STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES
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January 28, 2013

Ms. Susan K. Haberstroh
Education Associate
Department of Education
401 Federal Street, Suite 2
Dover, DE 19901

RE: 16 DE Reg. 694 [DOE Proposed Cyberbullying Regulation]

Dear Ms. Haberstroh:

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Education's (DOE's) proposal to adopt regulations regarding Cyberbullying published as 16 DE Reg. 694 in the January 1, 2013 issue of the Register of Regulations. In October, the Department of Education published a proposed Cyberbullying regulation in implementation of enactment of S.B. 193 in 2012 and SCPD commented on that proposed regulation (attached). Rather than adopt a final regulation, the DOE is now publishing a revised proposed regulation. SCPD has the following observations and recommendations on the latest version of the proposed regulation.

First, the Council submitted the following (italicized) comments on §2.3. The January version of the regulation contains an identical section so the comments are still apt.

First, §2.3 recites as follows:

> *The place of origin of speech otherwise constituting cyberbullying is not material to whether it is considered cyberbullying under this policy, nor is the use of school district or charter school materials.*

> *At a minimum, the word "communication" should be substituted for "speech". The Delaware Bullying Prevention Association website [www.bullyprevention.org/aboutdbpa.html] defines cyberbullying as including "denigration: spreading information or pictures to embarrass". The term "speech" may not cover publication of a hostile or embarrassing photo and §2.1 uses the broader term, "communication". For the same reason, the term "communication" should be substituted for the term "speech" in §2.2.*

However, the premise that the place of origin is completely immaterial is problematic. If the origin is actually misuse of a classroom computer, it is intuitive that the conduct can be more closely regulated. Consider the following alternatives:

Communication may qualify as cyberbullying irrespective of place of origin and irrespective of use of school district or charter school materials.

OR

Communication may qualify as cyberbullying regardless of both place of origin and lack of reliance on school district or charter school materials.

Second, in October, SCPD objected to an "overbroad" definition of Cyberbullying in §2.1:

Second, the term "unpleasant" in §2.1 is "overbroad". Communication may be "unflattering", "not pleasant", or "negative" without rising to the level of bullying. Moreover, the regulation should preferably conform to the statutory definition of bullying in Title 14 Del.C. §4112D(a). To the extent the regulatory definition conflicts with the statutory definition (which includes "electronic" actions), the regulation is subject to judicial invalidation. Moreover, the regulation omits the concept of "intention" which is contained in the statute. For these reasons, the Department could consider the following substitute:

> *Cyberbullying means the use of uninvited and unwelcome electronic communication directed at an identifiable student or group of students intended to cause embarrassment, humiliation, fear, or emotional harm.*

> *The terms "embarrass", "humiliating", "fear", and "emotional harm" are contained in the statute. The term "unpleasant" is not in the statute.*

The January version removes the term "unpleasant". However, it still omits the concept of "intention" which is explicitly included in the statute:

(a) Definition of bullying. – As used in this section, "bullying" means any intentional written, electronic, verbal or physical act or actions against another student, school volunteer or school employee that a reasonable person under the circumstances should know will have the effect of:...

Title 14 Del.C. §4112D(a) [emphasis supplied] At a minimum, if DOE keeps the current language, this could be easily corrected by inserting "intentional" prior to "use of uninvited..." in the first line of §2.1.

Third, in October, SCPD objected to adoption of a categorical rule that, regardless of privacy settings, use of prevalent social media was deemed automatically available to a broad audience within the school community. . The January version "softens" the categorical rule by converting it to a "presumption". This is an improvement. However, it still contemplates presumptive "guilt" or "culpability" regardless of "privacy settings or other limitations on those postings". It would be more logical to establish a presumption of dissemination to the school community only if at least 1 student in the school

community has access to the social network posting. If the only individuals with access to the posting are parents and relatives, the validity of the presumption is highly questionable. Policies restricting free speech should be restrained and "tailored" in scope.

Fourth, in October, SCPD included the following (italicized) recommendation:

> *Fourth, the regulation only covers student-student bullying. Consistent with the attached article, "When the Bully Is the Teacher" (September 12, 2011), research confirms that teacher bullying of students is "a common problem" with 93% of teachers and students surveyed reporting that teacher bullying is occurring in schools. The bullying statute [Title 14 Del.C. §4112D] is not limited to student-student bullying and the regulation could be improved by addressing teacher-student bullying.*

SCPD would like to reiterate its observation since the January version does not address teacher-student bullying.

Thank you for your consideration and please contact SCPD if you have any questions or comments regarding our position or recommendations on the proposed regulation.

Sincerely,

Daniese McMullin-Powell, Chairperson
State Council for Persons with Disabilities

cc: The Honorable Matthew Denn
        The Honorable Joseph R. Biden, III
        The Honorable Mark Murphy
        Ms. Patricia Dailey Lewis
        Ms. Kathleen MacRae, ACLU-Delaware
        Dr. Teri Quinn Gray
        Ms. Mary Ann Mieczkowski
        Ms. Paula Fontello, Esq.
        Ms. Terry Hickey, Esq.
        Mr. John Hindman, Esq.
        Mr. Charlie Michels
        Mr. Brian Hartman, Esq.
        Developmental Disabilities Council
        Governor's Advisory Council for Exceptional Citizens

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October 31, 2012

Ms. Susan K. Haberstroh
Education Associate
Department of Education
401 Federal Street, Suite 2
Dover, DE 19901

RE: 16 DE Reg. 351 [DOE Proposed Cyberbullying Regulation]

Dear Ms. Haberstroh:

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Education's (DOE's) proposal to adopt Cyberbullying Regulations. The proposed regulation was published as 16 DE Reg. 351 in the October 1, 2012 issue of the Register of Regulations.

