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Law aims to rein in bullies

Measure requires schools to enact policies banning behavior

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By the time the 2007-'08 school year ended for one seventh-grade girl at Pilgrim Park Middle School in Elm Grove, she had been pushed and punched, cursed at and teased, even beaten with spiked shoes by several peers at a track meet, according to a lawsuit filed in federal court.

On the last day of school, three classmates attacked the girl - identified as Jane Doe in court documents - near the school playground. They beat her with 3-foot-long tree limbs, threw her into a mud puddle and bruised several of her vertebrae, the lawsuit contends.

As far as school bullying goes, what is alleged to have happened to Jane Doe was extreme - enough so that criminal charges were brought against her young attackers.

Now, a new law that requires school districts to enact policies prohibiting bullying could help curb such activities before they get to the point of involving police, proponents say.

The measure won't stop all bullying in schools, said state Sen. Neal Kedzie (R-Elkhorn), the law's dogged advocate over the years. But it should give parents and students who believe they have been the victims of bullying some recourse to have their claims addressed by school officials, he said.

"What I had found over time was parents along with their children just felt lost, as though they were lost in the process, they were lost in the system," Kedzie said. "This will provide guidances - steps, procedures - so you're not guessing what should happen next, and you can hold people accountable."

One of every four Wisconsin high school students reports being bullied in the previous school year, according to results from the [Wisconsin Youth Risk Behavior Survey](#), which is given every other year to high school students. Bullying is identified as a problem in schools by one-third of girls and one-half of boys in those same surveys, said Doug White, director of student services for the state Department of Public Instruction.

Bullying can take many shapes and forms, and often school officials don't know how to recognize the symptoms or what to do about it, said Judy Kuczynski, president of [Bully Police USA](#), an organization that advocates for state anti-bullying measures.

"That's why laws are being passed in all of these states," she said. "It's because schools have not taken responsibility to know or understand what's going on."

All but seven states now have anti-bullying laws, including ones passed by Wisconsin and Massachusetts this year, according to Kuczynski's group. The anti-bullying cause got a boost earlier this year when nine students in Massachusetts were charged criminally after a 15-year-old girl committed suicide amid allegedly relentless bullying by the students.

No guarantee of relief

A bullying policy isn't guaranteed to satisfy all those who believe they have been victimized by bullying, however.

One mother of a recent Homestead High School graduate said her daughter was verbally bullied by at least two girls at the Mequon school, to the point where the teenager was hospitalized earlier this year with major depression, a condition from which she has been slow to recover. As a result of what happened at the school, the mother said her daughter, who she didn't want to be identified, is now "totally destroyed."

The Mequon-Thiensville School District has had an anti-bullying policy in place that requires investigations into any claims of aggressive behavior. But, in letters provided by the mother, district officials said they could not substantiate her allegations through interviews with school staff.

The mother is appealing the decision to the school board and has filed a complaint with the U.S. Education Department's Office for Civil Rights.

Mequon-Thiensville Superintendent Demond Means refused to discuss the girl's case, but said the district takes all bullying allegations seriously. He said this case was the first time in six years that a bullying complaint has gotten to the district level.

"We think that there's a process in place with layers that allows a thorough investigation and a thorough hearing of any allegations," Means said. "We don't dismiss any allegation of bullying that's brought to us by a parent or a student."

In the case of the Pilgrim Park student who was beaten by her classmates on school grounds, Elmbrook School District Superintendent Matt Gibson also said school officials responded to reported incidents.

"Each time that the incident was reported, the principal followed up," Gibson said of the girl's case. "Now, I think what lies in the middle of it is: Did the follow-up stop the bullying? And did the follow-up make the victim feel safe for the next time?"

The girl's family eventually moved to New Berlin when her parents learned that she would be in many of the same classes with "one of her primary harassers" in the 2008-'09 school year, according to her lawsuit.

The girl's attorney, Jeff Scott Olson, said districts' silence about such matters can discourage victims from reporting them in the first place. He also said that parents have to be dogged in reporting and pursuing their complaints, documenting in writing when they report an incident to a school official.

The Elmbrook School Board currently is considering a new policy that prohibits bullying and requires

school principals to investigate reports of bullying to determine whether bullying occurred and possible disciplinary measures. The policy also mandates reporting all bullying incidents to the parents of both victims and parents.

Although he said he had not studied Wisconsin's new law, Olson doubted whether even a strong policy would be enough to change the attitudes of a staff members who take a "light hand" toward bullying.

"These policies are only as good as the administrators and the teachers being willing to enforce them," Olson said.

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