



## State Anti-Bullying Statutes April 2012

LSB: local school board  
 STS: student-to-student  
 STE: student-to-employee

ETS: employee-to-student  
 VTS: volunteer-to-student  
 EE: employee

VOL: volunteer  
 DOE/BOE: department/board of education

	Year	Conduct Covered	Reaches off-campus	Cyber addressed	State agency	LSB must	LSB may	Reporting immunity
<b>AL</b> Ala. Code §§ 16-28B-1 to 16-28B-9.	2009	STS harassment, intimidation, violence, and threats, reprisal, retaliation, false accusation.	No. On school property, on school bus, at school function.	Yes. Definition of harassment includes electronic acts.	Develops model policy that must include 13 components, including graduated consequences, procedures for reporting, investigating and responding to incidents, and development of non-exhaustive list of characteristics. DOE receives stats from boards and posts on website.	Adopt policy by 7/1/10, approve form and designate complaint receiver. Each school reports statistics to local board, which reports to DOE. Only student/parent reports.	To the extent funded, LSB shall implement policies/programs to prevent student suicide.	Not specified, however, retaliation against anyone who provides reliable information on harassment or acts of violence is prohibited.
<b>AK</b> Alaska Stat. Ann. §§ 14.33.200 to 14.33.250.	2006	Harassment, intimidation, bullying of any student. Reprisal, retaliation or false accusation by EE, student or VOL.	Not specified.	No.	May provide model policy and training materials. Compiles data and presents to House and Senate committees.	Adopt policy and share with parents, teachers, students, VOL. Policy must emphasize positive values, and include punishment scheme. By 11/30 of each year, report to DOE incidents resulting in susp/exp for harassment, intimidation, or bullying at school or on school transportation systems from the previous year. EE, student or VOL must report.	Not specified.	Yes.



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1680 Duke Street, Alexandria, VA 22314

Phone: (703) 838-6722 Fax: (703) 548-5613 E-mail: [cosainfo@nsba.org](mailto:cosainfo@nsba.org)

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<b>AZ</b> Ariz. Rev. Stat. Ann. § 15-341.	2005, 2011	STS harassment, intimidation, or bullying.	No. On school property, buses, stops, and events and through use of electronic technology or communications on school computers, networks, forums and mailing lists.	Yes.	Not specified.	Prescribe and enforce policies and procedures to prohibit harassment and bullying. Must include student (confidential) and parent (written) reporting procedure, requirement for EEs to report, formal processes for documentation and investigation, disciplinary procedures, and procedure with consequences for false reports. Maintain records of all incidents reported for at least 6 years.	Not specified.	Yes. Each policy must provide a way for students, parents, or EE to report confidentially incidents of harassment, intimidation, or bullying.
<b>AR</b> Ark. Code Ann. § 6-18-514.	2007, 2011	STS and STE bullying, which includes harassment, intimidation, humiliation, ridicule, defamation, and threat of violence by acts including electronic acts.	Yes, for electronic acts that result in substantial disruption, directed at students or school EE, and intended to disrupt and likely to succeed.	Yes. Definition of bullying includes electronic acts.	Reviews LSB policies and may recommend changes.	Adopt policies. File policy with DOE. Student services program must include bullying prevention. Provide training on compliance with anti-bullying policies for all EE responsible for reporting or investigating bullying.	Provide opportunities for EE to participate in programs designed to develop knowledge and skills needed to prevent acts covered by the policy.	Yes.
<b>CA</b> Cal. Educ. Code §§ 32261, 48900, 48900.4. +changes effective 7/1/12	2008, 2011	Bullying is susp/exp offense. It includes STS sexual harassment, hate violence, and STS or STE harassment, threats, and intimidation.	Seems yes, if sexual harassment, or harassment/threats/intimidation that is sufficiently severe or pervasive to materially disrupt class	Yes. Bullying includes electronic act. (Effective 7/1/12, includes social networking)	Statewide school safety cadre addresses bullying. Superintendent of public instruction and AG coordinate safe schools programs, including grants. (Effective 7/1/12, state agency must monitor LEA adherence to requirement to adopt policy, make resources available, and develop model hand-out.)	Be responsible for development of all comprehensive school safety plans for its schools. Plan must include discipline and harassment policy. (Effective 7/1/12, adopt policy prohibiting bullying and process for receiving and investigating complaints of discrimination.)	Develop, with law enforcement and agencies serving youth, strategies, training, activities to improve attendance and reduce	No.



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	Seems to only apply to students in grades 4-12. (Expanded definition to take effect 7/1/12)	work, create substantial disorder, and creates intimidating or hostile educational environment. (Effective 7/1/12, no expulsion/suspension unless related to school attendance or occurring within school.)				crime and violence. (Effective 7/1/12, adopt state DOE model bullying prevention/conflict resolution policies.)		
<b>CO</b> Colo. Rev. Stat. Ann. § 22-32-109.1; Colo. Rev. Stat. Ann. §§ 22-93-101 to 106.	2001, 2011	STS Bullying.	Not specified.	Yes. Bullying includes electronic act.	On or before 11/1/11, DOE makes evidence-based best practices available on its website. Solicits evidenced-based best practices from the School Safety Resource Center. On and after 7/1/12, administers the School grant program. Promulgates rules for grants program by 4/1/12.	Adopt and implement safe school plan, which shall include policy addressing bullying prevention and education. Each policy shall incorporate the biennial administration of surveys of students' impressions of the severity of bullying in their schools. Cooperate with law enforcement and state agencies to susp/exp students for criminal conduct/damage to EE personal property.	Apply for grants from the School Bullying Prevention and Education grant program and submit evidence-based best practices for bullying prevention and education to the School Safety Resource Center.	No. But immunity for good faith carrying out of school safety plan.
<b>CT</b> Conn. Gen.	2002, 2008,	STS bullying or	Yes, if it (i) creates a	Yes.	Within available appropriations, (1) document	Develop and implement policy with 17 listed components.	Allow any paraprofessionals	Yes.