As background, on July 27, 2012, the Governor signed S.B. 193 which requires the Department of Education to promulgate a uniform cyberbullying policy based on a model developed by the Department of Justice. Consistent with the attached articles, the Lt. Governor and Attorney General conducted public hearings to obtain input on the model.
Students with disabilities are disproportionately victims of bullying. The attached article, "Teens with Disabilities Face High Rates of Bullying" (September 4, 2012), describes research demonstrating that 57% of students with intellectual disabilities are bullied and slightly less than half of students with autism, learning disabilities and speech/language impairments are victimized. The research also concluded that bullying of students with disabilities is more prevalent in general education settings. Moreover, bullying does not "build character". See attached article entitled "Myths and Facts About Bullying in Schools" (April, 2005). Students who are victimized are often characterized by low self-esteem, depression, and poor coping skills. Bullying also results in diminished academic performance. See attached article, "Academic Consequences Follow Social Rejection" (March 23 2006). Therefore, the concept of deterring bullying, including cyberbullying, merits endorsement. At the same time, some students with disabilities may be more subject to discipline for cyberbullying based on their lack of deliberative functioning. For example, a student with ADHD may impulsively post a picture or publish communication without appreciating the consequences or intending harm.

Given this background, SCPD has the following observations and recommendations.

First, §2.3 recites as follows:

> The place of origin of speech otherwise constituting cyberbullying is not material to whether it is considered cyberbullying under this policy, nor is the use of school district or charter school materials.

At a minimum, the word "communication" should be substituted for "speech". The Delaware Bullying Prevention Association website [www.bullyprevention.org/aboutdbpa.html] defines cyberbullying as including "denigration: spreading information or pictures to embarrass". The term "speech" may not cover publication of a hostile or embarrassing photo and §2.1 uses the broader term, "communication". For the same reason, the term "communication" should be substituted for the term "speech" in §2.2.

However, the premise that the place of origin is completely immaterial is problematic. If the origin is actually misuse of a classroom computer, it is intuitive that the conduct can be more closely regulated. Consider the following alternatives:

> Communication may qualify as cyberbullying irrespective of place of origin and irrespective of use of school district or charter school materials.

OR

> Communication may qualify as cyberbullying regardless of both place of origin and lack of reliance on school district or charter school materials.

Second, the term "unpleasant" in §2.1 is "overbroad". Communication may be "unflattering", "not pleasant", or "negative" without rising to the level of bullying. Moreover, the regulation should preferably conform to the statutory definition of bullying in Title 14 Del.C. §4112D(a). To the extent the regulatory definition conflicts with the statutory definition (which includes "electronic" actions), the regulation is subject to judicial invalidation. Moreover, the regulation omits the concept of "intention" which is contained in the statute. For these reasons, the Department could consider the following substitute:

> Cyberbullying means the use of uninvited and unwelcome electronic communication directed at an identifiable student or group of students intended to cause embarrassment, humiliation, fear, or emotional harm.

The terms "embarrass", "humiliating", "fear", and "emotional harm" are contained in the statute. The term "unpleasant" is not in the statute.

Third, SCPD is not an expert on privacy settings in social networks. Obviously, broad dissemination of "bullying" communication should be covered in the regulation. See, e.g., the attached article, "Internet 'Burn Books' Sparking Controversy" (August 19, 2012) which describes anonymous postings with broad dissemination. However, if a student restricts access to his social media postings to non-students, parents, or relatives, the student should not be considered to be "bullying" since the student has no intention of critical communication being disseminated to other students or faculty. Section 2.4 is overbroad by establishing a categorical rule that, regardless of privacy settings, use of prevalent social

media is "considered to be automatically available to a broad audience within the school community". If a student describes a faux pas or embarrassing behavior of a fellow student only to a parent via Facebook, the student has violated the regulation despite no intention of bullying or harming the other student. Conceptually, if a student describes some activity in the equivalent of a personal diary, it should not be grounds for punishment. SCPD recommends consideration of more discriminating standards than a conclusive presumption that use of prevalent social media, regardless of privacy settings, is considered to be available to a "broad audience within the school community".

Fourth, the regulation only covers student-student bullying. Consistent with the attached article, "When the Bully Is the Teacher" (September 12, 2011), research confirms that teacher bullying of students is "a common problem" with 93% of teachers and students surveyed reporting that teacher bullying is occurring in schools. The bullying statute [Title 14 Del.C. §4112D] is not limited to student-student bullying and the regulation could be improved by addressing teacher-student bullying.

I recommend sharing the above observations with the DOE, Lt. Governor, Attorney General, and ACLU.

Thank you for your consideration and please contact SCPD if you have any questions or comments regarding our position on the proposed regulation.

