

Report on the Status of Analysis of Bullying Policies in Connecticut January 2010

Introduction and Reporting Requirements

Section 10-222h(a) of the Connecticut General Statutes (C.G.S.) requires Connecticut State Department of Education (CSDE) to do the following, within available appropriations:

- review and analyze the policies submitted to the department pursuant to C.G.S. Section 10-222d;
- examine the relationship between bullying, school climate and student outcomes;
- document school districts' articulated needs for technical assistance and training related to safe learning and bullying;
- collect information on the prevention and intervention strategies used by schools to reduce the incidence of bullying, improve school climate and improve reporting outcomes;
- develop model policies for Grades kindergarten to twelve, inclusive, for prevention of bullying; and
- make any recommendations regarding additional activities or funding to prevent bullying in schools and improve school climate.

The purpose of this report is to provide an update on the status of the Connecticut Department of Education's efforts to complete these tasks. As of this date, no funding has been appropriated for these purposes.

Review and Analysis of District and Magnet Schools' Bullying Policies

Section 10-222d of the C.G.S. requires local and regional boards of education, charter and magnet schools ("districts") to submit their bullying policies to the CSDE by February 1, 2009. Procedures for submitting the policies to CSDE were provided in the March 27, 2009, Circular Letter C-8 (attached). As of July 2009, less than a third of the districts submitted their policies. A follow-up electronic reminder was sent to districts in August 2009 and by September 2009 about half of the districts' policies had been received. Individual phone calls were made to superintendents and directors of magnet schools in September and October 2009. By November 2009, nearly all of the districts' policies had been submitted. Four charter schools (Common Ground, Bridgeport Academy, Elm City College Preparatory and Hartford Academy) have yet to submit their policies.

Throughout this nine-month process of collection, many districts reported that their boards had not revised or approved their policies to comply with the requirements laid out in Section 10-222d of the C.G.S. and were waiting for such approval. An initial review of the policies collected by the CSDE reflects the following:

- One hundred twenty-nine districts' policies have been clearly revised and approved since July 1, 2008.

- Fifty-nine districts’ policies have not been revised and approved since July 1, 2008.
 - Nineteen districts’ policies have no date of revision/approval at all on their policies (no way of determining when these districts first put their bullying policies in place).
 - Nineteen districts’ policies have dates of approval ranging from July 1, 2002, to July 1, 2006 (the period of time during which the original bullying policy was passed).
 - Twenty-one districts’ policies have dates of approval ranging from July 1, 2006, to July 1, 2008 (the period of time during which the first set of editions were made to the bullying policy).
- Twenty-two districts have contracted with Connecticut Association of Boards of Education (CABE) and used their sample policy.
- There is no current mechanism to determine the levels at which policies are being implemented or the degree to which districts are following their policies with fidelity.

Relationship between Bullying, School Climate and Student Outcomes

Nationally, there is a large and growing body of rigorous formal research, which documents the relationships among bullying, school climate and student outcomes. This research provides compelling data and conclusions about these relationships. Students who are in physically, emotionally, socially and intellectually safe school climates are less likely to experience bullying, are connected to their school, more engaged in learning, less likely to dropout and more likely to achieve to their potentials. Additionally, health related risk factors diminish substantially (such as engaging in risky sexual behaviors, abusing substances, experiencing stress, attempting suicide and engaging in violent/deviant behaviors).

The CSDE collaborated with the University of Hartford in 2007 to survey all local school district administrators on the status of bullying, policy interpretation and program implementation. Eighteen percent of districts responded.¹ Additionally, a comprehensive study of the history and analysis of the Connecticut anti-bullying statute was published simultaneously in the fall 2007 CT Public Interest Law Journal.² The larger research to assess impact of bullying policies on student outcomes in Connecticut remains to be conducted.

Every time an alleged “case” comes to the attention of the CSDE, the calls are logged and tracked. Although this collection of cases is anecdotal and cannot be considered sound research, the information gleaned is helpful and provides a context for making concrete recommendations that ultimately will diminish bullying in schools and improve the wider school climate. The following represent the important trends:

- Levels of “bullying” have remained constant (no apparent increases or decreases) over the past seven years.

