

**2015**  
**Annual VAPT and DOE**  
**Professional Development Conference**

**Bullying and Student Behavior Management**

**Presented by**

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# Definition

- Bullying - means any aggressive and unwanted behavior that is intended to harm, intimidate, or humiliate the victim; involves a real or perceived power imbalance between the aggressor or aggressors and victim, and is repeated over time or causes severe emotional trauma. "Bullying" includes cyber bullying. "Bullying" does not include ordinary teasing, horseplay, argument, or peer conflict. (source: Anti-Bullying in Virginia Schools)

# Bullying and Harassment

- A distinction without a difference
- “Knew or should have known” standard
- Has the school environment become “hostile”
- Need for comprehensive approach to elimination that may go beyond state law
- Children and teens who are perceived “different” from their peers, students with disabilities, and Lesbian, Gay, Bisexual and Transgendered (LGBT) students, students who are overweight and or weak.



# 11 Facts About Bullying

1. Over 3.2 million students are victims of bullying each year.
2. Approximately 160,000 teens skip school every day because of bullying.
3. 17% of American students report being bullied 2 to 3 times a month or more within a school semester.
4. 1 in 4 teachers see nothing wrong with bullying and will only intervene 4% of the time.
5. By age 14 less than 30% of boys and 40% of girls will talk to their peers about bullying.

Source: DOSomething.org



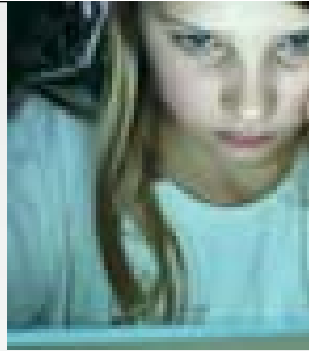
6. Over 67% of students believe that schools respond poorly to bullying, with a percentage of students believing that adult help is infrequent and ineffective.
7. 71% of students report incidents of bullying as a problem at their school.
8. 90% of 4th through 8th graders report being victims of bullying.
9. 1 in 10 students drop out of school because of repeated bullying.
10. As boys age they are less and less likely to feel sympathy for victims of bullying, in fact they are more likely to add to the problem than solve it.
11. Physical bullying increases in elementary school, peaks in middle school and declines in high school. Verbal abuse, on the other hand, remains constant.



# Bullying Statistics

- Nearly 160,000 students miss school daily due to fear of attack or intimidation by other students
- Every 7 minutes a child is bullied, 85% of the time there is no intervention
- Bullied students tend to grow up more socially anxious and require more mental health services throughout life

# Cyberbullying Statistics



- Only 7% of parents are worried about cyberbullying, yet 33% of teenagers have been victims of cyberbullying
- 1 Million students were harassed, threatened or subjected to other forms of cyberbullying on Facebook last year (2014)
- More than 85% of social-media using teens say they have seen someone be cruel to another person on social media



Bullying and Cyberbullying in K-12 Schools: The Startling Statistics by Nina Caliri  
(4/28/15)

Roughly 30% of middle and high schools students are bullied, nearly 10% of the abuse occurs on the school bus



Source: US Department of Education



# The Amanda Todd Case (1996-2012)

- Amanda began using video chat in the seventh grade to meet new people online, and one stranger convinced her to bare her breasts on camera. However, the stranger attempted to use the photo to blackmail Amanda, and the picture began circulating on the internet, including a Facebook profile using the topless photograph as the profile image. She was teased to the point she had to change schools several times, her reputation was ruined, and she was beaten up by some classmates.
- On September 7, 2012 Amanda posted a video to YouTube entitled "My story: Struggling, bullying, suicide, self harm."
- October 10, 2012 Amanda hanged herself in her home.



# Virginia Statistics



- Nearly 40 percent of students say bullying is a problem in their schools.
- More than half of students reported that others are teased for clothing, physical appearance or about “sexual topics.”
- Roughly 17 percent of students reported being hit, pushed or otherwise physically attacked this year.
- 21 percent of students said they had been threatened.
- 30 percent of students said they had something stolen from them.
- Almost half of surveyed teachers said students can easily break school rules leading to bullying concerns.

Source: University of Virginia Survey August  
2014.

# Students w/ Disabilities are More Vulnerable

- Studies have shown that students with a disability, whether it is visible or non-visible, are subject to increased bullying that is often directed at the disability. These students are also at more risk for bullying directed at factors other than their disability.
  - Young, Ne'eman, and Gelser, *Bullying and Students With Disabilities*, in White House Conference on Bullying Prevention, (March 10, 2011), available at [http://www.stopbullying.gov/references/white\\_house\\_conference/index.html](http://www.stopbullying.gov/references/white_house_conference/index.html).

## An IEP Issue?

- Some states have recognized that IEPs should take into account students with disabilities' increased vulnerability to bullying.
- MA requirement (2010): Whenever the evaluation of the Individualized Education Program team indicates that the child has a disability that affects social skills development or that *the child is vulnerable to bullying, harassment or teasing because of the child's disability*, the Individualized Education Program shall address the skills and proficiencies needed to avoid and *respond to bullying, harassment or teasing.*"

# Bullying and Harassment on the Bus

- The feds play a role in clarification and litigation: *Lopez v. Metropolitan Govt. of Nashville & Davidson County*
  - ▣ Where your special riders are concerned, look particularly for evidence that conduct is related to the student's disability
- Action v. Inaction: Enforcement of rules
- Training and clear direction are key and include coordination, re-delineation, investigation and follow-up.

