
Bullying and Harassment in Connecticut



A Guide for Parents and Guardians

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Taking First Steps

Q: I think my child is being bullied. Help!

A: If you believe your child is being bullied, you need to speak to your child's teacher or counselor immediately and informally. Often, such a conversation will be enough to make the situation better for your child. If this is not sufficient, then report this again in writing to the teacher or counselor, especially if you have never done so before. If you do not get the help or attention that you believe you need, you should then report it in writing to the school principal.

Q: If I believe my child is being bullied and he or she is a student identified as having "special needs," i.e., has an Individualized Education Program (IEP) or 504 plan, is this relevant?

A: Children identified as having special needs are three to five times more at risk for being targets of bullies than children not identified. As the process of implementing interventions to make the school environment safe for all children moves forward, it is both appropriate and helpful to work toward managing the safety and well-being of your child through the Planning and Placement Team (PPT) process and in creation of the IEP or 504 Plan.

Q: What if my child has only been teased/taunted/excluded/called names only once or a couple of times? Should I still report it?

A: All acts of inappropriate and mean-spirited behavior cannot be tolerated. True bullying is an abuse of power and is commonly defined as "repeated" or "patterned." Verified acts of bullying always begin with a first act or incidence of meanness. Teachers and principals care deeply for the safety and welfare of each student, and, often, the mean-spirited acts that your child may be experiencing are happening out of the direct view of the adults in the school. Teachers and principals cannot be expected to solve problems of which they are not aware. It is much easier to stop the actions from escalating when the incidents are identified and communicated to school personnel as early as possible.

Q: My child is telling me details about what is happening but begging me not to go to the school and tell due to worries about the situation getting worse. What should I do? Go in regardless or honor my child's wishes?

A: School personnel are only as good as the information they have, so it is important to inform the school in as much detail as possible about what is going on. It is often possible to set up a meeting with the relevant school personnel without letting your child know that you are doing so. When you meet, an excellent strategy is to open the meeting by letting the adult(s) you are meeting with know that your child asked you not to come because of real fears. In addition, when the meeting ends, you might want to remind them that, if possible, you would prefer your child does not find out that you

met. School personnel understand this real dilemma and are trained to know how to work behind the scenes and keep your child safe from retaliatory behavior from peers and not give anyone any indication that the detailed information you are sharing came from you or your child.

Q: Should I speak to the parents/guardians of the child who is bullying my child?

A: It generally is not productive to speak to the parents/guardians of a child you believe is bullying your child. Some parents/guardians may naturally be defensive and may attempt to blame your child for “starting it.” Try to ask your own child questions about the incidents and find out your own child’s role and actions in the event.

Q: Where should I go if the bullying seems only to be happening outside of school (in community settings) or if it is escalating into serious and threatening behaviors?

A: Even though you may believe the bullying is primarily happening outside school, school personnel may be able to help resolve the problem depending on the circumstances. Very often, similar acts are also happening in school although less visible and blatant. In addition, what may be going on during after-school hours may have a direct impact on the learning environment, so the school most often has a vested interest in assisting with solving problems no matter where they happen. If it seems to be escalating into very serious behaviors, you should bring the matter to your local police department and file a police report.

About the Law

Q: I have heard that Connecticut has an anti-bullying law. Is this true?

A: Yes, in July 2002, the Connecticut legislature passed a law, Connecticut General Statutes Section 10-222d (CGS 10-222d) directing all public school districts to develop and implement a bullying policy. Such policies were originally required to become effective on February 1, 2003. The law has since been amended twice, in the 2006 legislative session and again in the 2008 session. District policies should reflect the changes that were made in the most recent 2008 statute.

Q: What is the current definition of “bullying” in CGS 10-222d?

A: According to the 2008 CGS Section 10-222d, bullying is defined as:

“Any overt acts by a student or a group of students directed against another student with the intent to ridicule, harass, humiliate or intimidate the other student while on school grounds, at a school-sponsored activity, or on a school bus, which acts are committed more than once against any student during the school year.”

Such policies may include provisions addressing bullying outside the school setting if it has a direct and negative impact on a student’s academic performance or safety in school.

However, since every district has adopted its own policy and could have changed the definition slightly, it is important to review the definition of bullying included in your own school district’s policy.