Sincerely,

Daniese McMullin-Powell, Chairperson
State Council for Persons with Disabilities

cc: The Honorable Matthew Denn
        The Honorable Joseph R. Biden, III
        The Honorable Mark Murphy
        Ms. Patricia Dailey Lewis
        Ms. Kathleen MacRae, ACLU-Delaware
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        Mr. Brian Hartman, Esq.
        Developmental Disabilities Council
        Governor's Advisory Council for Exceptional Citizens
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3

AG Biden calls for unified plan to fight, report online bullying

By DOUG DENISON
The News Journal

Citing growing concerns about bullying that takes place in the digital realm, Delaware Attorney General Beau Biden is calling on the state's school districts to work toward a unified plan to address the problem.

At a public forum in Dover Thursday evening, Biden said current state law requires schools to report verified incidents of bullying, including cyber-bullying, to the state Department of Education, but that data is currently lacking.

One unnamed high school in New Castle County, Biden said, reported zero bullying incidents last school year.

"That's not the reality," he said. "We have to find a better way to make sure the information is pushed up."

Biden said he believes part of the problem are the unique bullying policies established by school districts. Though they may be good policies on their own, differing rules make it hard for the Department of Justice to pursue cases that may warrant Family Court action.

"I would love there to be a unified approach in our state to dealing with bullying," he said. "Nineteen school districts all run their own show."

Biden's office already has begun meeting regularly with school superintendents and he said the discussion is evolving.

"When there's bad news to report, it's sometimes institutional nature to push things down," he said. "It has to be a collaborative effort."

A better policy is necessary, Biden said, because the nature of bullying has changed with technology. In-school bullying is now supplemented by bullying on Facebook, Twitter and other digital outlets.

"For bullies, at the core there's a bit of cowardice," he said. "The Internet has made it easier to bully because of anonymity."

Lynn Widdowson, student services supervisor in the Capital School District, said there is a need for more cooperation.

Parents, she said, also need to be more aware of cyber-bullying.

"Much, much more needs to be done," she said. "Every parent should be looking at what their child is looking at on the Internet."

Contact Doug Denison at 678-4271 or ddenison@delawareonline.com.

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CYBERBULLYING NEW DETAILS

Officials seek public input

Uniform state policy goal following legal challenges

By AARON NATHANS
The News Journal

The question among school administrators isn't whether cyberbullying is a problem. It's how to craft a policy to combat it that can stand up in court.

Lt. Gov. Matt Denn said individual school districts in other states have set up policies to penalize students for harassing their peers online, but some of those districts have seen their rules face legal challenges.

So Denn and Attorney General Beau Biden are seeking input to help craft legislation that would define the practice of cyberbullying, and put in place a uniform policy for public and charter schools in Delaware.

A series of public hearings are under way to help inform what will be in the legislation.

Denn said he and Biden are looking for real-life examples of cyberbullying, to see how a possible law would apply.

There is no such thing as a schoolyard bully anymore, in the age of constant online communication and social networking, Biden said.

"For schools to be the safe places that children deserve, they must be able to effectively fight bullying that may originate off school grounds, but follows its victims 24 hours a day," Biden said.

The proposed law will be crafted with some recent case law in mind, which basically says the bullying must impact classroom performance to be covered under the law, Denn said.

Cyberbullying: Hearings set in Kent, Sussex

The public feedback will help them "write a policy that's focused on the off-campus speech that's having a classroom impact," Denn said.

Sen. David Sokola and Rep. Terry Schooley, both D-Newark, introduced a bill last week that would require the Departments of Education and Justice to collaborate to develop a statewide cyberbullying policy.

They are each chairman of their respective chamber's education committee.

"A lot of the kinds of controls that have worked in other media haven't been as effective in the online world because of instantaneous and permanent nature, but we know some things have worked," Sokola said.

About 35 people, all representatives of schools or school districts, attended the first hearing on Tuesday in Wilmington, sharing their stories. Numerous speakers that night asked state officials to craft a specific definition of cyberbullying. The remaining public hearings will take place April 24 in Sussex County and April 25 in Kent County.

Contact Aaron Nathans
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anathans@delawareonline.com.

Teens With Disabilities Face High Rates Of Bullying

By Michelle Diament | September 4, 2012

Roughly half of adolescents with autism, intellectual disability, speech impairments and learning disabilities are bullied at school, new research suggests.

That's significantly higher than the rate of bullying faced by typically developing students, about 1 in 10 of whom are victimized by their peers.

The findings reported Monday in the Archives of Pediatrics & Adolescent Medicine are based on data from a nationwide survey of more than 900 parents of teens receiving special education services.

Researchers found that about 57 percent of students with intellectual disability were bullied, while slightly less than half of students with autism, learning disabilities and speech/language impairments were victimized.

Parents also reported that some students with disabilities were responsible for perpetrating bullying, but this occurred at rates more similar to those experienced by typically developing students, the study indicated.

The likelihood that a teen would be bullied was greatest for those with the worst social skills, researchers said. What's more, students with disabilities who spent more time in mainstream classrooms tended to face a higher risk of bullying. Accordingly, the researchers said that schools need to do more to promote an accepting environment.

"Tailored antibullying programs are needed to address the unique needs of these vulnerable adolescents given their social, communication and academic impairments," wrote Paul Sterzing of the University of California, Berkeley and his colleagues in the study.