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Stat. Ann. § 10-222d.	2009, 2011	cyberbullying on school grounds, bus stop or bus, event or activity, or off school grounds if it creates a hostile environment at school for student to whom it was directed.	hostile environment at school for student to whom the bullying was directed, (ii) infringes on rights of the student at school, or (iii) substantially disrupts education process or orderly operation of school.		districts' needs for technical assistance and training, (2) collect info on prevention and intervention strategies, (3) develop or recommend a model "safe school climate plan," and (4) disseminate to all public schools grade-level appropriate school climate assessment instruments, including surveys, to be used by LSB to collect information about bullying. On or before 2/1/10, and biennially thereafter, shall submit a report on the status of its efforts. Shall provide annual training to school employees for bullying prevention and effective intervention strategies.	Approve and submit to DOE by 1/1/12 and make it available on website 30 calendar days after approval. Also include in publications, handbooks. On and after 7/1/12, and biennially thereafter, require each school in district to complete school climate assessment instruments provided by DOE. Policies must require certain investigation, intervention, notice, and record-keeping by school officials. Provide an in-service training program for EE who hold initial educator, provisional educator, or professional educator certificate. Programs shall provide information on listed components.	nal or noncertified EE to participate in training on a voluntary basis.	
DE Del. Code Ann. tit. 14, § 4112D.	2008	STS, STE, STV bullying.	Yes. Policy must prohibit bullying of any person on school property (includes motor vehicle), functions, or by <i>use of</i> school computer/electronic technology. The location, time of technology-related	Yes.	Prepares training materials with DE DOJ, DSBA etc. Reviews LSB policies and prepares report annually. Collaborates with DOJ to develop model policy and post on web site. Approves LSB's policy for distribution of CSDIP funds. Provides for award system for exemplary programs if funding available.	Ensure that EEs receive one-hour training/year in identifying and reporting of gang activity and bullying prevention. Prohibit bullying and reprisal, retaliation or false accusation. Establish policy with 14 components. Submit policy to DOE by 1/1/08 and each subsequent year. Put policy in student handbook or distribute annually. Sex harassment must be reported by EE to P, who investigates and then reports to DOE if good reason to believe has occurred.	Not specified.	Yes. EE, VOL, student if good faith report to appropriate person and using LSB's policy. No immunity if negligent or reckless or willful. Policy must include statement prohibiting retaliation following report.



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			incident is no defense in school disciplinary action if there is sufficient school nexus.					
<b>DC</b> D.C. Code Mun. Regs. Tit. 5 § B2599.	2009	Bullying	Not specified.	Yes.	N/A	Bullying is Tier III behavior when it causes disruption to educational environment or harm to self or others. Could result in on or off-site susp.	N/A	N/A
<b>FL</b> Fla. Stat. Ann. § 1006.147.	2008	Bullying or harassment of any student or employee of K-12 educational institution during school program, on school bus or through use of data/computer software accessed through computer, system or network of K-12 educational institution.	Yes, possibly.	Yes. Definition of harassment includes use of data or computer software.	Develops model and provides to school districts by 10/1/08. Aggregates info contained in school safety/discipline report.	By 12/1/08, adopt policy prohibiting bullying and harassment in substantial conformity with DOE model. Ongoing implementation and integrated with policies, curriculum, and violence prevention. Components include procedures for reporting data. State safe schools funds contingent on DOE approval of policy (2009-2010) and data reporting (thereafter).	Establish separate discipline policies that include categories of students.	Yes. EE, VOL student or parent who reports in good faith to person designated in policy and according to procedure in policy.
<b>GA</b> Ga. Code Ann. § 20-2- 751.4.	2000, 2010, 2011	Bullying on school property, vehicles, bus stops, functions, or by use of	Yes, possibly. Definition includes act by use of data or software accessed	Yes. Definition includes act by use of data or software accessed through school computer	By 1/1/11 develops model policy and post on website (7 components). Develops and posts on site list of anti-bullying training programs.	By 8/1/11 adopt policies prohibiting STS bullying and require it to be included in code of conduct. If out of compliance with policy or notice requirements, ineligible for state funding.	Not specified.	Yes, if reported in good faith.



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		data or software accessed through computer, system, network, or other technology of local school system. Policy requirements suggest STS only.	through school computer systems or other school electronic technology.	systems or other school electronic tech.				
<b>HI</b> Haw. Admin. Code §§ 8-19-2, 8-19-6; Ch. 302A-101, Hawaii Revised statutes (new)	2009 (DOE regs) 2011 (statute )	Bullying and cyberbullying on any DOE property, transportation , activity event, or data system. Bullying, cyberbullying and harassment listed as Class B offenses in prohibited student conduct.	Yes, if through an off campus computer network that is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student(s), EE, or both.	Yes. Electronic technology usage and electronic communications included.	DOE shall report to BOE on the DOE's compliance with any DOE admin. rule or statute governing bullying, cyberbullying, and harassment. BOE must establishment reporting requirements for DOE to report to BOE.	N/A	N/A	No, but retaliation is prohibited.
<b>ID</b> Idaho Code Ann. § 18-917A.	2006	STS harassment, intimidation, and bullying. Suspendable offense.	Yes, possibly. No listed limitation on location.	Yes. Act of harassment, intimidation or bullying may be committed via telephone or computer.	Not specified.	Include in discipline code rules on harassment, intimidation and bullying.	N/A	No.
<b>IL</b>	2001,	Bullying of	Yes, possibly.	Yes. Criminal	Monitors implementation of	Create and maintain policy	Educate	No.