Q: What are the legal provisions of Connecticut’s 2008 anti-bullying law?

A: Each school district must develop and implement an individualized policy that must satisfy all requirements of the law to address the existence of bullying in its schools. The law requires, among other provisions, that such policies enable anonymous reports of bullying by students to administrators and teachers and that students be notified annually of the process by which they may make such reports. Administrators and teachers must enable parents and guardians of students to file written reports of suspected bullying. The law also requires school administrators to investigate parents and guardians’ written reports and review students’ anonymous reports. No disciplinary action can be taken based solely on anonymous reports. Teachers and other school staff who witness bullying or receive student reports of bullying are required to notify administrators in writing. Administrators are required to investigate any written report of bullying allegations.

A district’s anti-bullying policy must also:

1. Include a prevention and intervention strategy for school staff to deal with bullying. This may include, but is not limited to:

- a. Implementation of a positive behavioral interventions and supports process or another evidenced-based model approach for safe school climate or for the prevention of bullying identified by the Connecticut State Department of Education (CSDE).
 - b. A school survey to determine the prevalence of bullying (school climate assessments satisfy this requirement).
 - c. Establishment of a bullying prevention coordinating committee with broad representation to review the survey results and implement the strategy (a school climate committee satisfies this requirement).
 - d. School rules prohibiting bullying, harassment, intimidation and establishing appropriate consequences for those who engage in such acts.
 - e. Adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur.
 - f. Inclusion of grade-appropriate bullying prevention curricula in kindergarten through high school.
 - g. Individual interventions with the bully, parents or guardians, and school staff, and interventions with the bullied child, parents or guardians, and school staff.
 - h. Schoolwide training related to safe school climate.
 - i. Promotion of parent/guardian involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions.
2. Provide for the inclusion of language in student codes of conduct concerning bullying.
 3. Require each school to notify the parents or guardians of students who commit any verified acts of bullying and the parents or guardians of students against whom such acts were directed, and invite them to attend at least one meeting.
 4. Require each school to maintain a list of the number of verified acts of bullying in the school and make the list available for public inspection.
 5. Direct the development of case-by-case interventions for addressing repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual, which may include both counseling and discipline.
 6. Identify the appropriate school personnel, which may include, but shall not be limited to, pupil services personnel, responsible for taking a bullying report and investigating the complaint.

Q: Are private schools required to adhere to this law?

A: No, only public schools are required to have anti-bullying policies by law. However, many private schools have a comparable policy because they believe this to be important. The only way to find out is to ask the school principal.

Q: Is adult bullying covered under our law?

A: No, only student behavior is included. However, school districts may have modified their individual policy to include adult behavior. You will need to read the local district policy carefully and determine if they have chosen to include adult behavior. Most districts have left the definition alone and restricted their local policy to cover student-to-student interactions exclusively. Thus, allegations of teacher or administrator mistreatment of students, parents, guardians or colleagues would not be considered under the state anti-bullying statute. Teacher and administrator misconduct may result in revocation of their certification in egregious cases. Complaints may be filed with the Connecticut State Department of Education through the Office of Legal and Governmental Affairs.

Q: How do I locate my school's bullying policy?

A: Every school and school district office must have a copy of this policy readily available; you are entitled to obtain a copy of it. This policy should be part of the student handbook, or other policy and procedures manuals that are distributed to staff, parents and guardians. If the policy is not part of one or more of these documents, you may ask for a copy either at your child's school or at the school district office; you should be given a copy immediately upon the request. Very often, the policy is also part of the school or district Web site.

Q: According to the requirements of the law, I am entitled to see the publicly available list of verified acts of bullying. How do I access this list?

A: The bullying law does not provide specific guidance about what this list should look like and what information needs to be included. The list could be as simple as merely a number on a sheet of paper. This list could provide some details about each individual verified act. If there is detailed information, the list will not include names of any of the students involved in the acts, as this would violate the Family Educational Rights and Privacy Act (FERPA).

