

THE TRANSPARENCY AND MONITORING OF THE DIGNITY FOR ALL STUDENTS

ACT

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## **Abstract**

This study examines the relative effectiveness of New York State's Dignity for All Students Act (DASA) reporting system, as well as the quantitative patterns of reported incidents of harassment and discrimination made by schools in New York State. Qualitative analyses were conducted on 5 years of DASA data submitted by NYS schools to the New York State Education Department (NYSED). Specifically, trends were examined to see if differences appeared for school reports of incidents according to school type, grade level organization, level of need/resource, and discrimination/harassment category. Reports made by Rest of State schools indicated higher number of harassment reports made over time, while New York City schools reported fewer incidents over time. Both regions reported that harassment occurs most frequently in secondary schools (primarily the middle/junior high grades). NYS schools in Large Cities reported more incidents of harassment, compared to other economic groups/locale. There has been some concern expressed by the NYS Commissioner regarding the relatively low number of incidents reported overall by the state. Recommendations for reporting were made to schools in August 2016. Data were examined and no significant differences were observed in reports made by schools before and after the Letter to Colleague (August, 2016) was released to NYS schools. Harassment reports for NYS schools were compared to national reports of student survey data on bullying and hate crimes. While statistical analyses were not conducted, it was observed that students in secondary grades reported more incidents of harassment, similar to NYS. A number of unanswered questions remain as to the effectiveness of the DASA system in NYS. While great efforts have been made to understand the harassment taking place in schools, this remains a reactive approach to bullying assessment, and perhaps a more preventative or proactive system should be considered to reduce the numbers of incidents reported by schools.

## **Chapter One: Introduction and Literature Review**

Bullying has become a widespread concern for our youth. According to the National Center for Educational Statistics (2016), 21% of students age 12 to 18 in the United States report being bullied. Schools are expected to be safe environments for teaching and learning, however, they seem to have become grounds for violence and aggression. To reduce and prevent bullying, harassment, and violence in the school setting, all 50 states now have their own anti-bullying/harassment legislations in place, which guide school districts on what to address and enforce in their Codes of Conduct, how to train school personnel to appropriately identify, define, investigate, report, and intervene when a bullying incident occurs, and how to establish communication protocol for school staff, students, and parents regarding bullying incidents that do occur.

In a 2011 report submitted to the U.S. Department of Education, only sixteen states required their school districts to submit bullying incident data to the state board of education. New York State was acknowledged for its provision for school districts to report annually to the state on the number of reported bullying incidents, and any responsive actions taken (Stuart-Cassel, Springer, & Bell, 2011). As an effort to monitor and reduce bullying and to provide students in the state with a safe and supportive environment free from discrimination, harassment, and bullying on school property, on school busses, and at school functions, New York established the Dignity for All Students Act (DASA) in 2010, which took effect in 2012. The bill outlines protected classes based on race, skin color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, and sex (Cosgrove & Nickerson, 2017). All incidents of bullying or biased-based harassment must be reported to the New York State of Education (NYSED) annually.

Although New York policy makers have good intention to hold schools accountable in reducing school violence, there seem to be gaps in what the state legislation requires and how these mandates are carried out by school districts. Concerns have not only been noted by school districts themselves, but also by the New York State Attorney General and Commissioner who expressed that public schools across the state are underreporting incidents of bullying and harassment. It seems that New York falls short in how well its schools are addressing DASA-mandated requirements in their district policy, are lacking in their identification and investigation processes of bullying incidents, and are not maintaining adequate record retention of both DASA and non-DASA related bullying incidents.

The present study will aid New York state policy makers as they consider the value of the DASA incident reporting system, and whether the New York State anti-bullying/harassment mandate should be revised to address the areas in which DASA and the State transparency and monitoring system are functionally deficient. This study will also benefit school staff, students, and parents in shedding light on the frequency of bullying, harassment, and discrimination incidents that occur across the state.

### **Purpose of Present Study**

The purpose of the present study is to address the question of how effective New York State's transparency and monitoring system is in accurately reporting incidents of bullying and harassment, how New York bullying reports compare to the national statistics on bullying, and what value this reporting system holds- not only for schools but also for state policy makers who have established and enforced this anti-bullying mandate for schools.

According to surveys of New York high school students in 2009 through 2013, an average of 18 percent of students reported at least one incident of being bullied on school

property (National Center for Educational Statistics, 2014). This data is collected by a federal entity that reports on the conditions of education in the United States. Similar numbers should also be reported by New York school districts where indeed these students are enrolled, however, this has not been the case. Therefore, information gained from this study will be meaningful for schools and policy makers in New York State to better understand why there is inaccurate and underreporting of bullying incidents in the schools, with the hope that schools can address and intervene in these situations, and ultimately make student learning environments safer and improve the school climate.

### **Definition of Bullying**

Most definitions of *bullying* tend to be relative or ambiguous. Bullying is often considered to be a willful, conscious desire to hurt, threaten, or frighten someone else. According to Rigby (2002), “to be a bully, you don’t have to do anything. The fact that you have a desire to hurt someone and you know that you have a desire to hurt someone is enough to make you a bully; it is an attitude, rather than an act” (p. 28). Bullies are considered to be evil or bad people. They are often viewed as people who have bad thoughts. However, most children report that they have felt like hurting another student at some point during their years in school; the correlation between someone expressing the thought to hurt someone, and actually hurting someone is quite low (Rigby, 2002). This suggests that having the desire to hurt someone, and actually doing so are clearly different things.

Another definition of bullying focuses on what the individual has done, rather than their state of mind. Olweus (1993) describes bullying as negative action on the part of one or more students. How ‘negative actions’ are defined may be unclear, but basically it means that the victim does not like what happened/is happening. In addition, bullying is obvious when it is



nearly impossible for the victim to defend him/herself; it is an intentional act of harm or victimization (Rigby, 2002). The bully is more powerful than the victim and commits aggressive behaviors intentionally and repeatedly over time (Orpinas & Horne, 2006). Aggression generally refers to less extreme intentional behaviors that may cause psychological or physical harm to others. It may be dangerous, but its effects are often milder in comparison to hostile physical violence. Examples of aggressive behaviors include: hitting, pushing, isolating a peer on purpose, and name-calling.

It appears, then, that bullying is typically defined as a specific form of aggression, which is intentional, repeated, involves a difference of power between the victim and perpetrator, and is unpleasant for the victim (Wang, Iannotti, & Nansel, 2009). Differences in height, weight, physical stamina, and even intelligence may make it easy to identify who is the bully and who is the victim; however, this is not always clear. Children may appear to be matched in ability, but a bully may use threats and implied aggression to intimidate the other child. Often, the bully is stronger than the victim, or is perceived to be stronger. It is important to note that “bullying frequently occurs in the form of threats and intimidation, and it thrives in the silence of the victim and the acquiescence of observers” (Orpinas & Horne, 2006, p. 15).

Since bullying is most likely to occur in social situations when peers are present, students may play one or more roles in a bullying episode (Orpinas & Horne, 2006). Orpinas and Horne (2006) propose a framework for children’s roles and behavior in the bullying process. They suggest that children do not always take the same roles, and these roles are not always stable. Students may be bullies or victims depending on the situation. There is evidence that students who are bullies in one instance may be victims in another situation. The most common roles involved in bullying are: bullies, victims, and bully-victims.

**Bullies.** There are three types of bullies: the aggressive bully, the follower, and the relational bully (Orpinas & Horne, 2006). The aggressive bully, most recognized by teachers and peers, typically initiates aggression by using overt, direct aggression. This aggression may be physical or verbal; threats and intimidation may also be used in order for the bully to achieve his or her goals. These bullies are often reinforced; their aggression gets them what they want. For example, a bully may use physical force or threats in order to be the first in line for lunch, or to coerce other children into doing things for him/her.

Because these students are often unaware of their classmates' negative feelings towards them, it is difficult for them to improve their social skills (Orpinas & Horne, 2006). Classmates may be afraid to communicate their resentment, or they may not care enough about the bully to explain the reasons why they do not like him/her. Another reason why aggressive bullies may be rejected is that they tend to attribute aggression to others' behaviors; in other words, they tend to believe that they are the ones being attacked when in fact they are not. For example, a bully may perceive an unintentional push in the lunchroom as aggression, and will react by shoving the peer. In addition, these individuals are very likely to blame others, rather than themselves. There is debate regarding bullies' self-concept. Many assume that bullies are aggressive because they feel inferior and have a poor self-concept; however, some bullies actually have high self-esteem. This may actually be "fake" self-esteem, since the bully relies on aggression to heighten their esteem.

Followers, also known as passive bullies, are less common than aggressive bullies. They are less likely to initiate bullying, but will follow the aggressive bully if the bullying behavior is rewarded. Followers are often anxious, insecure, and attention-seeking. By following bullies,

these individuals feel that their self-esteem will be bolstered by helping the bully, or encouraging the bully by cheering or laughing (Orpinas & Horne, 2006).

Relational bullies use covert or indirect forms of aggression, such as intentionally isolating another peer, excluding peers from a group, threatening to withdraw friendship, or spreading rumors or lies around about someone (Orpinas & Horne, 2006). Relational bullies inflict harm by damaging friendships and personal relationships. Often, a child's self-esteem can be damaged by a form of relational bullying. Girls tend to engage more in relational aggression than boys because they are more likely to use this form of bullying over physical aggression. Whereas boys exhibit this type of aggression outside their social circle, girls tend to exhibit relational bullying within a circle of friends. Girls who are friends one day may suddenly decide to exclude one girl from the circle of friends; the rejected member does not know why she is suddenly being excluded. Likewise, boys may ignore someone from a different circle of friends, but typically will not exclude someone they are already friends with (Urbanski & Permeth, 2009).

**Victims.** A victim is often systematically and repeatedly harassed or abused by the bully. Victims can also be described as targets of aggression. There are two types of victims: passive and provocative (Orpinas & Horne, 2006). Passive victims are often singled out without provocation. They are shy, withdrawn, cautious, and may exhibit behaviors or characteristics that make them easier targets, such as having a physical differences, or having few friends.

On the other hand, provocative victims instigate or provoke bullies by using teasing or annoying behaviors until the bully (or others) react, and subsequently complain of victimization. These children usually have difficulty reading social cues and are often in need of social and interpersonal skill development. They often respond in an anxious or aggressive manner; they

may become argumentative or threaten to fight when they are attacked, but they are usually ineffective (Urbanski & Permuth, 2009). They are frequently the most rejected students of the class, and may be at increased risk of suicide.

Students may become victims because of their weight, dress, dialect, or other physical attributes that consider them to be different. Likewise, students may be vulnerable if they have low self-worth and self-confidence, lack prosocial skills, or are unable to defend themselves or retaliate against their bullies (Olweus, 1978; Urbanski & Permuth, 2009).

**Bully-Victims.** Provocative victims may tend to bully weaker students. Students who are bully-victims tend to become aggressive in reaction to hostility, and are generally among the most disliked members of the class (Urbanski & Permuth, 2009). Some become withdrawn, while others are likely to be disruptive, aggressive, and violent. They face rejection from peers, segregation, and even social isolation, thus causing them to be at risk as both a bully and a victim. Bully-victims not only demonstrate higher levels of aggression, but also depression, as well as lower scores on measures of academic achievement, prosocial behavior, social acceptance, and self-esteem. Loneliness and insecurity are common for bully-victims (Orpinas & Horne, 2006).

## **Cyberbullying**

Cyberbullying, or bullying through electronic technology (e.g., cell phones, computers, online/social media), can include harassing someone, spreading rumors, or sending offensive text messages, emails, posting embarrassing photos on social networking sites, or fake online profiles. Cyberbullying occurs when an individual uses electronic technology to send or post text messages, videos or photos intended to hurt or embarrass another person (AbilityPath.org, 2011).

The rise of the Internet and smartphones have made managing cyberbullying tougher. Schools struggle to combat bullying in hallways, classrooms and playgrounds because it is difficult to monitor and control student use of electronic devices and personal phones. Oftentimes the cyberbullying is occurring on an electronic device about a student, by other students, outside the instructional period. Acts of cyberbullying are quick and have the potential to spread like wildfire across one's network in a matter of seconds, thereby increasing the humiliation of the victim. Researchers at Florida Atlantic University and the University of Wisconsin-Eau Claire surveyed 5,600 children nationwide between the ages of 12 to 17 and found that 34 percent had experienced cyberbullying in their lifetimes (Hinduja, 2017). A 2016 study by the American Academy of Pediatrics found that excessive Internet use was "strongly associated with higher levels of depression" and thoughts or attempts to commit suicide (Schmidt, 2017).

A number of studies have estimated that about 20 percent of students have been the victim of cyberbullying at some point in their lifetime (Smith, Mahdavi, Carvalho, Fisher, Russell, & Tippett, 2008; Kowalski & Limber 2007). It has also been noted that victimization via cyberbullying is associated with psychosocial problems such as emotional distress (Raskauskas & Stoltz, 2007). No gender differences have been found in the prevalence of victimization (Li, 2006), and cyberbullying does not vary by grade level (Wang, Iannotti, & Nansel, 2009).

### **Prevalence and Impact of Bullying**

According to the National Association of School Psychologists (NASP), at least 25% of all children will be affected by bullying at some point during their years in school (Sassu, 2004). These statistics have held consistent over time. Results from the NCES survey in 2010 similarly indicated that 21% of school-age youths ages 12-18 surveyed reported they had been made fun

of by peers, 18% reported being the subject of rumors, 11% had been pushed, shoved, tripped, or spit on, and 6% had been threatened with harm. Clearly, students are affected by bullying and victimization to a greater extent than adults realize, and unfortunately, these numbers are not changing. The National Center for Educational Statistics surveyed over 24 million students ages 12-18 in the United States and found that about 21% of the respondents reported being bullied in the 2014-2015 school year (National Center for Education Statistics, 2016). Individual research teams, national organizations, and other federal entities responsible for collecting and analyzing data related to education agree that over a period of 12 months approximately 20 percent of students experience bullying on school property (Stuart-Cassel, Bell, & Springer, 2011). It is clear that bullying is maintaining its presence in our schools even with decades of theory, research, and prevention programs.

While bullying causes a variety of problems, social and emotional difficulties are most common. Both bullies and victims demonstrate poorer psychosocial functioning than peers not involved in bullying (Nansel, Haynie, & Simons-Morton, 2007). Specifically, victims of bullying may hide their feelings from teachers and peers; however, the situation becomes more problematic when the victim develops academic problems, depression, social withdrawal, aversion to school, or other social or psychological adjustment problems (Colvin, Tobin, Beard, Hagan, & Sprague, 1998). Typically, children who are bullied experience the loss of friendships, and feelings of isolation (Wienke Totura, Green, Karver, & Gesten, 2009). They report more behavioral misconduct, aggression, delinquency, and substance use than students who are not involved in bullying, and tend to have more interpersonal difficulties and poorer social skills than other students. They may feel inadequate and incompetent in their lives which can lead to

low self-esteem, hopelessness, social withdrawal, increased aggressive behaviors, and symptoms of depression (Swearer, Grills, Haye, & Cary, 2004).

Students who experience depression as a result of being bullied often report feelings of sadness, anger, worthlessness, and hopelessness (Swearer et al., 2004). They often feel hopeless about themselves and the situation. Other symptoms include changes in sleeping or eating patterns and a decreased interest in activities, as well as high rates of anxiety and insecurity compared to other children. Students who are bullied are also more likely to have suicidal thoughts or inclinations that may persist into adulthood (Stopbullying.gov). A “clear relationship” has been found between bullying in general and with committing or thinking of committing suicide (Schmidt, 2017).

Besides social and emotional problems, victims of bullying also have difficulty with academics: 22% of students in fourth through eighth grade reported academic difficulties related to peer abuse (Hoover & Oliver, 1996). In addition, being a victim of bullying or social rejection has been correlated with lower intelligence and academic achievement (Norwich & Kelly, 2004). Victims are also more likely to have difficulty with attention and concentration. This may partly account for their low academic competence, since it becomes hard for victims to focus on school work while trying to avoid being bullied (Ma et al., 2009). Accordingly, victims may experience more stress at schools which can potentially lead to increased school avoidance and truancy. Being absent from school due to bullying can negatively impact learning and academic competence, and can potentially lead to school drop-out (Hazler, 1996).

Psychological and social-emotional correlates occur for bullies as well. Students who bully have a higher risk of abusing alcohol and other drugs as adolescents and adults. They are more likely to vandalize, and get into fights (stopbullying.gov), and are likely to maintain their

aggressive behaviors throughout school and into adulthood; being a bully in school is associated with having a criminal record as an adult. Other behavioral problems include hyperactivity, conduct problems, peer relationship difficulties, and engaging in few prosocial behaviors (Wienke Totura et al., 2009). Bullies are characterized by their aggression and are often poor at reading social cues and possess little accuracy in evaluating the behavior of others. In addition, bullies report little anxiety (Swearer, Song, Cary, Eagle, Mickelson, 2001), but actually tend to have higher levels of depressive symptoms and suicidal ideation/behavior than students who are victims and students not involved in bullying (Swearer et al., 2001; Swearer et al., 2004; Wienke Totura et al., 2009).

Academically, bullies tend to have a less favorable attitude toward school, even though they tend to have average intellectual abilities (Hazler, 1996). According to Rigby (2002), children who bully are absent from school more often compared to other children. Bullies are usually more likely to participate in delinquent activities and tend to be bored with school, or seek distraction. They may also spend less time and energy on school work and learning activities, which can lead to lower academic competence (Ma, Phelps, Lerner & Lerner, 2009).

Bullying is no longer dismissed as an ordinary part of growing up. It is now recognized as a common form of victimization across American schools, and a significant school safety problem. The negative side effects as a result of being bullied include, but certainly are not limited to: anxiety, depression, low grades, social rejection, anger, suicide, and/or violence. While the statistics shared here are based on research studies and surveys conducted by third-party organizations and university-based research teams, the question remains- are school districts aware of this information and, more specifically, are they aware of the bullying and harassment that is taking place within the walls of their own schools? How is this information



regarding bullying, harassment, and intimidation of students being communicated and made known in schools? And what are schools doing about it? Clearly, if bullying behavior is to be addressed in any comprehensive manner, teachers and students need to be aware of the magnitude of the problem and the potential for long term harm.

### **Assessment of Bullying in Public Schools**

It is essential for educators to systematically assess the prevalence and magnitude of the bullying problem in their own schools in order to determine how to better understand and ultimately reduce its presence and improve the school climate (Colvin et al., 1998). One critical problem about bullying is that it is difficult to conceptualize and measure. Why is bullying so difficult to assess? First, bullying is a broad category that encompasses physical, verbal, and social behaviors. Physical bullying seems most easy to identify because it involves overt behaviors that can be readily observed. Verbal bullying refers to statements that tease or insult the victim, but do not threaten physical injury. Social or relational bullying is the least obvious form of bullying and involves manipulation of friendships and social interactions to demean or exclude victims from peer groups (Cornell, Sheras & Cole, 2006).

There has been question whether all forms of bullying are psychologically equivalent. Does physical bullying have the same impact as verbal or social bullying, in the same circumstances? Do all forms of bullying respond the same to intervention? Likewise, what is the social context in which the behavior is occurring? Common horseplay and teasing among friends can appear to be bullying to an observer. Accused bullies may rely on the defense that they were “only playing around” or “didn’t mean” what they said. Therefore, bullying requires an assessment of the social circumstances, meaning, and intent of the behavior (Cornell et al., 2006).

