

The start of a new school year is an appropriate time to revisit issues related to bullying, harassment and hazing. Every child deserves to feel safe and connected within the school environment. Creating a school-wide climate and culture of respect can drastically reduce these behaviors. But when that does not work, other steps need to be taken to protect all children. - Karen Richards

“Bullying builds character like nuclear waste creates superheroes. It’s a rare occurrence and often does much more damage than endowment.”

- Zack W. Van



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Did you know?

One out of every four students report being bullied during the school year. [National Center for Educational Statistics](#)

More than half of bullying situations stop when a peer intervenes on behalf of the student being bullied. [Naturalistic Observations of Peer Interventions in Bullying](#)

School –based bullying prevention programs decrease bullying by up to 25%. [Student Bullying: Overview of Research, Federal Initiatives, and Legal Issues](#)

Students who experience bullying are at increased risk for poor school adjustment, sleep difficulties, anxiety, and depression. [Understanding Bullying](#)

Students victimized by their peers were 2.4 times more likely to report suicidal ideation and 3.3 times more likely to report a suicide attempt than youth who reported not being bullied. [Espelage and Holt, 2013](#)

19.6% of high school students in the U.S. report being bullied at school in the past year. 14.8% reported being bullied online. [Youth Risk Behavior Surveillance— U.S. 2013](#)

Students with disabilities are more worried about school safety and being injured or harassed by other peers compared to students without a disability. [Saylor & Leach, 2009](#)

More than one third of adolescents reporting bullying report bias-based school bullying. [Russell, Sinclair, Potrat, and Koenig, 2012](#)

81.9% of students who identify as LGBTQ were bullied in the last year based on their sexual orientation. [National School Climate Survey, 2011](#)



Bullying and Harassment

Bullying and harassment exist on a continuum of behaviors that includes behavior that is rude or disrespectful (laughing, ignoring, making faces, etc.), but does not meet the legal definitions of either bullying or harassment, to conduct that is criminal in nature (assault, hate crimes, disorderly conduct by electronic means, cyberstalking).

To fall within the legal definition of **bullying**, there must be overt acts (including by electronic means) that are directed against a student by another student or group of students and are repeated over time; and are intended to ridicule, humiliate, or intimidate the student. **Harassment** is distinguished from bullying mainly by who it is directed at and why. In order to constitute illegal harassment there must be an incident (if sufficiently severe) or a number of incidents in any form (visual, written, physical, electronic, etc.) that are based on or motivated by a student's or a student's family member's actual or perceived race, creed, color, national origin, gender identity, marital status, sex, sexual orientation, or disability that have the purpose or effect of objectively and substantially undermining and detracting from or interfering with a student's educational performance or access to school resources or create an objectively intimidating, hostile, or offensive environment.

Harassment can be based on sex and includes unwelcome sexual advances, requests for sexual favors and other verbal, written, visual, or physical conduct of a sexual nature when submission to that conduct is made either explicitly or implicitly a term or condition of a student's education or rejection of such conduct by a student is used as a basis for decisions affecting that student (this is usually staff to student conduct) or when a hostile environment, as defined above, is created. Harassment based on the other protected categories means conduct directed at protected characteristics and includes the use of epithets, stereotypes, racial slurs, comments, insults, derogatory remarks, gestures, threats, graffiti, display, or circulation of written or visual material, and taunts on manner of speech or negative references to customs.

School districts are required to have policies and procedures in place to investigate complaints of bullying, harassment and hazing. Investigations must commence within one day of notice and be completed in five days absent extenuating circumstances. A school's policy and procedures should be on-line or in the student handbook. The policy and procedures should comply with the model policy and procedures issued by the [Agency of Education](#).

The **major differences between bullying and harassment** include that:

- ♦ Bullying must be repeated over time; harassment can be a single severe incident;
- ♦ Harassment is based on protected group status; bullying can be based on anything (weight, socioeconomic status, dress, etc.)
- ♦ Harassment can also be directed at actual or perceived protected status and/or at a student or the student's family members;
- ♦ Bullying is student to student only. Harassment can also be adult to student.
- ♦ Parents have additional rights in harassment cases if dissatisfied with the outcome of the school's investigation.



MAKE HAZING STOP

Cyberbullying, Cyber Harassment and Hazing

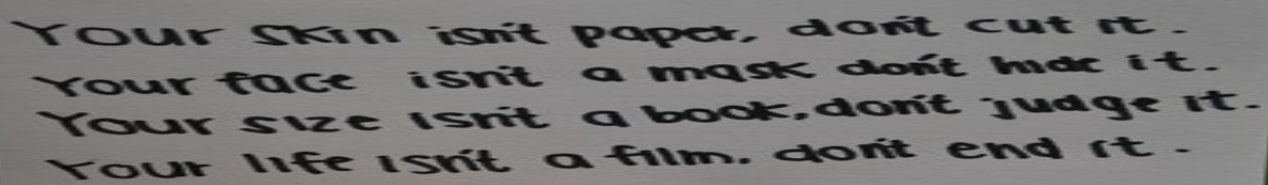
In today's world of electronic technology **cyberbullying** and **cyber harassment** are increasingly used as a tool to hurt, harass, humiliate, intimidate and threaten other people. The effects of bullying or harassment, whether in person or through technology are similar according to stopbullying.gov. However, cyber attacks are different as they can happen 24 hours a day, 7 days a week; messages and images can be posted online anonymously and distributed quickly; and, deleting the harassing messages, texts or pictures can be extremely difficult, if not impossible, once posted or sent. Bullying and harassment laws cover cyberbullying but can offer limited protection to the individual experiencing the bullying or harassment since the perpetrators often have the safety of anonymity.