The law also does not specify whether the list must be given immediately upon request or at some time after the request has been made. If a school does not immediately agree to surrender the list upon request or give you a time when it will provide it, you should request in writing that you want to see it. Even though there are no guidelines within the anti-bullying law directing schools to surrender the list within a specific time frame, you do have "back up" for gaining access to this list through the Freedom of Information Commission (FOI). According to FOI, a school has four days to respond to your written request. What this means is that the school does not have

to show you the list within the four days, but that it has four days to respond to your request. In the unlikely event that within this period you do not receive a response, the FOI Commission can be contacted to file a complaint.

Usually, however, a call to the superintendent's office can clear up any misunderstanding and you should be able to access this list without filing a formal FOI request.

Q: How does the federal law "FERPA" affect getting information about what is being done to deal with my child's situation?

A: There is a federal education confidentiality law. It is the Family Educational Rights and Privacy Act (FERPA). The law is similar to medical confidentiality requirements under the Health Insurance Portability and Accountability Act (HIPAA). In a school setting, FERPA requires schools to communicate to parents and guardians information solely about their own child; information about discipline and consequences pertaining to any other child cannot be communicated. Since FERPA is a federal law, it supersedes any state laws or district policies that may suggest that parents and guardians can learn "what happened to the other child."

Parents and guardians of targeted children often want to know what types of consequences are given to the other child. This information cannot be shared under FERPA. Parents and guardians should know that FERPA applies to all children, and information about their own child will not be shared with any other family member. FERPA protects all children.

Q: Are there any federal anti-bullying or harassment laws that I should be aware of?

A: There are no federal (national) anti-bullying laws. Only a handful of states lack state anti-bullying laws. If, however, your child is being subjected to "protected class" harassment (sexual, racial, ethnic, national origin, etc.), then there are both state and federal laws that do apply. When the bullying/harassment is directed at a person's sex, race, ethnicity, national origin or other protected classes, it is important to bring this to the attention of your school district's Title IX or Title VI Coordinator. This person is trained to know how to handle this kind of bullying or harassment and should help guide you to managing it.

Filing a Formal Bullying Complaint

Q: What should I be doing to prepare for making a report of bullying and what counts as documentation?

A: The more documentation you have, the more you are going to be able to help and collaborate with school personnel in their investigation. Documentation comes in a number of forms, and it is important for you to keep records and copies of everything that could possibly be relevant to your case and not give up your “only copy” of anything. Documentation is considered, but not limited to:

- diaries/accounts with as much detail (names, dates, locations, etc.) as possible including, but not limited to:
- conversations you or your child has had with the alleged “bully”;
- any written communications you have had with school personnel (memos, e-mails, reports, etc.) pertaining to your complaint;
- your conversations with your child about what is and has been going on;
- notes or messages that have been passed around or sent on the Internet that are part of the bullying;
- photographs of any physical injuries or graffiti;
- accounts of any attempts that you have made before putting the complaint in writing to solve this problem (meetings/phone calls with school personnel, parent/teacher conferences, etc.);
- records from any physicians, social workers or counselors who have expert judgments that are relevant and helpful;
- any police reports or other agency documentation that is relevant to your situation; and
- anything else that you think will demonstrate what your child has experienced.

Q: Is it OK to meet with administrators, teachers or guidance staff in the school before I file my written complaint to attempt to get the problem resolved?

A: Absolutely. In fact, it is welcomed and a preferred, courteous way in which to proceed. It is also important that you not wait until you perceive the situation is dire. Schools are only as good as the information they have and the earlier you bring inappropriate behavior to their attention, the easier it is to intervene and make it stop.

When you approach your child’s teacher, principal or vice principal, try to remain as calm, respectful and collaborative as possible. When you make them aware of the situation in this more informal manner, it may very well be the first time they have had

any knowledge of the situation, and they will work to take care of any problems. It is appropriate to ask them to look into this immediately and report to you what they have found within a reasonable amount of time. And, if they find that what you and your child is experiencing is really happening, it is reasonable to find out what is going to be done to ensure that your child will not be the target of bullying in the future. Understand, however, that because of confidentiality standards (FERPA), it may not be possible for the school personnel to let you know all the specific details of any given situation.

They may not be able to give you a full account of their work behind the scenes because some of the details may be confidential. The more cooperative, reasonable and collaborative you are as the process is taking place, the more respectful and serious you will be taken, and the matter is likely to be resolved in a satisfactory manner for everyone.

