REPORT OF THE
VIRGINIA DEPARTMENT OF EDUCATION

Study of the Nature and Effectiveness of Virginia School Divisions' Antibullying Policies (HJR 625, 2011)

TO THE GOVERNOR AND
THE GENERAL ASSEMBLY OF VIRGINIA

HOUSE DOCUMENT NO. 7

COMMONWEALTH OF VIRGINIA
RICHMOND
2012

COMMONWEALTH of VIRGINIA

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January 10, 2012

The Honorable Robert F. McDonnell
Governor of Virginia
Patrick Henry Building, 3rd Floor
1111 East Broad Street
Richmond, Virginia 23219

Members of the General Assembly of Virginia
General Assembly Building
Richmond, Virginia 23219

Dear Governor McDonnell and Members of the 2012 Virginia General Assembly:

I am pleased to present to you the Virginia Department of Education's Study of the Nature and Effectiveness of Virginia School Divisions' Antibullying Policies, pursuant to House Joint Resolution No. 625 passed by the 2011 General Assembly. This resolution states the following:

> *WHEREAS, beginning in 2005, local school boards in Virginia have been required to include the topic of bullying in their codes of student conduct, with electronic means of bullying added in 2009; and*
>
> *WHEREAS, Virginia public school students also receive instruction on bullying prevention as part of their character education requirement; and*
>
> *WHEREAS, studies show that between 15 and 25 percent of U.S. students are bullied with some frequency, while 15 to 20 percent report they bully others with some frequency; and*
>
> *WHEREAS, both students who bully and students who are bullied are more likely to skip school and drop out of school; now, therefore, be it*

RESOLVED by the House of Delegates, the Senate concurring, that the Department of Education be requested to study the nature and effectiveness of local school divisions' antibullying policies.

In conducting its study, the Department of Education shall: (i) review and compare antibullying measures in the student codes of conduct from each school division, (ii) compare existing policies with the Department's model policy for codes of student conduct, and (iii) determine if improvements to existing policies are warranted, in order to more effectively combat bullying in Virginia's public schools.

All agencies of the Commonwealth shall provide assistance to the Department for this study, upon request.

The Department of Education shall complete its meetings by November 30, 2011, and shall submit to the Governor and the General Assembly an executive summary and a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports no later than the first day of the 2012 Regular Session of the General Assembly and shall be posted on the General Assembly's website.

This report contains an executive summary and recommendations. If you have questions or require additional information, please do not hesitate to contact me or H. Douglas Cox, assistant superintendent for special education and student services, at (804) 225-2715, or by e-mail at doug.cox@doe.virginia.gov.

Sincerely,

Patricia I. Wright, Ed.D.
Superintendent of Public Instruction

Enclosure

c: The Honorable Robert B. Bell

Preface

In 2011, the Virginia General Assembly passed House Joint Resolution No. 625, requesting the Virginia Department of Education (VDOE) to study the nature and effectiveness of local school divisions' antibullying policies. Specifically, the directive of the resolution requested VDOE:

> *to study the nature and effectiveness of local school divisions' antibullying policies, completing its meetings by November 30, 2011, and submitting to the Governor and General Assembly an executive summary and a report of its findings and recommendations for publication as a House or Senate document...no later than the first day of the 2012 Regular Session of the General Assembly* (January 11, 2012).

The study directives were:

i. To review and compare "antibullying measures in the student codes of conduct from each school division;"

ii. To compare "existing policies with the Department (of Education's) model policy for codes of student conduct;" and

iii. To determine "if improvements to existing policies are warranted, in order to more effectively combat bullying in Virginia public schools."

The full resolution may be found in Appendix A.

VDOE would like to acknowledge the following:

Study Group and Staff Assigned:

Virginia Commonwealth University, School of Education, Center for School-Community Collaboration: ***Michelle M. Schmitt, Ph.D.***, Acting Director and Principal Investigator; and ***M. Gene Miles***, Web and Data Specialist

Virginia Department of Education, ***H. Douglas Cox***, Assistant Superintendent, Division of Special Education and Student Services, ***Cynthia A. Cave, Ph.D.***, Director, Office of Student Services; ***JoAnn Burkholder***, previously Safe and Drug Free Schools Coordinator (currently-School Accreditation /Student Assistance Systems Coordinator, Office of School Improvement); ***Wayne Barry, Ed.D.***, Student Support Services Specialist; and, ***Nancy Campbell***, Administrative Assistant

Catherine F. Moffett, Ed.D., Educational and Bullying Consultant

For assistance with the *2011 Virginia School Safety Audit* data:

Virginia Department of Criminal Justice Services: ***Donna Michaelis***, Director, Center for School Safety; and, ***Sherri Johnson***, Evaluation Specialist, Criminal Justice Research Center

University of Virginia, Curry School of Education and Youth-Nex: ***Dewey G. Cornell, Ph.D.***, Professor; and, ***Peter J. Lovegrove, Ph.D.***, Research Associate

For assistance with collecting literature and information from school division Web sites:

Virginia Commonwealth University, School of Education, Center for School-Community Collaboration: ***Tiffany Morris*** and ***Amy Scarcinella***, Graduate Assistants

Table of Contents

Executive Summary vii
Introduction 1
What is Bullying? 1
Prevalence of Bullying 2
Bullying Affects Learning 3
Bullying Affects Health 3
Suicidal Ideation 4
Bullying Linked with other Criminal Behavior 4
Methodology 6
Sources of Information and Data 6
Best Practice 6
Division-level Information 6
School-level Information 6
Review and Comparison of Antibullying Measures in Each School Division 7
Comparison of Existing Policies with the Department's Model Policy for Codes of Student Conduct 7
Table 1. Division-level Board of Education (BOE) Elements, Best Practice Policy Components 8
Review of School-level Activities 8
Findings 9
Review and Comparison of Antibullying Measures in School Division Policies 9
Comparison of Existing Division-level Policies to Components of Model Policy 11
Table 2. Best Practice Policy Components[a] Included in Division Policies from Most Often Included to Least Often Included 12
1. Definition of Bullying 12
2. Implementation of Evidence-Based Program(s) 13

3. Staff Communication and/or Training 13
4. Feedback from Teachers and other School Staff 14
5. Student Education 14
6. Student Survey 14
7. Parent Communication, Education and Survey 14
8. Intervention(s) with Victim(s) 15
9. Intervention(s) with Student(s) who Bullies(y) 15
10. Evaluation of Programming 15
Review of School-Level Activities 16
Student Education 16
Table 3. Student Education Activities as Reported by Schools on the 2011 Virginia School Safety Audit (SSA) 17
Intervention(s) with Student(s) who Bullies(y) 17
Table 4. Intervention(s) with Student(s) Who Bullies(y) as Reported by Schools on the 2011 Virginia School Safety Audit (SSA) 18
Intervention(s) with Victim(s) 18
Discussion 19
Recommendations 21
References 22
Appendices 27
A. House Joint Resolution No. 625 28
B. *Code of Virginia* Sections § 22.1-208.01 and § 22.1-279.6 29
C. Technical Methodology of Study 32
D. Virginia Department of Education Survey of School Divisions Questions 37
E. The *2011 Virginia School Safety Audit* - Questions Utilized 38
F. Olweus Bullying Prevention Program (OBPP) 41

Executive Summary

Background

Beginning in 2005, Virginia school boards have been required to include bullying as a part of character education according to § 22.1-208.01 of the *Code of Virginia*. As well, school boards are to include bullying as prohibited behavior in their student codes of conduct, according to § 22.1-279.6 of the *Code of Virginia*.

2011 Legislative Responsibility

In 2011, the Virginia General Assembly passed House Joint Resolution No. 625, requesting the Virginia Department of Education (VDOE) to study the nature and effectiveness of local school divisions' antibullying policies. Specifically, the directive of the resolution requested VDOE:

> *to study the nature and effectiveness of local school divisions' antibullying policies, completing its meetings by November 30, 2011, and submitting to the Governor and General Assembly an executive summary and a report of its findings and recommendations for publication as a House or Senate document...no later than the first day of the 2012 Regular Session of the General Assembly (*January 11, 2012).

The study directives were:

i. To review and compare "antibullying measures in the student codes of conduct from each school division;"

ii. To compare "existing policies with the Department (of Education's) model policy for codes of student conduct;" and

iii. To determine "if improvements to existing policies are warranted, in order to more effectively combat bullying in Virginia public schools."

In response to this resolution, VDOE surveyed all school divisions regarding policies, regulations, procedures, discipline actions, prevention and intervention programs, and strategies surrounding bullying. VDOE worked with the Center for School Safety within the Department of Criminal Justice Services to utilize school-level data from the *2011 Virginia School Safety Audit* (SSA). VDOE contracted with the School of Education at Virginia Commonwealth University to conduct the study. Methodology of the study included several steps. A review was conducted of bullying policies collected in a VDOE division-level survey and division-written policies posted on school division Web sites. Themes across school division policies were culled. Division-level policies also were compared to ten components of best practice identified by a literature review and review of the policies of states held in high national regard surrounding bullying efforts. Four of the elements of the Board of Education's *Student Conduct Policy Guidelines* (2009) were examined as they coincide with the ten components of best practice. These components are: (1) standards of student conduct; (2) training of school personnel; (3) dissemination and review of

standards; and (4) discipline procedures. In addition, school-level activities, programs, and policies as reported by schools in the SSA were examined.

