

The Law

By **Susan R. Hartung**



Imagine this: A freshman girl is relentlessly bullied for months because she briefly dated a popular senior

boy on the football team. The new girl is tripped and pushed in the hallway, books are knocked from her hands and she is called vulgar names. She receives harassing text messages and e-mails. The bullying is common knowledge at school; frequently witnessed, but ignored by school staff. The girl's mother has gone to the school administration more than once to ask for help, but to no avail.

This example is not unlike the allegations surrounding the Phoebe Prince case. Phoebe Prince has become the poster child for school bullying. Sadly,

she isn't around to tell her story. She hung herself this past January after being relentlessly bullied by peers. In a virtually unprecedented approach, a Massachusetts district attorney indicted nine teenagers for crimes including civil rights violations, assault with a dangerous weapon, criminal harassment, stalking and statutory rape.

Bullying Defined

Ohio law defines bullying as any intentional act—written, verbal or physical—that a student repeatedly exhibits toward another student. To be considered “bullying behavior,” the act must cause mental or physical harm to the other student and be sufficiently severe or persistent that it creates a threatening educational environment. Violence within a dating relationship is also considered bullying.

While the language in the law doesn't specify a particular punishment, bullies can be charged with an assortment of crimes, de-

pending on the specific acts committed. While this approach has rarely been applied to the school bully, it may be used in the future to stop this destructive behavior.

What Does the Law Require of Schools?

Ohio law requires all public schools to develop a policy prohibiting bullying. The policy must be developed in consultation with parents, employees, volunteers, students and community members. In addition to defining and prohibiting bullying, the policy must include, among other things:

- A requirement that school personnel notify school administrators of incidents of bullying.
- Procedures for reporting, documenting, responding to and investigating bullying.
- A procedure for disciplining any student guilty of bullying.
- A requirement that parents or guardians of any student

involved in a bullying incident be notified and have access to written reports pertaining to the incident.

- A strategy for protecting a victim from additional bullying.

The school's policy must appear in the student handbook, employee training materials and other school board publications.

What Can Parents Do?

Talk to your child. Stay involved. Educate yourself on your school's bullying policy. If a problem arises, notify the school; the school is your friend, not your enemy. Work together with the school to eradicate the problem. These principles may not prevent your child from being bullied, but they can help you guide your child through the situation and stop the bullying. ■

Susan R. Hartung, an attorney at Walter & Haverfield LLP in Cleveland, Ohio, regularly counsels school boards and other employers on a broad range of legal matters.

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