Interventions work when the negative behaviors end. If you cannot be given the details of the full intervention plan, you will know if the implemented strategies are working if your child is once again physically, emotionally and intellectually safe.

Q: If I cannot get the situation resolved informally, to whom do I address the written formal complaint of the allegation of bullying?

A: It is appropriate to direct the letter to the school principal, but you may want others to have a copy of the letter as well. The people you may also want to send duplicate copies to may include, but not be limited to, the superintendent, school board members, teachers, social workers, counselors and so on. If you have gotten any expert advice, you may also want to provide a copy of your letter to that expert. You may want to include any written evidence from your experts with your formal letter of complaint. Finally, make sure that you keep a copy of the letter you send for your files along with copies of everything else that may be included.

Q: Is there a particular school or district bullying complaint form?

A: A few districts have a specific "Bullying Complaint Form." You will have to ask if your district has such a form. If not, you would just write a formal letter.

Q: What information should I include in my written complaint and how should I put it together?

A: You should put together a letter that details what you believe your child has experienced that constitutes bullying. It can be handwritten or done on a computer. The letter should make it clear that you are invoking the Connecticut anti-bullying law and the particular policy of your school district. It should outline in as much detail as you choose, exactly what has been going on and for what period of time this has been occurring. You need to provide as much detailed information as you possibly can, including names, dates and locations for the alleged bullying. Bullying takes many forms: physical, verbal and emotional. The information that you provide will

help school administrators in their investigation process. It is also advisable to end your letter by stating that after the investigation, regardless of whether the district concludes that what has happened to your child is a “verified act of bullying,” that you want your child to be safe and not experience any kind of hurtful behaviors.

Q: **As the process moves forward, what can I ask the school to do for my child?**

A: As frustrating as the circumstances are for your child, the sole thing that you ought to be asking for is that your child be physically, emotionally and intellectually safe in school. It is up to the school, working collaboratively with you, your child and experts in the field to determine how this will be accomplished. It is not your role to dictate to the school what the discipline should be for those who are bullying your child. You cannot demand that the other child be removed from the classroom or school or be suspended or expelled. The school has an obligation to attend and support every child and will consider individual circumstances to achieve a satisfactory resolution and safety plan.

After the Complaint Is Filed

Q: Can I keep my child home from school if I really believe my child is not safe at school or my child is refusing to attend especially while the investigation is in progress?

A: This is a very personal decision. Every case must be determined on its own circumstances and it is your decision to make. Children cannot learn if they are not in class to receive instruction, and their academic achievement is of utmost importance to everyone. As a parent or guardian of a minor child, you are responsible for having your child in school or providing the appropriate and acceptable reasons for why you are keeping your child out of school. The school may record these absences as being “unexcused” and being out of school may influence your child’s academic record and could cause you to be reported for educational neglect. You should do everything in your power to work with school personnel (teachers, administrators and school support staff) to make your child feel emotionally and physically safe at school, on the school bus and during school-sponsored activities. You should experience a comfort level with the situation.

Q: How long will an investigation take?

A: There are no mandated guidelines for how long the investigation process will take. School administrators want to find the underlying cause of all bullying allegations as quickly as possible, but this may take a reasonable amount of time. It is fair to ask and expect that this should take a matter of days and possibly a few weeks, at most. Anything more than this would indicate extraordinary circumstances.

Q: What does the public list of verified cases of bullying look like?

A: This public list may only contain the number of verified acts. It could have additional information. However, because of confidentiality guidelines (FERPA), no names will be attached to the list, and parents and guardians should not expect to learn exactly what or how the confirmed “bully” was dealt with or any other specific consequences or outcomes.

Q: Does this list give any indication about how safe the school is that my child attends?

A: Schools that take all forms of bullying and meanness seriously may very well have lists that do have a large number of verified acts of bullying. If a school list has zero verified acts or school personnel tell you that there is never any bullying in your school, this may be an indication of a lack of awareness or that every effort is made to intervene early, often and not wait until something becomes a verified act of bullying to intervene.

Q: If I have exhausted my avenues of reporting and getting what I view is a satisfactory resolution to my bullying allegation, where can I turn?