In addition, it is often difficult to distinguish bullying from other forms of peer conflict. All forms of fighting, teasing, and social conflict are not bullying. Bullying requires a power imbalance between the aggressor and the victim. The power imbalance could be the function of differences in physical size, having an advantage in social status or prestige, or a disparity in self-confidence or verbal skills. This suggests that an adequate measure of bullying must encompass several different forms of bullying as well as the ability to distinguish between typical peer conflict between students with relatively equal status (Cornell et al., 2006). With this in mind, perhaps the most challenging aspect of determining how to assess bullying is how to first define the construct.

Researchers, school personnel, and state boards of education are not only being asked to define bullying, but are also encouraged to assess bullying and victimization from multiple sources (e.g., students, teachers, parents) (Espelage & Swearer, 2003). Bullying is assessed typically through anonymous surveys consisted of open- and close-ended questions about the incidence of bullying and the perceptions on bullying among students, parents, and teachers (Colvin et al., 1998). These surveys comprehensively assess bullying incidents by soliciting locations where bullying occurred, who engaged in the bullying, how school personnel responded, and attitudes toward bullying (Espelage & Swearer, 2003). One advantage of survey reporting is that data can be collected in a short amount of time and by multiple sources. However, a disadvantage to self-report surveys is whether students are provided with a definition of bullying when responding to measures designed to assess bullying; likewise, instruments vary in how they define *bullying*, the wording of questions asking about bullying, and the time periods and frequencies of bullying that students are asked to recall (Cornell et al., 2006). Likewise, school personnel may be able to measure the prevalence of bullying experiences through an

anonymous self-report survey, but that measure will not necessarily provide information on who is being bullied and by whom.

It has been suggested that student's own viewpoint is essential, but should be complemented with at least one additional source of information, such as peer reports. Peer nomination, or peer reporting, is an alternative to student surveys, and has been deemed a highly regarded, standard measure of identifying aggressive students and their victims (Cornell et al., 2006; Blake, Lund, Zhou, Kwok, & Benz, 2012). A central assumption of peer nominations is that peer raters have sufficient exposure and interaction with the target student to validly identify that student's behavior or behavioral characteristics (e.g., engaging in bullying or being victimized). The peer nomination method typically involves surveying a classroom of students and asking each of them to independently identify classmates who match a descriptive statement, such as "someone who gets hit, pushed, or kicked by other kids." The number of times a student is nominated by peers is used as an index of the student's victim status. Other variations of this method include students being asked to assess their classmates on a series of descriptive statements, to nominate a fixed number of classmates, or to assign frequency ratings (e.g., never, sometimes, or often) to each of their classmates (Cornell et al., 2006).

An advantage to peer ratings or peer nomination method is that scores are based on multiple sources, per the combined judgment of students in the class. With this information, students can be identified for targeted interventions. This method is easier to use in elementary schools because teachers have more interaction with students and students do not change classes (compared to middle and high school) (Espelage & Swearer, 2003). Disadvantages include teachers feeling reluctant to ask students to make judgments about one another, fearing that this might provoke or instigate teasing among particular students (Cornell et al., 2006), and not being

able to identify and capture all students who are experiencing bullying, but rather, those who are engaging in these behaviors at the highest frequency (Espelage & Swearer 2003).

Survey data can also be collected from school personnel and parents about their own perceptions of school bullying. The use of teacher surveys is a way to gain insight about the violence taking place, as well as reports of the prevalence of student bullying experiences in the school (Stockdale, Hangaduambo, Duys, Larson, & Sarvela, 2002). Teachers do have a fairly accurate idea of the number of friendships of the students in their class. They play a key role in monitoring the social position of their students in general, and should be even more alert in evaluating the position of those students in particular in their classroom, especially those who have been ignored and rejected for many years and are in danger of developing social-emotional difficulties. Teachers play a critical role in assisting students in acquiring social skills and in fostering social relationships by facilitating peer interactions and friendships in the classroom (deMonchy, Pijl, & Zandberg, 2004). Therefore, they may be most likely to identify aggressive students, especially in middle and high school, because the behavior is considered more severe and salient to teachers. Teacher reports have been found to be useful because their ratings of aggression tend to be stable over time and correlate significantly with other sources who observe aggressive youth (Wienke Totura, Green, Karver, & Gesten, 2009). Also, when a teacher is reporting on the behavior of a student, they are likely to be influenced by the accessible knowledge they have of the student and whether that student in particular may have academic and/or other emotional difficulties.

While it is assumed that teachers and school personnel would be the first to notice if a student becomes isolated or being bullied, research has shown that they actually tend to underestimate the degree of bullying taking place (de Monchy et al., 2004). Although teachers

may understand the concept of bullying better than students, they are not as aware of the level of bullying that takes place (Stockdale et al., 2002; Blake et al., 2012). There has been question about the reliability of teacher reports on identifying bullying, as they have been found to often overlook or ignore bullying; in some cases, teachers may simply be unaware of the bullying (Cornell et al., 2006). In addition, because it is difficult for outside observers to rate another's internal state, teachers may draw on their observations of student's overt difficulties in getting along with peers and assume the presence of negative internal states in their ratings (DeRosier, Kupersmidt, & Patterson, 1994; Wienke Totura et al., 2009).

Parents seem to have a unique insight into their child's development and social experiences because of their long-term perspective of their child relative to other sources (e.g., peers, teachers, observers). Parents are considered to be both knowledgeable and valid reporters of their child's bullying experiences based on the assumption that their children confide in them when they are being victimized, when they feel unable to cope with a social situation, or are having interpersonal difficulties that may arise from bullying and go to their parent for support (Blake et al., 2012). However, it is possible that some parents may not have the intimate information or details from their child that others in the actual social situation have observed (e.g., peers and teachers). Because parents are not typically present in the social context where bullying is likely to occur (e.g., school environment), and often do not directly observe bullying behavior when it occurs, parents may not be considered the most reliable reporter. When comparing self-report to parent report, students tend to report more bullying experiences and to have been bullied more than their parents reported; likewise, students' perception of school safety ratings were lower than their parents' ratings (Stockdale et al., 2002). There is still value in parent report of their child's bullying experiences, however. In the absence of other

observations and reports made by peers and teachers, parents may serve as adequate reporters of their child's victimization experiences (Blake et al., 2012).

Caution must be exercised when choosing to use one rater's viewpoint over another. Researchers have emphasized the importance of using assessments by multiple rater, highlighting that no single rater's assessment of bullying or victimization (e.g., self-report vs. peer nomination) is a better estimate than another. Too often students, peers, teachers and parents do not view situations similarly, and vary on perspectives. The level on agreement between reporters on the occurrence of bullying and victimization is low; students fail to report almost one-half of all bullying incidents to school personnel. One reason for the variability in ratings is the difference in perspective between the separate reporters who observe or were informed about the bullying behavior- whether, peers, teachers, parents, or students themselves (Wienke Totura et al., 2009).

Another approach is to directly interview students about bullying. While most research on bullying utilizes various forms of student, peer, teacher, and parent surveys, questionnaires and rating scales to complete, interviews permit the researcher (or interviewer) to interact with the student, ask clarifying questions, and generally pursue more complete and accurate information (Cornell et al., 2006). A disadvantage to the interview method is that some students may be uncomfortable discussing sensitive topics during an interview. Also, it seems unwise or possibly unethical to videotape or audiotape a bullying interview, therefore, it is essential for the adult conducting an interview with a student to maintain detailed notes or record of the conversation, as memories of experiences and conversations otherwise naturally fade with the passing of time, and to revisit the interview with the student at another point in time may be too late for the student to recall details of the bullying event. That being said, however, victimization

researchers still have found that face-to-face interviews or investigations to yield adequate information regarding a bullying situation.

Regardless of the method of assessment of bullying, it is important for schools to be able to speak to the frequency (number of occurrences), the number of students reporting (and whether students report isolated or multiple incidents), the type of bullying incident (direct, verbal, relational, and cyberbullying), and the outcome of that bullying incident (e.g., consequence, restorative practice, intervention, etc.) that take place in their schools. There should be no shame assumed by school districts when admitting that a “zero tolerance” policy on school bullying and violence is virtually impossible and unrealistic. The reality is that these behaviors and events are occurring, and schools need to recognize not only that, but also that it is their responsibility to address it when it does happen.

Public concern over the physical and emotional health of bullying victims as well as the school climate has created a demand for a government response. This increased pressure for stricter school policy and action to reduce bullying problems is reflected in the design and implementation of legislation at the state and federal level, as well as an increase in the number of court cases filed seeking legal restitution for students who have been victimized (Stuart-Cassel et al., 2011).

### **Anti-Bullying/Harassment Policy and Legislation**

There is a critical need for schools to adequately address and alleviate bullying, and to restore healthy school climates and safe learning environments for students. Countries such as England, Wales, and Ireland have legislative mandates which require schools to have anti-bullying policies and investigations in place to reduce bullying. Prior to 1999, no state within our nation had clear statutes specifically addressing school bullying; however, all 50 states now

have enacted laws that contain specific bullying provisions, the most recent which was signed into law in April 2015. This movement to have anti-bullying/harassment policy in place was largely due to concern about chronic bullying and high-profile school shootings and suicides. The highly visible suicides among school age children and adolescents that implicate bullying as an underlying cause, in addition to the increase in research knowledge identifying the range of serious and long-term consequences associated with bullying behavior, have placed increased pressure on the government and school systems to take action and search for solutions to more effectively prevent or reduce bullying in schools (Stuart-Cassel et al., 2011).

**Profile and Review of State Legislation.** At this point, all 50 states have passed multiple laws, amendments, or revisions that address bullying in schools. In 2011, Stuart-Cassel, Bell, and Springer prepared and submitted a report titled “Analysis of State Bullying Laws and Policies” to the United States Department of Education Office of Planning, Evaluation, and Policy Development Policy and Program Studies Service. This comprehensive report profiled the [current] status of state legislation regarding bullying, and identified multiple provisions currently in the states’ education code, or, for a few states, in the criminal code. When referring to legislature, a provision is defined as a statement in a contract or a law indicating that a specific thing must happen or be done, or not happen or not be done. Stuart-Cassel and colleagues (2011) examined each state’s legislature on bullying and organized policy provisions into 11 categories or key components. The content of each states’ legislation was mapped out onto the 11 components of bullying laws identified by the Department of Education to assess both coverage (i.e., did the law include *any* provision related to this particular component of bullying law?) and expansiveness (i.e., what was the scope and detail of the provisions addressing that particular component?) of each state. Figure 1 briefly summarizes the content of the 11



components and six district policy subcomponents used to profile state legislation. The components are grouped by four focus areas (Stuart-Cassell et al., 2011, p. xii):

1. Purpose and Definition (four components) concerns prohibitions of bullying and how behavior is defined. These provisions include the purpose of laws and policies, the scope of school jurisdiction for regulating these behaviors, the definition of behavior that is prohibited, and the enumeration of protected groups.
2. District Policy Development and Review (two components) concern the requirements for districts to develop and implement policies and for districts and state education agencies to review policies for compliance.
3. School District Policy Components (one component- six policy subcomponents) concerns provisions that assign responsibility for carrying out application of the law, and sets parameters concerning how this application will be carried out (e.g., how policies will be communicated, how records will be kept, how monitoring and other accountability procedures will be used)
4. Additional Components (four components) concerns how policies will be communicated, how monitoring and other accountability procedures will be used, the actions and interventions that may be undertaken to prevent bullying behavior, and the assurance of legal remedies for victims.

Each state's legislation was examined and assessed for coverage, or the degree to which their laws included language that addressed each of the 11 components and district policy subcomponents. As of April 30, 2011 (when the report was submitted), among 46 states with bullying legislation, Maryland and New Jersey were the only states whose laws contained provisions covering all of the key components and school district policy components. Seventeen

total states (including Maryland and New Jersey), covered between 13 and 16 components, and 17 others covered between 9 and 12 components in their legislation. Twelve states covered 8 or fewer components. It was noted that “states differed substantially in the number of components covered by their legislation. Additionally, states also address each component in different ways and with different levels of detail and specificity” (Stuart-Cassel et al., 2011, p. xiii-xiv).

The reviewers also explored each state’s legislation to assess how expansive each law was; specifically, how inclusive, explicit, the degree to which less discretionary language was used, as well as, the degree to which mechanisms to ensure accountability were included with regards to each component. Several states were found to have several shared characteristics but less expansive coverage of key components. These states typically included laws expecting school districts to develop their own bullying policies, but did not provide any framework or requisites to be included. These states also tended to have laws that were amendments of existing legislature, rather than creating new sections of the law to explicitly address bullying behavior (Stuart-Cassel et al., 2011).

### **Anti-bullying policy development**

**State model policies and guidelines.** Many state legislatures have mandated that schools adopt a bullying policy and/or bully prevention plan which would provide a framework to guide the school in addressing this continuing significant issue in our schools, and more specifically- for our students (Sherer & Nickerson, 2010). State legislation sets the guidelines for policy development, although schools determine how it will be implemented (Stuart-Cassel et al., 2011). At the time of Stuart-Cassel and colleagues’ (2011) report to the U.S. Department of Education, 27 state laws encouraged or required states themselves to develop their own model policies addressing harassment, intimidation, or bullying, and 41 states had developed model

policies or states guidelines to have available for dissemination to local school districts. These model policies play an important role in closing gaps in bullying prevention and providing guidance for districts and schools lacking clear direction under the law. Model policies and guidance documents from the state address most of the 11 key components more frequently than does the state legislature itself. Thus, for a school district to refer to its state legislation as well as its state's model policy or guidelines will ensure that the school district is more likely to implement an expansive bullying policy that covers the 11 key components.

**School district policies.** A secondary review was completed by Stuart-Cassel and colleagues (2011) on 20 school districts in the United States to determine how well their district policies aligned with their state legislation. Key components were noted as common across nearly all districts examined, which included statements prohibiting bullying behavior, procedures for reporting, and discussion of consequences. This suggests that most states do follow a traditional approach to managing bullying misconduct and their approach includes reporting, investigating bullying complaints and implementing disciplinary actions. An observation was made that districts located in states with more expansive legislation tended to have more expansive local policies; likewise, districts in states with less expansive legislation tended to have less expansive local policies, covering fewer components in some cases. Insight gained from examining these school district policies suggested that state legislation or model policies may not benefit schools or students unless they can be successfully implemented. What may be suggested, recommended, or expected by the state may not always be feasible to execute or implement within the resource constraints of the school districts.

At minimum, it is recommended that school policy makers promote research-based comprehensive bullying prevention programs, have district-specific strategies that address

aggressive, violent, and disruptive behavior including bullying, provide training for all staff on district policy, educate on bullying identification and intervention techniques, and instruct on how to follow reporting procedures for bullying events (Limber & Small, 2003). Schools need to be explicit about what bullying behavior is, establish what preventative measures they will take, as well as how these measures will be implemented. This all needs to be written and communicated in appropriate language for employees, students, parents, and community members because, besides obliging to a legal requirement, a written policy is a way for school districts to communicate their intentions regarding addressing and reducing bullying (Smith, Smith, Osborn, & Samara, 2008).

Although many school districts began implementing anti-bullying policies around the year 2000, nearly 2 decades later it appears that not all school districts are adequately addressing the required components of state legislature, let alone their own district-developed anti-bullying policies (Cosgrove & Nickerson, 2017; Sherer & Nickerson, 2010; Smith et al., 2008; Woods & Wolke, 2003). There is a lack of research about the extent to which schools are complying with anti-bullying and anti-harassment legislation and the impact this has on practice and outcomes. There is concern that states are not enforcing the legislation and that districts do not consistently review policies to conform to legislation.

A number of reviews were completed on school anti-bullying policies within states as well as across the United States and other countries. There has been a consensus that in general, many school anti-bullying/harassment policies are weak in terms of crucial components to address such as definitional issues, staff responsibilities, follow up on reported incidents, management and use of records, and specific preventative measures (Smith et al., 2008). While state legislatures mandate anti-bullying policies and plans to be upheld by the school districts, it

is the schools themselves who typically create the school safety plans to protect children from violence and disruptive behavior, including bullying (Limber & Small, 2003). Most states require school boards to be responsible for the development of bullying policies; however, it is not uncommon for school administrators to be the ones who develop the policies to prohibit bullying.

Regardless of who writes the actual policy, school policy-makers have attempted to adhere to state mandates, often with short time frames, to create anti-bully policies, to design, implement, and evaluate bullying prevention programs, and also to adequately train staff. But it appears that in the rush to address the perceived threat of school violence and tragedy, insufficient time was taken to formally define bullying. There is much variation in the definition of “bullying”, which in turn leads to inconsistencies in perspective and research (Furlong, Morrison, & Greif, 2003). According to the U.S. Department of Education, no consistent definition of bullying exists among the states regarding their anti-bullying laws (Goodemann, Zammitt, & Hagedornet, 2012). Many states and school districts have a number of variations in the definition of bullying itself (Limber & Small, 2003). Consequently, state laws and implemented school policies have not aligned, and the exact prevalence of bullying is therefore difficult to determine due to definitions and measures varying in the data. Without a consistent and solid definition of “bullying”, another challenge arises- how do we accurately assess bullies and victims?

**Bullying vs. Harassment.** In a review of state laws and policies to address bullying in schools, Limber and Small (2003) found that some states actually considered bullying to be synonymous with “harassment” and “intimidation” in their legislation. Stuart-Cassell et al. (2011) suggests that “many bullying laws enacted since 1999 were originally modeled on

existing civil rights legislation that protects groups from various forms of harassment under the law” (p. 17). Harassment is specifically defined as “misconduct that creates a hostile and offensive environment towards victims or others (Goodemann et al., 2012). A hostile environment, according to the New York State Education Department, means that the offender’s conduct by threats, intimidation, or abuse either:

1. Has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities, or benefits, or mental, emotional or physical well-being, including conduct ... that reasonably causes or would reasonably be expected to cause emotional harm; and/or
2. Reasonably causes or would reasonably be expected to cause physical injury to a student or cause a student to fear for his or her physical safety (New York State Center for School Safety, School Safety and Educational Climate Reporting, 2017, pg. 3).

Harassment differs from bullying in that it may occur as only a single event rather than repeated behaviors directed at an individual, and a difference of power or status between the bully and victim may not necessarily be present (Ashbaugh & Cornell, 2008). That is, harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. This differs from the traditional definition of bullying. Harassment also is distinguishable from more general forms of bullying in that it must be motivated by characteristics of the targeted victim. It is generally viewed as a subset of more broadly defined bullying behavior (Stuart-Cassel et al., 2011).

According to the U.S. Department of Education, Office of Civil Rights (2010), discriminatory peer-on-peer harassment occurs when it is based on 11 protected classes: gender,

sexual orientation, race, color, national origin, ethnic group, religion, religious practice, disability, sex, and/or weight (Holzbauer, 2008; New York State Education Department, 2012). Equating bullying with harassment is problematic for several reasons. It seems that “bullying” has become a term to soften the misconduct that is often occurring (harassment), and that many schools are mislabeling harassment as bullying. When a school district labels harassment as bullying, the district is essentially minimizing and normalizing the behavior (Goodemann et al., 2012). Harassment creates a hostile environment when the conduct is sufficiently severe, pervasive, and/or persistent so as to interfere with or limit a student’s ability to participate in or benefit from the services, activities, or opportunities offered by a school.