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Bullying Involvement and Autism Spectrum Disorders

Prevalence and Correlates of Bullying Involvement Among Adolescents With an Autism Spectrum Disorder

Paul R. Sterzing, PhD, MSSW; Paul T. Shattuck, PhD; Sarah C. Narendorf, PhD, MSW; Mary Wagner, PhD; Benjamin P. Cooper, MPH

Text Size: A A A

Published online September 2012

Article | Tables | References | Comments

ABSTRACT

ABSTRACT | METHODS | RESULTS | COMMENT | AUTHOR INFORMATION | REFERENCES

Objectives To produce nationally representative estimates for rates of bullying involvement among adolescents with an autism spectrum disorder (ASD), to compare population estimates with adolescents who have other developmental disabilities, and to identify social ecological correlates of bullying involvement.

Design Nationally representative surveys from 2001.

Setting United States.

Participants Parents of adolescents with an ASD, principals of the schools they attended, and staff members most familiar with their school programs.

Main Exposure Autism spectrum disorders.

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Main Outcome Measures Parent report of victimization, perpetration, and victimization/perpetration within the past school year.

Results The prevalence rates of bullying involvement for adolescents with an ASD were 46.3% for victimization, 14.8% for perpetration, and 8.9% for victimization/perpetration. Victimization was related to having a non-Hispanic ethnicity, attention-deficit/hyperactivity disorder, lower social skills, some form of conversational ability, and more classes in general education. Correlates of perpetration included being white, having attention-deficit/hyperactivity disorder, and getting together with friends at least once a week. Victimization/perpetration was associated with being white non-Hispanic, having attention-deficit/hyperactivity disorder, and getting together with friends at least once a week.

Conclusions School-based bullying interventions need to target the core deficits of ASD (conversational ability and social skills) and comorbid conditions (eg, attention-deficit/hyperactivity disorder). Future bullying interventions also need to address the higher rates of victimization that occur in general education settings by increasing social integration into protective peer groups and increasing the empathy and social skills of typically developing students toward their peers with an ASD.

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Myths and Facts About Bullying in Schools

Effective interventions depend upon debunking long-held misconceptions

by Jaana Juvonen, PhD

Bullying among school-children is receiving a lot of public attention. The news media implicates bullying as a reason underlying serious school shooting incidents. Popular press and entertainment media, in turn, depict bullying tactics that manipulate social relationships among girls as particularly mean and hurtful (for example, as in the film *Mean Girls*). The attention that bullying is receiving in the media has increased the public's awareness of bullying as a problem, but the portrayals also frequently promote misconceptions about bullying that are not supported by contemporary research. In this article, I question some of these depictions in light of the most recent empiric evidence. I start by defining what bullying entails and, after reviewing some of the common myths, conclude with guidelines for intervention.

One Definition, Multiple Manifestations

Bullying involves an imbalance of power between the perpetrator and the target, such as a strong child intimidating a weaker one. Intimidation can be achieved by many means.[1] Across multiple age groups, name-calling is by far the most common form of bullying among boys and girls. Young children, and boys of all ages, are more physically aggressive than are adolescents and girls of any age. Although the popular media depicts girls as the masters of covert social tactics of meanness, boys engage in spreading rumors and social exclusion, as well. Most targets of bullying are victimized in multiple ways. Moreover, experiences of bullying hurt regardless of the means. Based on the current evidence, we cannot presume a slap on the face hurts more than a nasty rumor, or vice versa.

Challenging Myths About Bullying

Myth: Bullies suffer from low self-esteem. When bullies are identified by means other than self-report (i.e., based on teacher or peer ratings), no evidence suggests that bullies suffer from low self-esteem. To the contrary, many studies report that aggressive youth perceive themselves in a positive light, at times displaying inflated self-views. Recent evidence shows that bullies are less depressed, socially anxious, and lonely than socially adjusted youth who are uninvolved in bullying.[2] These findings regarding positive self-perceptions and lack of emotional distress can be understood when we consider peer status of bullies, which relates to the next common misconception.

Myth: Bullies are social outcasts. Contrary to the common stereotype, bullies are not social outcasts. Bullies are frequently members of social groups or networks.[3] They are also likely to have friends. However, these friendships typically involve other aggressive youth who reinforce bullying

behavior. In addition, bullies are popular among their peers. In our research on middle-school students, we found that classmates rate bullies among the "coolest kids" in their classes.[2]

Some of the reasons underlying the high social status of bullies can be understood in the light of evolutionary principles, such as establishment of social dominance. Among primates, aggression establishes dominance within a group. It is therefore possible that children, and especially young teens, rely on bullying tactics to secure their place on top of the social hierarchy.

Myth: Victims of bullying become violent. One depiction of victims of bullying promoted by the news media is that targets of repeated peer maltreatment eventually lash out at their tormentors. This idea was reinforced by school shooting incidents since the late 1990s. However, research shows that

most victims of bullying suffer in silence rather than retaliate. Identified as submissive victims,[4] these targets of bullying display psychological problems, including depression, social anxiety, and low self-esteem.[5] When victims blame themselves for their plight and view the causes of bullying as beyond their control (e.g., thinking that they are bullied because they are obese or because of their cultural heritage), they are particularly likely to feel distressed.[6]

In contrast to submissive victims, a smaller subset of chronic targets of bullying—aggressive victims—are likely to retaliate or to provoke hostility.[7] Aggressive victims display a distinct profile of social-emotional and school-related difficulties (they are extremely rejected by classmates and display academic problems) indicative of other underlying problems, such as

emotion regulation problems typical of children who have attention deficit disorders.[8] It is possible that the psychological profile of aggressive victims fits that of school shooters. In spite of such similarities, we cannot presume that most aggressive victims will resort to violence. Furthermore, it is critical to understand that we cannot accurately predict who will become a potential perpetrator of school violence.[9]

