

Sample Anti-Bullying Policy

This sample policy provides an outline of key provisions that should be present in an anti-bullying policy.

Purpose Statement

Outlines the range of detrimental effects bullying has on students, including impacts on student learning, school safety, student engagement, and the school environment. Declares that any form, type, or level of bullying is unacceptable, and that every incident needs to be taken seriously by school administrators, school staff (including teachers), students, and students' families.

Statement of Scope

Covers conduct that occurs on the school campus, at school-sponsored activities or events (regardless of the location), on school-provided transportation, or through school-owned technology or that otherwise creates a significant disruption to the school environment.

Specification of Prohibited Conduct

Provides a specific definition of bullying that includes a clear definition of cyberbullying. The definition of bullying includes a non-exclusive list of specific behaviors that constitute bullying, and specifies that bullying includes intentional efforts to harm one or more individuals, may be direct or indirect, is not limited to behaviors that cause physical harm, and may be verbal (including oral and written language) or non-verbal. The definition of bullying can be easily understood and interpreted by school boards, policymakers, school administrators, school staff, students, students' families, and the community. Is consistent with other federal, state and local laws. (For guidance on school districts' obligations to address bullying and harassment under federal civil rights laws, see the Dear Colleague Letter: Harassment and Bullying, issued by the Department's Office for Civil Rights on October 26, 2010.

Prohibited Conduct also includes: (1) Retaliation for asserting or alleging an act of bullying. (2) Perpetuating bullying or harassing conduct by spreading hurtful or demeaning material even if the material was created by another person (e.g., forwarding offensive e-mails or text messages).

Enumeration of Specific Characteristics

Explains that bullying may include, but is not limited to, acts based on actual or perceived characteristics of students who have historically been targets of bullying, and provides examples of such characteristics. Makes clear that bullying does not have to be based on any particular characteristic.

Development and Implementation of LEA Policies

Directs every LEA to develop and implement a policy prohibiting bullying, through a collaborative process with all interested stakeholders, including school administrators, staff, students, students' families, and the community, in order to best address local conditions



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Components of LEA Policies

A. Definitions

Includes a definition of bullying consistent with the definitions specified in state law.

Example Components of LEA Policies: Definitions

B. Report Bullying

Includes a procedure for students, students' families, staff, and others to report incidents of bullying, including a process to submit such information anonymously and with protection from retaliation. The procedure identifies and provides contact information for the appropriate school personnel responsible for receiving the report and investigating the incident.

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

C. Investigating and Responding to Bullying

Includes a procedure for promptly investigating and responding to any report of an incident of bullying, including immediate intervention strategies for protecting the victim from additional bullying or retaliation, and includes notification to parents of the victim, or reported victim, of bullying and the parents of the alleged perpetrator, and, if appropriate, notification to law enforcement officials.

The **Family Educational Rights and Privacy Act (FERPA)** contains provisions restricting release of information pertaining to disciplinary actions taken against students. State and local officials are encouraged to seek guidance to make sure any policies comply with these provisions.

D. Written Records

Includes a procedure for maintaining written records of all incidents of bullying and their resolution.

Example Components of LEA Policies: Written Records

E. Sanctions

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

The **Individuals with Disabilities Education Act** contains provisions related to the use of disciplinary measures with students with disabilities. State and local officials are encouraged to seek guidance to make sure any policies comply with these provisions.

F. Referrals

Includes a procedure for referring the victim, perpetrator and others to counseling and mental and other health services, as appropriate.

Review of Local Policies

Includes a provision for the state to review local policies on a regular basis to ensure the goals of the state statute are met.

Communication Plan

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

Training and Preventive Education

Includes a provision for school districts to provide training for all school staff, including, but not limited to, teachers, aides, support staff, and school bus drivers, on preventing, identifying, and responding to bullying.

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

Transparency and Monitoring

Includes a provision for LEAs to report annually to the state on the number of reported bullying incidents, and any responsive actions taken.

Includes a provision for LEAs to make data regarding bullying incidence publicly available in aggregate with appropriate privacy protections to ensure students are protected.

FERPA contains provisions regarding the appropriate safeguarding of privacy in educational records. State and local officials are encouraged to seek guidance to make sure any policies comply with these provisions.

Statement of Rights to Other Legal Recourse

Includes a statement that the policy does not preclude victims from seeking other legal remedies.