Many behaviors that are labeled as “bullying” may meet federal guidelines for harassment and need to be addressed as such. According to the OCR, by limiting its response to a specific application of its anti-bullying policy, a school may fail to properly consider whether the student misconduct also results in discriminatory harassment (Dear Colleague, 2010). When harassment is based on one or more of the protected classes, it violates the civil rights laws that the OCR enforces, which include Title VI of the *Civil Rights Act of 1964*, which prohibits discrimination on the basis of race, color, or national origin; Title IX of the *Education Amendment of 1972*, which prohibits the discrimination based on sex; and Section 504 of the *Rehabilitation Act of 1973*, and Title II of the *Americans with Disabilities Act of 1990*, which prohibits discrimination on the basis of disability (Stuart-Cassel et al., 2011).

The legal distinctions between bullying and harassment can have important implications for how laws are implemented and enforced (Stuart-Cassel et al., 2011). Schools are legally responsible for not only addressing misconduct according to their code of conduct, but also addressing harassment incidents about which they know or reasonably should have known. It is

important to remember that some student misconduct that falls under a school's anti-bullying policy also may trigger responsibilities under one or more of the federal antidiscrimination laws enforced by the Department's Office of Civil Rights (OCR) (Dear Colleague, 2010). In all cases, schools should have well-publicized policies prohibiting harassment and procedures for reporting and resolving complaints that will alert the school to incidents of harassment (Dear Colleague, 2010). Schools may want to consider establishing separate policies and procedures for addressing bullying and harassment, or to apply to the more rigorous standards for investigating harassment claims to any bullying incident to protect schools from liability (Stuart-Cassel et al., 2011).

Districts should develop and publish procedures for reporting incidents of discrimination, harassment, and retaliation. They should also be required to identify the name and title of the person(s) responsible for handling such complaints (Maag & Katsiyannis, 2012). It is the responsibility of administrators and staff to implement these suggestions and share this information with their student body, in addition to what is recommended by state and federal legislation.

### **Monitoring and compiling reports of bullying complaints**

For schools to effectively address issues with school-based crime and violence, they need an accurate understanding of the extent, nature, and context of the problem. Accurate monitoring and reporting of bullying incidents in schools represents a potential challenge for states and school districts. In Stuart-Cassel and colleagues' (2011) report, about one-third of states required school districts to compile and report data involving incidents of bullying behavior on their school campuses through legislation; data-reporting provisions have been added to some of their existing state laws to address this. As of the 2011 report, only sixteen states required their school



districts to submit bullying incident data to the state board of education. One state recognized for its provision for school districts to report annually to the state on the number of reported bullying incidents, and any responsive actions taken is New York:

N.Y. Educ. Law §15 (2010): “The Commissioner shall create a procedure under which material incidents of discrimination and harassment on school grounds or at a school function are reported to the department at least on an annual basis. Such procedure shall provide that such reports shall, wherever possible, also delineate the specific nature of such incidents. . . .” (Stuart-Cassel et al., 2011, p. 94).

New York was recognized for its transparency and monitoring in compiling data on bullying and complaints to the New York State Education Department (NYSED). According to the report by Stuart-Cassell et al., (2011) to the U.S. Department of Education, Transparency and Monitoring was one of the 11 key components assessed for across states with bullying legislation. Transparency and Monitoring

“includes a provision for school districts to report annually to the states on the number of reported bullying incidents, and any responsive actions taken. Includes a provision for school districts to make data regarding bullying incidence publicly available in aggregate with appropriate privacy protections to ensure students are protected” (Stuart-Cassel et al., 2011; p. 6).

A number of state laws include provisions that require or encourage individuals to report school bullying incidents to authorities (Limber & Small, 2003). In New York, state department regulations require each school district, Board of Cooperative Educational Services (BOCES), and charter school to submit an annual report of incidents of harassment, bullying, and/or discrimination that occur during each school year. As an effort to monitor and reduce bullying,

New York developed the Dignity for All Students Act (DASA) to provide students in the state with a safe and supportive environment free from discrimination, harassment, and bullying on school property, on school buses, and at school functions (DiNapoli, 2017).

### **New York State Legislation: Dignity for All Students Act.**

On September 10, 2010, the Dignity for All Students Act (DASA) was signed into law in New York, mandating that all New York state public schools protect students from harassment and bullying (Cosgrove, 2015). It went into effect in the summer of 2012,

“requiring school districts to (a) modify their Codes of Conduct to include prohibitions on harassment, bullying, and discrimination, and disseminate the updated code to students and their parents, (b) train school employees on topics of bullying, harassment, and discrimination, (c) designate Dignity Act Coordinators for each district school, and (d) provide students with instruction intended to discourage harassment, bullying, and discrimination” (New York State Office of the Attorney General, August 2016).

In addition to these four requirements, school districts must also provide annual reporting to the State Education Department (SED) of the number of material incidents of discrimination, harassment, and/or cyberbullying (NYSED, Results of Statewide Survey, p. 1). A material incident is defined as

a single verified incident or a series of related verified incidents where a student is subjected to harassment, bullying, and/or discrimination by a student and/or employee on school property or at a school function. Such conduct shall include but is not limited to, threats, intimidation, or abuse based on a person’s actual or perceived race, color,

weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex. (SSEC glossary, p. 2-3).

According to state senator Brad Hoylman, "the idea behind the Dignity for All Students Act is that all children, regardless of race, gender, ethnicity or sexual orientation, deserve to feel safe at school. But we can't stop what we can't see. With these thoughtful new guidance and training materials, we'll be able to more completely implement DASA by helping schools and families – particularly those who don't speak English – effectively identify, report and address bullying" (New York State Office of the Attorney General, August 2016).

**DASA reporting process.** The DASA process begins when an incident is reported to the Dignity Act Coordinator in a school. The report can be made by a student, parent, or teacher/employee. The Dignity Act Coordinator or building administrator typically leads the investigation, although a team approach is recommended to collect information from those who may have knowledge of the incident. It is also not uncommon for school resource officers and/or mental health professionals to advise and respond to an incident (New York State Center for School Safety, 2017, slide 17).

The Dignity Act Coordinator is required to interview all involved (target, aggressor, witnesses), separately, as this is not mediation or conflict resolution but a calm, problem-solving, investigative approach to find out: a) what exactly was said and done (consider any evidence or recordings that were saved), b) motive/intent (anger, misguided joke, threat of harm to safety), c) relationship and past history (whether incident was a one-time occurrence or repeated), d) the impact or perceived impact on school functioning, and e) to contact persons in parental relation of all students interviewed and inform them of the incident (New York State Center for School Safety, 2017, slide 17).

After investigating an incident, the Dignity Act Coordinator or school administrator must make a determination as to whether the incident is “material”. That is, they must determine if an act or series of acts by a student and/or employee on school property, or at a school function 1) created a hostile environment by conduct – with or without physical contact, and/or with verbal threats, intimidation or abuse, and 2) the act(s) were of such a severe or pervasive nature that it had the following effect: unreasonably and substantially interferes with a student’s educational performance, opportunities or benefits; mental, emotional and/or physical well-being; or reasonably causes, or would reasonably be expected to cause, a student to fear for his or her physical safety (New York State Center for School Safety, 2017, slide 18). Following the investigation, the Dignity Act Coordinator or administrator needs to determine whether the material incident falls under the category of bullying, harassment, or discrimination. It is unlikely this can be accurately determined without a thorough investigation of what occurred and triggered the incident, which is why NYSED emphasizes that investigations really need to take place for ALL reports made to the Dignity Act Coordinator. It is important for school employees to be aware that they are required to orally report the incident(s) within one school day to the principal, superintendent or his/her designee and report it in writing within two school days after making an oral report.

Following the investigation of a material incident, relevant school staff are required to take prompt action by delivering appropriate consequences to the aggressor(s), per the district code of conduct. A strictly punitive approach is not the intent of the Dignity Act and it is not effective, therefore NYSED recommends that an intervention plan be created for aggressors to reduce the likelihood that they would offend or participate in a future bullying incident. Also, intervention plans need to be created and implemented to protect the student who was bullied, to

educate and empower witnesses. Even if the incident was not a bullying incident, but rather an act of harassment, the school is still responsible to have a plan in place for that student to come to school and feel safe. This will likely require a team approach.

**DASA annual reporting to NYSED.** Beginning with the 2013-2014 school year, all school districts in New York were required to submit to NYSED an annual report of material incidents of harassment, bullying, and/or discrimination that occurred in that school year, and that were reported to the district superintendent by the principal of each school within the district (NYSED, Results of Statewide Survey, p. 2). Reports are made electronically, and once submitted they are immediately received by NYSED. Dignity Act Coordinators complete an additional step by retrieving archival data from their district student database (i.e., SchoolTool, PowerSchool) to determine how many discipline referrals made during that academic year were in regards to bullying, harassment, or discrimination. This data is recorded and submitted to NYSED by July 1 of the academic year that just ended. This information is recorded for every school across New York state and compiled into data reports. Data has been gathered annually from 2012-2017, and published on NYSED's Information and Reporting Services (IRS) website. Datasets are separated into two groups: schools in "New York City" and "Rest of State".

### **Impact and effectiveness of DASA**

While it is reassuring to know that some states like New York have a transparency and monitoring system in place to report annually to the state on the number of reported bullying incidents, and responsive actions taken, it is also important to assess educator perceptions on the anti-bullying mandates within school policy and procedure. By having this information, not only can we better understand whether or not school districts feel these mandates are being successfully implemented and/or found to be effective, but it can also provide insight to policy-

makers regarding how well these policies are achieving predetermined goals, such as reducing bullying in schools, improving school climate, and creating awareness about bullying and harassment in general.

A study by Cosgrove (2015) attempted to bridge the gap in research through examining the specific impact of state legislation on school climate over time, as well as the extent to which schools comply with state regulated standards. Cosgrove (2015) asserted that “there is a significant divide between policy and practice”, and explored school climate, practitioner perceptions of the severity of bullying and harassment, and compliance with DASA requirements, as well as whether or not a relationship existed between these variables and the implementation of the DASA-specific mandate itself. Cosgrove (2015) surveyed 1,645 educators (e.g., school-based mental health professionals, administrators, teachers) in New York State in 2012. These participants completed a survey that contained questions related to DASA-specific mandates, incidences of bullying and harassment, perceived effectiveness of school intervention and prevention efforts, and school climate. A second wave of participants (N=489) were surveyed in 2013. Both groups completed the aforementioned survey; the second wave of participants completed an additional DASA-specific survey which included questions addressing the Dignity Act Coordinator, policy, training, curriculum/education, and perceived improvement.

Results from the Cosgrove (2015) study found that schools who had a higher compliance with DASA tended to report less severe perceptions of harassment and bullying, better school climate, more prevention and intervention strategies, and less perceived need for improvement in their schools. Although 46.2% of respondents had not reported an incident, almost all (92%) knew who to report to if needed. In general, respondents reported that their school’s curriculum for students covered topics related to protected classes, although minimally. That being said,

fewer than half of the respondents (43.8%) reported that their district policies outlined the 11 protected classes. Lastly, the most frequent response for all areas of perceived improvement was that conditions in schools “somewhat improved” since DASA was implemented. Cosgrove (2015) concluded that while the implementation of statewide policy has the potential to impact school climate, bullying and harassment incidents, prevention and intervention efforts, and the general perception of educators on effectiveness and needed improvement, these policies may or may not be implemented as intended within the school system, as there are unique challenges that schools face in implementing mandates with fidelity, which may affect the school climate, school district policy, and its subsequent impact.

Similarly, in a study by Taormina (2014) fifteen superintendents from rural, urban, and suburban school districts were individually interviewed to determine their perceptions on the application, effectiveness, and sustainability of DASA in regard to problems associated with harassment, bullying, and peer victimization. Taormina (2014) specifically explored how DASA had been applied to students who were reported to have bullied others or to have been victimized, whether the presence of DASA had led to a greater awareness of issues related to bullying, and superintendents’ perception of whether or not the presence of DASA affected the frequency and intensity of bullying incidents.

Taormina (2014) found that superintendents from urban, rural, suburban settings perceived the application of DASA to be an unnecessary burden that has been forced upon school districts. It was reported that the DASA systems for the collection of reports, training of staff and subsequent investigation of claims have stretched human resources in schools without financial assistance from New York State and required more time and attention for staff. Those directly involved with DASA implementation have experienced an increased demand on their

time for processing DASA claims that may or may not be founded. As an aggregate, superintendents did not respond that they had gained a greater awareness of bullying as a result of DASA implementation. In every setting, the 15 superintendents reported that they already had existing structures in place prior to the implementation of DASA for the purpose of providing support to students and staff surrounding bullying issues. A common response made by the superintendents was that they did not sense that much has changed regarding frequency and intensity of bullying since the implementation of DASA. They did not perceive DASA as sufficient, or in some cases, even helpful in their efforts to mitigate bullying in their schools.

A follow-up study was conducted by Cosgrove and Nickerson (2017), which examined not only perceived severity of bullying and harassment in New York State schools, but also the extent to which New York State educators reported that their schools complied with DASA requirements following the mandated date of implementation, as well as educators' perceptions of improvement in the schools' ability to prevent, identify, report, and respond to bullying and harassment 10 to 12 months following the implementation of the legislation. The aim of their study was to identify the potential impact of DASA in preparing school professionals to identify, prevent, and intervene in bullying and harassment from pre-DASA and post-DASA.

Utilizing the same pool of respondents from the Cosgrove (2015) study, Cosgrove and Nickerson (2017) found that educators who reported that their schools and practices aligned with New York's anti-bullying/harassment legislation perceived bullying and harassment to have less severe problems in their school; those in elementary schools perceived less bullying and harassment compared with middle and high schools. The majority of the educators in the sample were able to identify who their Dignity Act Coordinator was, but denied that their school extensively covered subject matter related to the 11 protected classes. One-third of Wave 2



respondents (post-DASA implementation) reported that they had not been trained on bullying and harassment policy, prevention, and intervention that academic year. School policies were reported to most likely to define bullying and harassment and reporting procedures, but lack other key elements, such as cultural sensitivity training. Participants most often reported their schools had “slightly improved” overall in identifying, reporting, responding, and preventing incidents in bullying and harassment in their school. Alignment with DASA was found to significantly predict perceived needed improvement in school efforts for bullying and harassment. Greater alignment with DASA regulations were related to educators’ perceptions of a more positive school climate. That is, more positive school climates predicted lower incidents of observing bullying and harassment, and higher levels of overall alignment with DASA. Cosgrove and Nickerson (2017) again concluded that anti-bullying/harassment policies may or not be implemented as intended within school systems. It was reiterated that policy makers be aware of this information and consider the challenges schools are facing in implementing mandates with fidelity beyond their already required initiatives.

**DASA compliance and guidance.** On August 31, 2016, Attorney General Eric T. Schneiderman and Education Commissioner MaryEllen Elia released guidance and model policy materials in a “Dear Colleague” letter to school districts in New York State, to aid in their compliance with the Dignity for All Students Act. The Dear Colleague letter issued by the Attorney General and Commissioner provided a summary on the data analysis of material incidents of bullying, harassment, and/or discrimination that districts were required to provide to the State Education Department for the 2013-14 school year. That data suggested underreporting of such incidents in districts across New York State. The data also contained a high percentage of reported incidents being classified as “other” in nature, and not identifying one of the

protected bases in the Dignity Act – *e.g.*, race, gender, sexual orientation – as motivating the incidents (New York State Office of the Attorney General, August 2016).

The Attorney General and Commissioner’s concern stemmed from a 2011 survey of New York high school students revealing that nearly 18 percent had been bullied on school property. Prior to passage of the Dignity Act, only 1 in 5 students in New York State attended a school with a comprehensive anti-bullying and anti-harassment policy. These numbers were not reflected in the annual DASA reports by either New York City or Rest of State groups. Attorney General Schneiderman stated, "It's vitally important that students feel comfortable coming forward with fears of discrimination or harassment in our schools, and equally important that schools honestly report their responses to these issues," (New York State Office of the Attorney General, August 2016).

The letter also includes recommendations and areas for improvement in school districts, including ensuring that districts (a) timely appoint Dignity Act Coordinators to fill positions when they are vacated; (b) have procedures in place to maintain records and accurately report material incidents of harassment or bullying to the Commissioner; (c) develop materials and regularly train school employees on their duties under the Dignity Act, including duties to identify, investigate, and report incidents of harassment or bullying; and (d) provide language access to district codes of conduct, and other materials concerning schools’ expectations for student conduct, for non-native English speakers. (New York State Office of the Attorney General, August 2016). The hope is that school districts in New York state would firm up their reporting processes, district policies, training measures, and methods of communication, to reflect more accurate reporting to the state. The Attorney General and Commissioner also developed and released a set of model training materials to assist districts in training school

employees on a variety of topics, including the nature of harassment, bullying, and discrimination; how to identify such behavior; and school employees' duties concerning the reporting, investigation, and documenting alleged incidents of harassment, bullying, and discrimination (New York State Office of the Attorney General, August 2016).

While there is limited research on the DASA mandate in New York State, the studies by Cosgrove (2015), Taormina (2014) and Cosgrove and Nickerson (2017) have shed some light on the possible disparities between what policy-makers may have envisioned and subsequently proposed as a state mandate to be executed seamlessly in school districts across New York State, versus the reality of how school districts perceive, understand, and subsequently, implemented this mandate. The three aforementioned studies have consistently found that, since the implementation of DASA in 2012, there is much variability in how bullying and harassment are defined and addressed in district policies, as well as the varying levels of prevention and intervention efforts that school districts utilize to reduce or alleviate bullying events, not to mention, the frequency and intensity of bullying events themselves that occur in each school. Cosgrove and Nickerson (2017) already identified the relationship between educator knowledge and perception of bullying and how the district addresses bullying and harassment in their policies, along with the impact and effectiveness that the presence of DASA has on a school's climate. It seems there is a disconnect between what policy makers are recommending and what schools are implementing which may have been the catalyst for the 2016 Letter to Colleague calling attention to New York State schools to examine how well DASA is actually being implemented and followed in their districts.

## **2017 New York State Education Department accountability audit**

In an effort to ensure that school district policies and practices comply with DASA, and that districts provide accurate reporting of material incidents of discrimination and harassment to NYSED, the State Education Department completed an audit that covered the period July 1, 2012 through April 4, 2017 (DiNapoli, 2017). The Department visited 20 schools across the state (outside of New York City) and found that most schools had implemented some of DASA's key requirements, such as those related to anti-bullying and designating Dignity Act Coordinators; however, the Department also found gaps in school and district compliance with some key DASA requirements. For example, more than half the schools visited did not communicate Dignity Act Coordinator contact information throughout the school, and some did not train non-instructional staff, creating the possibility that bullying incidents witnessed or heard about ran the risk of not being addressed appropriately, if addressed at all (DiNapoli, 2017).

This is disheartening to still hear in 2017; in 2014, the Department and the Office of the Attorney General surveyed 719 school district superintendents to assess whether their schools met DASA obligations. The survey results indicated that schools were having problems with DASA implementation, such as potential confusion and uncertainty how to classify incidents of bullying. Recommendations were sent to school principals in August 2016 via the Dear Colleague Letter (New York State Office of the Attorney General, August 2016), which included how to improve DASA training, provide codes of conduct in age-appropriate language as well as in other languages besides English, ensure Dignity Act Coordinator positions were filled, inform school staff, students, and parents, who the Dignity Act Coordinator for that school is, as well as

how to contact him/her. The Department also provided guidance on how to investigate and report incidents (DiNapoli, 2017).

