

North Dakota Department of Public Instruction



Bullying

As a result of HB 1465, introduced and passed during the 2011 North Dakota legislative session, every school district must develop and implement a bullying policy. In an effort to curb bullying behavior which has far-reaching personal and social consequences, the legislation is designed to allow districts the flexibility to create a policy and select a program or curriculum that best meets their school and community culture, climate and values. This fact sheet provides guidance for districts in meeting this requirement.

Bullying is repeated exposure over time to deliberate, negative actions on the part of one person or more than one person that is unprovoked, resulting in a physical and/or psychological power imbalance. As well, one-time incidents have been deemed bullying by the Office for Civil Rights (OCR). In school, bullying generally occurs in 'hot spots' where adult supervision is commonly minimal – playground, bathrooms, hallways, bus and locker rooms. Bullying also occurs via electronic means – Facebook, Twitter, websites, cell phone/texting; this is known as 'cyber-bullying' and can be difficult to control as this form of bullying is most often done away from school. Although the consequences of this type of bullying are often played out at school, the victim impact is difficult to control as schools have limited disciplinary authority to respond due to First Amendment protections.

There is no typical stereotype for the bully, but generally a student who is small, weak, different or academically challenged becomes the victim of bullying. Bullies bully in the following ways: physical, emotional, sexual, verbal, cyber-bullying and even by way of exclusion. The role of the bystander is critical; the bystander actually has more power than the bully and can impede or hinder bully behavior with even subtle unsupportive actions.

What does HB 1465 require of school districts?

Each school district must develop a bullying policy, that at a minimum, uses the legislative definition; establishes procedures for reporting and documenting alleged acts of bullying, reprisal, or retaliation, and includes procedures for anonymous reporting; establishes procedures/timelines for school district personnel to follow in investigating reports of alleged bullying, reprisal, or retaliation; establishes a schedule for the retention of any documents generated while investigating reports of alleged bullying, reprisal, or retaliation; sets forth the disciplinary measures applicable to an individual who engaged in bullying or who engaged in reprisal or retaliation; requires the notification of law enforcement personnel if an investigation by school district personnel results in a reasonable suspicion that a crime might have occurred; establishes strategies to protect a victim of bullying, reprisal, or retaliation; and establishes disciplinary measures to be imposed upon an individual who makes a false accusation, report, or complaint pertaining to bullying, reprisal or retaliation.

When does HB 1465 become effective?

Each school district must have an approved policy in place by July 1, 2012.

Who is responsible for the policy development?

The district policy must be developed in conjunction with parents, district employees, volunteers, students, school district administrators and law enforcement, as well as domestic violence sexual assault organizations (who can be contacted through www.ndcaws.org/resources/).

Implementation requirements:

- ◆ Policy must be explained to and discussed with students.
- ◆ Policy must be filed with the North Dakota Department of Public Instruction (DPI); reviewed and revised as necessary, and amendments filed with DPI.
- ◆ Policy must be published in student and employee handbooks.
- ◆ Implementation procedures do not need to be identified in policy.

Staff Professional Development

HB 1465 requires schools provide professional development to all staff. Suggested topics include commonality and understanding (consensus) as to acceptable and unacceptable behavior and consequences; nature of bullying; characteristics of students involved in bullying; types of bullying and interventions; gender differences; students who are victimized; empowering bystanders; students' attitudes about bullying; and staff/adult responses to bullying. Additionally, professional development should include common understanding about selecting, using and evaluating school-wide bully prevention programs; establishing, implementing and evaluating school-wide policy; and assessing school climate and culture. The specifics of professional development and delivery need not be contained in the policy.

Prevention Programs

The law requires each school district to provide bullying prevention programs to all students from kindergarten through grade 12. Effective prevention programs focus on: data; social culture/climate and environment; staff and parent support; the unique characteristics of various age ranges; ongoing training for staff and students; establishment and enforcement of consistent school policies; and increased supervision in 'hot spots.'

When selecting prevention programs...

- ◆ Assure materials selected are developmentally and age-appropriate.
- ◆ Select programs that explain and illustrate the many forms that bullying can take; boys and girls involved in bullying; and suggest or show appropriate and realistic solutions to bullying.
- ◆ Select programs/materials that are research or evidence based, or identified as exemplary.
- ◆ Understand that providing a program to secondary students may require more planning as a result of class schedules, availability, etc. Understand the difference between elementary, middle and high school may offer a challenge (three programs/curriculums) but also an opportunity for comprehensive approach (similar language, multiple messaging).

