

## Recent Changes to the School Anti-Bullying Law

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### Issue

Provide a summary of the state's school anti-bullying law and highlight the most recent changes to it.

### Summary

State law requires public schools and school districts to take a number of steps regarding (1) bullying among students in schools and (2) the overall social climate of schools, which can contribute to an atmosphere where bullying is more likely to occur ([CGS § 10-222d](#)). The required steps include developing and implementing a safe school climate plan to address the existence of bullying and teen dating violence and requiring staff to report on and investigate bullying incidents.

In 2019, the legislature made numerous changes to the school bullying and safe school climate law. Among these changes, it (1) modified the definition of bullying by eliminating the requirement that the action occur between students, (2) required boards of education to provide on the State Department of Education's (SDE) website certain bullying prevention and intervention training materials for school administrators, and (3) established a 33-member social and emotional learning and school climate advisory collaborative (SEL collaborative) to develop a student suicide risk assessment and biennial state-wide climate survey ([PA 19-166](#)). In the 2021 session, the legislature passed a new law that (1) requires the SEL collaborative to convene a working group to study the state school bullying statutes and make legislative recommendations and (2) modifies the membership of the safe schools climate committee that each school must have ([PA 21-95](#)). (There were no changes in the pandemic-shortened 2020 session.)

# Anti-Bullying Law Overview

## *Safe School Climate Plans*

The law requires school districts to develop and implement safe school climate plans to address bullying. The plans must, among other things:

1. enable students to report acts of bullying, including making anonymous reports;
2. establish deadlines for reporting, investigating, completing, and notifying parents and guardians about bullying incidents;
3. include the development of case-by-case interventions for addressing repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual;
4. prohibit retaliation against those who report bullying;
5. include a prevention and intervention strategy for school employees to deal with bullying and teen dating violence; and
6. require school officials to notify police when they believe bullying conduct constitutes a crime ([CGS § 10-222d](#)).

## *SDE Review of Local Plans*

The law requires each school district to submit its safe school climate plan to SDE for approval. SDE has 30 days review the plan for compliance with the law and either approve or reject it.

If approved, the school district must make the plan available on its website and the website of each school in the district and include the plan in all student handbooks.

If SDE rejects a plan, the department must provide notice and the reasons for the rejection to the local school district. The district must redevelop and resubmit the plan to the department. Once more, SDE has 30 days to approve or reject. If the department rejects a resubmitted plan, SDE must provide notice of the rejection to the district and, no later than 30 days after receiving notice of the rejection, the district's board of education must adopt an SDE-recommended model safe school climate plan.

The law requires SDE to make available on its webpage a list of the school districts (1) that have an approved plan and the plans themselves and (2) whose plans have been rejected and that are resubmitting plans for approval ([CGS §§ 10-222d\(c\) & - 222p](#)).

## ***Staff Specific Requirements***

Further, the law (1) requires every school district to have a safe school climate coordinator and every school to have a safe school climate specialist (who is the school principal unless the principal designates another employee as the specialist), (2) makes the school principal responsible for investigating or designating someone (i.e., the specialist) to investigate and address bullying whether in-school or out-of-school if it affects the school or students in the school or school district, and (3) requires all school employees, not just teachers and administrators, to report bullying incidents they see or that are reported to them to the principal or his or her designee. The law also requires certified and noncertified employees working in public schools to receive annual training in how to identify, intervene, and prevent bullying and suicide among students ([CGS §§ 10-222d, -222k, & 222j](#)).

## ***Safe School Climate Committees***

In addition to a safe school climate specialist, all schools must have a safe school climate committee that the principal either establishes or designates an existing committee for this role. The committee must, among other things:

1. receive copies of completed bullying investigations;
2. identify and address patterns of student bullying;
3. review and make recommendations to the district safe school climate coordinator regarding the district's safe school climate plan based on issues and experiences from the school;
4. implement the school security and safety plan regarding information relating to instances of disturbing or threatening behavior that may not meet the definition of bullying; and
5. educate students, school employees, and parents and guardians on issues relating to bullying.

Each committee must include at least one parent or guardian of a student. Parents and guardians are not permitted to take part in certain committee activities, such as reviewing copies of completed investigations, that may compromise the confidentiality of a student (see below for committee membership changes made in 2021) ([CGS § 10-222k](#)).

## ***School Climate Assessments***

The law also requires schools to conduct school climate assessments, which include surveys to gauge the perspectives and opinions of students. The surveys must allow students to complete them anonymously.

SDE must disseminate the survey instruments and once they are completed, districts send them back to SDE. SDE then must (1) use the information collected from the surveys as part of an annual analysis that also includes the number of verified acts of bullying in the state, an analysis of the school districts' responses to the bullying, and any other recommendations and (2) submit the analysis to legislative leaders and the Education and Children committees ([CGS §§ 10-222h & -222k](#)).

## **2019 Changes – PA 19-166**

### ***Bullying Definition and New Terms***

[PA 19-166](#) modified the definition of “bullying” to mean an act that is direct or indirect and severe, persistent, or pervasive and (1) causes a student emotional or physical harm, (2) places a student in reasonable fear of such harm, or (3) infringes on a student’s rights or opportunities at school. Under this definition, the bullying act does not have to occur between two students, which under the prior law it did.