Study Findings

It was found that all school divisions in Virginia meet the requirements of the *Code of Virginia* and include bullying as a part of character education and as a prohibited behavior. The following table indicates the components included in school division antibullying policies, from most often to least often.

Best Practice Policy Components[a] Included in Division Policies from Most Often Included to Least Often Included

Policy Component	Divisions rated as having component
Intervention with students who bully[c]	98.5% (130)
Definition	97.7% (129)
Staff communication and/or training[b, c]	94.7% (125)
Student education[b, c]	94.7% (125)
Parent communication, education or survey[b, c]	88.6% (117)
Intervention with victim(s)[c]	25% (33)
Evaluation of programming[c]	24.2% (32)
Evidence-based programs required[c]	23.5% (31)
Student survey[c]	22% (29)
Feedback from teachers and staff	1.5% (2)

[a] Board of Education (BOE) elements are encompassed in the ten components of best practice policy.
[b] If bullying was in the student code of conduct/handbook, these components were counted.
[c] If a response indicated divisionwide implementation of Olweus Bullying Prevention Program (21 divisions), these components were counted, since the program includes them.

Other notable findings include:

Overall, 95 percent of all schools responding to the SSA (1,877) provide some form of student education on bullying.

More than half of school divisions (55.3 percent) use the definition of bullying outlined by the Virginia School Board Association. An additional 9.8 percent of divisions have adopted the wording of the sample provided in the Virginia Board of Education's *Student Conduct Policy Guidelines* (2009).

Slightly over 88 percent of all schools responding to the SSA are providing individual counseling to students identified as being bullied.

Eighty-four percent of schools (1,666) indicated on the SSA that they communicate schoolwide rules or policies about bullying to all students.

The vast majority of divisions (98.5 percent) and schools (93 percent) have specific policies regarding interventions that they use when a student is identified as bullying others.

Recommendations

The following are recommendations stemming from the study.

It is recommended that the Virginia Department of Education develop a model comprehensive antibullying policy, using the ten best practice components identified in this study.

The model antibullying policy should include, but not be limited to:

a. A definition of bullying that specifies: (1) aggression, be it physical, verbal or psychological, that is intended to harm; (2) repetition over time; and (3) a relationship with a power imbalance (psychological, social or physical) between perpetrator and target. The third component, that of an imbalance of power, should be added to the Board of Education's example/sample policy provided in the *Student Conduct Policy Guidelines* to support model policy at the division level;

b. Examples of behaviors indicative of bullying, that should be included in student codes of conduct. In this manner, all students and parents may better understand what behaviors are prohibited;

c. Alternatives to suspension and expulsion to address bullying behavior, as supported through research, including providing individual counseling for intervening with students identified as bullying others and individualized and group counseling for students identified as being bullied;

d. Communication, education, and outreach with staff and students, and parents and families;

e. Expectations of staff and students in preventing and addressing bullying.

It is recommended that the Virginia Department of Education provide technical assistance and training for school divisions and schools in best policies, practices and procedures for implementing evidence-based bullying prevention and responding to bullying incidents, including:

a. Identifying bullying behaviors

b. Intervening at the time of the incident (s)

c. Notifying school administration

d. Following up after bullying incidents

e. Establishing an anti-bullying climate within school systems

Introduction

Beginning in 2005, Virginia school boards have been required to include bullying as a part of character education in its schools, as well as a prohibited behavior in their student codes of conduct, according to the Code sections 22.1-208.01 and 22.1-279.6 (Appendix B). In 2011, the Virginia General Assembly passed House Joint Resolution No. 625, requesting the Virginia Department of Education (VDOE) to study the nature and effectiveness of local school divisions' antibullying policies. Specifically, the directive of the resolution requested VDOE:

> to study the nature and effectiveness of local school divisions' antibullying policies, completing its meetings by November 30, 2011, and submitting to the Governor and General Assembly an executive summary and a report of its findings and recommendations for publication as a House or Senate document...no later than the first day of the 2012 Regular Session of the General Assembly (January 11, 2012).

The study directives were:

i. To review and compare "antibullying measures in the student codes of conduct from each school division,"

ii. To compare "existing policies with the Department (of Education's) model policy for codes of student conduct," and

iii. To determine "if improvements to existing policies are warranted, in order to more effectively combat bullying in Virginia public schools."

In addition, antibullying practices and programs occurring in schools across the Commonwealth, as reported by school personnel on the *2011 Virginia School Safety Audit*, were examined with regard to model policy components.

What is bullying?

In the mid-1980s, seminal researcher Dan Olweus, Ph.D., retired professor of psychology at the University of Bergen, Bergen, Norway, developed the following definition of bullying: "A student is being bullied or victimized when he or she is exposed, repeatedly and over time, to negative actions on the part of one or more other students." (Olweus, 1993). Bullying includes a myriad of negative behaviors that are intentionally cruel toward others. Key components of bullying behavior are:

(1) aggression, be it physical, verbal or psychological, that is intended to harm;

(2) repetition over time; and

(3) a relationship with a power imbalance (psychological, social or physical) between perpetrator and target (Farrington, 1993, Olweus, 1993; Nansel, et al., 2001; Olweus, Limber & Mihalic, 1999; Olweus, et al., 2007).

There is often confusion as to what behaviors construe "bullying." The definition of bullying developed from the literature includes intent to harm through aggression repeated over time, and also a power imbalance between the person who bullies and the target. For example, the component of power imbalance differentiates bullying from fighting, which occurs between relative equals. In instances of bullying, there is a real or perceived imbalance of power between bully and victim.

Bullying is peer abuse and takes many forms: physical, verbal teasing or threatening, intentional exclusion from a group, mean gestures, and rumor-spreading. Studies have reported bullying in the form of teasing, rumors, intimidation and physical confrontation to affect approximately 20 to 30 percent of students on a daily basis (Meyers-Adams, 2008). With the multiple electronic venues now available, cyberbullying has become a major issue (Olweus, et al., 2007; Kowalski, Limber & Agatson, 2008; Willard, 2007).

Prevalence of Bullying

In a recent large-scale survey of 11 to 15 year-olds in 40 countries utilizing the Olweus Bullying Questionnaire, Craig and colleagues (2009) revealed that 26 percent of adolescents had been involved in bullying with some regularity (''two to three times a month'' or more often) – 10.7 percent as ''bullies only,'' 12.6 percent as ''victims only,'' and 3.6 percent as ''bully/victims.'' Bully/victims are children who are bullied by some and, in turn, bully others. Among American students in this sample, 22.2 percent of boys and 16.6 percent of girls reported regular involvement in bullying, either as perpetrator, victim or bully/victim. Notably, there were considerable variations in bullying rates across the 40 countries surveyed (e.g., a fivefold difference could be seen among countries in the prevalence of bullying among boys, and a sevenfold difference could be seen among girls' involvement in bullying). These differences probably reflect social and cultural differences in bullying itself (or in the understanding of bullying) and in the implementation of policies and programs to address bullying (Craig, et al., 2009; Olweus & Limber, 2010). It should be noted that such factors as attitudes, beliefs, practices, and behavior of adults in the school environment have considerable impact upon the extent to which various bullying problems will occur in a school or in individual classrooms.

In addition, most bullying incidents involve children and youth other than the child being bullied and the perpetrators; thus, bystanders are also impacted by bullying. Therefore, behaviors and attitudes of peers who are bystanders, and their engagement in group mechanisms and processes, are also important to consider (Olweus & Limber, 2010).

The U.S. Department of Education's Institute of Education Sciences' National Center for Education Statistics findings from the "Student Reports of Bullying and Cyber Bullying: Results from the 2009 School Crime Supplement to the National Crime Victimization Survey" mirror the international findings (NCES 2001-336, 2011). During the 2008-2009 school year, the percentage of students ages 12 through 18 who reported that they were bullied decreased as grade level increased, from 39.4 percent in the 6th grade to 20.4 percent in the 12th grade. Among students who indicated that they were bullied, 47.2 percent reported being bullied in a hallway or stairwell, and 33.6 percent reported being bullied in a classroom. Over a third (36.3 percent) indicated that they reported the bullying incident to a teacher or other adult at school (NCES 2001-336, 2011).

Bullying Affects Learning

Research increasingly links bullying with diminished academic success. Peer exclusion has been shown to be more toxic to academic growth than other forms of peer abuse. In a longitudinal study of 380 students in kindergarten through 5th grade, Buhs, Ladd and Herald (2006) found that peer rejection in kindergarten frequently led to peer exclusion throughout elementary school. This exclusion led the participants in the study to withdraw from classroom participation. Specifically, these children withdrew from following teacher directions, participating in small-groups, taking initiative for excelling, and accepting responsibility for class and homework. This led to progressively lower scores on standardized tests and a decrease in achievement on the Wide Range Achievement Test. Though both physical and verbal bullying led to an increase in school avoidance, the impact on academic performance was highest among students who were bullied through exclusion. (Buhs, et al, 2006). Eisenberg, Neumark-Sztainer and Perry (2003) found that bullied students reported disliking school and received lower grades than students that were not regular targets of bullying behavior.

