

RESEARCH SUMMARY

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Anti-Bullying Laws and Policies

Understanding Anti-Bullying Laws and Policies

One of the goals of every educator, parent, and student is to prevent bullying from happening. Anti-bullying laws are one prevention strategy that can change social norms. When researchers in the United States began studying bullying in the early 1990s, there were only a few anti-bullying laws and policies. Now, every state and most U.S. commonwealths and territories have a [law or policy](#) on bullying. Although no federal policy exists specific to bullying, other federal laws provide certain protections.

[Civil rights and anti-discrimination laws](#) exist to protect certain groups of individuals who have experienced harassment and discrimination (e.g., religious minorities, women, LGBT individuals, ethnic minorities). In addition, the Individuals with Disabilities Education Act (IDEA) provides certain supports for students, when bullying interferes with receiving a free and appropriate public education. Schools may be in violation of these federal laws when bullying is based on gender, ethnicity, race, or sexual orientation. While it is important that states have laws and policies on bullying to help guide schools, there is a lot of variability in terms of the scope of these laws and policies. Additionally, few research studies address best practices in the implementation of these laws and policies, as well as their impact on the prevalence of bullying.



Developing Anti-Bullying Laws and Policies

The U.S. Department of Education's Office of Civil Rights issued a "[Dear Colleague Letter](#)" in 2010 that outlines bullying-related federal laws, and reviews schools' responsibilities to respond effectively to bullying. The [U.S. Department of Education](#) also identified 11 recommended guiding principles that schools can use to develop a comprehensive policy to support an anti-bullying climate. The components are:

- Purpose statement
- Scope of the policy
- Definition of bullying
- Specifying protected classes who have historically been bullied
- Implementation of local education area (LEA) policies
- Essential components for LEAs
- Commitment to regularly review the policy
- Communication plan for notifying parents, students, and staff regarding bullying
- Training and education for students, staff, and parents

- Plan for monitoring and data collection
- Statement that the policy does not preclude targets and their families from seeking other legal remedies

Researchers have found that three specific components in anti-bullying laws decreased the odds of a child being bullied by 20 percent. Specifically, these anti-bullying laws had:

- a statement of scope,
- a clear description of the prohibited behavior, and
- a requirement that school districts develop, implement, and monitor local policies. (See [Ohio's policy](#) as an example.)

Implementing Anti-Bullying Laws and Policies

It is incumbent on state departments of education and state legislatures to provide leadership and guidance to schools on anti-bullying laws and policies. Ideally, state education agencies, state legislatures, and researchers will benefit from convening annual work groups to develop, implement, and monitor anti-bullying laws and policies.

When schools do not comply with federal or state laws, the school system is at-risk of litigation. Lawsuits are expensive, time-consuming, often do not result in positive outcomes for the plaintiffs (i.e., the victims), and are not an effective remedy for bullying. Researchers reviewed over 20 years of cases and found that court decisions ruled in favor of the plaintiffs in only 2 percent of claim rulings.

Need for Additional Research on the Impact of Anti-Bullying Laws and Policies

Effective laws and policies are an initial step in providing guidance to researchers, educators, and policymakers working together to create positive school climates. Emerging evidence indicates that anti-bullying laws and policies can be effective in reducing bullying among school-aged youth. The research is clear that “zero tolerance” policies are not effective in reducing bullying. Additional research is needed to study which policies and laws are effective in reducing bullying. Studies that employ time-series analyses can examine the relationship of laws and policies on bullying behavior over time. Mixed methods research designs also add an important qualitative element to understanding a complex social problem like bullying. As additional research studies, program evaluations, and policy analyses are conducted, educators and youth-serving organizations will be better positioned to prevent bullying, and to effectively address it when it occurs.



Source and Research Limitations

The information discussed in this fact sheet is based on the comprehensive review of bullying research presented in the National Academies of Sciences, Engineering, and Medicine’s report entitled [Preventing Bullying Through Science, Policy, and Practice](#).

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This report includes the most up to date research on bullying, but it is important to note that this research has several important limitations. Most of the research is cross-sectional, which means it took place at one point in time. This type of research shows us what things are related to each other at that time, but cannot tell us which thing came first or if one of those things caused the other to occur.

This product was created under Abt Associates, Contract No. HSH250201600025G funded by the Maternal and Child Health Bureau, Health Resources and Services Administration, U.S. Department of Health and Human Services. The content of this product does not necessarily reflect the official views of the Maternal and Child Health Bureau.