- All demographic areas (District Reference Groups, urban, rural, suburban, small schools, large schools, race/gender/ethnicity, etc.) experience bullying.
- All school grade levels (PK–12) experience bullying.
 - There is a very slight increase during the middle school years but not enough to determine that bullying is a middle school problem.
 - Adults are routinely accused of engaging in bullying behavior, although Connecticut statute does not cover adult bullying.
- Children with identified special needs are at least three times as likely to be either the targets of bullying or the alleged bully.
 - Of the cases coming to the attention of the CSDE, 30 – 50 percent involves children with identified special needs, where the state average of children with identified special needs is 10.8 percent.
- Family perceptions about what is happening to their children in virtually all cases are entirely different from the schools’ perceptions.

Districts’ Needs for Technical Assistance and Training

Along with the electronic submission of each districts’ bullying policies, the CSDE collected information regarding districts’ needs for technical assistance and training related to safe learning, bullying and the prevention and intervention strategies that are currently in place to improve school climate. Eleven questions were asked (Appendix A). One hundred eighty-eight surveys were submitted to the CSDE representing 125 districts, charter schools and Regional Education Service Centers (RESCs). The results were as follows:

- When asked how the state can support the management of school climate and anti-bullying prevention efforts in schools and districts, many responders indicated that more funding and resources are needed, particularly to support training on policy and bullying prevention strategies.
- Assistance in providing training to parents in order to raise awareness of what bullying and related policies was requested.
- A majority of districts reported that they provide training to their staff to support the implementation of bullying policies; however, nearly 15 percent of respondents reported that no training is provided in this area.

Section 10-222d of the C.G.S. entitled, “Policy on Bullying Behavior,” requires each district to adopt a policy on bullying and requires each district to handle all aspects of any bullying allegations, including investigating, monitoring and providing appropriate remedies, where required. CSDE has no authority to intervene in this process and, as such, serves as a resource to family members and school personnel. Since the adoption of C.G.S. 10-222d in 2002, approximately 1,000 *cases* (not calls – many of the cases continue over a period of time) have come to the attention of the CSDE.

In its role as a resource to families and schools, the CSDE engages in ongoing and targeted communication between school and home. Some critical trends have become apparent. While many districts are working exceptionally hard to make school

environments safer for their students, some are apparently doing very little. Connecticut districts desire to host “bully-free” environments. There are currently no formal mechanisms to find out how successful districts are in implementing their policies and any programs or initiatives used.

Prevention and Intervention Strategies Used in Districts and Individual Schools

The survey data gathered during the fall and winter of 2009 reveal several trends with respect to training and professional development activities in the area of bullying prevention and intervention:

- There are three programs which are most often used in the state that come from the federally approved Title IV (Safe and Drug Free Schools) “research based” or “promising” program list. These three are Second Step: A Violence Prevention Curriculum; Life Skills Training; and Social Decision Making and Problem Solving. A large number of responders indicated that they also use programs outside of those on the federally approved list.
- Responsive Classrooms, Positive Behavior Intervention Supports (PBIS) and Don’t Laugh At Me were the other most commonly reported programs being used in districts to address bullying beyond the federally approved list.
- Among those responders, who indicated that they had a school climate improvement plan, a large majority (88.5 percent) indicated that this plan is integrated with their broader School Improvement Plan.
- Case-by-case interventions, counseling and conference with the bully were reported as the top three intervention strategies being used to address verified cases of bullying behavior; restorative justice, referral to a family resource center and referral to juvenile court were the least frequently reported interventions.
- Counseling, increased supervision and monitoring of students targeted for bullying and encouragement of students to seek help when targeted were the most frequently reported strategies used to support students who were the targets of bullying behavior. Peer mediation was reported as a strategy as well, but less frequently than the previously noted strategies.

Details of the survey questions and results are included in Appendix A.

Model Policies

Currently, in 2010, 39 states have passed some form of anti-bullying legislation and five others are in the process of doing so. Connecticut was among the first 10 states to pass such legislation that began in 1999. These 44 state laws provide a rich body and range of policies from which to learn and benefit in the future, although such analysis has not been methodically conducted. This is the first year that local Connecticut districts’ policies are required to be submitted to the CSDE. These policies will also provide more examples from which to learn.