Bullying in schools has wider impact than on simply those students who are victims or perpetrators. Bystanders may feel unsafe and have difficulty learning. Lower academic achievement, higher dropout rates, and increased school absenteeism are additional burdens placed upon students, schools, parents and society (Limber, 2006).

At the 119th convention of the American Psychological Association in 2011, a University of Virginia study reported that schoolwide passing rates for Algebra I, Earth Science, and World History on standardized tests used in Virginia for determining Adequate Yearly Progress (AYP) were three percent to six percent lower in schools where students reported more severe bullying (Cornell, 2011). "This difference is substantial because it affects the school's ability to meet federal requirements and the educational success of many students who don't pass the exams," Dewey G. Cornell said in a statement. He further stated: "This study supports the case for school-wide bullying prevention programs as a step to improve school climate and facilitate academic achievement." (Cornell, 2011).

Researchers have found that systematic bullying prevention efforts in schools can positively affect school performance and lead to increased achievement on test scores. Fonagy, Twemlow, Vernberg, Sacco and Little (2005) found that students in elementary schools that had implemented bullying and violence prevention programs for two years or more demonstrated higher achievement than did a matched comparison group of control schools with no bullying prevention programs. Furthermore, when students left the schools with the programs and transferred to schools without programs, their academic achievement dropped (Fonagy, et al. 2005; Swearer, et al., 2010).

Bullying Affects Health

Current research is indicating that school-based bullying is a common form of violence in our culture. Demonstrating the connection between bullying and health problems, Gini and Pozzoli (2008) recommended that bullying be considered a significant international public health issue. In a July 2009 policy statement, the American Academy of Pediatrics commended the Olweus Bullying Prevention Program (OBPP) on its success in reducing bullying in schools and

recommended to pediatricians that they advocate for schools in their communities to adopt evidence-based bullying prevention programs (Klass, New York Times, June 9, 2009).

Depression, suicidal thoughts, substance abuse and an increased tendency to crime are negative consequences associated with bullying (Limber, 2006). In a study of Dutch school children, Fekkes, Pijpers and Verloove-Van Harick (2004) found that frequently bullied elementary school children were more likely to suffer from health issues. Bullied children had nearly three times more headaches and suffered from twice as frequent abdominal pain than non-bullied peers, (17 percent versus 9 percent). Bullied children had nearly three times more anxiety than their peers. Nearly half (49 percent) of bullied students suffered from a moderate levels of depression in comparison to 16 percent of non-bullied peers; eight times as many bullied students (16 percent) suffered from severe depression than did their non-bullied peers (Fekkes, et al, 2004).

Suicidal Ideation

Though bullying has not been found to cause youth to commit suicide, suicidal ideation is higher among students who are directly involved in bullying – either in the role of bully or the role of victim – than in the general population of students in middle and high school (Hinduja & Patchin, 2010, Klomek, et al., 2008, 2011). Hinduja and Patchin found in a study of 2000 middle school students that youth involved in either traditional or cyberbullying, as offender or as victim, tended to have more suicidal thoughts and attempts than students not involved in bullying on a regular basis. Those who had been bullied were at highest risk (Hinduja & Patchin, 2010).

In a longitudinal study, Klomek, et al. (2011) found that involvement with bullying during high school years, whether as perpetrator, victim, or bully/victim – in the absence of depression or suicidal ideation – is not a risk indicator for suicide. "However, experiencing bullying behaviors in conjunction with depression or suicidality in high school is indicative of more serious concurrent problems and portends a worse outcome 4 years later than exhibiting depression or suicidality alone." (p.513). Students who were victims or bully/victims in high school were more suicidal or depressed four years later than were those who had been identified as bullies (Klomek, et al., 2011).

Bullying Linked with other Criminal Behavior

A higher percentage of students ages 12 through 18 who reported being bullied at school during the 2008-2009 school year also reported being involved in other negative events [National Center for Education Statistics (NCES)-2011-336]:

- Being the victim of a crime: 8.9 percent of those who were bullied compared to 2.0 percent of students who were not bullied

- Having been in a physical fight at school: 15.1 percent of those who reported to have been bullied, compared to 2.2 percent of student who did not report being bullied

- Having brought a gun, knife or other object that could be used as a weapon to school: 4.1 percent of students who had been bullied, compared to 2.1 percent of students who were not bullied

- Fearing that someone would attack or harm them at school or on the way to or from school: 10.8 percent of students who had been bullied compared to 1.7 percent who were not bullied

- Avoiding a specific place at school: 10.7 percent of students who experienced bullying compared to 1.4 percent who were not bullied

Students who regularly bully during their middle school years, without intervention, are three times as likely to have at least one criminal conviction by the age of 24 (Limber, 2006; Olweus, 2003).

With the widespread prevalence and breadth of negative impacts on learning, health, and crime, concern about a culture of bullying in schools is not new. Studies show multiple effects of bullying on school culture and on student behavior (Smith, Shu, and Madsen, 2001; Whitaker et al., 2004). Increasingly, legislatures have been passing antibullying laws that have established requirements for school divisions to address bullying behaviors specifically in student codes of conduct. Most states now have mandated that bullying be addressed, often – as is the case in Virginia- as a part of character education.

Findings of a study of bullying trends in 27 European and North American countries over a 12 year period from1993/94 to 2005/06 show clear and significant decreases in the prevalence of bullying in 20 of the 27 countries. Four administrations of the Health Behaviour of School-Aged Children (HBSC) surveys were given to nationally representative 11 to 15 year olds. Involvement in bullying as either perpetrator or victim was measured. The four Scandinavian countries showed more substantial decreases in the prevalence of both chronic and occasional bullying and chronic and occasional victimization. These countries all had ongoing national efforts specifically focused on bullying prevention during the longitudinal study period. Bullying was recognized as an international problem that can be successfully addressed. Large scale efforts in bullying prevention were recognized as important and study results as encouraging to researchers, policy-makers and practitioners (Molcho, et al., 2009).

Methodology

The following provides an explanation of the study methodology. A more technical description is provided in Appendix C.

Sources of Information and Data

Best Practice: Educational research journals were utilized to identify elements of the definition of bullying behaviors, and elements of model programs, policies and practices. In addition, the state-level policies of Florida, Massachusetts, Pennsylvania, Tennessee, and Washington were reviewed.

Division-level Information: The following sources of information and data about school divisions' antibullying policies and measures were used to conduct this study:

(1) Written responses from each school division to questions concerning bullying policies, procedures, discipline actions, and prevention measures were solicited by the VDOE Office of Student Services (OSS) to each of the 132 school divisions in the spring of 2011 (Appendix D). Responses were received from all school divisions regarding:

- Bullying policies/regulations and procedures from the division's student code of conduct
- Discipline actions that may be taken to address bullies
- Prevention and intervention curricula, programs and/or strategies used to prevent bullying

(2) An on-line search of school board policies and student codes of conduct (student handbooks or students' rights and responsibilities) was performed on the Web sites of all 132 divisions during August 2011. On-line policies were initially located for 129 of the 132 divisions. The final three additional student codes of conduct were received via e-mail in response to a request by VDOE to those divisions.

School-level Information: Responses provided by building administrators to specific questions about bullying collected from each school for the *2011 Virginia School Safety Audit* Survey (SSA), conducted by Dewey G. Cornell, Ph.D. and Peter J. Lovegrove, Ph.D., of the University of Virginia, on behalf of the Virginia Department of Criminal Justice Services (DCJS) during August and September, 2011 were utilized (Appendix E). The SSA is conducted annually by the Virginia Center for School Safety of DCJS. It is an on-line school safety survey that collects information from each public school describing school safety policies and practices. Included in the data base for the audit for the school academic year of 2010-2011 are questions concerning antibullying measures. Drs. Cornell and Lovegrove managed the data collection and cleaning, and provided VDOE with the raw data for all schools in the Commonwealth.

Review and Comparison of Antibullying Measures in Each School Division

The Principal Investigator reviewed the responses to the VDOE survey from all 132 school division submissions. The Principal Investigator also searched and reviewed the written division-level school board policies for student codes of conduct posted on division Web sites. Themes were culled, and ratings as outlined below were compiled.

Comparison of Existing Policies with the Department's Model Policy for Codes of Student Conduct

The Virginia Board of Education's (BOE) *Student Conduct Policy Guidelines* (2009) provide a definition of bullying and a sample standard, which were compared to school divisions' student codes of conduct. The guidelines do not provide a specific model for antibullying policy. However, included in the guidelines are the following elements recommended to be part of a school division's code of conduct:

1. Disciplinary action criteria, procedures, and processes
2. Policy for the development, dissemination, and periodic review of standards of student conduct
3. Training of school personnel
4. Standards for student conduct

A review of the literature and information from other states indicates that a model policy would include the following components, which encompass the above elements:

1. Definition of bullying
2. Implementation of evidence-based program(s)
3. Staff communication and training (annual)
4. Feedback from teachers and other school staff
5. Student education (annual)
6. Student survey
7. Parent communication, education and survey
8. Intervention(s) with victim
9. Intervention(s) with student(s) who bullies(y)
10. Evaluation of programming

The following table indicates the relationship of the Board of Education's *Student Conduct Policy Guidelines* elements with the model policy best practice components.