According to Ditch the Label's annual [cyberbullying report](#) 7 out of 10 young people have been the victims of cyberbullying. Thirty-seven percent (37%) of young people have experienced cyberbullying on a daily basis. Facebook, Twitter and Ask.FM are the most common social networks for cyberbullying. Cyberbullying is found to have catastrophic effects upon the self-esteem and social lives of up to 69% of young people. And, young males and females are equally at risk.

If your child is a victim of cyberbullying it is important to report it immediately so it can be documented. Never respond to or forward the message or text. Keep evidence and record the dates. Save and print screenshots to report the cyberbullying incidents to web, social media sites, and cell phone providers. And, if you know the person who is cyberbullying, block them. Report cyberbullying to law enforcement if it involves threats of violence, pornography or sexually explicit messages, photos or video and/or includes stalking or hate crimes. Always report incidents of cyberbullying to schools as on-line activities often spill over into the school setting and/or can interfere with access to education through truancy, illness, dropping grades, etc.

Hazing

Hazing receives much less attention than bullying and harassment but is equally damaging to students who experience it. The legal definition includes intentional, knowing or reckless act committed by a student, whether individually or in concert with others, against another student in connection with pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization which is affiliated with the educational institution; and which is intended to have the effect of, or reasonably could be expected to have the effect of, endangering the mental or physical health of the student. In elementary and secondary education, this conduct most often occurs in connection with sporting activities. It is also illegal to solicit, direct, aid, or attempt to aid, or abet another person engaged in hazing or knowingly fail to take reasonable measures within the scope of the person's authority to prevent hazing. It is not a defense in that the person against whom the hazing was directed consented to or acquiesced in the hazing activity as the student may feel powerless. Adults who become aware of hazing are required to report it and take steps to stop it. Because many coaches are not school employees in Vermont, it is important that schools ensure that they are aware of policies and procedures related to hazing as well as bullying and harassment.



Your skin isn't paper, don't cut it.
Your face isn't a mask, don't hide it.
Your size isn't a book, don't judge it.
Your life isn't a film, don't end it.

The Vermont Human Rights Commission is the State's civil rights enforcement agency. The HRC has jurisdiction over places of public accommodation which includes schools. HRC jurisdiction in this area is limited to allegations of harassment based on protected group status. The HRC does not have any jurisdiction over allegations related to bullying or hazing.

If a student is harassed and the parents are dissatisfied with the results of the school's investigation, the parent has the right to an independent review from a neutral party. The independent reviewer will analyze the school's response to the complaint and make recommendations for improvement if warranted. These recommendations are not binding on the school. The parents also have the right to file a complaint with the [HRC](#) or the [federal office of Civil Rights \(OCR\)](#). For parents dissatisfied with an investigation into bullying or hazing there is no right to an independent review, nor is there a right to an appeal to the HRC or any other entity.

The Vermont Department of Health is in the process of releasing its analysis of the 2015 Youth Risk Behavior Survey (YRBS). The good news from the Vermont YRBS is that percentage-wise fewer students reported being bullied as compared to the 2013 and 2011 data but it is clear that the issue has not gone away. The preliminary analysis of the data indicates that 24% of middle school students and 18% of high school students reported being bullied within the last 30 days.* Of all students bullied during the last 30 days, one-fifth reported being bullied 1-2 times in the past 30 days; 3 in ten reported being bullied on 6 or more days and 8% reported being bullied every day. Females are significantly more likely to be bullied than males in middle and high school. See [Bullying Among Middle and High School Youth 2015 Youth Risk Behavior Survey](#).

More disturbing than these figures, however, is the correlation between the number of students who reported experiencing mental health issues, including self-harm, who also reported being bullied. Preliminary analysis of the Vermont YRBS data as reported to the Advisory Council on Bullying and Harassment in April 2016 showed a very high correlation between bullying and suicidal ideation.

*The definition of bullying under the national YRBS is broader than Vermont's definition so these figures are higher than what might constitute illegal bullying under Vermont law. The YRBS defines bullying as occurring when a student or group of students do or say unpleasant things to another student to make fun of, tease, embarrass, purposefully exclude or scare someone.

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RESOURCES

[Stopbullying.gov](#)
[Vermont Family Network](#)
[Stand Up to Bullying](#)
[University of Virginia, Bullying Resources](#)
[Sweethearts & Heroes](#)
[ACLU Students Rights — Equal Protection and Discrimination](#)
[Vermont Human Rights Commission](#)

NEWS

[Bullying can turn victims into bullies](#)
[St. Albans Superhero Battles Bullying in Essex Junction](#)
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