

Prevention of School Bullying Task Force

Definitions of bullying

1. Bullying is repeated exposure over time, to negative overt or covert behaviors that intentionally inflicts injury or discomfort upon another person, through physical contact, through words or in other ways. It involves a perceived imbalance of power whether due to physical strength or numbers or psychological factors for which one has difficulty defending her/himself. It may be characterized by both physical and nonphysical aggression and include actions that manipulates or harms another's social standing or reputation.
2. Bullying is a conscious, willful, and deliberate hostile activity intended to harm, induce fear through the threat of further aggression, and create terror and includes an imbalance of power, intent to harm, and threat of further aggression.
3. Bullying is an aggressive, repeated behavior that involves an imbalance of power characterized by the intent to harm and exhibit power over a weaker victim. It may occur by direct physical or verbal aggression or indirect forms such as group exclusion or gossip, manipulation or harming another's reputation or social standing.
4. **"Bullying"** means any written or verbal expression, physical act or gesture, or pattern thereof, by a student that is intended to cause or is perceived as causing distress to a student or a group of students and which substantially interferes with another student's or students' educational benefits, opportunities, or performance. Bullying includes, but is not limited to, conduct by a student against another student or a group of students that a reasonable person under the circumstances knows or should know has the effect of:
 - harming a student or a group of students;
 - damaging a student's or a group of students' property;
 - placing a student or a group of students in reasonable fear of harm to person or property;
 - creating a hostile educational environment for a student or a group of students;
 - or
 - intimidating a student or a group of students.

Harassment:

Harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability.

Harassment"

Harassment" is physical or verbal conduct, including, but not limited to, bullying and/or written, verbal, or electronic communications, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability when the conduct:

- a. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;

- b. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance;
- c. or otherwise adversely affects an individual's employment or academic opportunities

Statutory Definitions from other states:

New Jersey:

Statutory Definition: "harassment, intimidation or bullying" means any gesture, any written, verbal, or physical act, or any electronic communication, whether it be a single incident or a series of incidents that is reasonably perceived as being motivated either by an actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression; or a mental, physical or sensory disability; or by any other distinguishing characteristic that takes place that substantially disrupts or interferes with the orderly operation of the school or the rights of other students and that:

- a reasonable person should know, under the circumstances, will have the effect of physically or emotionally harming a student or damaging the student's property, or placing a student in reasonable fear of physical or emotional harm to his person or damage to his property;
- Has the effect of insulting or demeaning any student or a group of students; or
- Creates a hostile educational environment for the student by interfering with a student's education or by severely or pervasively causing physical or emotional harm to the student.

Note: Bullying conduct that occurs off campus and is reported to school officials is included under the bullying definition.

Iowa:

Statutory Definition: "Harassment" and "bullying" shall be construed to mean any electronic, written, verbal, or physical act of conduct toward a student which is based on any actual or perceived trait or characteristic of the student which creates an objectively hostile school environment that meets one or more of the following conditions:

- Places the student in reasonable fear of harm to the student's person or property.
- Has a substantially detrimental effect on the student's physical or mental health.
- Has the effect of substantially interfering with a student's academic performance.
- Has the effect of substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by a school.

North Dakota:

Bullying - Definition. As used in this Act:

1. "Bullying" means:

a. Conduct that occurs in a public school, on school district premises, in a district owned or leased school bus or school vehicle, or at any public school or school district sanctioned or sponsored activity or event and which:

- (1) Is so severe, pervasive, or objectively offensive that it substantially interferes with the student's educational opportunities;
- (2) Places the student in actual and reasonable fear of harm;
- (3) Places the student in actual and reasonable fear of damage to property of the student; or
- (4) Substantially disrupts the orderly operation of the public school; or

b. Conduct that is received by a student while the student is in a public school, on school district premises, in a district owned or leased school bus or school vehicle, or at any public school or school district sanctioned or sponsored activity or event and which:

- (1) Is so severe, pervasive, or objectively offensive that it substantially interferes with the student's educational opportunities;
- (2) Places the student in actual and reasonable fear of harm;
- (3) Places the student in actual and reasonable fear of damage to property of the student; or
- (4) Substantially disrupts the orderly operation of the public school.

2. "Conduct" includes the use of technology or other electronic media.

Massachusetts:

"Bullying", the repeated use by one or more students of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that:

- (i) causes physical or emotional harm to the victim or damage to the victim's property;
- (ii) places the victim in reasonable fear of harm to himself or of damage to his property;
- (iii) creates a hostile environment at school for the victim;
- (iv) infringes on the rights of the victim at school; or
- (v) materially and substantially disrupts the education process or the orderly operation of a school. For the purposes of this section, bullying shall include cyber-bullying.

Definition: "trait or characteristic of the student" includes but is not limited to age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status, or familial status.

Note: the law is applicable to both public school districts and nonpublic schools and has a data collection and posting requirement.

Other Sources

Bullying: Bullying is typically defined as the ongoing physical or emotional victimization of a person by another person or group of people. Cyberbullying is an emerging problem in which people use new communication technologies, such as social media and texting, to harass and cause emotional harm to their victims.