A: Since the bullying law directs local school boards to create and implement bullying policies, the agency that is ultimately responsible for changing decisions or modifying policies is your local school board. The CSDE has no legal jurisdiction in matters of bullying over school districts. The CSDE has no authority to intervene, monitor, investigate or supersede any decisions about bullying made at the local district level. You are free to contact the CSDE, talk through your issue and gain more clarity about what your legal rights are, but registering complaints through CSDE has no legal impact on specific outcomes.

If your child has an IEP or 504 Plan, you are also free to contact the Bureau of Special Education at the CSDE to find out what your rights might be under these provisions.

There are agencies throughout the state that may be able to advise and help you given the particular circumstances of your child's situation. For example, if any of the bullying is of a racial or sexual nature, you may have protection under Titles IX, VI or Section 504. The agencies other than CSDE you may want to contact are:

- Commission on Human Rights and Opportunities (CHRO)
- Office for Civil Rights (OCR)
- Connecticut's Women's Education and Legal Fund (CWEALF)
- Permanent Commission on the Status of Women (PCSW)
- Connecticut Commission on Children
- Office of the Child Advocate
- Gay Lesbian Straight Educator Network (GLSEN)
- Parents, Families and Friends of Lesbians and Gays (PFLAG)

Making Schools Safer

Q: Is it also possible that the school my child is in really does not have any bullying and is really a safe place?

A: Yes, it is possible that any school has a school climate that is so positive that all forms of meanness and/or bullying behaviors are just not acceptable and actually seldom or never are experienced there. You would learn this to be the case by talking with your child, his or her teachers and administrators, as well as reviewing school conduct policies and rules. In addition, there may be public displays in the school that you and your child would easily see (murals, bulletin boards, showcases, posters, banners, etc.) that would be clear and visible reminders that the school is a safe place. Sometimes school student or parent handbooks also refer to creating physically, emotionally and intellectually safe schools through their stated mission as well as through their codes of conduct and the rules that govern the school.

Another sign that schools are working to create and maintain respectful schools would be if they are regularly assessing the quality of their school climate and that improving school climate appears in school and district improvement plans.

Q: What can parents and guardians do to reduce bullying behaviors and assist in making the school my child goes to a safe and positive place for learning?

A: The most important thing you can do is to talk positively with your child and with friends, parents and guardians of other children about these issues. Mean behaviors (physical and emotional) are never OK. Children do not have to be friends with everyone, but they have an obligation not to hurt anyone else with words or deeds. It is also important for you to talk with your child about how real friends treat one another. Too often, children report that their “friends” are the ones bullying them. Real friends do not hurt each other. Talk with your child regularly about how to treat all others and, most importantly, be a positive role model for your child in your own home and community.

You should also support efforts in your school and community that target creating safe and welcoming environments. The ultimate remedy for bullying is to create learning communities in which bullying behaviors are simply not acceptable. Not only are targets of bullies at risk for long-term social isolation and depression, but those who hurt others are also at social risk. Bullies are at a far greater risk for getting in trouble with the law and being entangled in the juvenile justice system. Those who witness bullying are also at risk. Typically, as many as 85 percent – 95 percent of the school student population are part of the “silent majority” of bystanders who stand by with a great deal of anxiety and guilt as they watch peers hurt others and feel paralyzed to stop what they see on a daily basis. To create the kind of safe emotional environments where high levels of learning are experienced, these bystanders must become “allies.” Allies actively support and help others. Bullying behavior will end when it becomes “cool” to treat others respectfully. Children should be role models for each other as much as we need to be models for them. We are all models. We might as well be good ones.

Other Protections

Students have further state and federal civil rights protections, if they are bullied or harassed because the student is a member of a “protected class.”

Q: What federal laws protect my child from being bullied or harassed?

A: The U.S. Department of Education Office for Civil Rights enforces several federal civil rights laws that prohibit discrimination in programs or activities that receive federal financial assistance. Pertinent laws are:

- Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin in programs or activities receiving federal financial assistance.
- Title IX of the Education Amendments of 1972 prohibits discrimination based on sex in education programs and activities that receive federal financial assistance.
- Section 504 of the Rehabilitation Act of 1973 prohibits discrimination based on disability in programs or activities receiving federal financial assistance.
- Title II of the Americans with Disabilities Act of 1990 prohibits discrimination based on disability in public entities.