Table 1. Division-level BOE Elements, Best Practice Policy Components

BOE Element	Best Practice Component
Division-level Policy	*Division-level Policy*
(a) Standards for student conduct	(1) Definition
	(2) Evidence-based programs required
(b) Training of school personnel	(3) Staff communication and training
	(4) Feedback from teachers and staff
(c) Policy for the development, dissemination, and periodic review of standards of student conduct	(5) Student education
	(6) Student survey
	(7) Parent communication, education or survey
	(8) Intervention with victim(s)
(d) Disciplinary action, criteria, procedures, and processes	(9) Intervention with students who bully
(c) Policy for the development, dissemination, and periodic review of standards of student conduct	(10) Evaluation of programming

Each division was rated as having or not having each of the ten (10) components in their respective antibullying policies, based upon the responses to the VDOE survey and what appears in the division-level policy/student codes of conduct.

Review of School-level Activities

Given that division-level policy is implemented at the school level, data were analyzed from individual school responses to specific questions about bullying policies and practice from the *2011 School Safety Audit* (SSA). This analysis provided examples of additional activities undertaken in individual schools as they align with components of model policy. Table B in Appendix C provides the school level activities as indicated on SSA questions which correspond to the best practice policy elements.

Findings

Review and Comparison of Antibullying Measures in School Division Policies

The policies surrounding bullying from all 132 school divisions were reviewed and compared to one another, and themes were culled. Per the review of the VDOE division-level survey and review of division-level online policies, all 132 divisions meet the current requirements set forth by the General Assembly to address bullying and cyberbullying as a part of character education and as prohibited behavior in their student codes of conduct.

The definition of bullying developed from the literature includes negative actions and aggression intended to harm and repeated over time, and the more recently referenced component of power imbalance. Three divisions use the term "bullying" without defining the term as a part of the policy/student code of conduct. In the review, the majority (55.3 percent) of divisions utilized almost identical wording for the definition of bullying:

> A student, either individually or as a part of a group, shall not harass or bully others either in person or by the use of any communication technology including computer systems, telephones, pagers, or instant messaging systems. Prohibited conduct includes, but is not limited to, physical, verbal, or written intimidation, taunting, name-calling, and insults and any combination of prohibited activities. Prohibited conduct includes verbal or written conduct consisting of comments regarding the race, gender, religion, physical abilities or characteristics of the targeted person (Virginia School Boards Association).

An additional 9.8 percent of divisions had adopted the wording of the Virginia Board of Education's (BOE) sample:

> Students, either individually or as a part of a group, shall not harass or bully others. The following conduct is illustrative of bullying:
>
> 1. Physical intimidation, taunting, name calling, and insults;
> 2. Comments regarding the race, gender, religion, physical abilities, or characteristics of associates of the targeted person;
> 3. Falsifying statements about other persons;
> 4. Use of technology such as e-mail, text messages, or Web sites to defame or harm others (Virginia Board of Education, 2009).

The definitions of "bullying" provided by many school divisions in reviewed division policies and student codes of conduct did not include the component of imbalance of power as described in the literature, which also differentiates bullying from fighting. Fighting is between relative equals; however, in instances of bullying, there is a real or perceived imbalance of power between bully and victim.

Forty-two (32 percent) school divisions have comprehensive definitions, including all components. Pulaski County provided an example of a comprehensive definition of bullying, as shown below:

> *Bullying is characterized by the following three criteria:*
>
> - *It involves aggressive behavior or intentional "harm-doing;"*
> - *It is carried out repeatedly and over time; and*
> - *It occurs within an interpersonal relationship characterized by an imbalance of power.*
>
> *Bullying involves physical and emotional behaviors that are intentional, controlling, and hurtful, thus creating a climate of harassment and fear. "Targets" of bullies sense isolation and loss of self-confidence, while those who bully face rejection, possible school-failure, and potential antisocial behavior patterns that can continue well into adulthood.*
>
> *Bullying behavior often occurs without apparent provocation, and thus may be considered a form of abuse (i.e., peer abuse). Such peer abuse may be manifested both openly and directly or subtly and indirectly.*
>
> *Research confirms that a strong, proactive stance is the best means to address bullying in school settings.*
>
> *Examples of conduct that may constitute bullying behavior include:*
>
> - *Physical bullying [other than assault/fighting as defined in JFCR* (policy code for standards of student conduct)]: *hitting, punching, poking, shoving, pinching, jabbing, kicking, choking, unwanted touching, blocking, chasing and cornering, tripping, vandalizing, stealing, and writing graffiti (on both public and private property and by use of computers or other technological devices).*
> - *Emotional bullying: name-calling, threatening, taunting, malicious and incessant teasing, spreading rumors, mocking, making faces or obscene gestures, making offensive racial or sexual comments, ganging-up on others, belittling, excluding others from a group or activity (shunning), ignoring, and lying* (Pulaski Public Schools).

Other elements of comprehensive definitions, policies and programs from divisions across the Commonwealth include:

- Acknowledgment that bullying impacts everyone at school, so it behooves everyone, including bystanders, to become aware of and involved in ending bullying;

- Including behaviors executed anywhere that negatively impact school climate, i.e., a bully instilling a climate of fear or intimidation by texting threats in the evening about physically assaulting the victim the next day during recess;

- Including sexual harassment in list of prohibited conduct, as well as a definition and/or examples of such;

- Student instruction/awareness: instruction on prohibited behaviors; consequences for retaliation/further bullying once victim and pattern have been identified;

- Staff awareness/action: procedures for intervening "on the spot," dealing with students who bully others, and dealing with students who are bullied, including following up at a later date;

- Student/parent action: practice for all students/by-standers on what to do, who to tell, and other post-event procedures; hotline for reporting concerns;

- Complaint/investigative procedure;

- Notification procedure: parents of students identified as using bullying behaviors; parents of students identified as being bullied; and law enforcement for criminal actions; and

- Mention of antibullying efforts on school division Web site home page.

Comparison of Existing Division-level Policies to Components of Model Policy

Using information and data from the VDOE division-level survey and the online review of student codes of conduct, the study compared school division policies with the ten suggested best practice antibullying policy components selected from the Board of Education's guidelines for student conduct policy and literature review. The following table provides the percentage and number of divisions rated as having each component, from most often included to least often included.

Table 2. Best Practice Policy Components[a] Included in Division Policies from Most Often Included to Least Often Included

Component	Divisions rated as having component
Intervention with students who bully[c]	98.5% (130)
Definition	97.7% (129)
Staff communication and/or training[b, c]	94.7% (125)
Student education[b, c]	94.7% (125)
Parent communication, education or survey[b, c]	88.6% (117)
Intervention with victim(s)[c]	25% (33)
Evaluation of programming[c]	24.2% (32)
Evidence-based programs required[c]	23.5% (31)
Student survey[c]	22% (29)
Feedback from teachers and staff	1.5% (2)

[a] BOE elements are encompassed in the ten components of best practice policy
[b] If bullying was in the student code of conduct/handbook, these components were counted.
[c] If a response indicated divisionwide implementation of Olweus Bullying Prevention Program (21 divisions), these components were counted.

The majority (90.9 percent) of divisions were rated as having five or more components/elements. The five components/elements most often found in division-level policies, student codes of conduct and the VDOE division-level survey were: (1) intervention with students who bully; (2) having a definition of bullying; (3) providing staff training; (4) educating students; and (4) providing education to parents.

The following addresses each of the ten components.

1. The **component** of having a ***Standard of Conduct for Antibullying that includes a Definition of Bullying***.

Having a standard for student conduct that bullying behaviors are unacceptable is an element in the BOE's *Student Conduct Policy Guidelines*.

One hundred and twenty-nine divisions (97.7 percent) were rated as having a definition of bullying in their policies. Divisions were rated as having a definition of bullying based on the review of the responses to the VDOE survey and review of policies posted on their Web sites

and written in student handbooks. A definition of bullying need only be present in one of the sources.

2. The **component** of requiring the ***Implementation of Evidence-Based Program(s)*** that have been shown through research to have desired impact on bullying behaviors of targeted-aged students.

Thirty-one divisions (23.5 percent) were rated as requiring implementation of evidence-based programs in their policies. Divisions were rated as having a requirement to implement evidence-based programming based on the review of the responses to the VDOE survey and policies posted on Web sites and included in student handbooks. Evidence of divisionwide implementation of a policy requiring programming to be evidence-based had to be apparent. Thus, all of divisions that indicated they are implementing some evidence-based programs on the survey were not rated as having the component, as it was not apparent that evidence-based programs are being implemented divisionwide, nor did the division policy indicate that bullying prevention efforts would be evidence-based.

Twenty-one divisions indicated that they are implementing the research-based Olweus Bullying Prevention Program divisionwide (K-8). This program is a whole-school approach, implemented by certified trainers, with the objective of preventing and reducing bullying throughout a school setting. (See Appendix F for a description of this program.) In the fall of 2011, the Olweus Bullying Prevention program became evidence-based for K-12. Previous to fall 2011, research had only been completed for K-8. The VDOE survey and the current School Safety Audit queried about activities during the 2010-2011 school year. Thus, "divisionwide" implementation for the Olweus program equated to K-8, and these 21 divisions were placed in the "have" category.