Despite the guidance and recommendations issued by the Attorney General and Commissioner in 2016, the State Department still identified errors and deficiencies in incident records and reporting at all 20 schools they visited. Although all schools utilized an electronic system for record-keeping of reportable incidents, ten of the twenty schools reported zero DASA incidents. Of those ten schools who did report DASA incidents to the Department, five of the ten schools were not able to identify the incidents that they included in their annual report submitted to the Department. Even if/when they could recall the incidents that were reported to the Department, their reports often lacked important details or characterized incidents instead of clearly describing and detailing them (DeNapoli, 2017). The Department noted that without certain facts and details, the records available either did not substantiate that incidents were reportable under DASA, or did not provide enough information to determine the appropriate reporting category under DASA.

When the auditors examined the ten schools that reported *zero* DASA incidents, they found that eight of these ten schools actually had 25 DASA incidents, some which involved cyberbullying, that were not reported to the Department, but should have been. Likewise, of the five schools that appeared to have a high number of incidents categorized as “Other”, only two of the five schools were able to identify and provide records for the incidents they reported. Within these reports, the auditors found that some of these “Other” incidents could have been more accurately reported according a more specific category such as “race” or “disability”. The other three schools were not able to identify the incidents the reported to the state (DiNapoli, 2017).

The Department had already been aware of the reporting errors and deficiencies in incident records based on the observations and recommendations from the Attorney General and Commissioner (New York State Office of the Attorney General, August 2016). The Department confirmed, during their visit to the 20 schools, that incident records (if indeed reports were made and records were on file) did indeed reveal substantial weaknesses, including the underreporting of incidents and misreporting non-DASA incidents as DASA incidents. The Department found that,

“officials at 17 of the 20 schools indicated that they struggle with interpreting or implementing DASA guidance and reporting requirements. Four years after DASA took effect, some schools continue to have difficulty identifying a material incident...Some school personnel also said they struggle with differing conceptions of what constitutes ‘bullying,’ and they are unclear about their responsibilities to respond to and to report cyberbullying incidents” (DiNapoli, 2017, p. 13).

When the Department examined school incident records, some records lacked important details and were insufficient to clearly demonstrate whether they met criteria of a material incident according to DASA definition. In addition, many schools were not aware of record retention requirements, and their stated practices for retaining incident records did not comply with these requirements. According to the [New York] Records Retention and Disposition Schedule (DiNapoli, 2017), schools must keep records related to DASA incidents until the youngest person involved in the incident reaches 27 years of age before legally disposing of the record. The Department found that 19 of the 20 schools visited said they had no formal policy for retaining DASA records or indicated that they kept them for less than the age 27 requirement.

Most schools were simply not aware of the requirement. The auditors noted that the Department needs to re-emphasize the record retention requirement for DASA incidents with school districts.

At the conclusion of the audit by the New York State Education Department in 2017, three recommendations were made regarding DASA implementation:

1. Develop a risk assessment that incorporates known and suspected weaknesses in DASA implementation, and commit sufficient resources to promote school compliance with DASA requirements, including accurate reporting, under the new structure.
2. Work with partners, such as the Center for School Safety, to enhance training to better meet user needs. Efforts should include (but not be limited to): identifying school and district-level resources to facilitate proper electronic reporting and record-keeping; and ensuring the training content includes both details that need to be documented in incident investigation records and examples that clearly distinguish reportable from non-reportable incidents.
3. Remind school and district officials of DASA record retention requirements and address areas of confusion that compromise compliance with these requirements (DiNapoli, 2017, p. 25-26).

According to the Department's audit and recommendations, it appears then that New York State still falls short in the following three areas: school district policy compliance with DASA requirements, adequate investigation practices, and record retention requirements. This is especially interesting due to the fact that these three areas are the same three key components/subcomponents New York State did not address in their state bullying law,

according to the report by Stuart-Cassel, Bell, and Spring (2011) to the U.S. Department of Education.

**Review of district policy.** In the 2011 report (Stuart-Cassel et al, 2011), all states (except Texas), required their school districts to integrate bullying provisions into existing school-based policy documents (e.g., student code of conduct). New York complied with this provision, however the State did not require a review of school policies, which involves the school districts submitting their new or revised policies to the state department of education or other state agency for review following their development. New York State required that districts develop local policies, but did not create a mechanism for formal review outside of the district. Stuart-Cassel and colleagues (2011) added that some states mandate a formal review of policies at the state and possibly on the county level. These state laws require review of district policies by the state department of education which may recommend changes or improvements to the districts if the state board determines that the policies need improvement (Stuart-Cassel et al., 2011).

Some states actually threaten sanctions for districts that are not in compliance with requirements of the law. In the 2011 report, Delaware was recognized for having one of the strongest accountability provisions for accountability and review. State funding is provided to districts through the Comprehensive School Discipline Improvement Program, which is contingent upon state approval of each district's bullying prevention policy. Florida was another state recognized for its strong accountability measures. Similar to Delaware, Florida's state law made the distribution of Safe Schools funds to school districts contingent upon the department of education's approval of the school district's bullying and harassment policy. Again noted, New York was one of twenty-four states who did not have a district policy review protocol in place. With the exception of the twenty schools selected for audit by the New York State Comptroller



in 2017, it is unclear how many districts in New York still do not have comprehensive and adequate anti-bullying/ harassment policy in place.

**Investigation.** Another subcomponent in the 2011 report by Stuart-Cassel and colleagues where New York lacked coverage in their state anti-bullying law was procedures in investigating bullying complaints. Most states incorporated language in their laws that involve simple directives about establishing investigative procedures. While some state statutes contained brief requirement statements, others conveyed more detailed expectations for investigations of bullying events. Some states require their districts to include formal processes for following up on investigations as well as communication protocols. Stuart-Cassel and colleagues (2011) report indicated that New York was one of fifteen states who did not enforce or emphasize the need for investigations to be a required component within district policy. While it appears that most schools are aware they should be completing investigations and inquiry when bullying incidents are brought to the attention of school personnel, the actual procedures and processes seem to remain unclear and confusing, which likely affects the accuracy of reporting. This was also verbalized by school officials during the audit by the State Department (DiNapoli, 2017).

**Written records.** The third subcomponent which New York did not emphasize in its state law to be covered in district policy was written documentation of bullying complaints and investigations. Stuart-Cassel et al. (2011) commented that

“studies conducted within school settings emphasize the importance of written records, including the use of standardized reporting or complaint forms, documentation of investigations, and formal written communications with parents or guardians. Researchers suggest that the use of written reports and documentation are important for creating a record of bullying situations that can help monitor problems and how they are resolved” (p. 38).

While language regarding the use of written records may vary by state, it is important that state provisions require districts to address a formal protocol for not only investigating a bullying event, but also to maintain documentation of the investigation, and to have a defined procedure for communicating this information to the state, other relevant school staff, as well as parents. Perhaps the subcomponents of *investigations* and *written records* are not mutually exclusive of one another; that is, if a district policy has not adequately outlined procedures for how to investigate a bullying situation, they are also not likely to have an established system for maintaining written documentation of those investigated bullying situations. Fortunately, New York State has since established a formal Records Retention and Disposition Schedule to ensure that records are retained as long as needed for administrative, legal, and fiscal purposes (DiNapoli, 2017), however it is important for school district personnel to be aware of this requirement in order to be compliant. The State needs to enforce that school districts cover both investigative and record keeping protocols in their district policies, which would presumably reduce the possibility of inaccurate reporting of bullying events that take place within a given school.

The various research studies, reviews of national and state legislation, as well as accountability audits suggests that both before and after the DASA implementation, New York State schools continue to require close monitoring and guidance from the State Education Department and subject-matter consultants to improve the quality of identifying, investigating, and reporting bullying and harassment incidents to the state. Improvement is required, not only to refine the numbers reported to the state, but for schools to be able to examine their own records for patterns that will allow them to hopefully prevent and intervene, inform, train, and to

empower school personnel, students, and parents to stand in the gap and address a situation that could potentially lead to bullying, harassment, and possibly violence.

## **Conclusion**

Schools are expected to be safe environments for teaching and learning; however, they seem to have become grounds for violence and aggression. To reduce and prevent bullying, harassment and violence in the school setting, each state now has its own anti-bullying/harassment legislation in place, which guides school districts on what to address and enforce in their Codes of Conduct, how to train school personnel to appropriately identify, define, investigate, report, and intervene when a bullying incident occurs, and communication protocol for school staff, students, and parents regarding bullying incidents that occur. To some extent, school districts nationwide have complied with this requirement to have anti-bullying/harassment policies in place, however, there is question about the quality of their policies, whether they are competent and confident in identifying bullying and harassment incidents when they occur, and whether the incidents are reported and dealt with in a timely and appropriate manner. It is the school's legal responsibility to report and address bullying incidents and also ensure a safe learning environment for all students.

In a 2011 report submitted to the U.S. Department of Education, only sixteen states required their school districts to submit bullying incident data to the state board of education. New York State was acknowledged for its provision for school districts to report annually to the state on the number of reported bullying incidents, and any responsive actions taken (Stuart-Cassel et al., 2011). New York was recognized for its transparency and monitoring in compiling data on bullying complaints to the New York State Education Department.

As an effort to monitor and reduce bullying and to provide students in the state with a safe and supportive environment free from discrimination, harassment, and bullying on school property, on school busses, and at school functions, New York established the Dignity for All Students Act (DASA) in 2010, which took effect in 2012. The bill outlines protected classes based on race, skin color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, and sex (Cosgrove & Nickerson, 2017). DASA prohibits harassment and discrimination of students by their peers and school personnel. School districts appoint one staff member in each school building to be the Dignity Act Coordinator to facilitate the investigations of all bullying incidents. All incidents of bullying or biased-based harassment must be reported to the New York State of Education (NYSED) annually.

Although New York policy makers have good intention to hold schools accountable in reducing school violence, there seems to be gaps in what the state legislation requires and how it is carried out by school districts. Cosgrove (2015) discovered “a significant divide between policy and practice” when school personnel were surveyed for their knowledge of DASA-specific mandates, frequency of bullying and harassment taking place in their schools, perceived effectiveness of prevention, intervention efforts, and school climate. Cosgrove (2015) concluded that although state policy (DASA) has potential to impact schools, there is a strong possibility that school districts are not implementing the DASA mandate with fidelity, integrity, or possibly even a thorough understanding of what DASA is and what it is supposed to look like when carried out by schools. Taormina (2014) found similar results when interviewing 15 superintendents across New York State, who reported that not much has changed in their schools since the implementation of DASA, regarding intensity and frequency of bullying, knowledge and awareness of bullying, or as even being helpful when bullying incidents occur and need to be

addressed. Cosgrove and Nickerson (2017) surveyed school employees and found that many of them were not aware of the DASA-specific requirements, had not received DASA training, could not identify who the Dignity Act Coordinator for their school was, and, in general, felt that schools had only “somewhat improved” since DASA was implemented in 2012.

Concerns have not only been noted by school districts themselves, but also by the New York State Attorney General and Commissioner who expressed that public schools across the state are underreporting incidents of bullying and harassment. According to surveys completed in 2009 through 2013 of New York high school students, approximately 18 percent reported having been bullied on school property (NCES, 2014); however, this “18%” is not being captured in the annual data reported to the state department by New York school districts. Guidance and recommendations were provided to support districts across the state to ensure a Dignity Act Coordinator is identified in each school, to have procedures in place to maintain records and accurately report incidents to the state, develop materials and regularly train staff on DASA requirements, and to reflect DASA mandates in school policy in language accessible to all.

An interesting observation made during the review of DASA’s lifetime, is that the three areas identified by the Attorney General and Commissioner as areas which were lacking and in need of improvement (investigation, record retention, policy review) are the same three components which were not addressed or covered by New York’s original anti-bullying law, according to the 2011 report to the U.S. Department of Education by Stuart-Cassel, Bell, and Springer. It seems that New York may still fall short in how well its schools are addressing DASA-mandated requirements in their district policy, are lacking in their identification and investigation processes of bullying incidents and are not maintaining adequate record retention of both DASA and non-DASA related bullying incidents. Without a united and thorough approach

on how to address these 3 areas, New York may continue to provide inaccurate reports to the state, which then compromises its reputation for having a solid “transparency and monitoring” system, and instead, reveals more holes in its system than viable information for New York State policy makers, public schools, and stakeholders on just how well the state is addressing bullying behaviors.

The present study examined New York State’s transparency and monitoring system of how school districts are reporting and compiling bullying incidents that are submitted to the New York State Education Department. Specifically, this study looked at how effective New York State’s transparency and monitoring system is in accurately reporting incidents of bullying and harassment, how New York bullying reports compare to the national statistics on bullying, and what value this reporting system holds for schools and also for state policy makers who have established and enforced this anti-bullying mandate for schools. The research questions this study addressed are:

1. Is there a quantitative difference in the *average* number of material incidents reported to NYSED across the 5 years since the implementation of DASA (2012-2017)?
2. Is there a quantitative difference in the reporting of material incidents when comparing data from years 2015-2016 and 2016-2017? Are there new trends in the data during this most recent year of data collection?
3. How does New York State’s DASA reports compare with national statistics?

## **Chapter Two: Method**

### **Sample**

The sample for the present study is all public (individual) schools in New York State (4468 public schools statewide, 295 charter schools statewide). This sample does include public schools in New York City.

### **Measures**

The indirect measure referred to in this study is School Safety Summary Form (Figures 2 & 3), which is completed by each school's Dignity Act Coordinator. As explained below, the Dignity Act Coordinator is responsible for reporting to NYSED annually the number of material incidents which occurred during a particular academic year. The completed School Safety Summary Forms are not available for public view, rather they are submitted electronically to NYSED, who then compiles all school reports into a single dataset.

### **Data Source**

The external dataset used for this study was extracted from the Dignity for All Students Act (DASA) Reports of Material Incidents of Discrimination and/or Harassment. Each Dignity Act Coordinator across the state is responsible for compiling its schools' DASA reports at the end of each school year (due July 1), and submitting it electronically to NYSED. Once NYSED has received all New York State schools' DASA reports for that year, it compiles all the information into a single, comprehensive DASA Material Incident Report (spreadsheet format), which contains all incidents that were reported by all public schools across New York state for a given academic year. These files are posted on NYSED's Information and Reporting Services website. Each school district is also responsible for submitting "district" data to reflect unique

incidents that may have occurred off campus or at a school function, each individual school building has its own line item within the comprehensive DASA Incident Report.

The comprehensive DASA Material Incident Report from NYSED is divided into two sub-groups: New York City and Rest of State. The DASA Material Incident Report for New York City dataset includes submissions from approximately 1800 schools; likewise, the Rest of [New York] State dataset includes submissions from over 2900 schools in New York State. Datasets from the first 5 years of DASA data collection (2012-2013, 2013-2014, 2014-2015, 2015-2016, 2016-2017) were examined.

Information provided within the DASA Material Incident Report from NYSED includes: County (of school), School District Name, School Name, BEDS code, School Type (Public, Charter), Grade Organization (K-12, Elementary, Middle, High, Jr.-Sr.), Needs/Resource Category (Charter School, Urban/Suburban/High Needs, Average Needs, Low Need), Enrollment, individual columns for each of the 11 categories of protected classes (race, ethnic group, national origin, color, religion, religious practice, disability, gender, sexual orientation, sex, weight, [plus a 12th column added for “Other”]), and a Total column that includes the total sum of reports across the 11 protected classes [plus the “Other” category] for each school.

A second external dataset was used to address Research Question 3, comparing New York State material incidents to national statistics. Data from the *Student Reports of Bullying: Results from the 2015 School Crime Supplement to the National Crime Victimization Survey* (NCES, 2016) was used for the purpose of this analysis. The recruitment process for survey respondents is noted below:

“The SCS was conducted in 1989, 1995, and biennially since 1999 as a supplement to the NCVS. Census selects addresses for the NCVS using a stratified, multistage cluster



sampling design. Within the sample, all persons in the household ages 12 and older participate in the NCVS every 6 months (for a total of seven interviews over a 3-year period) to determine the extent of their victimization during the 6 months preceding the interview. Respondents complete the SCS after finishing the NCVS basic questionnaire and crime incident report. All NCVS respondents between the ages of 12 and 18 are eligible to complete the SCS. The SCS is administered between January and June of the year of data collection. In 2015, approximately 57,227 sampled households were eligible to participate in the NCVS, and those NCVS households included 9,372 members between the ages of 12 and 18. The 2015 SCS was administered in two different versions. Version 1 was assigned to 4,663 household members, and Version 2 was assigned to 4,709 household members. Only household members who received Version 1 of the survey are included in this report so that estimates of bullying victimization are comparable to previous years. After completing the NCVS, the 12- to 18-year-olds in participating households must also meet certain criteria. specified in a set of SCS screening questions. These criteria require students to be currently enrolled in a primary or secondary education program leading to a high school diploma or enrolled sometime during the school year of the interview; not enrolled in fifth grade or under 5; and not exclusively homeschooled during the school year. To be included in this report, additional criteria were applied. Students had to be enrolled in grades 6 through 12 and could not have received any part of their education through homeschooling during the school year. In 2015, a total of 2,694 NCVS respondents were screened for Version 1 of the 2015 SCS, 2,344 met the criteria for completing the survey, and 2,317 met the additional criteria for inclusion in this report. All interviews for the 2015 NCVS/SCS are

administered using computer assisted interviewing. Among newly sampled NCVS households, the NCVS/SCS interview is administered face-to-face while interviews with recurring households are administered face-to-face or by telephone. The survey data file used to produce the SCS estimates, as well as the SCS questionnaire, are available for download through the InterUniversity Consortium for Political and Social Research (ICPSR) via the Student Surveys link at the NCES Crime and Safety Surveys portal, located at <http://nces.ed.gov/programs/crime>.” (p. 2).

Data was organized according to the number and percentages of students who reported being bullied at school; the location, frequency, type, and impact of victimization reported, and student reports of unfavorable conditions, personal fear, school security measures, fighting, weapon carrying, etc. Data from both the NYSED DASA annual reports and the NCES national reports were not combined into a single dataset for analysis, due to different sample types.

## **Variables**

**Year of Report.** Data was examined across the five years of public report to determine if the average number of reports have varied or remained relatively stable since the beginning of DASA data collection (2012-2013, 2013-2014, 2014-2015, 2015-2016, 2016-2017). Individual schools were not examined for their own consistency in reporting across the 5 years of DASA data collection, but rather, the average number of reports made in general were examined for consistency across the 5 years of data (Research Question 1), as well as specifically examining the reports made in the 2016-2017 school year (after the August 2016 Dear Colleague letter was released) (Research Question 2).

**Counts of material incident reports of harassment/discrimination.** Frequency counts from the DASA Material Incident of Harassment and/or Discrimination form were examined.

Total count of ALL material incidents reported were examined in addition to the NATURE of material incidents for the 11 protected enumerated classes or categories towards which bias or discrimination may have occurred (e.g., race, ethnic group, national origin, color, religion, religious practice, disability, gender, sexual orientation, sex, weight), with the additional “Other” category in the event the harassment was not related to a specific category but was nonetheless a form of bullying.

## Chapter Three: Results

### Data Screening and Case-Control Matching

Data were initially screened to ensure there were no major differences between years of reporting. Through careful examination, it was observed that the five datasets were not identical, nominally speaking; various discrepancies were noted within and across the datasets, including county name, school name, school type, and grade organization. In addition, schools listed in one year's dataset, did not necessarily appear in another year's data, for reasons unknown.