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105 Ill. Comp. Stat. Ann. 5/27-23.7; 5/10-22.6	2010, 2011	student on basis of listed characteristic or other distinguishing characteristic during school program or activity, while in school/property/buses/bus stops or at school-sponsored events, or through transmission of info from school computer/electronic equipment.	Statute prohibits bullying through transmission of info from school computer or other school electronic equipment.	code: harassment through telephone is class B misdemeanor. School district may expel for gross disobedience or misconduct perpetuated by electronic means (threat).	policies. State superintendent appoints 15-member task force. Provides tech. assistance to task force.	and file with ISBE. Communicate policy to students and parents annually. Update ever 2 years and file. Expel student for gross disobedience or misconduct perpetuates by electronic means (threat).	students, parents, personnel re: bullying behaviors. Each school may adopt internet safety curriculum.	
<b>IN</b> Ind. Code Ann. § 20-33-8-0.2; Ind. Code Ann. §§ 20-26-5-33, 20-33-8-13.5.	2005, 2011	STS bullying on school grounds immediately before/after or during school hours, or any other time school used by school group; off school grounds at school event; traveling to/from school or school event;	Yes, possibly, if using property/equipment provided by school.	Yes. The discipline policy must prohibit bullying through the use of data or computer software accessed through a: (1) computer; (2) computer system; or (3) computer network; of a school corporation.	Develops curriculum and standards for school safety specialist training and certification program. Curriculum must include training in identifying, preventing and intervening in bullying.	Adopt discipline rules prohibiting bullying and include provisions re: education, parental involvement, reporting, investigation, and intervention. Each school must establish safe school committee that develops plan that must address bullying.	Starting 7/1/11, may offer classes, instruction, or programs regarding the potential risks and consequences of creating and sharing sexually suggestive or explicit materials through cell phones, social	No.



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		or using property/equipment provided by the school.					networking websites, computer networks and other digital media.	
<b>IA</b> Iowa Code Ann. § 280.28.	2007	STS, ETS, VTS harassment and bullying in school, on school property, or at school function.	Yes, possibly. Definition includes acts that create objectively hostile school environment and have listed effects.	Yes. Act includes electronic.	Not specified.	Adopt policy by 9/1/07 with 7 components. Develop and maintain system to report data. Integrate policy into school improvement plan and report data to community.	Establish prevention programs. To extent funding available, must provide training and develop process to provide skills to reduce incidents.	Yes, for prompt, reasonable good faith report.
<b>KS</b> Kan. Stat. Ann. § 72-8256.	2007, 2008	Bullying of student or staff member. Policy must prohibit bullying while on or utilizing school property, in school vehicle or at school event.	Yes. Cyberbullying bill changed requirement for policy to include bullying on <i>or while utilizing</i> school property.	Yes.	Not specified.	Adopt policy to prohibit bullying and adopt and implement plan to address bullying, including training and education for staff and students.	Adopt additional policies relating to bullying under general powers and duties authority.	No.
<b>KY</b> Ky. Rev. Stat. Ann. §§ 525.070, 525.080.	2008	"Bullying" not used. Criminal code: harassment and harassing communications are class B misdemeanors. STS assault	Yes. Harassing communications definition includes STS off-campus. BUT these are crimes, not behavior required to be	Yes.	Develops with KEA, KSBA and others statewide student discipline guidelines, model policy to implement law.	Formulate code of behavior and discipline, updated at least every 2 years. Code must include procedures, including reporting, investigating, documenting incidents of code violations and incidents required to be reported (assault and related offenses) and strategy of	Not specified.	Yes, for reporting of assaults and related offenses. LSB code must provide "strategy" for protecting reporters.



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		and related offenses (including abuse, threats, stalking) while on school premises, on school transportation, or at school event must be reported to P by EE.	reported by school officials. Law enforcement responsibility.			protecting reporters.		
<b>LA</b>	2001, La. Rev. Stat. Ann. §§ 14:40.7, 17:416.13.	2010 STS harassment, intimidation, and bullying. The policies must include cyberbullying as part of bullying.	Yes, Cyberbullying definition in section addressing student codes of conduct includes behavior off school property when intended to affect student on campus.	Yes. Criminal code and section addressing student codes of conduct.	Not specified.	Adopt policy by 8/1/01 prohibiting STS harassment, intimidation, and bullying. By 1/1/11, governing authority of each school must review student code of conduct and assure that bullying policy addresses nature, extent, causes and consequences of cyberbullying. Beginning 1/1/11, governing authority of each school must inform students within 10 days of enrollment of bullying, including cyberbullying, policy and procedure, adopt policy establishing procedures for investigations, and report incidents to DOE.	Not specified.	Yes. Reporter who reports in good faith in accordance with procedures of LSB is immune from action for damages arising from any failure to remedy the reported incident.
<b>ME</b>	2005 Me. Rev. Stat. tit. 20-A § 1001.	Not defined.	No.	No.	Commissioner must direct Subcommittee on School and Community Climate to develop model policies (description, guidelines for codes of conduct, manual to instructs Ps and staff, training	Administrative Unit, by 9/1/06, establish or modify policies and procedures to address bullying, harassment, and sexual harassment in a manner consistent with policies developed by	Not specified.	No.