Several divisions listed intervention programs that are indicated by research as not appropriate in instances of bullying. For example, an intervention listed, "mediation," is not effective in cases of "bullying" where there is an imbalance of power between bully and victim. Having a victim confront a bully only continues the negative impact on the victim (Olweus, Limber, et. al., 2007).

3. The **component** of providing annual ***Staff Communication and/or Training***.

Training of school personnel is an element in the BOE's *Student Conduct Policy Guidelines.*

One hundred and twenty-five (94.7 percent) of school divisions were rated as providing staff communication and/or training based on review of the responses to the VDOE division-level survey and policies posted on division Web sites. If a definition of bullying was present in the student code of conduct/handbook, then the division was rated as having staff communication regarding policy, since school personnel are typically required to read and sign indicating that they have reviewed and understand the code of conduct. This is a common practice for communicating policy and rules. Along with specific mention of staff training on the VDOE survey or in the division-level policy manual, if a division indicated divisionwide (K-8) implementation of the Olweus program, the division was rated as having annual staff training in the policy. The Olweus program operates with a "train the trainers" model where certified trainers train an on-site school central committee who in turn train all school personnel.

4. The **component** of collecting **Feedback from Teachers and School Staff** through a survey regarding bullying or other form of information from teachers and staff to identify students who are the victims or perpetrators of bullying.

Two divisions (1.5 percent) were rated as having policies that encompass obtaining feedback from teachers and school staff, as indicated by review of the responses to the VDOE survey and of written policies. Reference to a survey or other form of feedback from teachers or staff need only be present in one source for a division to be rated as having this component.

5. The **component** of providing annual ***Student Education***.

Having a policy for the ***dissemination of standards of student conduct*** is an element in the BOE's *Student Conduct Policy Guidelines*.

Almost 95 percent (125) of all school divisions were rated as having student education about bullying in their policies, based on the review of the responses to the VDOE and electronic policies and student handbooks. Along with specific mention of student education on the VDOE survey or in the division-level policy manual, if a definition of bullying appeared in the division-level student code of conduct or the division indicated divisionwide (K-8) implementation of the Olweus program, the division was rated as having annual student education, since the Olweus program includes this.

6. The **component** of implementing a ***Student Survey***.

Twenty-nine school divisions (22 percent) have "conducting a student survey" in their policies, according to review of the responses to the VDOE survey and electronic policies and student handbooks. Mention of a survey of students in one source suffices for a division to be rated as having this component. If a division indicated divisionwide (K-8) implementation of the Olweus program, the division was rated as having the component, since that program includes surveying students.

7. The **component** of providing ***Parent Communication, Education and Survey***.

One hundred and seventeen school divisions (88.6 percent) include parent communication, education, or surveying in their policies, based on responses to the VDOE survey and review of written policies. A rating of including this component in policy was given to a school division if: (1) specific mention was made of parent education and/or conducting a parent survey on the VDOE survey or in the division-level policies; (2) a definition of bullying appeared in the division-level student code of conduct that is provided to parents; or (3) the division indicated divisionwide (K-8) implementation of the Olweus program, since the program includes this component.

At a minimum, parent communication and education may be inclusion of bullying in a student handbook that parents are expected to read; it may be a bullying hotline or reporting option on a Web site; or it may be presentations and handouts during parent meetings and conferences.

Additional study may be needed surrounding the nature and amount of parent education and outreach, as well as a parent surveying, that is needed to implement effective bullying prevention policies.

8. The **component** of providing ***Intervention(s) with Victim(s)***.

Thirty-three school divisions (25 percent) were rated as having intervention(s) with bullying victims in their policies, according to review of responses to the VDOE survey and of written policies. Along with specific mention of interventions with students identified as having been bullied on the VDOE survey or in the division-level policy manual, if a division indicated divisionwide (K-8) implementation of the Olweus program, it was rated as having interventions with victims. The elements of the Olweus program include intervention with the bullying victim.

9. The **component** of providing ***Intervention(s) with Student(s) who Bullies(y)***.

Having disciplinary action, criteria, procedures, and processes in place is an element in the BOE's *Student Conduct Policy Guidelines*.

One hundred and thirty school divisions (98.5 percent) were rated as having the policy component of intervention(s) with students who bully, according to reviews of responses to the VDOE survey and written policies. The VDOE survey specifically asked for disciplinary actions that may be taken with students who bully. If a division indicated divisionwide (K-8) implementation of the Olweus program, the division was rated as having interventions with students who bully, since the program incorporates this component.

A small portion of divisions (6.9 percent; 9 divisions) listed suspension and expulsion as the only interventions with student(s) who bullies(y).

10. The **component** of performing an ***Evaluation***.

Having a policy for periodic review of standards is an element in the BOE's *Student Conduct Policy Guidelines*.

The BOE calls for divisions to evaluate all instructional curricula. The division-level policies of many school boards also indicate that student codes of conduct will be evaluated annually. Divisions rated as having evaluation of bullying prevention efforts as a policy component had: (1) evidence of a student survey surrounding bullying; (2) evidence of gathering feedback from faculty and staff; (3) indication of a divisionwide (K-8) implementation of the Olweus program; or (4) inclusion of specific language indicating a formal evaluation process beyond the instances outlined above.

Thirty-two school divisions (24.2 percent of all divisions) were rated as having evaluation of bullying policies as a policy component, according to review of the VDOE survey responses and written policies.

Review of School-Level Activities

In addition to examining the components of model antibullying policies at the school division level, review was made of practices and programs occurring in schools as reported by school personnel in responses to questions on the *2011 Virginia School Safety Audit* (SSA). The review indicated three practices that are being implemented by a high majority of schools: (1) student education; (2) interventions with students who bully; and (3) interventions with victims.

Student Education

When responses from all schools on the SSA are considered, 1,877 (95 percent) answered that student education on bullying was provided. The types of student education included: (1) holding a schoolwide conference or assembly on bullying; (2) schoolwide rules or policy being communicated to students; (3) curriculum on bullying being taught to all students; (4) holding classroom meetings about bullying; or (5) showing videos for students about bullying. A positive response to any one of the five types of student education placed a school into the "have" student education category.

As shown in Table 3, communicating schoolwide rules and policies was the most frequently reported form of education (84.1 percent of all schools). A small percentage of schools (5.3 percent) reported no form of student education; 13.4 percent reported using a single form, and the majority of schools (81.3 percent) indicated using more than one form of student education.

Table 3. Student Education Activities as Reported by Schools on the 2011 Virginia School Safety Audit (SSA)

Question from the SSA	Total Responding "Yes" (N = 1,980)	Elementary (n = 1,124)	Middle (n = 327)	High (n = 311)
Schoolwide conference or assembly on bullying	937 (47.3%)	527 (46.9%)	207 (63.3%)	143 (46%)
Schoolwide rules or policy communicated to students	1,666 (84.1%)	959 (85.3%)	296 (90.5%)	262 (84.2%)
Curriculum on bullying taught to all students	959 (48.4%)	688 (61.2%)	155 (47.4%)	53 (17%)
Classroom meetings about bullying	1,318 (66.6%)	861 (76.6%)	220 (67.3%)	126 (40.5%)
Video for students about bullying	547 (27.6%)	315 (28%)	124 (37.9%)	67 (21.5%)

Note: Other school types included in the total are those labeled combined, primary, pre-kindergarten, alternative, career/tech/vocational, charter, magnet, Governor's, Special Education, correctional, adult education, deaf and blind, or other on the SSA.

Intervention(s) with Student(s) who Bullies(y)

A positive response to any one of the three following SSA question descriptions resulted in a school being placed in the "yes" have "intervention(s) with student(s) who bullies(y)" category: (1) counseling with students identified as bullying others; (2) specific disciplinary consequences for bullying; and (3) restorative discipline practices for bullying.

Ninety-three percent of all responding schools (1,842) reported "yes" to having some form of intervention(s) with students who bully on the SSA. Table 4 below shows that counseling with students is the intervention that is most frequently reported from elementary, middle, and high schools.

Table 4. Intervention(s) with Student(s) Who Bullies(y) as Reported by Schools on the 2011 Virginia School Safety Audit (SSA)

"Yes" Responses to Question on the SSA	Total (N = 1,980)	Elementary (n = 1,124)	Middle (n = 327)	High (n = 311)
Counseling with students identified as bullying others	1,797 (90.8%)	1,047 (93.1%)	315 (96.3%)	267 (85.9%)
Specific disciplinary consequences for bullying	1,343 (67.8%)	723 (64.3%)	273 (83.5%)	226 (72.7%)
Restorative discipline practices for bullying	443 (22.4%)	235 (20.9%)	98 (30%)	70 (22.5%)

Note: Other school types included in the total are those labeled combined, primary, pre-kindergarten, alternative, career/tech/vocational, charter, magnet, Governor's, Special Education, correctional, adult education, deaf and blind, or other on the SSA.

