



Education Law Center
*Making sure that all of Pennsylvania's children
have access to quality public schools*

WHAT CAN YOU DO IF YOUR CHILD IS BEING BULLIED BY OTHER STUDENTS?

IMPORTANT: ELC's publications are intended to give you a general idea of the law. However, each situation is different. If, after reading our publications, you have questions about how the law applies to your particular situation, contact us for a referral, or contact an attorney of your choice.

WHAT IS BULLYING?

Bullying, also called "harassment," refers to name-calling, written insults, physical abuse, and other acts that interfere with a child's experience in school. Bullying may - or may not - involve references to a student's background, appearance, behavior, disability, race, nationality, religion, gender, or sexual orientation.

This fact sheet discusses how you can get *your school* to help solve bullying that takes place on school grounds or during school activities, or that in some other way affects your child's life at school.

STEP ONE: ASK THE SCHOOL TO TAKE ACTION

➤ **Get your school district's bullying policy.** By January 2009, every district, charter school, and vo-tech must have a policy against bullying. Most already have such a policy. You should be able to find the policy in your district's or school's Code of Student Conduct; if not, check the district's website, or ask for a copy.

- The policy should say which **staff person** you should contact about bullying problems. **Contact that person.** Write down whom you contacted, what you told them, and when you talked to them. Ask how long the investigation will take and when you will hear back.

- **If this doesn't work, or if you can't get the policy or figure out whom to contact, write to the principal.** Send a copy of your letter to the Superintendent. Explain what is happening to your child, including who was involved, what happened, who saw it happen, and when and where it happened. Your letter should include suggestions about how the school could handle the problem and make sure the bullying stops. **Attached to this fact sheet is a sample letter.** Make sure to ask the school district to respond to you in writing.

- **If your child attends the Philadelphia School District, you can also contact the Office of Safe Schools Advocate at 215-644-1279.** The Education Law Center's fact sheet, *What to Do When Your Child is Being Bullied at a Philadelphia Public School*, gives additional suggestions about where to go for help in Philadelphia.

- **If the problem continues, write to your school board (or the board of trustees of the charter school).** You also have the right to **speak** to the board at one of its public meetings. Explain your concerns and what you want done about them.

- You may also want to urge your school or district to develop bullying prevention programs that could help all students, not only your child. Help is out there for schools that are interested. See "Where Can I Get More Information on Making My Child's School a Safer Place for All Students," at the end of this fact sheet.

STEP TWO: SEEK ADDITIONAL HELP

If none of the steps listed above resolve the problem, you may be able to get help from an **advocacy group**. These groups can help you understand your options, and may also be able to help you push your school to fix the problem. You may also want to contact a **government agency**. These agencies may offer you

informal help, and may also accept and investigate a complaint from you. Both kinds of agencies are listed below.

In some (very extreme) cases, it may also be possible to take action in court against a school or district; for more information on that, you'll need to consult a lawyer in private practice. Also, in extreme cases, you may want to contact the police. These options for additional help are not discussed further in this fact sheet, but it's important to remember that they exist.

➤ **Bullying or harassment based on a student's race or ethnicity**

- **Advocacy groups** include the **NAACP**, which you can reach in Philadelphia at 215-978-7500. In other areas, check the website, www.naacp.org, for phone numbers. You can also file a complaint on the NAACP website, at www.naacp.org/legal/complaint/form/index.htm. Latinos can contact the **Mexican American Legal Defense Fund (MALDEF)** at 202-293-2828 (www.maldef.org). Asian Americans can contact the **Asian American Legal Defense and Education Fund (AALDEF)** at 212-996-5932 (www.aaldef.org).
- **Government agencies** include the **U.S. Department of Education's Office for Civil Rights (OCR)** at 800-421-3481 (www.ed.gov/ocr) and/or the **Pennsylvania Human Relations Commission (PHRC)** at 412-565-5395 (Pittsburgh Office) or at 215-560-2496 (Philadelphia Office) (www.phrc.state.pa.us). Both agencies may provide informal assistance and/or accept complaints.

➤ **Bullying or harassment based on gender**

- **Advocacy groups** include the **Women's Law Project (WLP)** (www.womenslawproject.org). In Philadelphia, call their Telephone Counseling Service at 215-928-9801. If you live in the Pittsburgh area, you can contact WLP at 412-227-0301.
- **Government agencies** include the federal **Office for Civil Rights** and/or the **Pennsylvania Human Relations Commission**

(see contact information above). Both agencies may offer informal assistance and may also accept complaints.