Connecticut districts rely upon their school board attorneys or the Connecticut Association of Boards of Education (CABE) to develop policies. The Connecticut

Technical High School System (CTHSS) has taken the lead in the state and has adopted a “model” policy based on the existing C.G.S. 10-222d. Their systemwide “Policy on Bullying,” (revised 11/1/09) should be considered the most comprehensive and thoughtful policy currently implemented. The federal Office for Civil Rights has approved this policy. The CTHSS Policy on Bullying has the important advantage of incorporating bullying, cyber-cruelty, harassment and hate crimes for both students and adults. To date, this policy more closely recognizes the spirit or intent of C.G.S. Section 10-222d, which is to create safe school climates, not merely to react and intervene when bullying incidents surface. Until a full review, analysis and creation of model policies for all grade levels can be completed (sufficient resources would need to be allocated), the CTHSS policy should be proposed as an interim state model policy.³ One benefit of offering this policy is that it articulates clear and detailed reporting requirements and clear prohibition for retaliation that are presently lacking in current Connecticut local school district policies.

Recommendations

Along with the above report on the status of efforts at the CSDE pursuant to C.G.S. Section 10-222d, C.G.S. Section 10-222e and C.G.S. Section 10-222g, Section 10-222h (b) of the C.G.S., requests CSDE’s recommendations regarding additional activities or funding to prevent bullying in schools and improve school climate. The following are four high priority recommendations.

1. **Amend C.G.S. 10-222d, “Policy on Bullying Behavior” to become the Policy on Creating Safe School Climates.**

Rationale: Section 10-222d should be amended and its title revised to encourage districts to create Safe School Climates. Reframing the current statute will articulate and honor the “spirit” of the law (creating physically, emotionally, socially and intellectually safe and healthy learning environments for children). Doing so would place increased focus and attention on prevention by being proactive, rather than reactive, and would be aligned with all other CSDE efforts. Additionally, reframing the statute in this manner would align with the national School Climate Standards.⁴

2. **Change the definition of “bullying” to recognize and align the state and federal legal differences between “bullying” and “harassment.”**

Rationale: The present definition of “bullying” in C.G.S. Section 10-222d contains inconsistencies with state and federal harassment legislation and is not entirely consistent with the federal Family Educational Rights Privacy Act (FERPA). Amending the current definition of bullying to recognize these legal differences between “bullying” and “harassment” will provide clarity and direction for schools. It is further recommended that “bullying” be given the level of weight commensurate with that given to “harassment.” Making these changes would mean that bullying complaints would be required to be taken as seriously as would complaints under Title II, Title VI, Title IX, and 504 pursuant to federal civil rights laws (severe, persistent or pervasive). Bullying will not significantly diminish until it is considered on par with matters of discrimination, harassment and hate crimes that exist for the state and federally identified protected classes.

3. **Develop and implement statewide common school climate assessments**

Rationale: C.G.S. Section 10-222g, “Prevention and intervention strategy regarding bullying,” currently requires that schools implement a “school survey to determine the prevalence of bullying.” CSDE recommends amending this statute to require districts to assess the quality of the school climate, rather than assessing the prevalence of bullying in school. School Climate assessments will allow districts to collect meaningful data to determine if efforts to improve school climate and diminish bullying are successful or, if not, to implement the necessary improvement plans. Because of the known relationships among the quality of the school climate, dropout rates, levels of academic achievement and overall positive student outcomes, this kind of assessment will support the overarching CSDE goals for school and district improvement in academic achievement for all students.

4. **Provide sufficient funding to complete the above three legislative recommendations.**

Rationale: The above recommendations will require appropriations to be completed.

¹LaRocco, Diana J. with Nestler-Russack, Donna and Freiberg, Jo Ann (2007) “*Public School Principals’ Experience with Interpreting and Implementing Connecticut’s Anti-bullying Law (CGS 10-222d): A Statewide Survey*.” Presented to NERA, October.

²*Courthouse Fix the Schoolhouse? An Analysis of Connecticut’s Anti-Bullying Statute.*” University of Connecticut: Connecticut Public Interest Law Journal, 7:1, 105 – 135.

³CTHSS 11-1-09 bullying policy

⁴National School Climate Standards