Intervention(s) with Victim(s)

Based on the responses to "individual counseling with students identified as victims" from the *2011 Virginia School Safety Audit* (SSA), the majority of all schools (88.5 percent or 1,753) are providing individualized counseling with students identified as being bullied.

Discussion

In the review of division-level policies, all school divisions in Virginia meet the requirements of the *Code of Virginia* and include bullying as a part of character education and as a prohibited behavior. Looking beyond the requirements set forth by the *Code*, ten components of model bullying policy were reviewed and divisions were rated as having each of those ten components or not. Four elements outlined in the Board of Education's *Student Conduct Policy Guidelines* (2009) are encompassed within the ten components of best practice. What emerged was a clear division between the five components most divisions were rated as having (88.6 – 98.5 percent of divisions have these five components), and the five components least often seen in division-level policy (25 percent or less of divisions have these five components).

The five best practice components most frequently included in school division policies were:

- Intervening with students who bully
- Providing a standard against bullying and a definition
- Communicating policy and/or training of staff
- Educating students
- Communicating policy and educating parents

The five best practice components least frequently included in school division policies were:

- Intervening with victims
- Evaluating programming
- Requiring evidence-based programs
- Surveying students
- Obtaining feedback from teachers and staff

The vast majority of divisions (98.5 percent) and schools (93 percent) have specific interventions in policies reported used when a student is identified as bullying others. Nine divisions (6.9 percent) listed suspension and expulsion as the only interventions with student(s) who bullies(y). This type of policy would not seem to assist students in learning to navigate social relationships. This is not to say that suspension, expulsion, and, in egregious situations, criminal charges may not be warranted; simply, that teaching acceptable social skills through shaping and counseling are appropriate steps in educational practice. Evidence from research shows that increasing consequences for bullying behaviors do not always stop students from continuing the behaviors; rather, the bullying may become more subtle and covert (Long and Pellegrini 2003). Studies also indicate that students who regularly bully others are at risk of engaging in other antisocial and violent behaviors both now and in the future (Sourander, et al., 2007). Therefore, although the primary reason for implementing systematic antibullying initiatives in schools is for the sake of bullied students, it also is important to counteract bullying for the sake of the perpetrators. When bullying behavior is repeatedly stopped, perpetrators may try alternate, socially acceptable ways of seeking peer approval (Olweus & Limber, 2010).

Thirty-three school divisions (25 percent) reported interventions with bullying victims as part of policies addressing bullying. Decades of research indicate that children and youth who contend regularly with bullying are likely to be affected by these experiences in multiple ways. Bullied

youth tend to experience elevated levels of depression, anxiety, low self-esteem, social exclusion, health problems, and suicidal ideation (e.g., Espelage & Swearer, 2004; Hawker & Boulton, 2000; Juvonen & Graham, 2001; Olweus, 1993; Olweus, et al., 2007; Olweus & Limber, 2010). Including this component in a school division policy should provide a consistent approach to supporting bullying victims in all schools within a division.

Almost all school division policies reviewed (97.7 percent) included a definition of bullying; however, in some cases the definitions and descriptions could be more comprehensive. The majority of school divisions (65.1 percent) did not include the existence of an imbalance of power between a perpetrator and a victim in their definitions. This is a component of bullying identified in the literature as a key aspect of bullying. Various model best practice antibullying policies provide examples of the most comprehensive approaches to defining and describing bullying behaviors, serving as sources of technical assistance to school divisions.

Thirty-one school divisions (23.5 percent) were rated as requiring implementation of antibullying evidence-based programs in their policies. Research clearly shows that prevention efforts with a comprehensive approach that engage all school stakeholders, [e.g. school personnel, family, students and community members (best practices for both intervention and prevention of bullying)] are effective (Espelage and Swearer, 2004; Whitaker, et al., 2004; Olweus, et al., 2007; Olweus & Limber, 2010). There are evidence-based programs available that have been shown through objective research to decrease bullying behaviors on school campuses.

Obtaining feedback from teachers and staff and surveying students concerning bullying are not frequently included components in school division polices. While almost all school division policies reviewed (94.7 percent) include communicating with staff about bullying, asking staff for information through a survey or other means is not often included. Two divisions indicated in their written policies and responses to the VDOE survey that staff are asked for opinions and comments regarding bullying. Twenty-two percent of the school divisions (29) indicated through the VDOE survey and written policies that student surveys are conducted. Collection of reliable information from students and staff about bullying is a best practice identified in literature and evidence-based programs to evaluate the effectiveness of policy and practice.

Evaluation of the effectiveness of antibullying programs and practices is indicated in the policies of 32 school divisions (24.2 percent). Evidence-based programs, such as the Olweus Bullying Prevention Program, include this best practice component.

Recommendations

The following are recommendations stemming from the study.

It is recommended that the Virginia Department of Education develop a model comprehensive antibullying policy based on the ten components identified in the study, to include but not be limited to:

1. A definition of bullying that specifies: (1) aggression, be it physical, verbal or psychological, that is intended to harm; (2) repetition over time; and (3) a relationship with a power imbalance (psychological, social or physical) between perpetrator and target. The third component, that of an imbalance of power, should be added to the Board of Education's example/sample policy provided in the *Student Conduct Policy Guidelines* to support model policy at the division level.

2. Examples of behaviors indicative of bullying, that should be included in student codes of conduct. In this manner, all students and parents may better understand what behaviors are prohibited.

3. Alternatives to suspension and expulsion to address bullying behavior, as supported through research, including providing individual counseling for intervening with students identified as bullying others and individualized and group counseling for students identified as being bullied

4. Communication, education and outreach with staff and students, and parents and families

5. Expectations of staff and students in preventing and addressing bullying

It is recommended that the Virginia Department of Education provide technical assistance and training for school divisions and schools in best policies, practices and procedures for implementing bullying prevention and responding to bullying incidents, including:

1. Identifying bullying behaviors

2. Intervening at the time of the incident (s)

3. Notifying school administration

4. Following up after bullying incidents

5. Establishing an anti-bullying climate within school systems

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Appendices

ENROLLED

A. House Joint Resolution No. 625

Requesting the Department of Education to study the nature and effectiveness of local school divisions' antibullying policies. Report.

Agreed to by the House of Delegates, February 4, 2011
Agreed to by the Senate, February 22, 2011

WHEREAS, beginning in 2005, local school boards in Virginia have been required to include the topic of bullying in their codes of student conduct, with electronic means of bullying added in 2009; and

WHEREAS, Virginia public school students also receive instruction on bullying prevention as part of their character education requirement; and

WHEREAS, studies show that between 15 and 25 percent of U.S. students are bullied with some frequency, while 15 to 20 percent report they bully others with some frequency; and

WHEREAS, both students who bully and students who are bullied are more likely to skip school and drop out of school; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Department of Education be requested to study the nature and effectiveness of local school divisions' antibullying policies.

In conducting its study, the Department of Education shall (i) review and compare antibullying measures in the student codes of conduct from each school division, (ii) compare existing policies with the Department's model policy for codes of student conduct, and (iii) determine if improvements to existing policies are warranted, in order to more effectively combat bullying in Virginia's public schools.

All agencies of the Commonwealth shall provide assistance to the Department for this study, upon request.

The Department of Education shall complete its meetings by November 30, 2011, and shall submit to the Governor and the General Assembly an executive summary and a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports no later than the first day of the 2012 Regular Session of the General Assembly and shall be posted on the General Assembly's website.

B. *Code of Virginia* Sections § 22.1-208.01 and § 22.1-279.6

§ 22.1-208.01. Character education required.

A. Each school board shall establish, within its existing programs, a character education program in its schools. The purpose of the character education program shall be to instill in students civic virtues and personal character traits so as to improve the learning environment, promote student achievement, reduce disciplinary problems, and develop civic-minded students of high character. The components of each program shall be developed in cooperation with the students, their parents, and the community at large. The basic character traits taught may include (i) trustworthiness, including honesty, integrity, reliability, and loyalty; (ii) respect, including the precepts of the Golden Rule, tolerance, and courtesy; (iii) responsibility, including hard work, economic self-reliance, accountability, diligence, perseverance, and self-control; (iv) fairness, including justice, consequences of bad behavior, principles of nondiscrimination, and freedom from prejudice; (v) caring, including kindness, empathy, compassion, consideration, generosity, and charity; and (vi) citizenship, including patriotism, the Pledge of Allegiance, respect for the American flag, concern for the common good, respect for authority and the law, and community-mindedness.

Classroom instruction may be used to supplement a character education program; however, each program shall be interwoven into the school procedures and environment and structured to instruct primarily through example, illustration, and participation, in such a way as to complement the Standards of Learning. The program shall also address the inappropriateness of bullying, as defined in the Student Conduct Policy Guidelines adopted by the Board of Education pursuant to § 22.1-279.6.

This provision is intended to educate students regarding those core civic values and virtues which are efficacious to civilized society and are common to the diverse social, cultural, and religious groups of the Commonwealth. Consistent with this purpose, Virginia's civic values, which are the principles articulated in the Bill of Rights (Article I) of the Constitution of Virginia and the ideals reflected in the seal of the Commonwealth, as described in § 1-500, may be taught as representative of such civic values. Nothing herein shall be construed as requiring or authorizing the indoctrination in any particular religious or political belief.