Myth: Bullying builds character. An old misconception of bullying was that such experiences are an important part of growing up. In contrast to this view, research clearly shows that bullying experiences increase the vulnerabilities of children. For example, passive and socially withdrawn children are at heightened risk of being bullied, and these children become even more withdrawn after incidents of bullying.[10] Similarly, youth who have

unfavorable perceptions of their social standing are at risk of being bullied, and bullying experiences have negative impacts on self-views.[11] Thus, certain characteristics or behaviors may mark a child as an "easy target," and bullying experiences exacerbate these same attributes. Based on the limited data available, it appears that for most youth the negative emotional effects of bullying are acute rather than long-lasting. However, sensitivity to harassment may be increased. Moreover, youth who are depressed and victimized have a higher risk of depression as adults; but to say that being bullied as a youth causes depression in adults is probably overly simple.

Myth: Bullying is a problem limited to bullies and victims. Many parents, teachers, and children view bullying as the sole problem of bullies and victims. Yet ample research demonstrates that bullying involves much more than the bully-victim dyad. Based on playground observations, Craig and Pepler found that in 85% of bullying incidents, an average of four peers were present.[12] Furthermore, witnesses are not necessarily innocent bystanders but often play a critical part in bullying.

Scandinavian researchers (e.g., Olweus[4]) have identified various participant roles, such as assistants to bullies, reinforcers, defenders of victims, etc. who play crucial roles in reinforcing and maintaining bullying behavior. Assistants to bullies ("followers" or "henchmen") take part in ridiculing or intimidating a schoolmate. They do not initiate the hostile overture but rather join in and facilitate bullying. Reinforcers or supporters, in turn, encourage the bully by showing signs of approval (e.g., smiling) when someone is bullied.
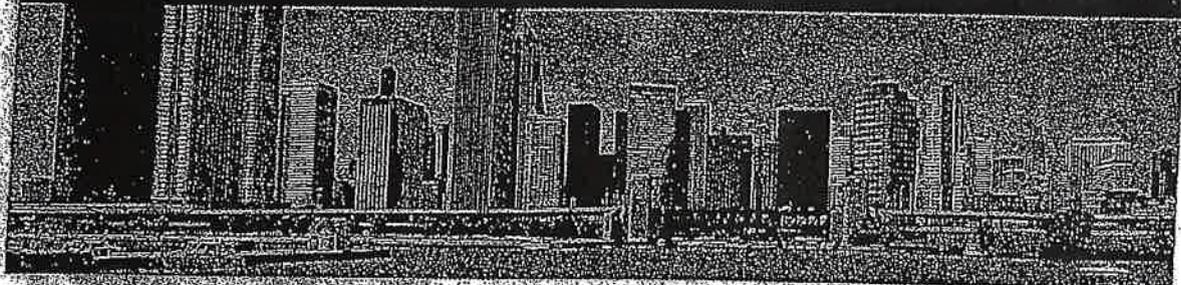
Encouragement does not have to be active; passive responding (i.e., lack of interference or help seeking) is adequate to signal approval.

Implications for Intervention

In light of these misconceptions and empiric research, it is important for us to consider implications for intervention. For example, intervention programs that try to boost the self-esteem of bullies are highly questionable. Research findings suggest that bullies get sufficient "ego boosters" from their classmates, who consider them to be cool. Based on the evidence of bullies' high social standing and its effect on positive self-regard, it is the popularity of bullies that needs our concern.

Even if evolutionary principles help us understand why bullies have high

social status, it does not mean that we cannot teach children principles of a democratic and civilized society in which all members have a right to fear-free schooling. This requires a major shift in whom we target with our interventions: Rather than focusing on bullies, we might be more successful in changing the peer group norms that reinforce bullying. This is the basic operating principle of school-wide antibullying programs. Bullying is not considered an individual problem of some students but a social problem of the collective. Such an approach to bullying might also alleviate the despair of the victims of bullying.

Changing a school's social norms or culture requires increased awareness of the problem's nature, heightened monitoring, and systematic and consistent responses to bullying incidents by school staff. Most school-wide programs are based on a model developed by Olweus.[4] I characterize the key elements of such an approach as follows:

- A strong *school statement* promoting positive social relationships and opposing bullying, along with a description of how the school deals with bullying incidents.
- A declaration of the *right of individuals* and groups in the school—students, teachers, and others—for a fear-free working and learning environment.
- A statement of the *social responsibility* of those who witness peer victimization to intervene or seek help. Both students and parents with bullying concerns are encouraged to speak with school personnel so that incidents can be followed up.