In an effort to ensure that comparison analyses could be conducted across the five years of DASA data reports, each dataset was examined to verify that all schools were accounted for in each year of reporting (even if they did not actually "report"). Since the reason for schools to not have been represented each year is unknown (i.e., school closed, opened, consolidated, failed to report, did not know [how] to report, etc.), such schools were coded as "missing" so as to maintain placement within the overall dataset, but not included in the analyses. Caution was taken to not confuse schools having "missing" data, with schools submitting "no report" data; that is, the school reported to NYSED that "zero" material incidents of harassment and discrimination occurred for a particular year. This information was included in analyses, as "zero" reports, because it still holds a quantitative value. When removing "missing" schools from the dataset, the number of schools included in final analysis was reduced (ROS: from 2996 to 2807; NYC from 1927 to 1585). Table 1 shows the variability in number of schools that submitted an annual report across 5 years, along with the number of schools in the state that were not represented.

Table 1. *Schools represented in DASA reports by year*

Year	<u>Rest of State</u> (N=2996)		<u>New York City</u> (N=1927)	
	Reported	Missing (%)	Reported	Missing (%)
2012-2013	2918	78 (2.60%)	1735	192 (9.96%)
2013-2014	2911	85 (2.83%)	1791	136 (7.06%)
2014-2015	2905	92 (3.07%)	1787	140 (7.27%)
2015-2016	2902	94 (3.13%)	1796	131 (6.80%)
2016-2017	2890	103 (3.43%)	1799	128 (6.64%)

Note. N=Number of schools per group.

Reports submitted by schools in the Rest of State group indicate an increase in the number of “missing” schools across 5 years of data, while reports submitted by New York City schools illustrates a decrease in the number of “missing” schools across 5 years of data; reasons for these trends are unknown.

### **Demographics**

All demographics are provided in Table 2, summarizing the reports made by New York State schools, separated into two groups: Rest of State (N=2996) and New York City (N=1927). Each respondent, or case, in the sample represents an individual school entity, and not a district (unless a school district *is* comprised of a single school).

According to the reports made by schools in the sample, the majority of schools in New York State are public schools (ROS N=2940 and NYC N=1699). When looking at schools by grade level organization, the majority of schools in New York State are Elementary (ROS=57.6%; NYC=49.8%), followed by Senior High (ROS=15.4%; NYC=22.1%), and Middle (ROS=13.3%; NYC=14.4%) schools. Other grade level organization categories included Junior-Senior High (ROS=7.8%; NYC=7.3%), K-12 (ROS=2.7%; NYC=1.0%), Junior High (ROS=2.6%; NYC=1.7%), Not Indicated (ROS=.4%; NYC=3.6%), Pre-K Only (ROS=.2%; NYC=0%), and Special (ROS=0%; NYC=.1%) schools. Regarding levels of need or resources

reported by schools, New York City schools did not provide this information; however, the Rest of State reports indicated that the majority of schools in their region were of Average Need (47.4%), followed by Low Needs (20.3%), and Rural High Needs (13.0%). Other Need/Resource categories included Urban/Suburban/High Needs (11.1%), Large City (6.3%), and Charter School (1.9%).

Table 2. *Demographic Statistics of Schools by Location*

	Rest of State (N=2996)	New York City (N=1927)
School Type		
Charter School	56 (1.9%)	228 (11.8%)
Public	2940 (98.1%)	1699 (88.2%)
Grade Level Organization		
Pre-K Only	7 (0.2%)*	--
Elementary	1724 (57.6%)*	959 (49.8%)*
K-12	81 (2.7%)*	19 (1.0%)*
Middle	398 (13.3%)*	279 (14.4%)*
Junior High	79 (2.6%)*	32 (1.7%)*
Junior-Senior High	234 (7.8%)*	141 (7.3%)*
Senior High	462 (15.4%)*	426 (22.1%)*
Special School	--	2 (.1%)*
Not Indicated	11 (.4%)*	69 (3.6%)*
Level of Need/Resource		
Low Needs	609.5 (20.3%)*	**
Average Needs	1419 (47.4%)*	**
Urban/Suburban/High	331.5 (11.1%)*	**
Rural High Needs	391 (13.0%)*	**
Charter School	56 (1.9%)*	**
Large City	189 (6.3%)*	**

Note. N=number of schools.

\*indicates an average value calculated across 5 years of DASA reporting, due to schools changing their identifying information annually.

\*\* indicates New York City reports did not include information on levels of need/resource for its schools.

Additional information provided in the annual DASA reports include the number of schools that reported harassment and discrimination incidents, by category. These reports

obviously vary by year and by school, therefore an average was calculated across the 5 years of DASA data for the mean number of schools (Rest of State and New York City) who reported a material incident of harassment or discrimination. This information is displayed in Table 3, which shows that majority of schools who reported incidents classified them as “Other” in nature, for both groups (ROS  $M=1287$ ; NYC  $M=453.2$ ). From there, however, disparities occurred regarding the next highest number of schools in ROS and NYC who made reports of incidents. Rest of State reports indicated that the second highest number of schools reporting incidents of harassment and discrimination were based on Race ( $M=587.4$ ), followed by Sexual Orientation ( $M=538.4$ ), Weight ( $M=511.8$ ) and Sex ( $M=501.4$ ). Categories with the fewest reported incidents of harassment and discrimination was Religious Practice ( $M=52.6$ ). On the other hand, as just mentioned, New York City schools were found to report incidents most often in regards to “Other” reasons, followed by Gender ( $M=250.6$ ), Sexual Orientation ( $M=178.4$ ), Race ( $M=172.6$ ), and Weight ( $M=134.4$ ); with Religious Practice ( $M=1.8$ ), again the lowest reported incident type by schools, across the 5 years of DASA reporting (similar to ROS).

Table 3. *New York State schools with reported incidents of harassment or discrimination in 2012-2017*

Category	Rest of State ( <i>N</i> =2996) <i>M</i>	New York City ( <i>N</i> =1927) <i>M</i>
Race	587.4	172.6
Ethnic Group	251.6	7.2
National Origin	114.0	126.2
Color	201.8	5.0
Religion	138.4	64.0
Religious Practice	52.6	1.8
Disability	319.8	67.4
Gender	264.8	250.6
Sexual Orientation	538.4	178.4
Sex	501.4	11.4
Weight	511.8	134.4
Other	1287.0	453.2

Note. *N*=number of schools. *M*=mean number of schools who reported material incidents of harassment or discrimination.

### **Research Question #1.**

The total number of reported material incidents of harassment and discrimination submitted by schools were examined to determine whether there was a quantitative difference in the average number of material incidents reported to NYSED across the 5 years since the implementation of DASA.

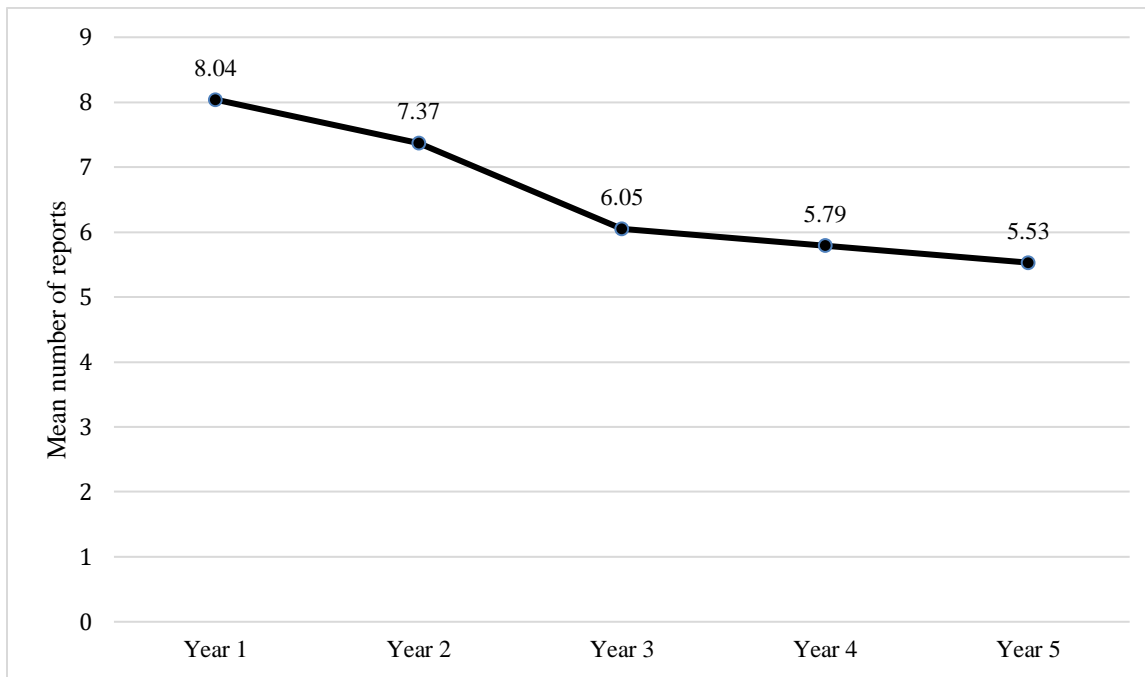
**Rest of State Total Reports.** At the time this study is written, 5 years of DASA reports have been submitted to NYSED. This first research question examined reports made by ROS schools over the first 5 years of DASA (2012-2017) to see if any patterns and/or differences are present in reporting across time.

To determine if a significant difference exists between average number of incidents of harassment and discrimination reported and the year of report, a one-way repeated analysis of variance (ANOVA) was completed, using Year as the independent variable and Total number of reports as the dependent variable. Data violated the assumption of sphericity, so the Greenhouse-



Geisser correction was utilized. The overall Total number of reports for 5 years of DASA was found to be statistically significant  $F(2.586, 7255.736)=18.208, p<.001$ , partial  $\eta^2=.006$ , indicating differences over time. Paired Samples  $t$  Tests were conducted to compare each of the 5 years of reports to one another. These results indicated that reports made in Year 1 of DASA were significantly higher in number compared to reports made in Years 3, 4, and 5 ( $p<.001$ , respectively). Significant differences were also noted when comparing reports made in Year 2 to Years 3, 4, and 5 ( $p<.001$ , respectively), again suggesting that a higher number of reports were made in Year 2 to subsequent years. When considering this pattern of higher reports made during the earlier years of DASA, one could speculate that perhaps schools (or at least their DASA Coordinators) may have been more diligent, cautious, or intentional in their investigation processes. It also could mean that simply more material incidents of harassment and discrimination occurred during the first two years of DASA with a reduction of incidents themselves occurring in later years, but we cannot make conclusions with the available data. Reporting trends are illustrated in Graph 1.

Graph 1. Annual average number of incidents reported by Rest of State schools from 2012-2017



**Reports by School Type.** The Rest of State region is comprised mostly of Public Schools ( $N=2940$ ), followed by Charter Schools ( $N=56$ ). To determine if a significant difference exists between average number of incidents of harassment and discrimination reported and school type, a mixed analysis of variance (ANOVA) was completed using Type of School (Charter, Public School) as the independent variable, and [number of reports made by] Year as the dependent variable. Sphericity was violated, therefore Greenhouse-Geisser correction was used to correct for this. There was no interaction between School Type and Year when measuring reports made. Likewise, significant main effects were not found for reports made by School Type or by Year. Therefore, it appears that no significant differences exist when examining reported incidents made by Charter schools compared to Public schools across the 5 years of DASA reporting, despite the large disparity in numbers of Public vs. Charter schools in the region. When taking a closer look at reports made by Year, pairwise comparisons show that

significantly more reports were made by schools in Year 1 compared to Year 4 ( $p=.040$ ), but not when comparing any other year's reports. Refer to Table 4 for incidents reported by school type, for each year.

Table 4. Annual average Rest of State incidents of harassment and discrimination reported, by school type

School Type	2012-2013 <i>M</i>	2013-2014 <i>M</i>	2014-2015 <i>M</i>	2015-2016 <i>M</i>	2016-2017 <i>M</i>
Charter	12.77	9.05	8.13	8.15	9.18
Public School	7.97	7.35	6.02	5.76	5.48

Note. *M*= Mean number of reports made across 5 years of data.

**Reports by Grade Organization.** When looking at the breakdown of Rest of State schools by grade level organization, Elementary schools are most frequent in this region ( $N=1724$ ), followed by Senior High ( $N=462$ ), and Middle ( $N=398$ ) schools. While research asserts much of the bullying and harassment taking place in schools occurs mostly in the middle and secondary schools, there question as to how much of these incidents are occurring in the Elementary schools, which make up such a large portion of the ROS region (57.6%). Refer to Table 5 for mean information by grade level organization and year.

Table 5. Annual average Rest of State incidents of harassment and discrimination reported, by grade level organization

Grade Level Organization	2012-2013 <i>M</i>	2013-2014 <i>M</i>	2014-2015 <i>M</i>	2015-2016 <i>M</i>	2016-2017 <i>M</i>
Pre-K Only	0.14	0.00	.00	.00	.00
Elementary	4.48	4.16	3.35	3.66	3.43
K-12	10.20	10.75	6.97	6.00	5.14
Middle	13.46	12.37	10.25	9.94	9.02
Junior High	15.11	12.83	11.07	10.88	11.75
Jr. Sr. High	13.47	13.76	13.69	8.80	8.30
Senior High	12.34	10.34	7.73	7.83	8.01
Not Available	--	--	--	--	--

Note. Not Available refers to schools that did not identify their grade level organization. *M*= mean number of reports made across 5 years.

To determine if a significant difference exists between average number of incidents of harassment and discrimination reported by grade level organization, a mixed analysis of variance (ANOVA) was completed using Grade Level Organization (Pre-K Only, Elementary, K-12, Middle, Junior High, Junior-Senior High, Senior High, and Not Available) as the independent variable, and [number of reports made by] Year as the dependent variable. A significant interaction was found between Grade and Year when measuring reports submitted by ROS schools. Main effects for Grade  $F(1, 2800)=100.598, p<.001, \text{partial } \eta^2=.035$  and Year  $F(2.588, 7247.380)=3.329, p=.024, \text{partial } \eta^2=.001$  were found to be significant. Refer to Table 6 for pairwise comparisons between the different Grade levels.

Table 6. Pairwise comparison p-values for grade and number of material incidents reported by ROS schools

Grade Level	1	2	3	4	5	6	7
1. Pre-K Only		.45	.13	.03*	.02*	.02*	.07
2. Elementary			.01*	<.01**	<.01**	<.01**	<.01**
3. K-12				.05	.03*	.03*	.37
4. Middle					.44	.59	.06
5. Junior High						.69	.07
6. Jr-Sr. High							.03*
7. Senior High							

\* $p < .05$ . \*\* $p < .01$ .

Results suggest that while Grade demonstrated a main effect for reports made, it was significant for secondary schools compared to primary schools, suggesting that Middle, Junior High and Junior-High schools had the highest number of reports of discrimination and harassment compared other grades. While Senior High schools reported significantly more incidents compared to Elementary schools, this group did not report as many incidents compared to Middle, Junior, and Junior-High schools. This pattern of results is comparable to general bullying literature that suggests most bullying and harassment is taking place in the secondary grade levels, especially grades 6-9 (Middle/Junior High schools).

Table 7 illustrates the differences in reporting across the 5 years for ROS schools, when controlling for Grade. These comparisons suggest that while Year demonstrated a main effect for reports made, it was only significant in the first and second years of DASA reporting, when the number of reports were higher for the first two years of DASA reporting compared to subsequent years.

Table 7. *Pairwise comparison p-values for Year and number of material incidents reported according to grade level organization, by ROS schools*

Year	Year 1	Year 2	Year 3	Year 4	Year 5
Year 1		.52	.09	.01*	.01*
Year 2			.04*	.05	.04*
Year 3				.48	.40
Year 4					.71
Year 5					

\* $p < .05$ . \*\* $p < .01$ .

**Reports by Level of Need/Resources.** Most Rest of State schools identify themselves as Average in need/resources ( $N=1419$ ), followed by Low Needs ( $N=609.5$ ) and Rural High Needs ( $N=391$ ). Average reports made according to school's grouping by level of need/resource for each year of DASA reporting is presented in Table 8.

Table 8. *Annual average Rest of State incidents of harassment and discrimination reported, by level of need*

	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017
Level of Need	<i>M</i>	<i>M</i>	<i>M</i>	<i>M</i>	<i>M</i>
Low Needs	4.54	3.82	3.29	3.30	3.61
Average Needs	7.13	6.13	5.05	4.67	4.34
Urban/Subrb/High	8.24	7.49	6.10	5.02	4.80
Rural High Needs	10.43	8.76	7.26	6.96	5.77
Charter School	12.77	9.05	8.13	8.15	9.18
Large City	21.07	26.34	20.72	22.09	21.84

Note. *M*= mean number of reports made across 5 years.

To determine if a significant difference exists between the average number of incidents of harassment and discrimination reported by schools' level of need/resources, a mixed analysis of variance (ANOVA) was completed using Level of Need/Resources (Low Needs, Average Needs, Urban/Suburban/High Needs, Rural High Needs, Charter School, Large City) as the independent variable, and number of reports made by Year as the dependent variable.

There are no significant interactions between Level of Need/Resources and Year, when measuring reports made by ROS schools. Main effects for Need  $F(1, 2801)=457.202, p<.001$ , partial  $\eta^2=.140$ , and Year  $F(2.581, 7228.169)=6.834, p<.001$ , partial  $\eta^2=.002$ , were found to be significant. When conducting pairwise comparisons for Need, significant differences were found and are illustrated in Table 9.

Table 9. *Pairwise comparison p-values for level of need and number of material incidents reported by ROS schools*

Level of Need	Level 1	Level 2	Level 3	Level 4	Level 5	Level 6
1. Low Needs		.01**	<.01**	<.01**	<.01**	<.01**
2. Average Needs			.29	<.01**	.06	<.01**
3. Urban/Suburban/High				.13	.15	<.01**
4. Rural High Needs					.46	<.01**
5. Charter School						<.01**
6. Large City						<.01**

\* $p<.05$ . \*\* $p<.01$ .

Results suggest that while Need demonstrated a main effect for reports made, it was most significant for schools of higher economic need, especially for schools in large cities. This is interesting considering Large City schools only make up approximately 6.3% of the ROS schools, and that while most ROS schools identify themselves as Average Need (47.4%), they are reporting significantly fewer incidents compared to high need schools.

When examining differences with Year but controlling for Need, significant differences in reporting were found comparing Years 4 and 5 to the initial three years of DASA, once again reflecting that more reports were made in the first two years of DASA reporting than in subsequent years. Refer to Table 10 for comparisons across past 5 years of reports made.

Table 10. *Pairwise comparisons p-values for Year and number of material incidents reported according to level of need, by ROS schools.*

Year	Year 1	Year 2	Year 3	Year 4	Year 5
Year 1		.48	<.01**	<.01**	<.01**
Year 2			<.01**	<.01**	<.01**
Year 3				.93	.81
Year 4					.73
Year 5					

\* $p < .05$ . \*\* $p < .01$ .

**New York City Total Reports.** To determine if a significant difference exists between average number of incidents of harassment and discrimination reported and the year of report made by NYC schools, a one-way repeated analysis of variance (ANOVA) was completed, using Year as the independent variable and Total number of reports as the dependent variable. Data violated the assumption of sphericity, so the Greenhouse-Geisser correction was used. The overall Total number of reports for 5 years of DASA was statistically significant  $F(3.389, 5367.638) = 111.237, p < .001$ , partial  $\eta^2 = .126$ . Paired Samples  $t$  Tests were conducted, comparing each of the 5 years of reports to one another. Significant differences were found when comparing reports made in Years 1, 2, and 3 to later years of reporting. See Table 11 for pairwise comparisons in reporting across years by NYC schools.

