The court found that she was deprived of educational opportunities protected under IDEA and required the school system to reimburse her family for a year of private school.