➤ **Bullying or harassment based on sexual orientation**

- **Advocacy groups** include **Equality Advocates** at 215-731-1447 ext. 15, or 866- LGBT-LAW (www.equalitypa.org), as well as **Lambda Legal** at 212-809-8585 (www.lambdalegal.org/help). For harassment based on HIV status, you can call the **AIDS Law Project** at 215-587-9377 (www.aidslawpa.org).
- A few Pennsylvania localities also have **government agencies** that will provide assistance and/or accept complaints. For example, in Pittsburgh, call the **Pittsburgh Commission on Human Relations** at 412-255-2600 (www.city.pittsburgh.pa.us/chr). In Philadelphia, call the **Philadelphia Commission on Human Relations** at 215-686-4670 (www.phila.gov/humanrelations).

➤ **Bullying or harassment based on religion**

- **Government agencies** include the federal **Office for Civil Rights** and/or the **Pennsylvania Human Relations Commission** (see contact information above). Both agencies may offer informal assistance and may also accept complaints. In Pittsburgh, you can call the **Pittsburgh Commission on Human Relations** and in Philadelphia, you can call the **Philadelphia Commission on Human Relations** (see contact information above).

➤ **Bullying or harassment based on disability**

- An **advocacy group** is the **Disability Rights Network (DRN)** at 800-692-7443 (www.drnpa.org). Additional advocacy groups are listed on ELC's website at <http://www.elc-pa.org/pubs/downloads/english/dis-referral%20list%20spec%20ed%2012-27-07.pdf>.

- **Government agencies** include the federal **Office for Civil Rights** and/or the **Pennsylvania Human Relations Commission** (see contact information above). Both agencies may offer informal assistance and may also accept complaints.
- For more information on disability harassment, please see the Education Law Center's *What Can You Do if Your Child with a Disability is Being Harassed by Other Students'* fact sheet.

WHERE CAN I GET MORE INFORMATION ON MAKING MY CHILD'S SCHOOL A SAFER PLACE FOR ALL STUDENTS?

➤ **School-Wide Positive Behavior Support.** The Pennsylvania Department of Education, working through the Pennsylvania Training and Technical Assistance Network (PaTTAN), is supporting **School-Wide Positive Behavior Support (SWPBS)** and **Response to Intervention (RTI)** programs. Both of these programs work to improve the behavior of all students. More information on RTI can be found at www.pattan.net/teachlead/ResponsetoIntervention.aspx.

More information on SWPBS can be found at www.pattan.net/files/RTI/SWPBS-Intro.pdf. You can call your local PaTTAN office for more information: Philadelphia at 610-265-7321, or toll-free at 800-441-3215, Harrisburg at 717-541-4960, or toll-free at 800-360-7282, and Pittsburgh at 412-826-2336, or toll-free at 800-446-5607.

➤ **Bullying Prevention Programs.** The Center for Schools & Communities (www.center-school.org) has several projects aimed at keeping schools safe. The Center for Safe Schools (www.safeschools.info) provides help to Pennsylvania schools to keep students and teachers safe. The Bullying Prevention program (www.center-school.org/bullyingprevention) works with the Pennsylvania Department of Education to help schools start bullying prevention programs. You can use the websites to learn about these programs, or call the Center at 717-763-1661.

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SAMPLE LETTER REQUESTING AN INVESTIGATION OF BULLYING BY OTHER STUDENTS

Your Address
Your Phone Number

Date

Principal's Name
Name of Your Child's School
School Address

Dear Principal _____:

I am the parent of _____, whose date of birth is _____.

My child has been bullied at school. I am therefore requesting an investigation and a prompt response from the school district to ensure that the bullying will stop.

The bullying occurred on **[insert date(s) of bullying]** at **[insert time(s) of bullying]**. The bullying took place in **[insert where the bullying happened]**. The bullying involved **[insert detailed description of the bullying, including the name(s) of those student(s) who were bullying your child]**. Witnesses of the bullying included **[insert the names of anyone who saw your child being bullied]**.

I request that the school interview all persons who were involved in or who witnessed the bullying. After the investigation, please intervene with the students responsible for the bullying in order to ensure that the bullying stops. For more information on how to prevent bullying at school, the District can contact the Center for Schools & Communities at 717-763-1661 or the Pennsylvania Training and Technical Assistance Network at 800-441-3215 **[this is the number for eastern Pennsylvania; replace with 800-446-5607 for western Pennsylvania or 800-360-7282 for central Pennsylvania]**.

Should you have any questions about this request, please contact me at **[insert your phone number(s) and/or e-mail address]**.

Thank you.

Sincerely,

Your Name

KEEP A COPY OF THE LETTER FOR YOURSELF. WE RECOMMEND THAT YOU HAND-DELIVER THIS REQUEST TO THE PRINCIPAL, OR THAT YOU SEND IT BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED. YOU SHOULD SEND A COPY OF YOUR LETTER TO YOUR SCHOOL DISTRICT'S SUPERINTENDENT.