



Bullying Fact Sheet

Introduction

Bullying has become an important issue in today's society. According to the National Education Association, one out of every four children is bullied in school. Research shows that bullying can negatively impact a child's access to learning and lead to bad grades, trouble concentrating, loss of interest in school, increased dropout rates, and truancy.

Arkansas law defines bullying as the intentional harassment, intimidation, humiliation, ridicule, defamation, or threat or incitement of violence by a student against another student. This can take the form of written, verbal, electronic, or physical action. It causes or creates actual or future physical harm to the bullied child or to their property or interferes with the bullied child's education.

In Arkansas, all public school students have a right to get their education in an environment that is reasonably free from substantial intimidation, harassment, harm, or threat of harm by another student in person or by electronic means (cyberbullying). School Districts must provide group conflict resolution services to prevent bullying in schools.

Bullying is intentional, targeted, repeated behavior that can take on many different forms, including:

- verbal bullying
- bullying through isolation or social exclusion
- physical bullying
- bullying through false rumors and lies
- taking money or other things
- being threatened or forced to do things the bully wants
- racial bullying
- sexual bullying
- cyberbullying

Actions

Children might not want to report bullying, but it has to be reported to the school. When it is, the school, parents, and school community can put a stop to the bullying.

Educate

Educate your children about bullying. Talk with your children about bullying and what it looks like. Make sure they know who they can talk to if they are being bullied and what to do to stay safe. Even if your child is not being bullied, they may be able to prevent another child from being bullied if they know how to report it and how to intervene.

Report

Report all instances of bullying to the school in writing. The letter should be given to the principal and to your child's teachers. It should be as specific as possible. Please see attached bullying reporting template.

Review

Review the school's bullying policy. Every school has a bullying policy and it should be printed in the student handbook. If you cannot find it, ask the school for a copy.

Record

Record every instance of bullying in a log you keep for yourself. The log should record every detail you have about the incident, including who bullied the child; where, when, how the child was bullied; who saw; who you reported the incident to; and what the school is doing about the incident.

Work

Work with the school and the district administration to help stop the bullying. Ask the principal to set up a group conflict resolution meeting between your child and the bully. Follow up on your letters to the school about bullying to see what, if anything, the school did to help prevent more bullying. Talk with your school about putting in place a Safety Plan for your child (see below).

If the school administration does not cooperate, send a written complaint to the school district and address it to the superintendent. If you are still having problems with the school district following its bullying policy, you can make a complaint to the Arkansas Board of Education. To speak to someone at the Arkansas Department of Education about bullying, you should call the Equity Office at (501) 682-4213.

Safety Plan

A safety plan is a plan that is put in place by the school to protect a child who is being bullied at school. The plan has two parts: (1) the steps the school will take and (2) the steps the student will take. The plan has a set start date. It is supposed to cover the entire school day, from the time the student boards the bus in the morning until they get off the bus at the end of the day. It should also cover before-school and after-school activities that take place at school. It is supposed to protect the student from any new bullying done by others or any retaliation for reporting bullying. The plan should set out a staff contact for the student. The staff contact should be someone who the student will feel comfortable reporting bullying to.



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Disabilities

Children with disabilities are three times more likely to be bullied than their non-disabled peers. In 2014, the United States Department of Education's Office for Civil Rights issued guidance to schools reminding them that federal law protects students with disabilities and that bullying must not be tolerated.

The letter to educators from the United States Department of Education went over public schools' responsibilities under federal law to children with disabilities that are being bullied. If a student with a disability is being bullied, federal law requires that schools take immediate and appropriate action to investigate the issue, take steps to stop the bullying, and take steps to prevent it from happening again.

If a student with a disability is being bullied, it may result in a denial of Free and Appropriate Education (FAPE), a requirement for students with an Individualized Education Plan (IEP) or a 504 Plan. If a child is being bullied, the IEP Team or 504 Team should meet to decide whether the student's needs have changed and whether the IEP or 504 Plan is still appropriate.

If your child has a disability and is being bullied, you should follow the steps above in the "Actions" section. Once you follow those steps, you have one last option: you can file a complaint with the United States Department of Education's Office for Civil Rights.

This fact sheet is a collaboration of the Center for Arkansas Legal Services and Legal Aid of Arkansas, Inc. These nonprofit organizations provide free legal assistance to eligible Arkansans who meet income, asset, and other guidelines. Legal assistance may also include advice and counsel, brief services, or full representation depending on the situation. For more information about civil legal aid in Arkansas, please visit arlegalservices.org. For information specific to Legal Aid of Arkansas, Inc., visit arlegalaid.org. Apply for services online or by calling 1-800-9-LAW-AID (1-800-952-9243).

The information and statements of law in this fact sheet should not be considered legal advice. This fact sheet is provided as a broad guide to help you understand how certain legal matters are handled in general. Courts may interpret the law differently. Before you take action, talk to an attorney and follow his or her advice. Always do what the court tells you to do.

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