# Dangerous Fact Patterns

- Harassment related to a student's disability begins with one aggressor. District fails to address the conduct appropriately, and other students join in. This treatment becomes sufficiently persistent and pervasive that it interferes with the student's participation in the educational program.
- Student w/ a disability is subjected to extreme isolation, ostracism, and taunting. Drivers and aides – like classroom teachers – ignore efforts of other students to advocate for her, and, in fact, view the victim as the trouble-maker.

## Dangerous fact patterns (*contd.*)

- Long term, on-going, peer bullying and harassment can become entrenched and “unfixable”; school bus provides bullies/harassers a “ripe opportunity” to continue harassment on the basis of sexual orientation & disability
- Whether the school district has a duty to prevent sexual harassment in connection with the bus stop depends upon the foreseeability of danger.
- Training – or the failure to train – is an issue cited by the courts.

## Dangerous Fact Patterns (*contd.*)



- Seating arrangements, in which younger students with disabilities were not separated from older students with known sexual tendencies, have played a roll in lawsuits. Driver failure to intervene was also an issue.
- Students are involved in a serious incident of sexual molestation at the end of the school day. Despite knowledge of the incident, school officials permit victim to board the bus with aggressor, with no information to the transportation department in general, or the driver in particular. The aggressor picks up where he left off.



# What's Expected?



- Prompt and adequate response
- People in control with actual knowledge of bullying and or harassment must take reasonable steps to address it

# Need for Immediate and Appropriate Action

- Required:
  - Reporting to appropriate personnel
  - Intervention within the staff member's sphere of authority
- Investigation
- Prompt and effective steps reasonably calculated to end bullying or harassment, if it has occurred, eliminate the hostile environment and its effects, and prevention of recurrence or retaliation
- Training and policy review as necessary
- If state law requires specific acts or timing, don't ignore

# Specifics of *Lopez* Settlement

- Staffing monitors on all special education buses
- Video monitoring equipment on all sped buses
- Comprehensive screening procedures to remove risks that might be associated w/ student w/ a disability being assigned to a particular bus
- Protocols for report with notification to parents of procedures
- Weekly review by designated official of all complaints received; specific response required when know unreasonable risk of sexual harassment on a special needs bus

## *Lopez settlement, contd.*

- Expediting investigation of all suspected acts of sexual harassment involving students w/ disabilities
- Ensuring open lines of communication between transportation officials and school-based personnel
- “Bus rosters” w/ “bus transportation order” outlining special transportation needs generated w/ IEP process. Communicated driver, monitor, sub driver, sub monitor
- Comprehensive annual training for all staff who have at least one special needs student on a bus

# Driver Training

- Be fair, consistent, and clear
- Tell the student what s/he's doing that s/he must stop
- Explain possible consequences
- Recognize when telling and explaining isn't enough
- Handle similar situations similarly
- Know their students – has his/her behavior/personality changed?

# Training for Action

- Foster compliance with relevant policies
- Provide expectations for seating arrangements, other preventative student management techniques.
- Review expectations and commitments regarding confidentiality
  - Communicate with school administrators about transportation professionals' need to know student information that will impact the ride
- Work as a team to avoid "re-victimizing" the victim.
  - Never take the position that students should learn to cope with harassment or bullying
  - Typically, any negative impact of change should be on harasser, not the victim (but watch out for harasser with special needs whom transportation is a related service.)

## Training for Action, *contd.*

- Instruct drivers to report to their supervisors or to a building administrator in accordance w/ policy
- What do policy and practice establish as the applicable range of consequences? Who administers them?
- What back up plans are necessary (for example, if an attendant required, what if s/he's absent?)
- What information, direction do you provide to attendants?

# Implementing Policy

- What happened before the student came forward? What history and context inform the period before the complain?
- Is the victim's parent aware of the incident(s)?
- Has the bullying/harassing student's parent been made aware of behaviors?
- Is there a reasonably high risk of harm (physical? emotional? academic?) to a student in the absence of further intervention?
- Are there reasonable steps available (likely to "fix" the problem while not creating undue burden)?
- When did you last monitor for compliance?



# Conclusion

- Hear something
- See something
- Suspect something is wrong – know your students
- Knew or should have known
- ACT NOW – do something!



# Resources

Creating a Safe and Respectful Environment on Our Nation's School Buses -  
[Safesupportivelearning.ed.gov](http://safesupportivelearning.ed.gov)

Office of Civil Rights – [www2.ed.gov](http://www2.ed.gov)

[Nobullying.com](http://Nobullying.com)

Bullying and Cyberbullying in K-12 Schools: The Startling Statistics –  
[info.alertsolutions.com](http://info.alertsolutions.com)

Model Policy to Address Bullying in Virginia's Public Schools – [doe.virginia.gov](http://doe.virginia.gov)  
[www.dosomething.org](http://www.dosomething.org)