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				modules) to address bullying, harassment, and sexual harassment in schools.	Subcommittee on School and Community Climate.			
<b>MD</b> Md. Code Ann., Education §§ 7-424, 7-424.1.	2008	Bullying harassment, intimidation of a student on school property, at activity, or bus; or that substantially disrupts the orderly operation of a school.	Yes. Conduct occurring at school, school event or bus OR substantially disrupting the orderly operation of school.	Yes. Includes intentional electronic communication.	Submits report to General Assembly. Develops by 3/3/09 model policy with specified components after input from local school systems. Create a standard victim or bullying, harassment, or intimidation form (requirements listed). Submit a report on or before 3/31 of every year to the Senate and House committees summarizing bullying, harassment, or intimidation reports filed with the county boards the previous year.	Establish policy prohibiting bullying, harassment, intimidation. Address components listed in statute for state model. Develop policy in consultation with groups. Publicize report; submit, develop educational programs. Distribute victim forms to all public schools in district and submit summaries of report forms filed with county board to the state board by 1/31 of every year.	Not specified.	Reporting school EE is not civilly liable for act or omission in reporting or failing to report.
<b>MA</b> Mass. Gen. Laws Ann. ch. 71, § 370.	2010	Bullying by student(s). Includes cyberbullying.	Yes, if creates hostile environment at school for the victim, infringes on rights of victim at school or materially and substantially disrupts education process or orderly operation of a school.	Yes.	Promulgates rules on requirements related to principal's duties. Consults with groups, then publishes model plan for schools and districts to consider when creating their plans; compile list of resources. Statewide academic standards MAY provide for instruction in bullying prevention.	Adopt bullying prevention/intervention plan with required components. (Schools, too, must have plan.) Student/teacher conduct policies must prohibit bullying and must include student-related sections of bullying prevention/intervention plan. Student handbook (grades 9-12) must include age-appropriate summary of student-related sections. Each school and district must provide age-appropriate instruction on bullying prevention.	Not specified.	No, but retaliation against reporter prohibited. Plan must include procedure protecting reporters.
<b>MI</b> M.C.L.A. 380.1310b	2011	Bullying of students. Includes	Yes, if using telecommunic ations access	Yes. Bullying includes electronic	Submits report to legislative committees on education summarizing status of LSB	Adopt policy prohibiting bullying at school (if no current policy), after public	Provide in its policy for task forces,	Yes. Reporter in good faith to school official



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	through electronic communication. Policy must prohibit bullying "at school," which includes through device/service owned/operated by school district.	device or service owned or under control of the school district.	communication.	policy implementation.	hearing. Submit policy to the DOE.	annual training for administrator/employees/volunteers, and education programs for students and parents.	designated in policy, and in compliance with procedures, is immune from suit arising out of the report or failure to remedy the incident.
<b>MN</b> Minn. Stat. Ann. §§ 121A.0695 and 120B.232.	2005, 2007 Bullying in all forms.	Not specified.	Yes. Includes bullying in all forms, including electronic and Internet.	Commissioner shall provide assistance at the request of a district to develop character education curriculum and programs.	Adopt written policy prohibiting intimidation and bullying of any student. Policy must address bullying in all forms, including electronic forms and internet use.	Offer instruction on character education.  May accept funds from private and other public sources for character development.	No.



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<b>MS</b> Miss. Code Ann. § §37-11-20 and 37-11-67;  HB 688 (effective 7/1/11)	2010	STS, STE, ETS, ETE bullying or harassing behavior on school property, at school function, or on bus.	No. Has to occur on school property, at function or on bus.	Yes. Electronic communication included.  Online impersonation is a crime (HB 688).	Not specified.	By 12/31/10 include in personnel, discipline and code of student conduct a prohibition against bullying or harassing behavior and adopt procedures for reporting, investigating and addressing. Policies must recognize fundamental right of student to take reasonable actions as may be necessary to defend him/herself from attack by another student who has evidenced menacing or threatening behavior through bullying or harassing.	Not specified.	No, but acts of reprisal prohibited.
<b>MO</b> Mo. Rev. Stat. § 160.775.	2007, 2008, 2010	Bullying of student, including cyberbullying. Criminal code: cyberbullying also addressed in harassment and stalking provisions.	Yes, possibly, Definition is written broadly. But this may not be the intent. Harassment clearly covers electronic communications, but only mandatory reporting if occurs at school.	Yes. Also, harassment and stalking crimes cover cyberbullying.	Not specified.	Adopt anti-bullying policy by 9/1/07. Adopt written policy requiring administration to report crimes of harassment and stalking committed on school property to law enforcement. "Policies shall treat students equally and shall not contain specific lists of protected classes of students who are to receive special treatment." Policy must address training of EEs in policy's requirements.	Policies may include age appropriate differences for schools based on the grade levels at the school.	No, but threat of retaliation for reporting is included in bullying definition.
<b>MT</b> Mont.Admin. R. 10.55.701	No statute. State BOE administrative rule.	Bullying, harassment and intimidation of students and school personnel.	Not specified.	No.	Requires each school district to have policy addressing bullying, intimidation and harassment of students and school personnel.	Have policy in place regarding bullying under MT BOE requirement.	N/A	N/A
<b>NE</b>	2008	Bullying by	No.	Yes. Bullying	Not specified.	By 7/1/09, adopt policy on	Not specified.	No.



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		student(s) on school grounds, in school vehicle, or at school sponsored event/activity.		definition includes pattern of physical, verbal, or electronic abuse.		bullying prevention and education for all students.		
<b>NV</b>	2001, 2009	Bullying, cyberbullying, harassment, and intimidation by trustee, EE or student.	No. Legislative declarations talk about safe and respectful learning environment, with which bullying "in public schools" interferes.	Yes.	Must prescribe by regulation a policy for all school districts and public schools to provide safe respectful learning environment free from bullying and cyberbullying, harassment and intimidation. Statute lists required components.	Adopt by 7/1/10 or expand current policy to reflect policy prescribed by DOE, provide training of administrators, teachers, Ps and other personnel, yearly submit report to Superintendent of PI with description of each violation resulting in action against EE or susp/exp of student. Certain provisions to be adopted, with specified heading, in student's copies of behavior rules.	Not specified.	Yes, unless acted with malice, intentional misconduct, gross negligence, or intentional or knowing violation of law.
<b>NH</b>	2010	STS bullying or cyberbullying on school property, at school event, or off school property in certain circumstances .	Yes, if the conduct interferes with student's educational opportunities or substantially disrupts the orderly operations of the school or school event.	Yes; cyber-bullying includes conduct on cell phones, instant messaging, computer etc.	DOE MAY develop model policy.  Must provide evidence-based education programs to support training LSB must do.  Must prepare annual report to state senate of substantiated incidents of bullying/cyber in schools.	Adopt written policy prohibiting bullying and cyberbullying with specified components, including statutory definitions. Involve groups in developing policy. Policy must be adopted by all schools in the district. Provide training to staff and VOLs or contracted EEs with significant contact with students, and educational programs for students and parents. Annually report incidents to DOE.	To extent possible, integrate policy with school's curriculum, discipline policies, behavior programs, and other violence prevention efforts.	Yes, for EE, VOL, student, parent or guardian, for good faith conduct arising from report, investigation, findings, response, or implementation of response. DOE is immune for good faith conduct in making recommendations.
<b>NJ</b>	2002,	Harassment,	Yes. LSB	Yes, definition	(Or commissioner) must	Adopt policy prohibiting	Apply to DOE	Yes, school EE



