

PREVENTING BULLYING AMONG YOUTH IN HAWAI'I THROUGH POLICY:
Analysis of different policy approaches to prevent bullying among school-aged youth

BACKGROUND

The Problem: Youth Violence

Youth violence is a major public health problem, with the United States (US) having the highest rate of serious youth violence among developed nations (Centers for Disease Control and Prevention [CDC], 2010; Thornton, Craft, Dahlberg, Lynch, & Baer, 2002; U.S. Department of Health & Human Services [DHHS], 2001; World Health Organization [WHO], 2002). In the US, homicide is among the top four leading causes of death for youth ages 1 through 24 years old (CDC, 2009). According to the CDC, 5,764 youth aged 10 to 24 were murdered in the US in 2007 as a result of interpersonal violence with other youth (CDC, 2010). In addition, more than 14 million juvenile arrests occur annually, and more than 600,000 of them are for violent crimes (Federal Bureau of Investigation, 2008).

Youth violence encompasses a variety of harmful behaviors that may cause physical harm, emotional harm, serious injury, or even death (CDC, 2010). These behaviors can begin in early childhood and continue into young adulthood. A youth can be affected by violence as a victim, perpetrator, witness, or any combination of these. The scientific literature identifies multiple risk and protective factors for youth. The major risk factors for violence are prior history of or exposure to violence, substance use, poor academic performance, poor social relationships, and poverty in the community (CDC, 2010). Recent studies have added evidence to support other associated factors. For example, Rudatsikira, Muula, and Siziya (2008) suggested that adolescents younger than age 14 are more likely than older adolescents to perpetrate violence, possibly due to underdeveloped conflict resolution skills at that age. Wegner, Garcia-Santiago, Nishimura, and Hishinuma (2010) showed that having a positive bond with teachers, family members, and neighborhood can act as a protective factor. Goebert and colleagues (2011)

examined multiple risk and protective factors for violence and suicide across multiple social ecological domains. In addition to individual factors, such as violence victimization and perpetration, other components were also examined including family (interactive and permissive parenting styles, parent's attitudes condoning violence, and family fighting behaviors) and community (community cohesion and exposure to violence).

The resulting effects of youth violence are numerous and far-reaching. Not only are there grave effects on the youth involved, but a tragic ripple effect on the family, community, and society has been demonstrated as well. Possible adverse consequences include physical harm, decreased sense of social-emotional well-being, and financial costs such as increased health care costs, decreased property values, and disruption of social services (Mercy, Butchart, Farrington, & Cerda, 2002). In the US, violent crime costs society \$47 billion annually when including elements such as total medical and work loss costs, 31% of which can be attributed to youth ages 10 to 24 (CDC, 2011a).

Bullying

Bullying is a form of youth violence, and one that can result in physical injury, social and emotional distress, and even death (CDC, 2011b). There has recently been needed attention to bullying both at the national (e.g., Shepherd, 2011) and local (e.g., Vorsino, 2011) levels. Bullying has been defined in different ways, but the commonalities among definitions of bullying include: (1) aggressive behavior, 2) a pattern over time, and 3) an imbalance of power and/or strength. According to the National Youth Violence Prevention Resource Center (NYVPRC), approximately 30% of youth in the US are involved in bullying, as either a bully, a victim, or both (NYVPRC, 2007). Bullying behavior has been associated with other forms of antisocial behavior, such as vandalism, shoplifting, skipping and dropping out of school, fighting, and substance use (HSDOH, 2010). Being victimized by bullying has also been associated with increased risk of mental health issues, including suicidality (Meltzer, Vostanis, Ford, Bebbington, & Dennis, 2011).

Just within the past several years, the exponential increase in the use of and access to technology has added much complexity to the identification and prevention of bullying (David-Ferdon & Hertz,

2007). “Cyber-bullying” is now referred to as bullying or aggression that occurs through e-mail, a chat room, instant messaging, a website, text messaging, or videos or pictures posted on websites or sent through cell phones (David-Ferdon & Hertz, 2009). Although the core concepts of bullying extend to cyber-bullying, there are several noteworthy differences that make the latter much more devastating for all parties involved. These include: (1) Anonymity – the perpetrator’s identity can be hidden behind a computer, cell phone, or other mobile device; (2) “Viral” actions – a large number of people can be perpetrators and/or observers of a given attack; (3) Victim response – the perpetrator may not realize the harm caused due to the physical separation from the victim; and (4) Adult intervention – while adults are becoming more vigilant about this issue, most are not savvy enough with technology to keep track of what youth are doing online (Hinduja & Patchin, 2010). Since popular culture and social networks are so intertwined with young people’s daily lives, it has been recommended that policies and interventions should work with modern methods and technology instead of trying to fight them (Shariff, 2004).

It must be further added that the time and space boundaries of bullying have largely been eliminated (i.e., cyber-bullying can occur anywhere and anytime technology exists, including in what used to be the sanctity of the home). According to the U.S. Department of Education, 4% of students reported having been cyber-bullied during the 2007-2008 school year, and of those students, 26% indicated it had occurred more than just once or twice during the time period (Robers, Zhang, Truman, & Snyder, 2011). Recent studies have shown that cyber-bullying can result in emotional distress, depression, anxiety, substance use, and suicidality (Beran & Li, 2007; Goebert, Else, Matsu, Chung-Do, & Chang, 2010; Ybarra, Mitchell, Wolak, & Finkelhor, 2006). However, programs and policies have struggled to come up novel means to educate and police the responsible use of technology (Goebert, Else, Matsu, Chung-Do, & Chang, 2010).