Table 11. *Pairwise comparison p-values for Year and number of material incidents reported by NYC*

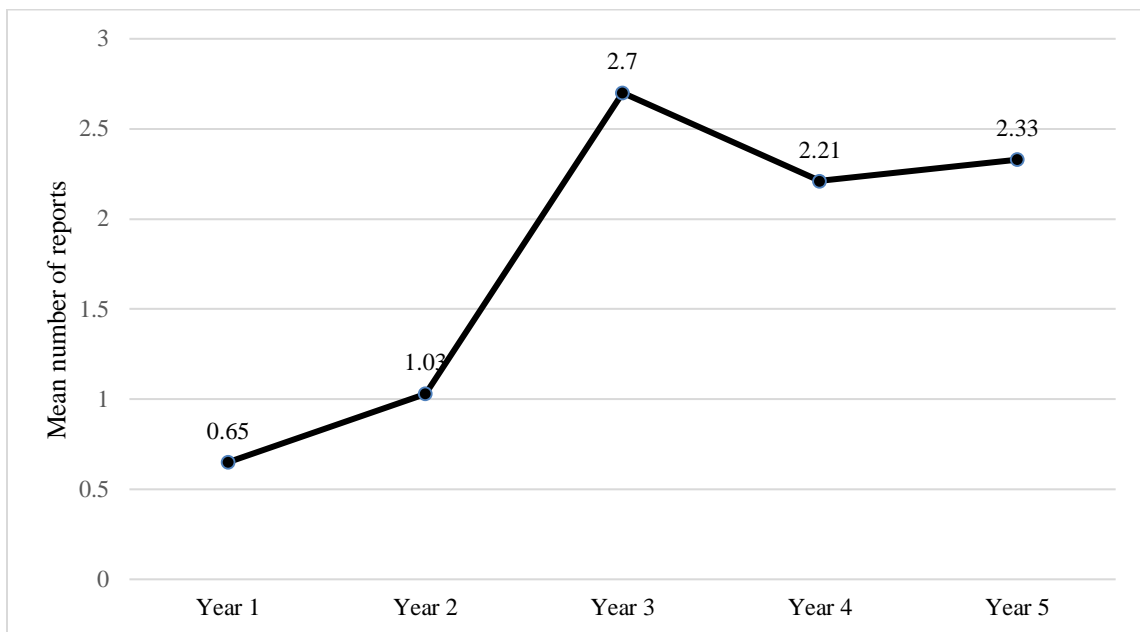
Year	Year 1	Year 2	Year 3	Year 4	Year 5
Year 1		<.01**	<.01**	<.01**	<.01**
Year 2			<.01**	<.01**	<.01**
Year 3				<.01**	<.01**
Year 4					.25
Year 5					

\* $p < .05$ . \*\* $p < .01$ .



Results suggest that fewer reports of incidents of harassment and discrimination were made in the first four years of DASA reporting by schools in New York City, compared to years five. This pattern of reporting is opposite of the ROS schools who made *more* reports during the first two years of DASA. In addition, NYC schools appear to have made *more* reports during Year 3 than any other year of data reporting for their region. Graph 2 illustrates the trends in reports made by schools in New York City for Years 1 through 5 of DASA reporting.

Graph 2. Annual average number of reports made by New York City schools from 2012-2017



**Reports by School Type.** Most schools in New York City are Public Schools ( $N=1699$ ), compared to Charter Schools ( $N=228$ ). An analysis of average number of incidents was completed to determine if a significant difference exists between average number of incidents of harassment and discrimination reported by school type. A mixed analysis of variance (ANOVA) was completed using Type of School (Charter, Public School) as the independent variable, and number of reports made by Year as the dependent variable. Sphericity was violated, so the

Greenhouse-Geisser Epsilon was used to correct for this. A significant interaction was found between Type and Year, when measuring reports made by NYC schools  $F(3.410, 5397.949)=23.009, p<.001, \text{partial } \eta^2=.014$ . Main effects were found for both Type  $F(1,158)=316.928, p<.001, \text{partial } \eta^2=.167$ , and for Year  $F(3.410, 5397.949)=6.383, p<.001, \text{partial } \eta^2=.004$ . This suggests that both type of school and time demonstrated main effects for reports made by NYC schools.

When conducting pairwise comparisons with Type, significant differences in reporting were found between Charter and Public schools ( $p<.001$ ). For NYC schools, more reports of discrimination and harassment were made on average by Charter schools than Public schools, which is interesting considering there are significantly more Public schools in NYC than Charter schools. Table 12 illustrates the average number of incidents reported by school type, for each year.

Table 12. *Annual average New York City incidents of harassment and discrimination reported, by school type*

School Type	2012-2013 <i>M</i>	2013-2014 <i>M</i>	2014-2015 <i>M</i>	2015-2016 <i>M</i>	2016-2017 <i>M</i>
Charter	2.82	2.84	1.99	3.01	1.79
Public School	0.44	0.87	2.76	2.14	2.38

Note. *M*= mean number of reports made across 5 years.

When examining differences with Year but controlling for Type, significant differences in reporting were found, indicating that more reports were made in the last 3 years of DASA reporting comparing to the first two years of DASA, with the most reports made during Year 4. Refer to Table 13 for comparison information.

Table 13. *Pairwise comparison p-values for year and number of material incidents reported according to school type by NYC schools*

Year	Year 1	Year 2	Year 3	Year 4	Year 5
Year 1		.20	<.01**	<.01*	.05
Year 2			.02*	<.01**	.23
Year 3				.34	.21
Year 4					.01*
Year 5					

\* $p < .05$ . \*\* $p < .01$ .

**Reports by Grade Level Organization.** Most schools in New York City are Elementary schools ( $N=959$ ), followed by Senior High ( $N=426$ ) and Middle Schools ( $N=279$ ), while other schools in NYC are fewer in number, such as Junior-Senior High ( $N=141$ ), Junior High ( $N=32$ ), and K-12 ( $N=32$ ) schools. Refer to Table 14 for information regarding the number of incidents reported according to grade level organization, by NYC schools.

Table 14. *Annual average New York City incidents of harassment and discrimination reported, by grade level organization*

Grade Level	2012-2013 <i>M</i>	2013-2014 <i>M</i>	2014-2015 <i>M</i>	2015-2016 <i>M</i>	2016-2017 <i>M</i>
Pre-K Only	--	--	--	--	--
Elementary	.44	.55	1.82	1.48	1.32
K-12	1.90	3.00	2.20	4.60	1.70
Middle	1.09	2.10	4.53	3.73	3.96
Junior High	1.04	1.57	7.57	3.13	3.83
Jr. Sr. High	1.74	1.47	2.85	2.69	3.50
Senior High	.46	1.23	3.31	2.52	3.14
Not Available	.92	1.50	1.08	4.42	3.38

Note. Not Available refers to schools that did not identify their grade level organization. *M*= mean number of reports made across 5 years.

To determine if a significant difference exists between average number of incidents of harassment and discrimination reported and grade level organization, a mixed analysis of variance (ANOVA) was completed using Grade Level Organization (Pre-K Only, Elementary, K-12, Middle, Junior High, Junior-Senior High, Senior High, and Not Available) as the

independent variable, and [number of reports made by] Year as the dependent variable. A significant interaction was found between Grade and Year when measuring reports submitted by NYC schools. Main effects for Grade  $F(1, 1578)=226.395, p<.001, \text{partial } \eta^2=.125$  and Year  $F(3.412, 5383.506)=22.820, p<.001, \text{partial } \eta^2=.014$  were found to be significant.

When conducting pairwise comparisons with Grade, significant differences in reporting were found, similar to ROS schools, where schools are demonstrating a trend of secondary schools reporting more incidents of discrimination and harassment in their schools compared to primary schools. This pattern is also consistent with bullying literature which maintains most bullying experiences occur at the middle/junior high school level. Refer to Table 15.

Table 15. *Pairwise comparison p-values for grade and number of material incidents reported by NYC schools*

Grade Level	1	2	3	4	5	6	7
1. Elementary		.05	<.01**	<.01**	<.01**	<.01**	<.03**
2. K-12			.62	.44	.78	.50	.66
3. Middle				.53	.04*	<.01**	.13
4. Junior High					.09	.01*	.11
5. Jr.-Sr. High						.27	.74
6. Senior High							.82
7. Not Available							

\* $p<.05$ . \*\* $p<.01$ .

When examining differences with Year but controlling for Grade, significant differences in reporting were found between the first two years compared the latter three years. In this case, *fewer* schools reported incidents in Years 1 and 2 by NYC schools, compared to subsequent years, again- unlike the trend found for ROS data, in which *more* schools reported incidents of discrimination and harassment during the first two years of DASA. Table 16 illustrates the comparisons of incidents reported by grade level across time.

Table 16. *Pairwise comparison p-values for year and number of material incidents reported according to grade level organization by NYC schools*

Year	Year 1	Year 2	Year 3	Year 4	Year 5
Year 1		.03*	<.01**	<.01**	<.01**
Year 2			<.01**	<.01**	<.01**
Year 3				.70	.27
Year 4					.36
Year 5					

\* $p < .05$ . \*\* $p < .01$ .

**Reports by Level of Need/Resource.** Analyses examining Level of Need/Resource and Total reports made by New York City schools were not conducted, as NYC schools did not, or were not required, to include this information. Therefore, this information was not available for analysis.

**Research Question #2.**

To determine if a quantitative difference is present in the reporting of material incidents when comparing data from Year 4 (2015-2016) and Year 5 (2016-2017)- the years before and after the Letter to Colleague (August, 2016) was released, a paired-samples *t* test was used to compare the number of reports made during both years. No significant differences were found between incidents reported and the pre- and post- “guidance letter”. The average number of reports made by Rest of State schools during Year 4 ( $M=5.86$ ;  $SD=17.54$ ) was not significantly greater than Year 5 ( $M=5.58$ ;  $SD=17.06$ ),  $t(2856)=1.60$ ,  $p=.111$ . The standardized effect size index was small,  $d=.016$ . Likewise, no significant difference was found when comparing reports made by New York City schools during Year 4 ( $M=2.12$ ;  $SD=4.05$ ) and Year 5 ( $M=2.24$ ;  $SD=3.95$ ),  $t(1776)=-1.31$ ,  $p=.190$ . The standardized effect size was small,  $d=.26$ . This suggests that average reporting by both Rest of State and New York City schools remained relatively stable from Year 4 and Year 5, even after the Letter to Colleague (August, 2016) was released which identified underreporting of material incidents, as well as the seemingly over-reporting of

incidents classified as “Other” in nature instead of categorizing them according to specific harassment categories (i.e., race, ethnic group, sex, etc.).

One concern expressed in the Letter to Colleague (August, 2016), involved schools over-reporting “zero” harassment incidents in a given year, and the impression that this is not a realistic report, or even reasonable, given the high prevalence and significance of bullying and harassment in our schools. To explore whether schools were perhaps more “intentional” or perhaps, vigilant, perhaps, in reporting more accurately to the state, especially given the firm guidance from the Commissioner, Table 17 reflects the number of schools in Rest of State and New York City that reported zero reports, for each year of DASA. An interesting observation noted in Table 17, is the comparison of number of schools reporting “zero” and “one” report per year, and the drastic difference in reporting by schools.

Table 17. *Frequency of schools reporting “zero” and “one” incidents of harassment and discrimination, by Year*

Year	Rest of State (N=2996)		New York City (N=1927)	
	0 incidents	1 incident	0 incidents	1 incident
2012-2013	1106 (37.9%)	267 (9.2%)	1378 (79.4%)	164 (9.5%)
2013-2014	1160 (39.8%)	257 (8.8%)	1256 (70.1%)	209 (11.7%)
2014-2015	1233 (42.4%)	282 (9.7%)	944 (52.8%)	85 (4.8%)
2015-2016	1261 (43.5%)	260 (9.0%)	896 (49.9%)	282 (15.7%)
2016-2017	1222 (42.3%)	307 (10.6%)	831 (46.2%)	277 (15.4%)

Note. N= number of total schools in ROS and NYC.

Interestingly, the Rest of State annual reports indicate a gradual increase in the number of ROS schools reporting *zero* incidents each year (from 37.9% to 42.3%), with a relatively steady percentage of ROS schools reporting *one* incident across the 5 years of DASA data (from 9.2% to 10.6%). Even more interesting, is the staggering difference in percentage of schools reporting *zero* harassment incidents, compared to the percentage of schools reporting just a single incident

in a year; this pattern holds steady across the 5 years. This is not necessarily the case for New York City Schools, as there is a remarkable decline in the percentage of NYC schools reporting *zero* incidents across 5 years (from 79.4% to 46.2%), and an increase in the percentage of NYC schools reporting *one* incident (from 9.5% to 15.4%). Whether or not a causal relationship exists between the decrease in *zero* incidents reported by NYC schools and increase in single incidents reported by NYC schools is not known for a variety of possible reasons that cannot be controlled for or teased out without directly contacting the schools themselves for more details on the fidelity, integrity, accuracy, and submission of their annual report to the state. This will be addressed more in the Discussion.

### **Research Question #3.**

Preliminary analyses and observations of the data were conducted to determine if any trends, similarities, and/or differences emerged between New York State's DASA reports and national statistics.

Upon further examination of the National Center for Educational Statistics' (NCES) Student Reports of Bullying: Results from the 2015 School Crime Supplement to the National Crime Victimization Survey, responses from this questionnaire were provided by individual students and not by individual schools. Initially, an independent samples *t*-test was planned for comparing DASA reports with national data on bullying and victimization. However, since the two samples were not congruent, they were ultimately inappropriate to compare via statistical analysis.

Similar to the DASA reports submitted by New York State Education Department (NYSED), information provided in the NCES national data summary included demographic information regarding the type of school, grade level organization, and school locale in which

incidents of harassment and discrimination occurred, per student report. The continuum of grade level and school locale breakdown is not as specific as in the DASA reporting, but it does give a general idea of the type of school, grade levels, and locales in which the incidents were reported to have occurred. Demographics for New York’s Rest of State ( $N=2905$ ) and New York City ( $N=1787$ ) school DASA reports, as well as National survey data collected by individual student respondents ( $N=4768$ ) are illustrated in Table 18. It is important to note that only DASA reports from the 2014-2015 school year were explored for this question, as 2014-2015 is the year in which the NCES student survey was administered; for the sake of congruence and generalizability, other years of DASA reporting were excluded in this examination.

Table 18. *Demographics of New York schools and national student surveys in 2014-2015*

Demographic Category	Rest of State ( $N=2905$ )*	NYC ( $N=1787$ )*	National Survey ( $N=4768$ )**
<b>School Type</b>			
Charter	49 (1.7%)	187 (10.5%)	--
Public	2856 (98.3%)	1600 (89.5%)	4438 (93.1%)
Private School	--	--	323 (6.8%)
<b>Grade Level Organization</b>			
PreK Only	6 (0.2%)	--	--
Primary/Elementary	1665 (57.3%)	914 (51.1%)	279 (5.9%)
K-12	84 (2.9%)	13 (0.7%)	--
Middle	388 (13.4%)	253 (14.2%)	1433 (30.1%)
Junior High	74 (2.5%)	39 (2.2%)	--
Junior-Senior High	222 (7.6%)	115 (6.4%)	--
[Senior] High	456 (15.7%)	418 (23.4%)	2521 (52.9%)
Other	10 (0.3%)	35 (2.0%)	278 (5.8%)
<b>School Need/Locale</b>			
Low Needs	599 (20.6%)	--	--
[Average Needs] Town	1377 (47.4%)	--	535 (11.2%)
[Urban]/Suburban Needs	320 (11.0%)	--	1776 (37.2%)
Rural	381 (13.1%)	--	932 (19.5%)
Charter School	49 (1.7%)	--	--
City	179 (6.1%)	--	1320 (27.7%)

Note.  $N$ =number of school/student respondents.

\*Numbers refer to reports submitted by individual schools.

\*\* Numbers refer to reports submitted by individual students.



Table 18 illustrates that while New York State schools focus on reporting by Charter and Public Schools, the NCES national survey data only administered surveys to students from Public and Private schools. This is interesting to consider, since there are a number of private schools in New York that are not [required to be] held accountable in the DASA data, as well as Charter schools not having representation in the NCES national data. Charter schools in New York City (10.5%) seem to have a larger presence in DASA reporting compared to Charter schools in Rest of State (1.7%). However, Table 18 illustrates a pattern for all 3 reporting groups, where most responses (not necessarily *number of incidents*) occurred in the Public School setting.

There are inconsistencies with the national student survey column, as not all values sum to the total number of respondents in the survey. For instance, one item asks the student to identify if their school is public or private (Yes or No), and a separate question asks them to identify what type of school they attend (Public, Private school, no religious affiliation data reported; Private, Roman Catholic school; Private, other religious school; Private, nonsectarian school). While these two questions ask essentially the same thing, responses varied. This pattern was observed on other survey items as well, raising the question of how much reliability there is in student responses. Another observation made in the NCES national survey data was that 218 students participated in the survey who identified themselves as “College/GED/Post-graduate/Other non-eligible”. It is assumed these individuals may have been reporting based on their most recent year as a student in secondary school. Nonetheless, this group of individuals is not represented in annual DASA reports by schools in New York State.

Regarding grade level organizations, most schools across New York State are identified as Elementary schools. This could also be the case for all 50 states in the U.S., however, for the

purpose of national student surveys, most responses came from students who identified themselves as attending Middle or High School. Specifically, when looking at a survey question asking “What grade are you in?” the response options ranged from “fifth grade and under” ( $N=60$ ) through “College/GED/Postgrad/Other/non-eligible” ( $N=218$ ). It makes sense for these population ages to be included in the national survey sample, since not only is there a higher likelihood that students grades 5 through post-secondary are more capable of answering the survey questions, but secondary school students tend to be the identified as the cohort where bullying and harassment is most prominent. That being said, there is consensus between national student survey and DASA reporting suggesting that the grade level focus is on secondary grade levels.

When looking at DASA’s Level of Need/Resource category and comparing it to the NCES national survey’s “school locale code”, some differences were noted in the how both groups identified themselves. Most New York (Rest of State only) schools identified themselves as Average Needs, followed by Low Needs and Rural High Needs, while student respondents in the NCES national survey identified themselves as attending schools in Urban/Suburban areas, followed by City locales. Interestingly, for New York’s ROS reports, most schools identified themselves as Average Need, but most *reported incidents* were made by Large City schools; on the other hand, NCES national survey data indicated that most students identified themselves as Urban/Suburban and indeed, the highest number of reports of harassment and discrimination were made by students in this school locale, followed by reports made from students in City locales.

To examine the type, or category, of harassment and discrimination incidents reported by both Rest of State and New York City schools, in addition to the NCES national survey

completed by grade school students, frequencies of reports were listed by category in Table 19. Note that not *all* schools or students represented in their respective samples reported actual incidents in their responses. Many indicated that *zero* incidents occurred in school or were experienced by student. Percentages of the total number of incidents of harassment and discrimination were calculated so the reader can see how the numbers of incidents per discrimination category compares to others within that group, and across groups.