B. The Board of Education shall establish criteria for character education programs, consistent with the provisions of this section. To assist school divisions in implementing character education programs and practices that are designed to promote the development of personal qualities as set forth in this section and the Standards of Quality and that will improve family and community involvement in the public schools, the Board of Education shall also establish, within the Department of Education, the Commonwealth Character Initiative. The Board shall provide resources and technical assistance to school divisions regarding successful character education programs and shall (i) identify and analyze effective character education programs and practices and (ii) collect and disseminate among school divisions information regarding such programs and practices and potential funding and support sources. The Board may also provide resources supporting professional development for administrators and teachers in the delivery of any character education programs.

C. The Board of Education shall award, with such funds as are appropriated for this purpose, grants to school boards for the implementation of innovative character education programs.

(1998, c. 725; 1999, c. 944; 2003, c. 777; 2005, cc. 461, 484, 839.)

§ 22.1-279.6. Board of Education guidelines and model policies for codes of student conduct; school board regulations.

A. The Board of Education shall establish guidelines and develop model policies for codes of student conduct to aid local school boards in the implementation of such policies. The guidelines and model policies shall include, but not be limited to, (i) criteria for the removal of a student from a class, the use of suspension, expulsion, and exclusion as disciplinary measures, the grounds for suspension and expulsion and exclusion, and the procedures to be followed in such cases, including proceedings for such suspension, expulsion, and exclusion decisions and all applicable appeals processes; (ii) standards, consistent with state, federal and case laws, for school board policies on alcohol and drugs, gang-related activity, hazing, vandalism, trespassing, threats, search and seizure, disciplining of students with disabilities, intentional injury of others, self-defense, bullying, the use of electronic means for purposes of bullying, harassment, and intimidation, and dissemination of such policies to students, their parents, and school personnel; and (iii) standards for in-service training of school personnel in and examples of the appropriate management of student conduct and student offenses in violation of school board policies.

In accordance with the most recent enunciation of constitutional principles by the Supreme Court of the United States of America, the Board's standards for school board policies on alcohol and drugs and search and seizure shall include guidance for procedures relating to voluntary and mandatory drug testing in schools, including, but not limited to, which groups may be tested, use of test results, confidentiality of test information, privacy considerations, consent to the testing, need to know, and release of the test results to the appropriate school authority.

In the case of suspension and expulsion, the procedures set forth in this article shall be the minimum procedures that the school board may prescribe.

B. School boards shall adopt and revise, as required by § 22.1-253.13:7 and in accordance with the requirements of this section, regulations on codes of student conduct that are consistent with, but may be more stringent than, the guidelines of the Board. School boards shall include, in the regulations on codes of student conduct, procedures for suspension, expulsion, and exclusion decisions and shall biennially review the model student conduct code to incorporate discipline options and alternatives to preserve a safe, nondisruptive environment for effective teaching and learning.

Each school board shall include, in its code of student conduct, prohibitions against bullying, hazing, and profane or obscene language or conduct. School boards shall also cite, in their codes of student conduct, the provisions of § 18.2-56, which defines and prohibits hazing and imposes a Class 1 misdemeanor penalty for violations, i.e., confinement in jail for not more than 12 months and a fine of not more than $2,500, either or both.

A school board may regulate the use or possession of beepers or other portable communications devices and laser pointers by students on school property or attending school functions or activities and establish disciplinary procedures pursuant to this article to which students violating such regulations will be subject.

Nothing herein shall be construed to require any school board to adopt policies requiring or encouraging any drug testing in schools. However, a school board may, in its discretion, require or encourage drug testing in accordance with the Board of Education's guidelines and model student conduct policies required by subsection A and the Board's guidelines for student searches required by § 22.1-279.7.

C. The Board of Education shall establish standards to ensure compliance with the federal Improving America's Schools Act of 1994 (Part F-Gun-Free Schools Act of 1994), as amended, in accordance with § 22.1-277.07.

This subsection shall not be construed to diminish the authority of the Board of Education or to diminish the Governor's authority to coordinate and provide policy direction on official communications between the Commonwealth and the United States government.

(Code 1950, §§ 22-230.1, 22-230.2; 1972, c. 604; 1980, c. 559; 1993, cc. 819, 856, 889; 1995, cc. 724, 801; 1997, cc. 391, 585, 608, 830; 1998, c. 902; 1999, c. 432; 2000, c. 360, §§ 22.1-277.02:1, 22.1-278, 22.1-278.2; 2001, cc. 688, 820; 2003, c. 899; 2004, cc. 574, 908, 939, 955; 2005, cc. 461, 484, 520; 2009, c. 431.)

C. Technical Methodology of Study

Sources of Information and Data

Best Practice: Educational research journals were utilized to identify elements of the definition of bullying behaviors, and elements of model programs, policies and practices. In addition, the state-level policies of Florida, Massachusetts, Pennsylvania, Tennessee, and Washington were reviewed.

Division-level Information: The following sources of information and data about school divisions' antibullying policies and measures were used to conduct this study:

1. Written responses from each school division to questions concerning bullying policies, procedures, discipline actions, and prevention measures were solicited by the Virginia Department of Education (VDOE) to each of the 132 school divisions in the spring of 2011 (Appendix D). Responses were received from all school divisions regarding:

   Bullying policies/regulations and procedures from the division's student code of conduct

   Discipline actions that may be taken to address bullies

   Prevention and intervention curricula, programs and/or strategies used to prevent bullying

2. An online search of school board policies and student codes of conduct (student handbooks or students' rights and responsibilities) was performed on the Web sites of all 132 divisions during August 2011. Online policies were initially located for 129 of the 132 divisions. The final three additional student codes of conduct were received via e-mail in response to a request by VDOE to those divisions.

School-level Information: Responses provided by building administrators to specific questions about bullying collected from each school for the *2011 Virginia School Safety Audit* Survey (SSA), conducted by Dewey G. Cornell, Ph.D. and Peter J. Lovegrove, Ph.D., of the University of Virginia, on behalf of the Virginia Department of Criminal Justice Services (DCJS) during August and September, 2011 were utilized (Appendix E). The SSA is conducted annually by the Virginia Center for School Safety of DCJS. It is an online school safety survey that collects information from each public school describing school safety policies and practices. Included in the data base for the audit for the school academic year of 2010-2011 are questions concerning antibullying measures. Drs. Cornell and Lovegrove managed the data collection and cleaning, and provided VDOE with the raw data for all schools in the Commonwealth.

Review and Comparison of Antibullying Measures in Each School Division

The Principal Investigator reviewed the responses to the VDOE survey from all 132 submissions from school divisions. The Principal Investigator also searched the electronic records of division-level school board policies for student codes of conduct utilizing the terms "bully" and "eval" which would capture instances where the words "bullying" and "evaluation" appear in texts. Many school boards utilize the alphabetic classification system of the Virginia School Boards Association for coding their policy manuals, where section "J" is Student, "JF" is Student

Actions, Conduct and Safety, "JFC" is Student Conduct, and "JFC-R" is Standards of Student Conduct. Information was most often found under sections JFC and JFC-R in division-level student handbooks surrounding codes of conduct. Themes were culled, and ratings as outlined below were compiled.

Comparison of Existing Policies with the Department's Model Policy for Codes of Student Conduct

The Virginia Board of Education's (BOE) *Student Conduct Policy Guidelines* (2009) provide a definition of bullying and a sample standard, which were compared to school divisions' student codes of conduct. The guidelines do not provide a specific model for antibullying policy. However, included in the guidelines are the following elements recommended to be part of a school division's code of conduct:

1. Disciplinary action criteria, procedures, and processes
2. Policy for the development, dissemination, and periodic review of standards of student conduct
3. Training of school personnel
4. Standards for student conduct

A review of the literature and information from other states indicates that a model policy would include the following components, which encompass the above elements:

1. Definition of bullying
2. Implementation of evidence-based program(s)
3. Staff communication and training (annual)
4. Feedback from teachers and other school staff
5. Student education (annual)
6. Student survey
7. Parent communication, education and survey
8. Intervention(s) with victim
9. Intervention(s) with student(s) who bullies(y)
10. Evaluation of programming

The following table presents the model policy components and indicates the relationship with the Board of Education's *Student Conduct Policy Guidelines* elements.

Table A. Division-level BOE Elements and Best Practice Policy Components

BOE Element	Best Practice Component
Division-level Policy	*Division-level Policy*
(a) Standards for student conduct	(1) Definition
	(2) Evidence-based programs required
(b) Training of school personnel	(3) Staff training
	(4) Feedback from teachers and staff
(c) Policy for the development, dissemination, and periodic review of standards of student conduct	(5) Student education
	(6) Student survey
	(7) Parent education or survey
	(8) Intervention with victim(s)
(d) Disciplinary action, criteria, procedures, and processes	(9) Intervention with students who bully
(c) Policy for the development, dissemination, and periodic review of standards of student conduct	(10) Evaluation of programming

Each division was rated as having or not having each of the ten (10) components in their antibullying policies, based upon the responses to the VDOE survey and what appears in the division-level policy/student codes of conduct.