Although parents and guardians should try to resolve complaints using the school’s complaint process, an option is to file a federal civil rights complaint. To file a complaint contact:

Office for Civil Rights
US Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109-3921
Telephone: 617-289-0111
Fax: 617-289-0150; TDD: 877-521-2172
E-mail: OCR.Boston@ed.gov

Q: What state laws protect my child from being bullied or harassed?

A: Connecticut state law also prohibits discrimination in schools. CGS Section 10-15c states:

“The public schools shall be open to all children five years of age and over who reach age five on or before the first day of January of any school year, and each such child shall have, and shall be so advised by the appropriate school authorities, an equal opportunity to participate in the activities, programs and courses of study offered in such public schools, at such time as the child becomes eligible to participate in such activities, programs and courses of study, without discrimination on account of race, color, sex, religion, national origin, or sexual orientation; provided boards of education

may, by vote at a meeting duly called, admit to any school children under five years of age.”

Schools are also places of public accommodation and therefore bound by state civil rights laws. To file a state civil rights complaint contact:

The Commission on Human Rights and Opportunities (CHRO)
21 Grand Street
Hartford, CT 06106
Telephone: 860-541-3400 or 800-477-5737
Web site: <http://www.state.ct.us/chro/>

Q: Are there any agencies that can assist me with my complaints?

A: There are several agencies that can help with your concerns.

The Connecticut Women’s Education & Legal Fund (CWEALF) is a statewide nonprofit organization dedicated to empowering women, girls and their families to achieve equal opportunities in their personal and professional lives. This Web site contains a valuable set of free legal booklets and brochures.

Connecticut Women’s Education & Legal Fund (CWEALF)

75 Charter Oak Avenue
Suite 1-300
Hartford, CT 06106
Telephone: 860-247-6090
Fax: 860-524-0705
E-mail: cwealf@cwealf.org
Web site: <http://www.cwealf.org>

Permanent Commission on the Status of Women (PCSW) — Since 1973, the PCSW has provided valuable research and analysis to the legislature and state leaders regarding such issues as sex discrimination in education, employment and credit, the health and safety of pregnant workers, child day care, women in nontraditional employment, sexual harassment, child support enforcement, equal education, women and health-care, the economic status of women and welfare policy.

Permanent Commission on the Status of Women
18-20 Trinity Street
Hartford, CT 06106
Telephone: 860-240-8300
Fax: 860-240-8314
E-mail: PCSW@po.state.ct.us

GLSEN-The Gay, Lesbian and Straight Education Network — GLSEN is a national organization fighting to end anti-gay bias in K-12 schools.

GLSEN National Office
121 West 27th Street, Suite 804
New York, NY 10001
Telephone: 212-727-0135
Fax: 212-727-0254
E-mail: glsen@glsen.org
Web site: <http://www.glsen.org/>

PFLAG - Parents, Families & Friends of Lesbians & Gays — Parents, Families & Friends of Lesbians & Gays (PFLAG) is a national non-profit organization with over 80,000 members and supporters and more than 460 affiliates in the United States.

PFLAG National Office
1726 M Street, NW Suite
400 Washington, DC 20036
Telephone: 202-467-8180
Fax: 202-467-8194
Web site: <http://www.pflag.org/>

State of Connecticut Office of the Child Advocate
999 Asylum Avenue
Hartford, CT 06105-2475
Telephone: 860-566-2106 or 800-994-0939
Fax: 860-566-2251
E-mail: oca@ct.gov
Web site: <http://www.ct.gov/oca>

Commission on Children
18-20 Trinity Street
Hartford, CT 06106-1591
Telephone: 860-240-0290
Fax: 860-240-0248
E-mail: Kevin.flood@cga.ct.gov
Web site: <http://www.cga.ct.gov>

Connecticut State Department of Education
Bureau of Accountability and Improvement
165 Capitol Avenue
Hartford, CT 06106
Telephone: 860-713-6760
Fax: 860-713-7023
E-mail: joann.freiberg@ct.gov or william.howe@ct.gov