In addition to these general guidelines, U.S.-based programs influenced by conflict resolution models also include explicit *instruction of strategies* that can prevent bullying incidents or ameliorate their negative emotional impact (for a review of interventions, see the work by Sanders and Phye[13]). For example, as part of a program developed at the laboratory school of the University of California, Los Angeles, called *Cool Tools*, students are taught to leave or "exit" situations before they escalate (see sidebar). They also learn about communication strategies relevant either during or right after the bullying episode, such as talking to someone about the incident. Other strategies consist of internal coping responses (e.g., how to reframe incidents, how to problem solve, etc.). These skills are taught to all students, with the assumption being that it is not sufficient for students to

know what *not to do*. They also need to be taught what *to do*. Most importantly, daily incidents of bullying are regarded as "teachable moments" during which the acquired knowledge can be applied and skills practiced. School staff probe and remind students of the strategies when they mediate bullying incidents in the school yard or hallways. Consistent follow-through of incidents is essential to the generalization of these invaluable life skills.

The many myths about school bullies and victims should not guide intervention efforts. Instead, we need to rely on the knowledge gained through research to help us deal with the pervasive problem of bullying and its detrimental effects on children and youth. BHM

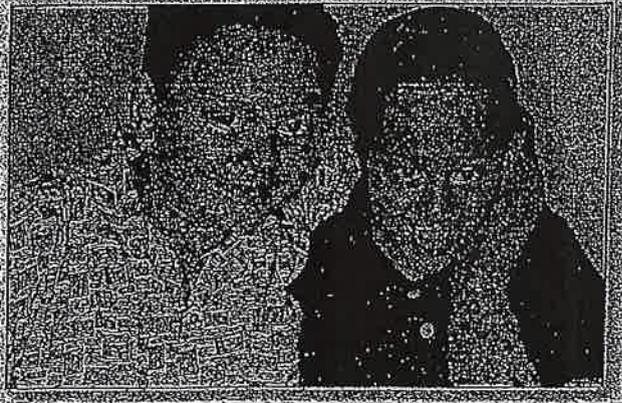Jaana Juvonen, PhD, is a Professor of Developmental Psychology at the University of California, Los Angeles.

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Teaching Kids to Stay Cool

Getty Images/FARJANA K. GODHULY

Making sure children are not being ostracized from their peer group is important to their learning and long-term well-being, says a recent study of Midwestern children.

Academic consequences follow social rejection

By SANDRA G. BOODMAN
The Washington Post

It's a time-honored stereotype: the social outcast who ignores the derision of classmates to become a straight-A student; the kid who waves his or her hand in a desperate attempt to answer the teacher's every question.

Yet the reality, it seems, is different. Researchers who followed 380 Midwestern children from the ages of 5 to 11 found that those who were chronically rejected by their classmates were more likely to withdraw from school activities and scored lower on standardized tests than their popular peers.

"We're talking about kids whose classmates don't let them sit with them in the cafeteria," said lead researcher Eric S. Buhs, an assistant professor of educational psychology at the University of Nebraska-Lincoln. Many educational experts regard peer exclusion as a form of bullying and agree that group rejection is more insidious and harder to address than overt one-on-one acts such as shoving a classmate into a locker or spreading vicious gossip.

See REJECTION—E6

FROM PAGE E1

Peer-group rejection, Buhs and his co-authors report in a study funded by a grant from the National Institutes of Health, starts as early as kindergarten. It appears to affect boys and girls equally. And it often triggers a vicious circle that can cause long-term psychological damage and impair a child's academic performance.

Exclusion makes it difficult for a child to join group activities, so the victim disengages from school as a way of avoiding further abuse. Withdrawal acts as a "persistent signal to classmates" that rejected children are not members of the group

and reinforces the ostracism, noted the researchers, whose study appears in the current issue of the Journal of Educational Psychology.

Buhs' team found that students who were rejected by their peers in kindergarten tended to become chronically rejected in older grades. By fourth grade they scored measurably lower on standardized reading and math tests than their classmates.

"Social isolation is one of the most devastating things you can do to a human being, I don't care how old you are," said Rosalind Wiseman, a veteran educator in Washington and the author of

"Queen Bees and Wannabes," the bestselling book about girls and cliques that became the basis for the movie "Mean Girls."

"How are you supposed to concentrate on your schoolwork when all you can think about is 'Everybody hates me'?" Wiseman asked.

Wiseman, co-founder of the Empower Program, an anti-bullying and violence prevention group that works with public and private schools in the Washington area, said that educators have become increasingly aware of the problem of exclusion.

Wiseman suggests that parents who learn their child is being ostracized try to "avoid

freaking out, calling the school and saying, 'I'm coming over right now' to fix it." Instead they should try and remain calm and work with the school to solve the problem, which might involve individual training in social skills for the child.

Parents, she added, can enroll their child in an out-of-school activity based on a passion, that can become the basis of a bond shared with other children.

One of the most important first steps for parents, she said, is to listen carefully. "You tell the child you're sorry that this is happening," Wiseman advised. "Then you say, 'Together you and I are going to work on this.'"

WHAT PARENTS CAN DO

Psychologists say it isn't always obvious to parents that their child is being excluded at school, because many children are reluctant to discuss it. Exclusion is a form of bullying and can cause lasting psychological damage, particularly if the problem persists.

Here are some responses experts recommend if you suspect your child is a victim:

• Take it seriously and listen carefully. Do not dismiss or minimize what is happening. Empathize without overreacting or blaming your child.

• Make your child feel that that home is a supportive place.

• Determine whether an adult at school has noticed the problem.

• Discuss the issue with a teacher, guidance counselor or school psychologist

• Enroll your child in an activity with other children outside school.

• If the problem persists, consider asking for a change of classrooms. If the situation doesn't improve, think about switching schools.