Divisions were rated as having the component/element if information supporting that decision was found in either of the two sources that were reviewed. If a definition of bullying was listed in the division-level student code of conduct, the division was credited with the components of annual education of staff, students and parents, as the student code of conduct is distributed to all three groups. Individuals in all three groups sign a document indicating that they have reviewed and understand what is contained in the student code of conduct. When a division indicated the K-8 divisionwide implementation of the Olweus program, the division was given credit for the following components: required implementation of evidence-based programming, staff training, student education, student survey, parent education, intervention with the victim, intervention with students who bully, and evaluation of the program, as these are all elements of implementing the Olweus program with fidelity.

A reliability check was performed by having a second rater independently review ten percent of the records, selected at random. Inter-rater reliability for a division having or not having any of the ten components differed on only one component for the thirteen records that were reviewed; an inter-rater reliability of 129/130 items (99 percent). In addition, the second rater reviewed the VDOE OSS and on-line information for the three (3) divisions deemed to not include a definition of bullying. Both raters independently agreed that these three divisions lacked a definition of bullying. It should be noted that the term "bullying" was included in the prohibited conduct by these three divisions, but examples of what bullying behavior is, or a definition of bullying, were not included.

One theme that became readily apparent was the definition of bullying utilized by the divisions, since identical language was used. In response, an additional variable was added to code definitions: "zero" equaled no definition for the term bullying; "one" equated to language of the BOE sample; "two" equated to the language of the Virginia School Board Association (VBSA); "three" was more than the VBSA language; and "four" denoted definitions that were the most comprehensive.

Review of School-level Activities

Given that division-level policy is implemented at the school level, data were analyzed from individual school responses to specific questions about bullying policies and practice from the *2011 School Safety Audit* (SSA). This analysis provided information about measures for all schools related to best practice policy components, and examples of additional activities which may be undertaken in individual schools. Activities that corresponded to specific best practice components, as indicated by the SSA responses, were reviewed.

The following Table B indicates the components and corresponding school level activity as reported in the SSA.

Table B. BOE Elements and Best Practice Policy Components at the Division-level and Corresponding School-level Activities per the School Safety Audit Questions

BOE Element	Best Practice Component	Question(s) on School Safety Audit
Division-level Policy	*Division-level Policy*	*School-level Activity*
(a) Standards for student conduct	(1) Definition	School wide rules or policy communicated to all students
	(2) Evidence-based programs required	Evidence-based program(s) in place, including one or more of the following: *Bully Proofing Your School, Olweus, Second Step, Steps to Respect, Al's Pals, Bullying Preventionwithin Positive Behavioral Supports programming, Community of Caring, Effective School-wide Discipline, Peaceful School Bus*
(b) Training of school personnel	(3) Staff training	Teacher training on bullying
	(4) Feedback from teachers and staff	Feedback from teachers and other school staff as a part of the evaluation of bullying programming
(c) Policy for the development, dissemination, and periodic review of standards of student conduct	(5) Student education	A positive response to any one of the five types of student education: (1) holding a school-wide conference or assembly on bullying; (2) school-wide rules or policy being communicated to students; (3) curriculum on bullying being taught to all students; (4) holding classroom meetings about bullying; or (5) showing videos for students about bullying.
	(6) Student survey	Student survey as a part of the evaluation of bullying programming
	(7) Parent education or survey	Parent education or outreach program regarding bullying
	(8) Intervention with victim(s)	Individual counseling with students identified as victims
(d) Disciplinary action, criteria, procedures, and processes	(9) Intervention with students who bully	A positive response to any one of the three intervention(s) with student(s) who bullies(y): (1) counseling with students identified as bullying others; (2) specific disciplinary consequences for bullying; or (3) restorative discipline practices for bullying.
(c) Policy for the development, dissemination, and periodic review of standards of student conduct	(10) Evaluation of programming	Performing an evaluation on bullying programming

D. Virginia Department of Education Survey of School Divisions Questions

Name of Your School Division:	PLEASE CUT AND PASTE COPIES OF YOUR INFORMATION INTO THESE COLUMNS.		
	Bullying policies/regulations and procedures from you Student Code of Conduct	Discipline actions that may be taken to address bullies	Prevention and intervention curricula programs of strategies used to prevent bullying

E. The *2011 Virginia School Safety Audit* - Questions Utilized

2. What is the *full* name of your school?

3. What is your school's ID number?

4. Which of the following best describes your school? (check one)

   Elementary

   Middle

   High

   Combined Grades

   Primary

   Pre-Kindergarten

   Alternative

   Career/Technical/Vocational

   Charter

   Magnet

   Governor's

   Special Education

   Correctional Education

   Adult Education

   School for the Deaf and Blind

   Other (describe):

19. There has been statewide interest in bullying prevention efforts. Has your school made a special effort this year to reduce bullying at your school?

    Yes, we had a formal bullying prevention program
    Yes, but no formal program
    No, no special efforts
    (If 19 = yes, we had a formal bullying prevention program)

    19a. Which of the following formal bullying prevention programs were in place at your school this year?

    (check all that apply)

Bullyproofing Your School Program
Olweus Bullying Prevention Program
Second Step curriculum
Steps to Respect Bullying Prevention Program
Other (describe) _____

(if 19 = yes, we had a formal bullying prevention program or yes, but no formal program)

19b. Which of the following were included in your bullying prevention efforts or program this year?

(check all that apply)

Schoolwide conference or assembly on bullying

Schoolwide rules or policy on bullying communicated to all students

Curriculum on bullying taught to all students

Classroom meetings about bullying

Individual counseling with students identified as bullying others

Individual counseling with students identified as victims of bullying

Parent education or outreach program regarding bullying

Teacher training on bullying

Increased supervision of areas where bullying occurs

Specific disciplinary consequences for bullying

Videos for students about bullying

Restorative discipline practices for bullying

Other (describe) _____

19c. In 2010-2011, did you evaluate the effectiveness of your bullying prevention efforts?

Yes
No

(if 19c = yes)

19c-1. What evaluation methods did your school use to assess the effectiveness of its bullying prevention efforts? *(check all that apply)*

Student self-report survey about bullying

Peer nomination survey for students to identify peer victims of bullying

Review of school records

Feedback from teachers and other school staff

Informal observations

Other (describe) _____

F. Olweus Bullying Prevention Program (OBPP)

The Olweus Program is a comprehensive, school-wide program designed and evaluated for use in elementary, middle, or junior high schools. The program's goals are to reduce and prevent bullying problems among school children and to improve peer relations at school. The program has been found to reduce bullying among children, improve the social climate of classrooms, and reduce related antisocial behaviors, such as vandalism and truancy. In addition, as of Fall 2011, the Olweus Program has been accepted as an evidence-based program at the high school level. The Olweus Program has been implemented in more than a dozen countries around the world, and in thousands of schools in the United States.

The Olweus Program contains the following elements:

School-wide:

(a) A bullying prevention coordinating committee is formed.

(b) The coordinating committee receives training from certified trainers and then designs the program to fit its campus. This committee in turn trains all school personnel.

(c) The Olweus Bully/Victim Questionnaire is administered to all students. As a baseline, before program kick-off and then annually thereafter.

(d) School-wide rules against bullying are developed and include:

a. We will not bully others.

b. We will try to help students who are bullied.

c. We will include students who are easily left out.

d. When we know someone is being bullied, we will tell an adult at school and an adult at home.

(e) "Hot spots" on campus are identified by the survey, and supervision is increased in these areas.

(f) As a part of the campus-specific program, consistent positive and negative consequences are employed.

(g) Staff discussion groups are held on an ongoing basis.

(h) Parents are involved.

(i) A schoolwide kick-off event is held.

Classroom:

(a) School rules are posted and discussed.

(b) Consistent positive and negative consequences are utilized.

(c) Classroom meetings are held on a regular basis.

(d) Anti-bullying themes are incorporated across the curriculum.

Individual Interventions:

(a) School staff intervene on the spot when bullying occurs.

(b) Follow-up discussions are held with children/youth who are bullied.

(c) Follow-up discussions are held with children/youth who bully others.

(d) Processes are put in place so that information and follow-up is shared with all staff.

(e) Parents of children/youth who are involved with incidents, as victim and bully, are notified.

Community Efforts:

(a) The coordinating committee and school staff look for ways to engage the community in the bullying prevention efforts.

(b) Strategies for spreading anti-bullying messages beyond the school's doors are explored.

The Olweus Bullying Prevention Program has received recognition from a number of organizations committed to preventing school violence. The program has been named:

- Blueprints Model Program, Center for the Study and Prevention of Violence, University of Colorado at Boulder
- Effective Program, Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice
- Level 2 Program, U.S. Department of Education ("Level 2" programs have been scientifically demonstrated to prevent delinquency or reduce risk and enhance protection for delinquency and other child and youth problems using either an experimental or quasi-experimental research design with a comparison group.)
- Exemplary Program, U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration (SAMHSA)

The OBPP has recently been endorsed in the American Academy of Pediatrics Policy Statement.

The Web site for the Olweus Bullying Prevention Program in the U.S. is: http://www.olweus.org.