Unchanged by the 2019 act, bullying includes written, oral, or electronic communication or a physical act or gesture made on the basis of having, or associating with individuals who have, certain actual or perceived characteristics (e.g., race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental, or sensory disability).

Also unchanged by the 2019 law, cyberbullying means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications ([CGS § 10-222d\(a\)\(2\)](#)).

The law also specifies that bullying is prohibited whether it is (1) on school grounds, at a school-sponsored or school-related activity, function, or program whether on or off school grounds, or (2) outside of the school setting if the bullying creates a hostile environment at school for the student against whom the bullying was directed or it meets similar criteria ([CGS § 10-222d\(b\)\(16\)](#)).

Also [PA 19-166](#) changed “school climate” to mean the quality and character of school life based on patterns of students’, parents’, and school employees’ experiences of school life, including norms, goals, values, interpersonal relationships, teaching and learning practices, and organizational structures.

The act added the definition of “positive school climate” as a school climate in which:

1. norms, values, expectations, and beliefs are promoted that support feeling socially, emotionally, and physically safe;
2. students, their parents and guardians, and school employees feel engaged and respected and work together to develop and contribute to a shared school vision;
3. educators model and nurture attitudes that emphasize the benefits and satisfaction gained from learning; and
4. each person feels comfortable contributing to the school's operation and care of its physical environment ([CGS §§ 10-222d\(a\)\(10\)](#)).

[PA 19-166](#) added “social and emotional learning” to the bullying law. This term means the process through which people achieve emotional intelligence through self-awareness, self-management, social awareness, relationship skills, and responsible decision-making.

Also, “emotional intelligence” means a person’s ability to:

1. perceive, recognize, understand, and manage his or her emotions and those of others;
2. use emotions to facilitate cognitive activities, including reasoning, problem solving, and interpersonal communication; and
3. understand and identify emotions ([CGS §§ 10-222d\(a\)\(12\)](#)).

### ***Safe School Climate Plans***

[PA 19-166](#) specified that when school districts provide notice that an investigation is completed to the parents or guardian of the (1) student who committed the bullying and (2) student against whom the bullying was directed, the notification must include the results of the investigation. It additionally required the notice, which must be verbal and by email if the parents’ or guardians’ email addresses are known, to inform them that they may refer to the plain language explanation of their legal rights and remedies that is published on the school district’s website as required by the same act (see below) ([CGS §§ 10-222d\(c\)](#)).

### ***School Administrator Training***

[PA 19-166](#) required boards of education to develop training materials for school administrators in consultation with SDE and the SEL collaborative. The materials, which must be posted on SDE’s website, provide information on preventing and intervening in discrimination against, and targeted harassment of, students based on their (1) actual or perceived differentiating characteristics (e.g., race, color, or physical disability) or (2) association with individuals or groups who have one or more such characteristics ([CGS § 10-222s](#)).

## ***SEL Collaborative***

[PA 19-166](#) also established the social and emotional learning and school climate advisory collaborative (SEL collaborative) and gave this new body numerous tasks including:

1. collecting information, including best practices, on school climate improvement efforts of local and regional boards of education;
2. developing a biennial state-wide confidential climate survey for parents and school employees and providing the survey to SDE by July 1, 2021;
3. developing a student suicide risk assessment by July 1, 2020;
4. (a) crafting a plain-language explanation to distribute to parents and guardians that describes their right to file a written complaint with the State Board of Education alleging the school district's failure to implement the state's educational interests and the related remedies and (b) providing the explanation of these rights and remedies to each school district by January 1, 2021; and
5. crafting a model positive school climate policy by January 1, 2020,

The 33-member SEL collaborative includes numerous stakeholder including the co-chairs and ranking members of the Education and Children's committees, the education commissioner, the child advocate, and the Commission on Women, Children and Seniors executive director, or their respective designees. The collaborative must report annually to the Education and Children's committees in its various duties [CGS §§ 10-222q, -222r](#), and [PA 19-166](#), § 2).

## **2021 Changes – PA 21-95**

### ***Working Group to Study Bullying Law***

This new law requires the SEL collaborative to convene a working group to (1) study the state school bullying statutes and make legislative recommendations and (2) provide technical assistance and support to local and regional boards of education in adopting and implementing the Connecticut Model School Climate Policy ([PA 21-95](#)).

### ***Changes to Safe School Climate Committee Membership***

The law also made changes to the required membership of the safe school climate committees. Beginning with the 2021-2022 school year, [PA 21-95](#) required each committee to include (1) at least one teacher, appointed by the teachers' union; (2) medical and mental health staff assigned to the school; and (3) in the case of a committee at a high school, at least one student from the high school who is selected by the school's students in a manner the school principal determines.

The act specifies that student committee members cannot participate in any activity that may compromise a student's confidentiality, including the committee's duty to receive copies of completed bullying investigation reports. Student members can participate in other committee duties such as reviewing and amending school bullying policies and making recommendations for the school district's safe school climate plan ([PA 21-95](#)).

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