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N.J. Stat. Ann. §§ 18A:37-14 thru 37-17.	2007, 2008, 2011	intimidation or bullying on school property, function or bus .	policy must provide for appropriate responses to off-campus h/i/b when employee is aware and creates hostile environment at school, infringes on rights of students at school, or disrupts educational process or orderly operation of school.	of harassment, intimidation or bullying includes electronic communication.	include data on number and nature of h/i/b reports in school district and school report cards, promulgate guidelines for grading schools on efforts to identify h/i/b, include h/r/b/in violence report to General Assembly, establish requirements for program on h/i/b for teaching certification candidates, develop guidance document, establish formal protocol for county sup to investigate complaint of violation by school district, establish workshops for EEs to be anti-bullying coordinators and specialists, develop online tutorial.	harassment, intimidation, or bullying on school property, function or bus through a process including reps of parents, EEs, VOLs, students, administrators, and community. School district shall have local control, but 12 minimum components listed (detailed reporting and investigation provisions); annually review and revise; first revised policy following 2010 law to executive county superintendent of schools by 9/1/11. Receive investigation report and issue written decision. Annually establish, implement, and assess bullying prevention programs. Provide age-appropriate instruction on prevention during "Week of Respect." New board members must complete training on h/i/b and requirements for schools. Board members prohibited from reprisal, required to report, and granted immunity for reporting.	for grant to be used for programs, provide training on h/i/b policies to EEs and VOLs and develop process for discussing with students (must if funds appropriated) ; provide staff, VOLs and contracted persons info about policy; form school safety team in each school in district.	or board member who promptly reports to appropriate school official, and who makes report in compliance with procedure in policy is immune from cause of action for damages arising from any failure to remedy reported incident.
<b>NM</b> N. M. S. A. 1978, § 22-*-*; N.M. Admin. Code 6.12.7.	2006, 2010	Bullying of one or more students in school, on school grounds, vehicles, bus stop, or activities. Includes intimidation,	Yes, possibly. Definition includes act "that is intended to cause distress upon one or more students in the school, on school	Yes, includes electronic expression.	Establish guidelines for bullying prevention policies to be promulgated by LSB.	Promulgate a bullying prevention policy by August 2011 and implement it by August 2012. Anti bullying must be included in health education curriculum.	Not specified.	No, but policy must include procedures for reporting that ensure confidentiality of reporters and protection from reprisal and retaliation.



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	Year	Conduct Covered	Reaches off-campus	Cyber addressed	State agency	LSB must	LSB may	Reporting immunity
		hazing, harassment, which may but need not be based on listed characteristics	grounds . . .” Location of act is not specified, just location of distress.					
<b>NY</b> N.Y. Educ. Law §§ 801-a, 2801.	2010	STS and ETS discrimination and harassment on school property (including bus) or at school function.	No.	Yes, possibly. Broad definition says “verbal” threats, intimidation or abuse.	(Commissioner) Must provide direction, provide grants, promulgate regulations, create procedure for reporting incidents to Dept. at least annually (may use current violent incident reporting system). “Tolerance” in civility instruction must include awareness and sensitivity to discrimination or harassment and civility in relations of people of different races, weights, etc.	Create policies and guidelines including but not limited to those listed (e.g., policies intended to create environment free from harassment and discrimination, guidelines for training of EEs to raise their awareness and sensitivity and to enable them to prevent and respond; guidelines must require at least one staff member at requiring one EE in each school be thoroughly trained to handle human school to be trained to address human relations regarding listed categories.)	N/A.	Yes. Any person with reasonable cause to suspect student has been subject to discrimination or harassment who, acting reasonably and in good faith, reports to school officials, law enforcement or commissioner, or otherwise initiates or testifies in proceedings, has immunity from civil liability from making report or assisting in proceedings. No retaliation by school dist or EE. (§16)
<b>NC</b> N.C. Gen.	2009	Bullying or harassing	No.	Yes. Definition includes	Not specified.	By 12/31/09, adopt policy prohibiting bullying or	Not specified.	No, but reprisal or