While the law language requires K-12 prevention programs, the policy does not need to specify program or details of delivery.

The DPI and its statewide partners – North Dakota Council for Educational Leaders, North Dakota Education Association and North Dakota School Boards Association – will work collaboratively with schools to provide technical assistance, professional development, policy guidance and resources to meet the intent of HB 1465.

Research-Based Programs and Curriculums

Elementary School	Middle School	High School
Olweus Program www.olweus.org/public/index.page	Olweus Program www.olweus.org/public/index.page	Olweus Program www.olweus.org/public/index.page
LifeSkills www.lifeskillstraining.com/index.php	LifeSkills www.lifeskillstraining.com/index.php	LifeSkills www.lifeskillstraining.com/index.php
Second Step www.cfchildren.org/programs/str/overview/	Second Step www.cfchildren.org/programs/str/overview/	
ABC’s of Bullying (online course for teachers) pathwayscourses.samhsa.gov/bully/bully_intro_pg1.htm		
Kids Against Bullying (interactive) www.pacerkidsagainstbullying.org/		
Bully Free Classroom (K-8) www.freespirit.com/catalog/item_detail.cfm?ITEM_ID=46	Bully Free Classroom (K-8) www.freespirit.com/catalog/item_detail.cfm?ITEM_ID=46	
K-12 Real Life Issues Curriculum Infusion www.neiu.edu/~K12pac/index.htm	K-12 Real Life Issues Curriculum Infusion www.neiu.edu/~K12pac/index.htm	K-12 Real Life Issues Curriculum Infusion www.neiu.edu/~K12pac/index.htm

Programs and Curriculums – Not Research-Based, but Identified as Exemplary

Schools Where Everyone Belongs: Practical Strategies for Reducing Bullying www.goodreads.com/book/show/492732.Schools_Where_Everyone_Belongs
Character Education charactercounts.org
Peer Mentoring Programs educationnorthwest.org/webfm_send/169 Peer mentoring, while not research-based, is a program which demonstrates strong evidence of effectiveness (large degree of upfront time and training are required – id components, training topics, method of evaluation, outcomes, etc.). Peer mentoring levels include: <ul style="list-style-type: none"> ◆ High school to middle school ◆ Middle school to elementary ◆ High elementary to low elementary

Helpful K-12 Websites on Bullying*

North Dakota HB 1465 (NDCC 15.1-19)	www.legis.nd.gov/assembly/62-2011/documents/11-8212-04000.pdf
Cyber-bullying	www.cyberbully.org/cyberbully/docs/cbctparents.pdf (For parents)
	Cyber Bullying: Prevention Curriculum for Grades 6-12 www.cyberbullyhelp.com/CyberBullying_ScopeSequence.pdf
	Cyber Bullying: Prevention Curriculum for Grades 3-5 Cyber Bullying: Prevention Curriculum for Grades 6-12 www.hazelden.org/web/public/cyberbullying1.page
Girls as bullies	Girl Wars: 2 Strategies to End Female Bullying (Cheryl Dellasega, Charisse Nixon)
Bystanders	The Bully, the Bullied, and the Bystander: From Preschool to High School--How Parents and Teachers Can Help Break the Cycle of Violence (Barbara Coloroso)
	Bystanders: Turning Onlookers into Bully-Prevention Agents www.jimwrightonline.com/pdfdocs/bully/bystander.pdf
Sexting	www.stompoutbullying.org/aboutbullying_sexting.php
	Common Sense – Talking about Sexting www.common sense media.org/talking-about-sexting
	Tips to prevent sexting www.connectsafely.org/Safety-Tips/tips-to-prevent-sexting.html
LGBT	stopbullyingnow.hrsa.gov/ (Also has sections on cyber-bullying.)
Children with Special Needs	Walk a Mile in Their Shoes www.abilitypath.org/areas-of-development/learning--schools/bullying/articles/walk-a-mile-in-their-shoes.pdf

* This listing of websites, programs and curriculum is not intended to be all inclusive. There may be other sources of information that school districts may use.

Thank you to Rick Heidt (North Dakota Council of Educational Leaders) for his assistance with this project.



North Dakota Department of Public Instruction
Kirsten Baesler, State Superintendent
600 E Boulevard Ave, Dept 201
Bismarck ND 58505-0440
www.nd.gov/dpi

**For more information, resources
or technical assistance, contact:
Valerie Fischer,
Director of DPI School Health
vfischer@nd.gov or 701.328.4138**