

# **HEA 1423: Bullying Prevention /P.L. 285-2013**

**Passed and signed into law during the  
2013 Legislative Session.**

- \* Changes definition of bullying**
- \* Establishes bullying prevention and intervention program requirements for IDOE and school corporations**

# South Central Requirements



- IC20-34-6: Must report number of bullying incidents
- IC20-33-8-13.5: Must provide training to all employees and volunteers
- IC5-2-10.1-12(d)(1): By October 15<sup>th</sup> of each year, provide age-appropriate bullying prevention training to all students in grades 1-12
- Adopt appropriate discipline rules for dealing with bullying (more info on this later)

# Benefits of the Bill For Students

- \*Students can feel confident if a bullying incident occurs that all adults in the school are trained and prepared to respond appropriately
- \*Students that have been identified as exhibiting bullying behavior will be provided appropriate interventions
- \*Students that have been the target of bullying will be provided appropriate support and resources
- \*This bill will help ensure a safer school environment allowing students to focus on academics
- \*Students will have developmentally appropriate bullying prevention education

# “Bullying” per IC 20-33-8-.2

Overt, unwanted, repeated acts or gestures, including verbal or written communications or images transmitted in any manner (including digitally or electronically), physical acts committed, aggression, or any other behaviors, that are committed by a student or group of students against another student with the intent to harass, ridicule, humiliate, intimidate, or harm the other targeted student and create for the targeted student an objectively hostile school environment that:

- (1) Places the targeted student in reasonable fear of harm to the targeted student’s person or property;
- (2) Has a substantially detrimental effect on the targeted student’s physical or mental health;
- (3) has the effect of substantially interfering with the targeted student’s academic performance; or
- (4) has the effect of substantially interfering with the targeted student’s ability to participate in or benefit from the services, activities, and privileges provided by the school.



There are several types of bullying including:

- Physical Bullying
- Verbal Bullying
- Social/Relational Bullying
- Electronic or Written Communication



# Physical Bullying



- Involves hurting a person's body or possessions.
- Physical bullying can include kicking, hitting, punching, spitting, tripping or pushing, taking or breaking someone's things, and making mean or rude hand gestures.

# Verbal Bullying



- Involves saying mean things.
- Verbal bullying includes teasing, name-calling, inappropriate sexual comments, taunting or threatening to cause harm.

# Social/Relational Bullying

- Involves hurting someone's reputation or relationships.
- Social/Relational Bullying involves telling other children not to be friends with someone, leaving someone out on purpose, spreading rumors about someone, or embarrassing someone in public.
- Bullies who practice relational bullying often do it to increase their own social standing or to control others.





# Electronic or Written Communication Bullying

**\*Involves cyber-bullying, collective or group note writing, any bullying undertaken through the use of electronic devices (computer, cell phones).**



Bullying behavior must be identified using *all* of the components of the definition in HEA 1423:

Repeated behavior  
Intention to cause harm  
Creation of “objectively hostile learning environment”  
(Imbalance of Power)

These should **NOT** be considered bullying:

Peer conflict

Horseplay

Fighting

Also, consider the history of the relationship between the individuals before deciding if it is bullying.

*Bullying is considered to be a form of abuse – mutual conflict where both parties participate equally is not considered Bullying*

- People who bully others usually pick on those who have less social power (popularity), psychological power (know how to harm others) or physical power (size, strength)
- Although sometimes those who bully have been bullied by others



**What can our school do to  
take a stand against bullying?**

School initiative to prevent and stop bullying have reduced bullying by 15 to 50 percent. The most successful initiatives involve the entire school community of teachers, staff, parents, students and community members

Discipline rules adopted by the governing body of a school corporation must include a detailed procedure for the expedited investigation of incidents of bullying that includes:

- a. appropriate responses to bullying behaviors, wherever the behaviors occur;
- b. provisions for anonymous and personal reporting of bullying to a teacher or other school staff;
- c. timetables for reporting of bullying incidents to the parents of both the targeted student and the bully, in an expedited manner;
- d. timetables for reporting of bullying incidents to school counselors, school administrators, the superintendent, or law enforcement, if it is determined that reporting the bullying incident to law enforcement is necessary;

- e. discipline provisions for teachers, school staff, or school administrators who fail to initiate or conduct an investigation of a bullying incident; and
- f. discipline provisions for false reporting of bullying; and
- g. a detailed procedure outlining the use of follow-up services that includes:
  - 1) support services for the victim; and
  - 2) bullying education for the bully.

The discipline rules may be applied regardless of the physical location in which the bullying behavior occurred, whenever:

- \* the individual committing the bullying behavior and any of the intended targets of the bullying behavior are students attending a school within a school corporation; and
- \* disciplinary action is reasonably necessary to avoid substantial interference with school discipline or prevent an unreasonable threat to the rights of others to a safe and peaceful learning environment.

*A record made of an investigation, a disciplinary action, or a follow-up action performed under rules adopted under this section is not a public record under IC 5-14-3.*



# SC Staff and Volunteer Requirements



Satellites

- Participate in training and sign paperwork to say that you have done so.
- All staff who work with during the regular school day should complete staff survey.
- Report bullying activity to building administrator as soon as possible using form
  - Witnessed
  - Overheard

**By signing below, I agree that I have been made aware of the requirements of HEA 1423 and P.L. 285-2013 about Bullying Prevention and agree that I have met the training requirements set forth by this Anti-Bullying Legislation.**

**I understand that bullying can fall under different categories (Physical, Verbal, Social/Relational, and Written or Electronic Communication) and that to be considered bullying it must also be Repetitive, must involve an Imbalance of Power, and there must be Intent to Cause Harm.**

**I agree that I will report any cases of bullying that I witness or hear about to administration as soon as possible.**

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**Signature**

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**Date**