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Stat. Ann. § 115C-407.15 thru 407-18.		behavior of student or EE on school property, at school function, or on school bus.		electronic communication.		harassing behavior with listed components. Incorporate info about local policy against bullying or harassing behavior into school's EE training program. Policy must include definition of bullying and procedures for reporting bullying and harassment and for investigation of reports of bullying.		retaliation against victim, witness, or person with reliable information about act of bullying or harassing behavior prohibited.
<b>ND</b> N.D. Cent. Code Ann. § 15.1-19.	2011	Bullying that occurs in public school, on LSD premises, in dist owned or leased busses and vehicles, or at any public school or LSD sanctioned or sponsored activity or event.	No, must be in school, on a district vehicle, or at school sponsored event or activity.	Yes, definition includes the use of technology or other electronic media.	Not specified.	Before 7/1/12, each LSD shall adopt policy prohibiting students from bullying or retaliating against a victim, witness, person who reports or provides info about bullying. Policy must contain listed components and shall involve parents, EE, students, and 5 other listed personnel when being developed. Must include info regarding prevention of bullying in professional development activities, and shall provide bullying prevention programs to all K-12 students.	Not specified.	No, but reprisal or retaliation against a victim, witness, person who reports or provides info is prohibited.
<b>OH</b> Ohio Rev. Code Ann. § 3313.666.	2007, 2011, 2012	STS Any intentional written, verbal, electronic or physical act that is STS and causes mental or physical harm to the student and is severe,	Not specified. Definition seems broad enough to include off-campus, but required components of policy say "statement prohibiting harassment, intimidation,	Yes, definitions includes electronic act.		Establish policy prohibiting harassment, intimidation or bullying. Policy shall be developed with parents, school employees, students etc. Policy must contain 11 components, including a statement prohibiting students from deliberately making false report and discipline procedure for false report. Policy must include procedures and requirements	Form bullying prevention task forces or program involving VOLs, parents, law enforcement and community members. If federal funds appropriated,	Yes, school district EE, student, or VOL individually immune from reporting in accordance with policy if prompt and good faith compliance with procedure



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	intimidating, or threatening.  Also includes violence in a dating relationship.	bullying of any student on school property, on school bus, or at school-sponsored events" that expressly provides for possibility of suspension for h/i/b by electronic act.			for reporting and requirement that custodial parent/guardian be notified if child involved in bullying incident.  Require that once/school year each student custodial parent/guardian receives written statement describing policy and consequences.	must provide training to EEs and VOLs.	in policy.
<b>OK</b> Okla. Stat. Ann. tit. 70 §§ 24-100.2 thru 24-100.5.	2002  Harassment, intimidation and bullying of student, or threatening behavior with potential for harm to student, EE or property. Policy must prohibit threatening behavior, harassment, intimidation and bullying by students at school and by electronic communication, regardless where initiated, if directed at students or EE.	Yes, for electronic communication.	Yes, e comm., which is defined to include written, verbal, or pictorial info communicated by means of an electronic device (listed).	Compile and distribute to each public school site a list of research-based programs appropriate for prevention of harassment, intimidation and bullying of students at school. Promulgate rules for monitoring districts for compliance and providing sanctions for noncompliance.  State BOE shall promulgate rules for monitoring LSB for compliance.  Shall make an effort to involve students, teachers, and parents affected.	Create a Safe School Committee composed of at 7 members that participate in the investigation of reports of harassment and bullying.  Adopt policy for control and discipline of students, and for investigation of reported incidents of harassment, intimidation and bullying or threatening behavior. Must specifically prohibit threatening behavior, harassment, intimidation and bullying, plus other components. If use commercial bullying prevention program, must use one listed by State DOE.	Involve teacher, parents and students in developing policy.  May have the option of adopting a dress code which includes school uniforms.	No.



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<b>OR</b> OR. Rev. Stat. Ann. §§ 339.351 thru 339.364.	2009	Harassment, intimidation, bullying and cyberbullying of a student on or immediately adjacent to school grounds, at school-sponsored activities, on school transportation, and at school bus stop.	No.	Yes.	Not specified.	Adopt policy prohibiting harassment, intimidation or bullying and prohibiting cyberbullying. Must include listed components.	Develop policy after consult with parents, guardians, EEs, VOLs, students, administrators and community representatives. Incorporate into student and EE training programs. Form task forces, implement programs.	Yes, school EE who promptly reports to appropriate school official in compliance with procedure in policy is immune from cause of action for damages arising from any failure to remedy the reported act.
<b>PA</b> Tit. No. 24 Pa. Cons. Stat. Ann. §13-1303. 1-A.	2008	Bullying of student in "school setting" – in school, on grounds, in vehicles, at bus stop, or activity. School entity may define bullying to include acts outside school setting if certain criteria met.	No, only includes acts on school grounds, at bus stops, and activities which are sponsored or sanctioned by the school.	Yes, electronic acts can constitute bullying.	Not specified.	Adopt or amend existing policy by 1/1/09 relating to bullying and incorporate policy into code of student conduct. Make available on web site, review every 3 years, provide office with a copy. Information part of annual report.	Not specified.	No.
<b>RI</b> R.I. Gen. Laws Ann. §	2003, 2008	Harassment, intimidation, or bullying of	Yes, possibly under language in	Yes, electronic communication.	By 12/1/03, must develop model policy.	Adopt policy by 9/1/04 prohibiting harassment, intimidation, and bullying <b>at</b>	Form bullying prevention task forces,	Yes, school EE who promptly reports



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12-21-26.		a student.	definition, but policy must prohibit harassment, intimidation, or bullying "at school," which means in a classroom, elsewhere on or immediately adjacent to school premises, on vehicle, at bus stop, or activity.			<b>school.</b> Must specifically prohibit harassment, intimidation, and bullying by students at school and address prevention. Must be adopted through process including representatives of parents, EEs, VOLs, students, administrators, and community. Transmit policy to commissioner and director of department of education. Incorporate info on policy into EE training program.	programs involving staff, students, administrators, VOLs, parents, law enforcement and community.	incident to appropriate school official designated by the policy, and makes report in compliance with procedure in policy, is not liable for damages arising from any failure to remedy the reported incident.
<b>SC</b> S.C. Code Ann. § 59- 63-110 thru 150.	2006, 2010	Harassment, intimidation, or bullying of a student. Policy must prohibit harassment, intimidation, or bullying at school.	No.	Yes, electronic communication.	By 9/1/06, develop model policies applicable to K-12 and teacher preparation program standards on identification and prevention of bullying.	By 1/1/07, adopt policy prohibiting harassment, intimidation, and bullying at school. Must involve parents and guardians, EEs, VOLs, students, administrators and community in process of creating. Must have listed components. Include policy in publication of rules and standards of conduct. Incorporate info about policy into EE training program.	Establish bullying prevention programs involving staff, students, administrators, VOLs, parents, law enforcement, and community.	Yes, school EE or VOL who promptly reports incident to appropriate school official designated by policy is immune from cause of action for damages arising from failure to remedy reported incident.
<b>SD</b> SB 130, signed March 19, 2012, not	2012	Bullying (model policy refers to harassment, intimidation,	Yes, if incident involves the use of computers or	Yes, "any threatening use of data or computer software,"	N/A	Adopt a policy prohibiting bullying with four required components: statement prohibiting bullying and statutory definition,	N/A	Yes, any EE, VOL, student or parent who promptly reports in good