Table 19. *Number and percentage of categorized reports of harassment and discrimination by New York schools and national student reports in 2014-2015*

Category	Rest of State (N=2905)	New York City (N=1787)	National (NCES) (N=4768)
Race	570 (12.8%)	158 (10.0%)	65 (30.0%)
Ethnic Group	235 (5.3%)	8 (0.5%)	39 (18.0%)*
National Origin	103 (2.3%)	119 (7.5%)	n/a
Color	205 (4.6%)	7 (0.4%)	n/a
Religion	122 (2.7%)	45 (2.9%)	23 (10.6%)
Religious Practice	42 (0.9%)	3 (0.2%)	n/a
Disability	285 (6.4%)	65 (4.1%)	27 (12.5%)
Gender	231 (5.2%)	206 (13.0%)	31 (14.4%)
Sexual Orientation	517 (11.6%)	159 (10.1%)	31 (14.4%)
Sex	486 (10.9%)	12 (0.8%)	n/a
Weight	429 (9.6%)	116 (7.4%)	n/a
Other	1237 (27.7%)	681 (43.1%)	n/a
Total	4462 (%)	1579 (%)	216 (%)

*Note.* N=number of schools for ROS and NYC, and number of students for National Data; National data does not include specified data for category items marked “n/a”.

\*National data did not separate Ethnic Group from National Origin, but instead combined it into one category; for the purpose of current analyses, it will be represented by Ethnic Group.

As shown in Table 19, reports of harassment and discrimination are listed by category. Regarding DASA reports made by schools in 2014-2015, the majority of reports made by schools in the Rest of State were classified as “Other” in nature (N=1237; 27.7%), followed by Race (N=570; 12.8%), Sexual Orientation (N=517; 11.6%), and Sex (N=486; 10.9%). Majority

of reports made by New York City schools were also classified as “Other” in nature ( $N=681$ ; 43.1%), followed by Gender ( $N=206$ ; 13.0%), Sexual Orientation ( $N=159$ ; 10.1%) and Race ( $N=158$ ; 10.0%). When examining the national bullying reports, majority of reports made by students were based on Race ( $N=65$ ; 30.0%), followed by Ethnic Group/National Origin ( $N=39$ ; 18.0%), Disability ( $N=27$ ; 12.5%), Gender ( $N=31$ ; 14.4%) and Sexual Orientation ( $N=31$ ; 14.4%). Race seems to be a prevalent category for discrimination across all 3 groups, as well as Sexual Orientation, although there is cause for concern regarding the fact that reports are being made by both schools and students across *all* categories of discrimination.

## **Chapter Four: Discussion**

The purpose of this research study was to address the question of how effective New York State's transparency and monitoring system is in accurately reporting incidents of bullying and harassment, how New York bullying reports compare to the national statistics on bullying, and what value this reporting system holds- not only for schools but also for state policy makers who have established and enforced this anti-bullying mandate for schools. Data from schools in New York State as well as national student survey data measuring victimization were explored and analyzed for possible trends and answers.

### **Reporting Observations by School and by State**

Upon initial examination of the 5 years of DASA data files published by NYSED, it was quickly determined that the datasets were not identical in terms of nominal identification (i.e., county, district, school name, grade level organization, and/or level of need/resource). Variability was observed, such that some schools fluctuated between grade level categories across the 5 years (e.g. identified themselves as Junior High in Years 1, 2, and 3 then identified themselves as Junior-Senior High in Years 4 and 5). Likewise, schools who may have identified their level of need/resource in a given year (e.g., average needs), may have changed their identifier in another year (e.g., low needs). The reasons behind these changes in identification categories are unknown and may be as simple as a clerical error in reporting, or possibly a district reorganization, or consolidation within that particular school/district within the 5 years of data. Nonetheless, these inconsistencies altered the findings across years when examining DASA reports by grade level organization and levels of need/resources for schools, and raised the question of how valid some, or all, information submitted by the schools to NYSED truly is.

Similarly, a number of schools changed their school names, and, particularly for schools in New York City, reported under different counties or school districts across the 5 years (e.g., one school identifies itself as a constituent of Kings County in Year 1, yet changes its belonging to Brooklyn County in Year 4). Again, the reasons for these changes in identification categories are unknown, and there could be a variety of reasons for this. Nonetheless, the datasets needed to be sifted through in order to ensure that the final version of DASA datasets used for analysis were as uniform and comparable to one another as possible, with the exception of the actual incident values reported by the schools.

When scanning the 5 years of DASA datasets, it became apparent that not all schools were accounted for in all 5 years of data. The question was raised of why schools were “missing” in the data files, if the expectation was that all schools were to report their DASA incidents to the state each year. Once again, the reasons for schools not being represented in all datasets is unknown, and it could be for a variety of reasons (i.e., schools closed, consolidated, did not [know how to] report, did not care, reported but it was not accepted, technological error when reporting, or missed a possible reporting deadline). Interestingly, it appears that the number of schools regarded as “missing” in the Rest of State datasets increased with each subsequent year, whereas the number of schools considered “missing” in the New York City datasets decreased with each subsequent year. The question remains why these schools were not represented in the State’s final datasets, and what this means for those particular schools who did not report to the state.

**Reports made by school type, grade level organization, and levels of need/resources.** Schools were divided into two Types (Charter School or Public). There were significantly fewer Charter Schools ( $N=56$ ) than Public Schools ( $N=2940$ ) in the Rest of State; however, there were

no significant differences in the numbers of schools who reported incidents of harassment and discrimination for both regions; that is, the numbers of schools making reports were relatively comparable when comparing Charter Schools to Public Schools. However, this is not the case for schools in New York City. While there were fewer numbers of Charter Schools ( $N=228$ ) than Public Schools ( $N=1699$ ) in New York City, significantly more reports were made by Charter Schools than Public Schools in NYC. This trend only continued for the first 2 years of DASA reporting; Year 3 DASA reports indicated significantly more Public Schools in NYC reported incidents compared to Charter Schools, but declined again in Years 4 and 5. Reasons for these results is unknown.

Regarding Grade Level Organization, both Rest of State and New York City schools had significantly more Elementary (ROS=1724; NYC=959) schools compared to schools in the other grade level categories. However, a common trend found in both regions was that incidents of harassment and discrimination occurred most frequently by schools at the secondary level (e.g., Junior High, Junior-Senior High, Middle School, and Senior High). This should be no surprise, however, since the bullying and harassment literature maintains that bullying and harassment primarily occur in secondary level schools, compared to primary level schools.

Analyses were also completed to examine the Levels of Need/Resource by school. As previously mentioned, only schools in the Rest of State provided this information. While most schools identified themselves as Average in need ( $N=1419$ ), the majority of the reports of incidents of harassment and discrimination were made by schools in Large Cities ( $N=189$ ), which is comprised of only 6.3% of the 2996 schools represented in the ROS region. One could presume why schools in large cities are reporting more frequently on bullying and harassment, perhaps some reasons including: less supervision by staff, fewer security and computer

monitoring systems, or more gang and criminal activity. On the other hand, these higher reportings could also be due to schools in large cities being vigilant about acknowledging that they need to ensure safety of their staff and students, and have implemented measures as a way to provide access for staff, students, and parents to make reports of incidents of bullying and harassment. When looking at it from the latter possibility, we really cannot draw our own conclusions without interviewing the individual schools themselves to get their input on their school's climate, safety and prevention models and protocol.

**DASA Reports across the Years.** The first research question examined whether there was a quantitative difference in the average number of incidents reported to NYSED across the 5 years since the implementation of DASA (2012-2017). Prior to specifically analyzing reports of incidents of harassment and discrimination made across the 5 years that DASA has been in place, it was assumed that there would not be a significant difference in the average number of reports made across years. Part of this reason is due to the fact that the Letter to Colleague (August, 2016) indicated that schools had been inaccurately reporting to the state during the first 4 years of reporting, therefore a trend in misreporting must have occurred for the Letter to Colleague to finally have been written.

Interestingly, a significant difference *was* found in the average total number of reports made, across the 5 years of DASA data, for schools in both Rest of State and New York City, although the patterns are contradictory for both regions. Differences primarily existed when comparing reports made in Years 1 and 2 to subsequent years. For ROS schools, *more* reports were made during Years 1 and 2 of DASA, compared to later years; however, for NYC schools, *less* reports were made during Years 1 and 2 of DASA, with an abrupt increase of incidents reports in Year 3 compared than in all other years. There is a certain curiosity as to why ROS



schools reported more incidents early on while NYC schools reported fewer incidents. There seems to be no obvious explanation to this question at this time.

The second research question explored whether there was a quantitative difference in reported incidents when comparing data from Year 4 (2015-2016) to Year 5 (2016-2017). Neither Rest of State nor New York City schools demonstrated a significant difference in reporting between Years 4 and 5 (when the Letter to Colleague [August, 2016] was released). Therefore, it can be assumed that the Letter to Colleague (August, 2016) had minimal, if any impact on schools in New York State and their response to improve accuracy in their reportings for Year 5 (2016-2017). When looking closely at the number of schools reporting *zero* incidents, this number remained stable, with a slight decrease for both Rest of State (Year 4=1261; Year 5=1222) and New York City (Year 4=896; Year 5=831), although this was not found to be a significant decrease. It makes sense that a decrease in *zero* incidents would lead to an increase in *one* incidents reported (per NYC data), however this correlation did not occur for ROS schools, who reported not only an increase in *zero* incidents reported but also an increase in *one* incidents reported, over time.

**Reports of incidents by discriminatory category.** One of the concerns reported in the Letter to Colleague (August, 2016) included the over-reporting of incidents in the “Other” category, that assumedly could not be better accounted for in one of the other 11 discrimination categories. This assumption was examined and revealed that the total number of schools reporting incidents in the “Other” category decreased over time for schools in the Rest of State (Year 1= 1391; Year 2=1354; Year 3=1237; Year 4= 1236; Year 5=1217), while it *increased* over time for schools in New York City (Year 1=30; Year 2= 46; Year 3=681; Year 4=721; Year 5=788). It is quite a concern and question why such a significant increase in the number of

schools reporting incidents in the “Other” category over time for NYC schools, but there is no clear answer to this without further investigation. Moreover, the number of incidents categorized as “Other” in nature continued to increase from Year 4 to Year 5 for NYC, suggesting again, that the concerns expressed in the Letter to Colleague (August, 2016), may not have impacted reporting behavior of schools in New York City. Then again, NYC schools also demonstrated a decrease in the number of *zero* incidents reported over time (another item of concern expressed in the Letter to Colleague). Perhaps NYC schools were more diligent in reporting accurate numbers, but will need to continue focusing on investigations and accurately categorizing by type of discrimination, while the opposite effect occurred for ROS schools; they demonstrated an increase in *zero* incidents reported but a decrease in incidents categorized as “Other” in nature. It will be interesting to see the trends for both regions in Year 6 (2017-2018) DASA reports.

### **National reports compared to New York State**

The third research question examined how New York State’s DASA reports compare with national statistics on bullying. Unfortunately, direct comparison was not able to be made because the data provided by the National Center for Educational Statistics (NCES, 2016), was comprised of individual *student* reports of bullying, not individual *school* reports, as is the case with the DASA data. Nonetheless, there was still much value in this discovery, in that we not only get the perspective of school’s reports of bullying and harassment but also the student perspective. Caution should still be taken, that we are looking at two different bullying assessment tools, and information yielded by DASA and NCES cannot necessarily be correlated or compared, but taken for what they’re worth. The same occurs when examining school reports to student reports on the same topic.

The national bullying data from 2014-2015 indicated that more students in Public Schools reported incidents of harassment and discrimination; not to say that bullying occurs less in Private Schools, but of the students who completed the survey, experiences were reported more frequently for students in Public Schools. This is similar to schools in DASA's Rest of State, who indicated more reports made by Public Schools compared to Charter Schools (but not for New York City schools). In addition, students who completed the NCES survey reported incidents occurred more frequently at the Middle and High School levels, compared to Primary or other grade level organizations; this is also similar to the DASA reports, as well as other professional reports and literature. Finally, according to the NCES report, more students in Suburban locations reported harassment; this is different from reports made by New York State schools, which indicated that harassment and discrimination occurred more frequently in Large City schools.

When considering the DASA reports made by schools in New York City, and the commentary elicited by the Commissioner in the Letter to Colleague (August, 2016), one would expect that the numbers of reports of bullying and harassment made by schools in New York City to be comparable to the national average (approximately 18-20% of students). This was an accurate assumption, although again must be interpreted with caution due to the different assessment measures by New York and the national student surveys. When looking at the reports of harassment and discrimination by category and location in 2014-2015 (Table 8), student reports indicated a higher percentage of discrimination by category compared to schools in New York (both Rest of State and New York City). While these numbers may seem relative due to the differences in sample sizes and reporting reliability by both schools and students, the differences between reports made by New York and the national student surveys pose the question of

whether students were more forthcoming when completing a survey and indicating a personal experience, compared to school personnel who filled out documentation at the end of a school year based on record-keeping that accrued throughout the school year. Likewise, student reports are made by individual students, whereas the school reports made by New York State did not indicate whether the number of incidents that occurred in a given year were in regards to 1) one student who experienced multiple personal incidents, 2) multiple students who experienced one incident, or 3) a combination of both. Therefore, one cannot assume based on this research question and the datasets used in this study that any true correlation or comparison exists between the two assessment types and reportings, and that the DASA reporting system is not able to truly illuminate how the bullying experiences of students within New York State compare to the national average.

### **Effectiveness of DASA: How are we doing?**

Given the 5 years of material incident reports submitted by New York State schools to the NYSED, are we able to quantitatively determine whether or not DASA has been effective thus far (in other words, does DASA “work”)? What value does the DASA incident reporting hold except for providing the frequency of material incidents that occur in schools each year? Researchers who have previously examined DASA for its effectiveness [Cosgrove (2015), Taormina (2014), Cosgrove and Nickerson (2017)] primarily looked at educator perceptions and report via survey and interview, but this writer is not aware of any studies examining the actual DASA material incidents data to determine if the presence of DASA and its in/effectiveness can be captured in the actual reports themselves.

While the data compiled by NYSED provides information on the frequency of material incidents that have occurred in New York State schools, this information does not suggest

whether or not the presence of DASA has been effective in reducing bullying, harassment, and discrimination in schools. This is not necessarily a question that can be answered merely by data analysis, but a question to ponder when taking into consideration the purpose of DASA and its timeline of results, monitoring, reports, and feedback from the state, educators, and other stakeholders. Unfortunately, when teasing apart the 5 years of DASA datasets, it appears that there may be more questions than answers in the actual reporting of schools before we can consider how effective the reporting system is.

### **Unanswered Questions and Suggestions**

The availability of the DASA datasets allowed us to examine and try to draw conclusions about trends in bullying and discriminatory events taking place in New York schools. It appears our questions seemed to have led to more questions instead of answers. While we can speak to numbers of incidents reported by schools and the direction of patterns in reporting over time, this doesn't really provide closure or sense of acceptance in what the data and trends are showing; it seems as if there's actually more we *don't* know, than what we *do* know. For instance, why are not all schools represented in of the 5 years of datasets? Why are schools changing their identification categories of grade level organization and level of need/resources across years? Why are more Charter schools reporting incidents of harassment and discrimination in New York City, when there are *far* more Public schools in that region? Why did ROS schools report significantly *higher* numbers of incidents in the first two years of DASA, while NYC schools reported significantly *lower* incidents during the same two years? Why are more reports coming from Large City schools, when the majority of ROS schools are of Average Needs? What is the difference between the resources of these two types of schools, and is there a relationship between these levels of need/resource and their school's climate? Why did we not see a

significant change in reporting in Year 5, the year after the Letter to Colleague was released? On that same note, why did ROS schools demonstrate a decrease in incidents categorized as “Other” in nature, but an increase of *zero* incidents; and why did NYC demonstrate the opposite? As one can see, we now have many more questions to be answered, outside the scope of this study and available information.

Here’s what we do know. Like any other state, schools in New York State have a commitment to their students and to providing the best possible education in an environment that promotes safety, growth, and success. Like any other educational standards, schools are aware that they are accountable for fulfilling requirements not only academic and curriculum-based, but also that address school climate, social-emotional needs, general health and well-being. Most educators work tirelessly and put forth their best efforts to comply with regulations and expectations of them in their professional role. They don’t work as educators or in the educational system for their own benefit, but with students as their focus, and students’ interest in mind. Therefore, it’s hard to believe that any educator, school representative, or school building/district itself would blatantly and intentionally disregard a state mandate of such a serious nature, like DASA, which is an approach to identifying and reducing bullying, harassment, and discrimination in our schools. With this mindset, perhaps schools in New York don’t need to be chastised or frowned upon for supposedly “missing the mark” in their reporting, but instead need to be heard, understood, and guided on how the process can be refined, redefined, and reorganized, to be more effective.

What we don’t know is why schools in New York State continue to have difficulty in reporting “accurately” to NYSED. Is there a disconnect between policy and practice? Is there a lack of training for school personnel in how to investigate, record, and report incidents that

occur? Is the paperwork burdensome? Do some schools have sophisticated software packages to help track and document incidents, while others are still relying on paper and pencil records kept in filing cabinets? Do investigation procedures and conversations vary by school? Do some schools use scripts during their interviews while others speak more candidly? Perhaps more information is needed on how schools are processing and tracking their numbers, and be provided with support or guidance as necessary.

We can return to earlier comments made about the three areas where New York State fell short in meeting federal guidelines for their bullying law, according to the New York State accountability audit (DeNapoli, 2017): school district policy compliance with state [DASA] requirements, adequate investigation practices, and record retention requirements. Again, these three areas are the same three key components/subcomponents New York State did not address in their state bullying law, according to the earlier report by Stuart-Cassel, Bell, and Springer (2011) to the U.S. Department of Education. One could only suspect, even on a surface level, that New York State has not yet fully mastered the components of bullying policy implementation. Perhaps (some) schools remain noncompliant with the DASA requirements, are not conducting adequate investigation practices when incidents do occur, and/or record-keeping and retention practices are inadequate or faulty. It has always been best practices to teach and reteach students who need additional instruction, practice, and feedback; perhaps school personnel in New York State need to be afforded the same opportunity to refine and build confidence in their DASA reporting skills and efficiency.

What we don't have is feedback from schools on their perception and understanding of DASA. Although this has been explored with Cosgrove (2015), Taormina (2014), Cosgrove and Nickerson (2017), it has been on an empirical level with small sample sizes, and not on a

practical level with schools reporting directly to the state. We need to hear from schools themselves, and get their feedback on very simple questions such as “what is working with the DASA reporting system?”; “What is not working?”; “What has been difficult about this reporting process?”; “What is a strength about this reporting process?”; “What can we improve?”; “What do you have questions about or need assistance with?”. These are just some sample questions that could be offered to school personnel/DASA Coordinators, as it is essential that when individuals are required to complete a task or fulfill a requirement that they have an opportunity to ask for clarification, feedback, and guidance at any time, and not be limited to summer workshops, email updates, or annual summaries. It can be expected that once schools have an opportunity to voice their concerns, compliments, and questions, NYSED can better accommodate their needs and make revisions to the DASA process.

Looking at the Rest of State and New York City analyses as well as their raw datasets, it appears that New York State schools might need additional support in submitting their annual reports. This writer is not a school DASA Coordinator and therefore not familiar with the software or data submission process, but I am curious as to where the struggles lie: in the investigation process? The record keeping practices? Or the submission of data to the state? Possibly a combination of all three? As a DASA Coordinator, how would I know if I’m on the right track with any of these components of the DASA process, or would I never receive that feedback unless my school was audited? How would I know that comments in the Letter to Colleague was referring to schools like mine? Or how could they determine that my reports were inaccurate to simply being low in number for a given year? How would I know how I’m (my school is) doing? Feedback and revision is a two-way channel between the schools and state, and should be opened if improvements are expected.



