

Delaware's Bully Prevention Law

14 Delaware Code 4112(D)

Takes effect: January 2008

This law does NOT make bullying a crime.

I. The Law Requires each District and Charter School to have a Policy which:

- A. **Forbids bullying**
- B. **Forbids retaliation** against those who report bullying
- C. **Defines Bullying** (*Minimal Definition set forth in Statute*)
 - *Intentional*
 - *Physical, verbal or electronic*
 - *Towards student, school employee or school volunteer*
 - *Reasonable person know have effects:*
 - a. *reasonable fear...substantial harm... physical, emotional, or to property*
 - b. *pervasiveness, persistence or power differential makes hostile educational environment*
 - c. *interfering with safe environment for student*
 - d. *coercing others to cause above harms*
- D. Requires each school to adopt a **school-wide bully prevention program**
- E. Requires the creation of a **Coordinating Committee** (if *site-based school discipline committee exists they shall vote whether they will act as this committee*). Committee must include:
 - *administrative staff*
 - *support staff*
 - *student body (for school enrolling students in grades 7 through 12)*
 - *parents and staff from the before- or after-school program(s)*
- F. Requires that School's **Supervisory System in Non-classroom** areas will be reviewed: *The plan shall provide for the review and exchange of information regarding non-classroom areas.*
- G. Sets Forth **Reporting Requirements:** *Any school employee that has reliable information that would lead a reasonable person to suspect that a person is a target of bullying shall immediately report it to the administration.*

- H. Sets forth **Investigative Procedure**: *Each school is required to have a procedure for the administration to promptly investigate in a timely manner and determine whether bullying has occurred*
 - I. Requires **Report to DE DOE** *All confirmed bullying incidents must be reported to the Department of Education by the principal or his designee within five (5) working days pursuant to Department of Education regulations,*
 - J. Sets forth an Appropriate **Range of Consequences** for Bullying
 - K. Sets forth **Procedures for student** or caregiver to **provide information** on bullying activity. *Formal disciplinary action solely based on an anonymous report is not permitted*
 - L. Requires **Notification of Caregiver** of bullies and targets.
 - M. Sets forth **Procedures for Communication** between school staff members and **Medical Professionals**
 - N. Implement **All Year**
 - O. Requires school to **Notify the District** in writing of their compliance with this policy – by Dec. 1 each year. **Verify Distribution** of policy.
- II. **Requires Participation in Training.** *The District will provide a combined training each year totaling at least one (1) hour in the identification and reporting of criminal youth gang activity pursuant to § 617, Title 11 of the Delaware Code and bullying prevention*
- III. **Submit copy of Policy to DOE by Jan 1, 2008**
- IV. **Policy in Handbook or Distributed annually (Annually by January 1)**