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		and bullying)	other electronic devices (physical location, time of day no defense for such incidents); model policy in statute limits scope to school property, vehicles, activities	"electronic" conduct		description of behavior expected of students and consequences for bullying, reporting procedure, investigation procedure. If the district does not have a bullying policy, it must follow the model policy laid out in the statute until it adopts its own.		faith and per school district policy is immune from cause of action for damages arising from failure to remedy.
<b>TN</b> Tenn. Code Ann. § 49-6-10.	2005, 2009, 2011	Harassment, intimidation, bullying or cyber-bullying of student.	Yes, if it is specifically directed at student(s) and has effect of creating hostile educational environment or otherwise creating a substantial disruption to educational environment or learning process.	Yes. Cyber-bullying means bullying undertaken through the use of electronic devices.	Not specified.	By 1/1/06, adopt policy prohibiting harassment, intimidation or bullying, with listed components, including procedure for discouraging and reporting conduct aimed at defining a student in a sexual manner or conduct impugning character of student based on allegations of sexual promiscuity. Each LEA must ensure that district-wide safety plans and building emergency response plans are consistent with district's harassment and bullying policies.	Develop policy after consult with parents and guardians, EEs, VOLs, students, administrators and community. Form harassment, intimidation or bullying prevention task forces and programs.	Yes. EE, VOL, student, parent who promptly reports to school district official in compliance with procedure in school district's policy, is immune from a cause of action for damages arising from any failure to remedy the reported act.
<b>TX</b> Tex. Educ. Code Ann. §§ 25.0342, 28.002, 37.001, 37.083,	1995, 2001, 2005, 2007, 2011	Bullying of student. Harassment of "another" student. Hit list.	No, must be in school, on school vehicle, or at school sponsored event or	Yes.	TX School Safety Center, in cooperation with AG, must develop a program providing instruction on Internet safety, including listed components, one of which is prevention, detection and reporting of	Board of independent school district must adopt student code of conduct which must prohibit bullying, harassment and hit lists. Board of trustees of school district must transfer victim to	Board of Trustees of LSD may transfer the student who engaged in the bullying	No, but policy must prohibit retaliation.



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37.0832.			activity.		bullying/threats.	another classroom or campus at request of parent or representative and make known the available counseling options for student who is victim, witness, or the bully. Mandatory discipline management program must provide for prevention of and education concerning unwanted physical or verbal aggression and sexual harassment in school, on school grounds, in school vehicles.	to: (1) another classroom on same campus; or (2) another campus within the same school district, if consultation with parent or guardian of the bully is done. Develop and implement sexual harassment policy to be included in district improvement plan.	
<b>UT</b> Utah Code Ann. §§ 53A-11a-102 to 53A-11a-402.	2008, 2011	Bullying or cyber-bullying of EE or student, regardless of acquiescence. Also, harassing and hazing.	No (bullying and harassing) and yes (cyber-bullying and hazing). No EE or student may engage in bullying or harassing on school property, event, bus, or bus stop, or while EE or student is	Yes.	By 9/1/11, develop model policy on bullying, cyber-bullying, harassment, hazing, and retaliation and post on web site.	By 9/1/12, adopt a bullying, cyber-bullying, harassment and hazing policy consistent with the statute. The policy shall be developed only with input from students, parents, teachers, school admin, school staff, or local law enforcement agencies AND must provide protection to student, regardless of student's legal status. Include in training of EEs, training on bullying, cyber-bullying, harassment hazing, retaliation.	To extent state/federal funding available, implement programs to provide for training, education, and prevention of bullying hazing, and retaliation. May establish bullying task force or	No, but retaliation against EE, student, investigator or witness prohibited. False allegations are also prohibited.



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		traveling to/from such a location or event. No EE or student may engage in hazing or cyber-bullying at any time or in any location.				involve EEs, students or law enforcement.	
<b>VT</b> Vt. Stat. Ann. Tit. 16 § § 11 and 565.	2004, 2009 Bullying, harassment or hazing of a student. Bullying defined, but only harassment and hazing policies required.	Each school's plan for responding to student misbehavior must include description of behaviors on and off school grounds which constitute misconduct, including harassment, bullying and hazing.	No. Criminal code: electronic communication included in definition of.	(Commissioner) Must develop and update model harassment and hazing prevention policies.	Develop harassment and hazing prevention policies at least as stringent as model policies developed by the commissioner. Each school adopts and implements a plan for responding to student misbehavior, to include description of behaviors on and off school grounds that constitute misconduct, including harassment, bullying, hazing. School quality plan addresses harassment, hazing, bullying.	Not specified.	No, but retaliation for reporting or participating in investigation of harassment unlawful.
<b>VA</b> Va. Code Ann. §§ 22.1-279.6, 22.1-208.1	2005, 2008 No definition in statute. Policy must prohibit bullying, hazing.	No.	Yes, in criminal code: harassment by computer (Class 1 misdemeanor) and personal trespass by computer – (Class 3 felony if malicious; Class 6 if not).	State BOE must establish guidelines and develop model policies for codes of student conduct, to include (among many components) standards for school board policies on bullying and electronic bullying, harassment, intimidation.	Establish character education program, to include inappropriateness of bullying as defined in Student Conduct Policy Guidelines adopted by BOE. Adopt and revise regulations on codes of student conduct consistent with BOE's, but may be more stringent. Must include prohibitions against bullying, hazing and profane/obscene language or conduct. P	Not specified.	Yes. School EE or VOL is not liable for civil damages arising from prompt, good faith reporting of alleged bullying or crimes against others to appropriate school official