This leads to a general suggestion that NYSED solicit regular feedback from the schools and in turn provide it from the state so both groups can have an understanding not only of how they are performing and fulfilling the expectations of a state mandate, but how to make changes to improve the system itself, and make DASA better. There surely is great potential in this reporting system; after all, New York was one of the first states to implement a mandatory reporting framework for all schools to account for the bullying, harassment, and discrimination taking place in their buildings so it could be addressed. However, we cannot expect a well-oiled machine to operate smoothly when many gears are still squeaking and in need of help. For all parts to work effectively, they need to complement one another, not work against one another or in isolation; together they are better.

### **Intervention- The Missing Link?**

Examinations of national and state policy and provision, assessment systems, educator anecdotes, student surveys, and annual bullying and harassment data continually maintain that these detrimental behaviors continue in our schools, and continue to be a problem. Regardless of how accurate the number of incidents reported annually, or which harassment category an incident was (mis)identified as, the bottom line is that schools in New York State continue to identify and track behavioral incidents that have the subsequent potential to create a hostile environment and to compromise an individual's sense of safety or well-being. Unfortunately, this information is reactionary, and doesn't really help the fact that the bullying and harassment continue to occur. Perhaps the missing link is prevention or other proactive considerations.

While many of the DASA studies or reports center on the investigation, reporting, and record keeping systems, these requirements do not address preventing the behaviors in the first place. Likewise, while specific, individualized behavior plans that are created as the result of a

bully/victim interaction can potentially thwart or reduce the likelihood of a repeated harassment or discriminatory behavior, such plans are created in response to an already documented incident, nonetheless.

We now have at least five years' worth of DASA data telling us that the harassment and discrimination continue in our schools. Our focus needs to shift towards how we can prevent, reduce, or influence behaviors from occurring in the first place. School-wide intervention systems such as Positive Behavior Intervention System (PBIS), which is a model of behavioral supports for schools which encourage positive and good behavior, while seeking to reduce or eliminate poor behavior. Such behavior systems promote healthy decision-making and citizenship, while celebrating growth and success in student's social-emotional development—something that is still developing during primary school years. School-wide behavior systems also promote measurable behaviors such as: being ready, safety, respectful, and responsible in their school environment, while also serving as good examples or role models for peers who need assistance developing such skills. The ultimate goal of building-wide behavioral support systems is that behaviors are likely to change in response to modeling, coaching, prompting, and being praised and reinforced (Colvin, Tobin, Beard, Hagan, & Sprague, 1998).

Research has also identified social-emotional skill building or development as beneficial in schools. This often is implemented through developmentally appropriate grade-level lessons which focus on character building, social skills, sportsmanship, as well as identifying and recognizing similarities and differences among individuals and groups in the school and community setting. Targeted skills may include, but are not exclusive to: learning about one another, building positive classroom environments, identifying and regulating emotions, winning and losing, opinions, discrimination, stereotypes, conflict de-escalation, cooperation, and

bullying. Typically, such lessons are presented in a whole-group format, to provide exposure to all students (Tier 1), and providing additional support and lessons to students who could benefit from additional practice and information (Tier 2). Likewise, students who need a higher level of conceptualization, explicit teaching, and feedback may require specific intervention plans or reinforcement systems (Tier 3), with progress monitoring over time. Such prosocial/anti-bullying curricula is a proactive approach to teach students to respect each other, show consideration, and honor individual student rights (Colvin, et al., 1998).

School-wide behavior systems and social-emotional learning models are not novel, but rather, have been research-based and a major component of school's social and behavioral learning and development. In a review of school-based interventions, Colvin et al. (1998) noted that school-based programs to prevent bullying and harassment generally focus on efforts to improve safety by establishing and enforcing rules against bullying behaviors. In addition, schools may provide instruction in interpersonal skills, such as assertiveness, conflict resolution, anger management, and social problem solving. Character education has also been recommended as a component of school-based anti-bullying programs.

Likewise, Sherer and Nickerson (2010), surveyed over 200 school personnel in NYS and found that 83% of respondents considered school-wide behavior support systems as the most effective anti-bullying strategy. In addition, Glover, Gough, Johnson, and Cartwright (2000) interviewed students almost two decades ago, and indicated that schools were developing and implementing anti-bullying policies which included: crisis intervention following actually [bullying] events, action with bullies and victims by staff and peers over a longer period, the use of sanctions and rewards, attitudinal changes through assemblies, personal and social education,

and tutorial work, as well as shared value systems, such as contracts and positive school ethos.

Glover et al. (2010) commented that,

“Half of those [students] interviewed spoke of the importance of teacher talking and watching, and that this was particularly necessary in fostering social group activities.

Interviewees noted the need for frequent reminders of policy and 18% also commended good and continuing personal and social education programs.”

Glover et al. (2010) concluded that the important factor emerging from their student responses is that students believe there is a better way of regulating social behavior.

**Community connection.** Prevention and intervention within the walls of the school community will only go so far in reducing bullying and harassment behavior among our students. Communities are comprised of neighborhoods, churches, programs, recreational centers, libraries, community centers, and athletic programs (Espelage & Swearer, 2003). Schools can partner with these organizations in order to reduce bullying, especially if the staff of these community partners are more influential and relatable to students than school staff. More importantly, *families* are considered to have the most impact and influence over their children’s growth, development, and success as they journey from birth to adulthood. Parents, especially, play a critical role in shaping their child’s values, opinions, morals, and ideals- prosocial or not.

A concluding comment made by Glover et al. (2000) cautioned that an issue that remains to be tackled includes our communities. Schools do not exist in isolation, but are immersed in the communities in which they are located. As a result, the community and familial systems have great impact on its children and what they bring *into* school. Patterns of behavior may be in conflict with the values of the school, but are condoned in the eyes of the community (e.g., violence, gangs, racial status, socio-economic status). Schools can develop and implement

policies and codes of conduct and behavioral support systems, but until our communities and schools align on the same goals, values, and ideals, there is little hope of unifying changed attitudes by either party. Most bullying prevention programs are designed primarily to make the school a safer place, but perhaps we need safer communities (Colvin et al., 1998).

### **Limitations**

Limitations to this study include the uncertainty of the validity of schools' reports of incidents of bullying and harassment submitted to NYSED each year. The question remains of how accurate schools are in reporting incidents annually, especially knowing that the number of schools who reported *zero* reports actually *increased* across the five years of DASA, despite guidance and strong caution elicited from the state. The reality is, that bullying, harassment, and discrimination is taking place within the school environment and affecting our student's academic functioning and overall well-being. So many schools across New York State consistently report that no such incidents are taking place within an academic year which seems quite unrealistic and continues to raise the question of why do these reporting trends continue.

Another (relative) limitation included not being able to conduct statistical analyses when comparing the New York DASA data to the national bullying data (NCES, 2016). While there is still value in examining the reports made by New York schools and national student-survey results, only surface level comparisons were able to be made. Likewise, the national data did not provide a comprehensive look at the different types of discrimination categories (survey questions only asked about incidents related to Race, Ethnic Group, Religion, Disability, Gender, and Sexual Orientation), whereas the DASA reporting included the six aforementioned categories in addition to National Origin, Color, Religious Practice, Sex, Weight and Other. Likewise, the national bullying survey combined the categories of Ethnic Group and National

origin, while New York felt they are independent of each other and separated them into their own individual categories: Ethnic Group and National Origin. It would have been interesting to explore national reports of experiences of harassment that occurred across all 12 categories of discrimination, rather than the 6 categories indicated.

Finally, the DASA data files did not allow for the investigation of *who* and *what* the reported material incidents were in reference to. All that is provided in the DASA files are the number of incidents that occurred in a given year, by discrimination category, but it does not provide any information on which grade level the incidents occurred at, number of incidents per student, or whether a student experienced an incident in multiple discrimination categories. This lack of information makes it difficult to determine how the DASA data aligns with national bullying averages- which is based on number of students who report having experienced bullying or harassment. As a result, this study was not able to make comparisons or draw conclusions based on how New York State compares to national bullying data on a larger scale.

Although there are limitations and caution drawn to the interpretation of reports made in this study, there are also notable strengths for this study. While emphasis was made regarding schools who were “missing” from one or multiple years of DASA datasets, the number of “missing” schools was relatively few, indicating that the majority of schools across New York State did submit a report to NYSED annually. Likewise, while the accuracy of reporting by schools continues to be questioned, this does not necessarily mean that schools are choosing to be noncompliant, insubordinate, or ignorant of the harassment and discrimination taking place in their school environments. It may suggest that more education, knowledge, training, or supervision is necessary in order for schools to feel competent and confident in their understanding of the DASA system, the importance of accurate investigation, record keeping,

and reporting to the state, and to feel comfortable asking for additional guidance as needed when there are questions on any or all steps of the school policy, investigation, record-keeping and reporting process. While suspected errors continue to be made in reporting, this does not mean that there is disregard or lack of care by schools, but rather, that further assistance, guidance, and/or feedback is needed.

One of the primary strengths of this study is that to this writer's knowledge, no other studies investigating DASA has examined the annual reports on such a minute level. While general conclusions and trends have been observed by schools themselves as well as NYSED, there is no knowledge of a comprehensive examination or analysis being conducted on the Rest of State and New York City DASA data files, as a whole. The results from this study can benefit not only the New York State Education Department, but also policy makers, stakeholders, educators, families and students, as to how well New York is capturing the experiences of harassment and discrimination, and to pinpoint areas where our schools need to get a better grasp on the harassment and discrimination that continues to occur.

### **Implications for Practice**

This study brings to light many implications not only for schools, but also the state education department and policy makers. It highlights that while a system is in place for New York schools to report harassment and discrimination activity to the state, this system continues to be flawed, at least in the sense that schools may still be unclear as to how to accurately report to the state.

The current findings may help policy makers and educators understand how critical it is to acknowledge the potential damage that occurs and can have long-term effects on our students, and to inspire them to want to be more proactive, innovative, and vigilant to protect the health

and well-being of our students and their educational experiences. As national reports indicate, over a period of 12 months approximately 20 percent of students experience bullying on school property (Stuart-Cassel, Bell, & Springer, 2011), which essentially is 2 in 10 students who have had some kind of aversive experience that can affect their sense of safety, belonging, performance, self-worth, and general functioning- both in and out of school. We need to be more diligent in finding way to reduce or, ideally, eliminate these negative experiences for our students. This study demonstrates that harassment and discrimination continue to occur regularly in both New York schools and nation-wide, and underlines the need for stronger school-wide behavioral support systems, as well as explicit instruction and exposure to social-emotional curriculum and character education, to increase tolerance, openness, and fairness, while reducing ignorance, bias, and violence.

### **Future Research Directions**

More research is needed on the DASA reporting system. It would be worthwhile to survey schools across New York State in order to get a better understanding of schools' knowledge, interpretation and practices regarding DASA, which would allow us to see where flaws might exist in the policy compliance, investigation, record-keeping and reporting processes. While this has been examined on a smaller scale by Taormina (2014) who interviewed 15 superintendents of school districts in New York, as well as by Cosgrove (2015) and Cosgrove and Nickerson (2017) who surveyed New York public school personnel, it would be valuable to again assess school's understanding of DASA, by possibly surveying DASA Coordinators for each school/district and following up with support in areas of question and/or need of improvement. After all, DASA Coordinators are responsible for submitting their schools' annual reports to the state, so it would make sense to start with each school's source of reporting to



determine how well DASA is working, and address any possible confusion or questions that exist.

A worthwhile follow-up study could involve receiving input from New York Schools, as to what types of intervention or preventative programs are utilized, and seeing if there is any relationship between the type, quality, and intensity of program(s) used and the frequency of bullying/harassment behaviors reported. It is likely that most, if not all, schools have some sort of building-wide initiative used for managing behaviors, so there should be information available for one to explore possible correlations. A project like this could also open up exploration as to whether schools are implementing such programs with integrity and fidelity, and whether any record-keeping is being maintained on a building-level. As Sherer and Nickerson (2010) commented, “clearly bullying is a prevalent problem that can result in negative outcomes...despite its importance, little is known regarding American schools’ current status pertaining to bullying prevention/intervention efforts” (p. 217). Information regarding this and other strategies, practices, and barriers may advance our understanding in current anti-bullying practices.

Another consideration is to explore school and districts who have involvement with community engagement partners, especially stakeholders who are representative of the demographics of the students and families of the particular school. As educators, we often find a mismatch between the educational, health, financial, and occupational status of ourselves and the students we educate. It is often difficult to understand the viewpoints and world of our children and their home life, when ours is drastically different. We expect our students to conform and comply to our expectations, values, and goals as educated professionals, but in the same breath, they are desperate for us to experience a taste of their world, and understand for a moment why

behaviors such as harassment, violence, and threats are demonstrated, not as a means of defiance, but as a means of survival. Therefore, it is critical for educators to not only collaborate with policy makers and legislators at the governing level, but also with familial and community members at the neighborhood level.

## **Conclusions**

Bullying, harassment, and discrimination continue to be a widespread concern nationally. The current study explored New York State's bullying legislation, as well as its unique investigation and reporting system within the Dignity for All Students Act (DASA) bill. While schools report annually to the New York State Education Department the number of incidents of harassment and discrimination that occur within their school environments, it appears that there is still some level of noncompliance or misunderstanding in the actual investigation and reporting procedures, as revealed by the comprehensive annual DASA reports released by the state over the past 5 years.

Questions remain as to the clarity and precision that school/districts may have regarding their obligation to investigate and report incidents of harassment and discrimination to the state, and this implies that we need to next explore this with schools themselves in order to revise, reform, or streamline the reporting procedures currently in place. The goal is to more accurately report incidents that occur so that we can learn how to address and reduce the number of incidents that occur and improve the school climate and well-being of our students. In order to reach this goal, both educators and policy makers need to work better together to address inconsistencies, questions, and how to improve the DASA reporting system.

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## APPENDIX

Figure 1. Description of U.S. Department of Education- identified key legislative and policy components and school district policy subcomponents (Stuart-Cassel et al., 2011; p. xii).

Component	Content
<b>Definitions</b>	
Purpose	Purpose of laws and policies and prohibitions against bullying
Scope	Scope of laws and policies (e.g., where policies apply)
Prohibited behavior	Specific behaviors defined as bullying
Enumerated groups	Group characteristics as target of intention
<b>District policy development and review</b>	
District policy	Development and implementation of policies
District policy review	Review of school district policies
<b>District policy components</b>	
Definitions	Definitions of prohibited behavior outlined in policies
Reporting	Responsibilities for reporting bullying incidents
Investigations	Responsibilities for investigating reports
Written records	Responsibilities for keeping records of incidents
Consequences	Consequences or sanctions for bullying perpetrators
Mental health	Counseling, services for victims/perpetrators
<b>Additional components</b>	
Communications	Communication of policy to students, parents, and school personnel.
Training/ prevention	Prevention and training for school personnel and students
Transparency/monitoring	Monitoring incidents and actions/public reporting
Legal remedies	Victim rights to pursue legal remedies

Source: Adapted from U.S. Department of Education (2010a)

Figure 2. School Safety Summary Form completed by school DASA Coordinator (p. 1)

**REPORT OF INCIDENTS CONCERNING SCHOOL SAFETY AND THE EDUCATIONAL CLIMATE**  
**July 1, 2016 through June 30, 2017**

**Do NOT send this paper form to SED**

**School Name:** \_\_\_\_\_

**BEDS Code (12 digits):** \_\_\_\_\_

*This paper form must be used only for the local gathering of data. Data represented in this form are required to be submitted to SED via the online BEDS-IMF-School Safety application. Your BEDS coordinator or superintendent will have details and protocol for entering data.*

**PART 2: DIGNITY FOR ALL STUDENTS ACT (DIGNITY ACT):** Report all material incidents of discrimination and/or harassment, even if they occurred in combination with other incidents reported under the VADIR categories above. If a material incident involves more than one category of discrimination and/or harassment, include all counts in all categories that apply. Category definitions are summarized in this document and detailed in the Dignity for All Students Act Glossary and Actonomy Guide. For additional information on the Dignity for All Students Act (including glossary of terms, instructions and Q&A documents), please consult the resource documents located at [http://www.p12.nysed.gov/vrs/school\\_safety/data\\_collection.html](http://www.p12.nysed.gov/vrs/school_safety/data_collection.html).

**1. Material Incidents of Discrimination and/or Harassment:**

Incident Types	Nature of Material Incidents of Discrimination and/or Harassment (Duplicated counts. Incidents must be counted more than once if they involve more than one category)											Total Count (Auto-sum):	
	Race (a)	Ethnic Group (b)	National Origin (c)	Color (d)	Religion (e)	Religious Practice (f)	Disability (g)	Gender (h)	Sexual Orientation (i)	Sex (j)	Weight (k)		Other (l)
<b>1. Count of Incidents by Location <sup>1</sup></b>													
1a Incidents occurring on school property													
1b Incidents occurring at school-sponsored function off school grounds													
<b>2. Count of Incidents by Type of Discrimination/Harassment <sup>1</sup></b>													
2a Incidents involving intimidation or abuse but no verbal threat or physical contact													
2b Incidents involving verbal threat but no physical contact													
2c Incidents involving physical contact but no verbal threat													
2d Incidents involving both verbal threat and physical contact													
<b>3. Count of Incidents by Offender Type <sup>1</sup></b>													
3a Incidents involving only student offenders													
3b Incidents involving only employee offenders													
3c Incidents involving both student and employee offenders													
<b>Total Count (Auto-sum):</b>													

**NOTES:** <sup>1</sup> For each column:  
 - The sum of incident counts by location (1a + 1b) must equal the sum of incident counts by type of discrimination/harassment (2a + 2b + 2c + 2d).  
 - The sum of incident counts by location (1a + 1b) must equal the sum of incident counts by offender type (3a + 3b + 3c).  
 \* When using the online form, total count values are automatically calculated and will not accept user input.

Figure 3. School Safety Summary Form completed by school DASA Coordinator (p. 2)

**2. Material Incidents of Cyberbullying:**

Incident Types	Nature of Material Incidents of Cyberbullying (Duplicated counts. Incidents must be counted more than once if they involve more than one category)												
	Race (a)	Ethnic Group (b)	National Origin (c)	Color (d)	Religion (e)	Religious Practice (f)	Disability (g)	Gender (h)	Sexual Orientation (i)	Sex (j)	Weight (k)	Other (l)	Total Count (Auto-sum) (m)
<b>1. Count of Incidents by Type of Cyberbullying<sup>1</sup></b>													
<b>1a</b> Incidents involving intimidation or abuse but no threat(s)													
<b>1b</b> Incidents involving threat(s)													
<b>2. Count of Incidents by Offender Type<sup>1</sup></b>													
<b>2a</b> Incidents involving only student offenders													
<b>2b</b> Incidents involving only employee offenders													
<b>2c</b> Incidents involving both student and employee offenders													
<b>Total Count (Auto-sum):</b>													

**NOTES:** <sup>1</sup> For each column:  
 - The sum of incident counts by type (1a + 1b) must equal the sum of incident counts by offender type (2a + 2b + 2c)  
 - When using the online form, total count values are automatically calculated and will not accept user input

**3. Superintendent/Charter School Leader Information (Dignity Act)**

Superintendent/Charter School Leader Name: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Area Code \_\_\_\_\_ Number \_\_\_\_\_ Fax: \_\_\_\_\_ Area Code \_\_\_\_\_ Number \_\_\_\_\_

Date: \_\_\_\_\_