Internet 'burn books' sparking controversy

By CINDY STAUFFER
Intelligencer Journal/Lancaster New Era

LANCASTER, Pa. — You have a big nose. Your butt is huge. You're ugly. You smell.

These insults — and much worse — are popping up on the Internet in "burn book" accounts that are specific to area schools and to particular students there. The burn books are creating a stir in local communities and across the country.

Inspired by the 2004 Lindsay Lohan movie "Mean Girls," burn books are Twitter accounts where an anonymous person posts multiple Tweets that insult, taunt and call out classmates by name on the social media messaging network.

Manheim Township, Warwick, Manheim Central, Donegal, Garden Spot, Hempfield and Ephrata schools are among those that have been targeted by burn book accounts.

Concerned parents and students have alerted local police departments about the burn books, which also make graphic accusations about students', or even teachers', sexual habits, drinking or drug use, in addition to the put-downs.

The accounts specialize in casual cruelty, with Manheim Central's signing off Wednesday night with this flippant tweet: "I'm done for tonight, don't cry yourself to sleep people."

Some local police say the accounts are more than just insulting. They are taking steps to obtain account holders' names and will consider prosecution on charges such as harassment or harassment by communication.

"This absolutely is cyberbullying, this is what it's about," said Lititz police Detective John Scho-field, who said his department fielded five phone calls Wednesday alerting police to the Warwick burn book. "It could rise to a criminal charge."

Lancaster County District Attorney Craig Stedman agreed.

"I can't charge someone for being a jerk, but I could see someone crossing over that line and we'd end up having to file charges," he said of some of the more lewd postings.

Some say the burn books are a modern version of playground taunts and that people simply should ignore them or block them.

Ephrata police Sgt. David Shupp said his department has not received calls about the Ephrata burn book. He said it would be difficult to find the manpower to police these types of Internet problems.

"You can fix 10 of these, and 20 more are coming tomorrow," he said. "It just keeps coming. Kids just keep doing stupid things."

The burn book that recently popped up in Manheim township had more than 400 students following it when it was taken down Wednesday.

Students have been both delighted —"Whoever is behind this I kinda wanna shake yr hand" is what someone posted on the Manheim Central burn book — and combative — "I know a lot of people that love me," posted a student who had been called out on the site.

In some communities, students are fighting back by starting alternative sites. Someone started the "Warwick friend book" Twitter account that also names students, but compliments them for being "super hot," "a great dancer" and "gorgeous."

Some upset viewers apparently are taking their complaints directly to Twitter and filing reports about the accounts. Twitter has shut down most of the local burn books in just the past few days.

Twitter's press office did not return an email asking for comments.

Manheim and other schools have had several versions of burn books. One gets taken down and another one pops up in its place.

Burn books have been around for years in different formats. Formerly called "slam books," they used to be a spiral-bound notebook where someone would post a question and pass it around in school for others to write an answer. Insults also were usually written in the book.

The burn book was featured prominently in "Mean Girls," which chronicles the comeuppance of a girls' clique called the Plastics.

Schools in Arizona, Georgia, South Carolina and other areas also have been targeted by burn book accounts, according to online news accounts.

In fact, the phenomenon has been around long enough that it already has been parodied in such Twitter accounts as "Suri's Burn Book," where Tom Cruise and Katie Holmes' precocious child allegedly tweets thoughts such as, "Jennifer Aniston is engaged! I hope she and Justin are really happy together and that Angelina Jolie gets hit by a car."
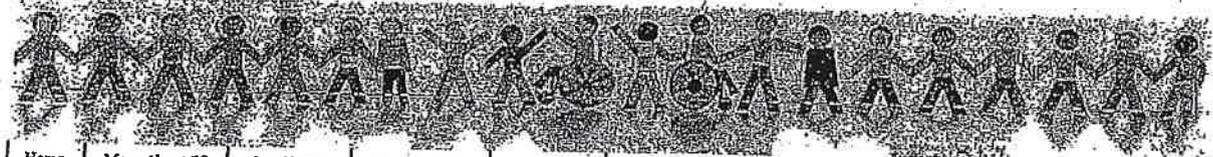
Locally, many people are hoping the fad is short-lived.

"Harassment is harassment, no matter how you look at it," Schofield said.

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When the Bully is the Teacher

Posted by admin on September 12, 2011

An Interview with an Expert on Bullying Provides a Thought-provoking Perspective

By Jean Harkness

> *"Bullying by teachers is enabled by a conspiracy of silence."*
> *– Dr. Alan McEvoy*

Many parents would advise a child that the only way to deal with bullies is to stand up to them. But, on reflection, this simple philosophy is not practical and can be dangerous. What if the bully is much bigger and stronger? What if there is a group of bullies? What if the bully is an adult? What if the bully is a teacher? Bullying in school is not a simple problem. It extends beyond students and includes the whole school community. Schools are being challenged to expand their thinking about what is involved in creating a more respectful and tolerant school culture. Despite state requirements that bullying policy and programs address the culture of the entire school, many school programs target only the student behavior. Scrambling to meet state requirements to provide researched and proven strategies to address the problem of bullying, schools are using the resources available.

The bulk of research and the resulting program models have been limited almost exclusively to student behavior. Students are the most important emphasis in any school but they are not alone in shaping its culture. Teachers, coaches, and administrators are at the forefront in implementing change and creating a culture of respect. Change begins with school leaders modeling respectful behavior; supporting a no-tolerance approach to bullying; and deploying anti-bullying strategies.