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<b>WA</b> Wash. Rev. Code Ann. § 28A.300.285 and 28A.600.480 .	2002, 2007, 2010 Harassment, intimidation, or bullying of a student .	Possibly included in broad definition including reference to disruption.	Yes, electronic act included.	State Superintendent, in consult with groups including WSSDA, must provide to educational committees of legislature revised and updated model harassment, intimidation, bullying prevention policy and procedure. Post on web site. Adopt rules re: school district's communication of policy to parents, etc. WSSDA must convene committee to develop model and sample materials.	reports assault incidents to superintendent of school division. By 8/1/11, adopt or amend policy and procedure that, at minimum, incorporates model developed by state Superintendent, that prohibits harassment, intimidation, bullying of any student. Share with parents, guardians, students, VOLs and EEs. Designate primary contact to receive complaints, assure implementation. By 8/15/11, provide to state Superintendent brief summary of policies, procedures, etc and link.	Include representatives of parents and guardians, EEs, VOLs, students, administrators and community in process of developing policy. Emphasize positive character traits in policy.	in compliance with specified procedure. Yes. School EE, student, VOL who promptly reports to appropriate school official in compliance with procedure is immune from cause of action for damages arising from any failure to remedy the reported incident.
<b>WV</b> W. Va. Code Ann. §§ 18-2C-2, 2C-3.	2001, 2011 Harassment, intimidation, bullying of student.	Possibly included in broad definition. Required components of county BOE policy include statement prohibiting harassment, intimidation or bullying of any student on school property, on a school bus, at a school bus stop or at school	Yes.	DOE must develop model policy applicable to K-12. Issue by 9/1/11. Must compile all info reported by LSB into an annual report and present it annually to Legislative Oversight Committee on Education Accountability beginning 7/1/12.	(County BOE) establish policy (and submit to state superintendent by 12/1/11) prohibiting harassment, intimidation, and bullying. Minimum requirements listed. Process of adoption must include parents, guardians, EEs, VOLs, students and community. Notice of policy must appear in student handbooks, board publications setting forth rules/procedures for the school. Must incorporate info on board policy into EE training program. Must compile an annual report of harassing, intimidation or bullying being reported to	Form bullying prevention task forces, programs. To extent state/fed funds appropriated, district must provide training to EEs and VOLs who have direct contact with students, develop process for educating students.	Yes. EE, student, VOL individually immune from cause of action for damages arising from reporting incident if, in good faith, promptly reports to appropriate official in policy and in compliance with policy's procedure. Policy must also have



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	Year	Conduct Covered	Reaches off-campus	Cyber addressed	State agency	LSB must	LSB may	Reporting immunity
			sponsored events.			them and input it into West Va Education Information System.		strategy for protecting a victim from retaliation following a report.
<b>WI</b> Wis. Stat. Ann. § 118.46.	2010	Not defined in statute. State Department model must address bullying by students. Model defines bullying broadly. Model is guidance only, may be adopted or modified or portions deleted by school district.	State department model must include identification of school-related events, school property, vehicles to/on which bullying policy applies. BUT school districts are not obliged to adopt model. Model defines school property: buildings, vehicle and any educational environment under school supervision.	Yes, in Department model.	Develops by 3/1/10 a model school policy on bullying by students, to include listed components, develop model education and awareness program on bullying, and post both on web site.	By 8/15/10, adopt policy prohibiting bullying by students. May adopt model developed by state Department. Must provide copy to anyone requesting and annually distribute to all students and parents/guardians.	Not specified.	No.
<b>WY</b> WY Code Ann. § § 21-4-311 to 315.	2009	Harassment, intimidation, bullying of student at school.	Yes, possibly. Definition includes acts "initiated," "occurring," or "received" at school. "School": classroom or	Yes, electronic communication.	By 9/1/09, must develop model policies applicable to K-12 and teacher preparation program standards on identification and prevention of bullying. Provide training programs and tech assistance to districts.	By 12/31/09, adopt policy prohibiting harassment, intimidation, or bullying at school. Involve parents, guardians, EEs, VOLs, students, administrators, and community. Include policy in publication of rules, procedures, and standards	Establish bullying prevention programs; involve EEs, students, administrators, VOLs, parents, law	The defense of immunity shall be retained and may be asserted in any action arising under this act.



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		other location on premises, vehicle, bus stop, activity sponsored by school, and any other function where school is responsible for child.			and in student handbooks. Include info in professional development programs and provide to VOLs and others with significant contact with students.	enforcement and community members.	

Several state statutes include caveats regarding student free speech rights. Alabama’s notes that a student’s freedom of speech and expression guaranteed under the federal and state constitutions is not affected by the statute. Florida’s states that the statute is not intended to abridge students’ or employees’ First Amendment rights. The North Carolina statute uses language straight from the U.S. Supreme Court’s decision in *Tinker v. Des Moines Independent School District*: “This Article shall not be construed to permit school officials to punish students expression or speech based on an *undifferentiated fear or apprehension of disturbance* or out of a *desire to avoid the discomfort and unpleasantness that always accompany an unpopular viewpoint.*” (Emphasis added.)

Some state anti-bullying statutes (New Hampshire, Ohio, Rhode Island, and Wyoming) specifically state that no private cause of action is created; and a few (New York, Rhode Island, Virginia and Wyoming) note that nothing in the statute limits a plaintiff’s ability to recover under another law.

Missouri is currently the only state that specifically prohibits listing protected categories of students. Its statute prohibits school district policies from listing protected classes of students who receive “special treatment.” Mississippi is similarly on its own in requiring school district policies to recognize a bullying victim’s right to take reasonable actions to defend him/herself.



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