The behavioral expectations for students that promote tolerance and respect should apply equally to the school staff. School efforts to intervene in and prevent bullying should apply to all members of the school community. Preliminary research indicates that the same standards are not being applied or enforced when the bully is a teacher.

Dr. Alan McEvoy, professor of sociology at Northern Michigan University, is a leading authority on harassment and bullying. He has been a pioneer in research that focuses on teacher (and coach) bullying. In a recent interview Dr. McEvoy shared his views and research findings, including his pilot study, Teachers Who Bully Students: Patterns and Policy Implications.

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Q: What are the similarities between teacher bullies and student bullies?

A: "Teacher bullying is a common problem that exists in most schools," said McEvoy. His research found that 93 percent of the 236 teachers and students surveyed reported that teacher bullying occurred in school and the subjects were in agreement regarding who the bullies were within a school. Results from his follow-up study supported these results as well. According to McEvoy, when teachers bully it often involves public humiliation. Teacher bullying most often occurs in front of a classroom of students. "Bullying by teachers is enabled by a conspiracy of silence," he noted. Students are often hesitant to report because they fear that disclosure will lead to reprisal. Though McEvoy's research did not quantify this, many of the narrative answers clearly showed that the respondents were afraid:

"Nothing happened after I complained, but since I knew that my teacher knew I complained, I was scared to go to class."

"I felt the teacher would hate me."

"Colleagues rarely report bullying because incidents are contained in the classroom, hidden from the observation of other adults," he reported. Additionally, the students and faculty surveyed perceived that there was no effective or meaningful redress for complaints against teachers for bullying; and that there were seldom negative sanctions for teachers who were reported. The perception that school incident reporting and investigation mechanisms are complicated and ineffective perpetuates the silence and secrecy that enables bullying. Teacher bullying has serious emotional and social consequences that undermines the academic and social climate at school. Bullying is a fundamental corruption and violation of the teacher role. Two characteristics, to educate and to protect, are central to that role. Bullying is a violation of both duties. The emotional and social consequences of bullying carry over and adversely affect the victim's performance in other classes and school activities. The student's relationships with other teachers and students are disordered. "Teacher bullying often includes the tacit approval of the group," McEvoy observed. Bystanders' silence and/or responses (such as laughter) reinforce the legitimacy of the bullying and create a contagious atmosphere of abuse amplifying the experience of victimization.

Q: What are the differences between teacher bullies and student bullies?

A: Bullying by teachers is rarely physical. Most states have laws that prohibit physical discipline. Additionally, most schools have clear "hands off" policies and procedures that prohibit physical contact with students. Verbal and emotional abuse is a less defined area. A possible exception to this may be athletic coaches. "Active or passive abuses of the athletic training may be employed to cull team players—for example, when a football coach encourages larger team members to 'go after' (i.e., take cheap shots or physically hurt) another weaker athlete to get him to quit the team," said McEvoy. "Bullying by teachers is almost always done in the context of the legitimate role of the teacher to motivate or discipline the student," he said. "This masks the true nature of the behavior." For example, a student may be singled out for ridicule or correction repeatedly in front of the class; assigned detentions or other legitimate sanctions; and even poorly graded. Bullying occurs when these legitimate functions are applied unfairly and inconsistently. There is a "gray line" between when discipline and motivational techniques become excessive. Because of the lack of definition regarding the proportionate and appropriate application of discipline and motivation, reported incidents are frequently denied

and defended. "When confronted with a complaint of bullying, the action is justified as a legitimate discipline or motivational measure," noted McEvoy. "Student bullies know what they are doing and that it is wrong," he said. "Teacher bullies may not fully recognize the harm they are doing." Once accused of crossing the line, many teachers sincerely contend that they were acting in the best interest of the class or student. Most schools today recognize that student-to-student bullying is a serious problem. In response, many schools have developed policies and procedures and have implemented programs to prevent bullying and promote a respectful school climate among the students. "There is a conspicuous absence of school policies and procedures dealing with teacher bullying," said McEvoy.

Q: Why is teacher bullying a critical issue for a school community?

A: "It is the function of the school to educate," said McEvoy. "Effective teaching is dependent on establishing effective and positive social and emotional relationships with students. Bullying by teachers interferes with and can destroy the development of such relationships and thereby disrupt learning."

"Accommodations also need to be made for students who feel they are being bullied," according to McEvoy. Schools can build flexibility into their programs to enable students to leave a class or situation that makes them uncomfortable without the repercussion of losing credit or missing work. Online learning opportunities, transferring to another class, or other accommodations should be made available.

The mechanisms exist for schools to address the problem of teacher bullying. Incident reporting and investigation are ingrained in our school systems for other kinds of behavior like sexual harassment claims. These existing policies and procedures can be reviewed and adapted to the problem of teacher bullying.

New Jersey is known to be a highly litigious state. Challenging a tenured teacher provokes fear of union involvement and expensive law suits. While these are realistic concerns for schools in the midst of cuts that limit staff time and district funding, school boards do have the authority to stand up to bullies by creating policies that can be effectively enforced. The topic needs to be addressed and the dialog needs to begin. A culture of respect can only be created when the entire school community—including teachers and administrators—supports the fair and consistent application of behavioral expectation.

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