Policy Development as Part of a Comprehensive and Multi-Faceted Solution

Policy may be defined as legislative or regulatory action taken by federal, state, city, or local governments, government agencies, or non-governmental organizations such as schools or corporations. It provides an organizing structure and guidance for individual and collective behavior changes to

improve public health. The complex nature of youth violence and bullying has led major health agencies, such as the Centers for Disease Control and Prevention (CDC) and World Health Organization (WHO), to call for a comprehensive approach addressing youth violence. This approach integrates complementary programs and interventions within a social ecological context and promotes sustainable community-wide impact (Thornton, Craft, Dahlberg, Lynch, & Baer, 2002; World Health Organization [WHO], 2002). The literature also confirms the effectiveness of a comprehensive and multi-faceted approach (Goebert, et al., 2011; Hishinuma, et al., 2009; Umemoto, et al., 2009). The following components of comprehensive policy have been recommended by leading researchers in the field of youth violence prevention: (1) apply a social ecological approach; (2) utilize a positive youth development and restorative approach; (3) develop culturally based interventions; (4) build capacity for youth-serving organizations; (5) develop and strengthen collaborations; (6) institute juvenile justice reforms; and (7) encourage research that disaggregates ethnic groups and gives greater consideration to community perspectives (Umemoto & Hishinuma, 2011).

Policy changes are important aspects of a comprehensive approach to youth violence prevention, but are often overlooked components, secondary products, or missing completely (Limbos et al., 2007; U.S. DHHS, 2001). Certainly there is reason for the lack of policy interventions, as interventions that focus on the intra- and interpersonal levels tend to have more immediate and direct influence on an individual's behavior. Also, while it is easy to acknowledge the need to incorporate the societal level of the social ecological model to achieve maximum impact, it is difficult to strategically integrate these various dimensions and the linkages among them into an encompassing action agenda. However, narrow interventions that do not consider policy/systems approaches will miss valuable opportunities to have broad-reaching impact across communities (Szapocznik & Coatsworth, 1999).

Emergence of Anti-Bullying Policies

Bullying prevention policies have become widespread at the school level, although no standard policy exists. There is general agreement among both the education and policymaking communities on the importance of having an effective, school-wide, anti-bullying policy (Swearer, Limber, & Alley,

2009). Samara and Smith's study (2008) found that whole school policies can be very effective when combined with other supportive efforts, such as in-class curricula, peer mediation programs, and playground redesign to ensure all areas accessible to children are in view of an adult. Having an anti-bullying policy signals that the school, its administration, and its teachers and staff are serious and dedicated to deal with and reduce bullying (Smith, Smith, Osborn, & Samara, 2008). However, experts in policymaking have recommended that a daunting task such as school safety should not be left up to individual schools or districts, but instead should be standardized for an entire state (Srabstein, Berkman, & Pyntikova, 2008).

There has also been an increased feeling of urgency around the need for bullying prevention policies and laws at local and state legislative levels (Srabstein, Berkman, & Pyntikova, 2008). This gradually intensifying focus has been attributed to factors such as high-profile school violence events, a number of highly visible suicides among youth that were linked to bullying in media reports, and the expansion of empirical evidence describing the severe and long-term consequences of bullying behavior (Stuart-Cassel, Bell, & Springer, 2011). This increased legislative attention is evidenced by the number of states and countries that have passed anti-bullying laws over the past two decades, as well as the increase in the number of court cases filed that are seeking legal remedies for victimized students (Greene & Ross, 2005). In 1999, none of the states in the US had any laws specific to school bullying (Snyder, 2010). There are currently 47 states with bullying prevention laws, with Hawai'i's House Bill 688 being the most recently passed in July 2011 (Stuart-Cassel, Bell, & Springer, 2011). This urgency often has come not from legislators, but from school and community concern for the welfare of bullying victims and the climate of school campuses (Stuart-Cassel, Bell, & Springer, 2011).

There is also a growing trend among policymakers to hold youth accountable for their behavior, including bullying, using criminal repercussions (Shariff, 2004). Tragic incidents such as the Columbine High School shooting in Littleton, Colorado have pushed educators and legislators to respond with increased safety measures and punitive policies (Theriot, 2009). At the US federal level in November 2008, the adult whose cyber-bullying led to the 2006 suicide of a 13-year-old girl was found guilty of a

misdemeanor under the federal Computer Fraud and Abuse Act for gaining online “unauthorized access” (Cheng, 2008). Criminalization has also made its way onto school campuses. However, findings are far from conclusive on whether or not punitive school measures, such as the use of metal detectors and increasing police presence on campus, are effective (Brown, 2005). Schools have also employed the use of zero tolerance policies as means for schools to immediately banish students that do not conform to organizational norms of appropriate behavior (DiGiulio, 2001). Such swift and punitive policies have become a wall of defense against litigation, and are often driven by schools’ lack of knowledge and clarity of legal boundaries of their responsibilities to students (Shariff, 2004).

Status of Anti-Bullying Legislation

There have been several reviews of anti-bullying legislation in the US, each of which categorized and assessed policies using different criteria. In 2003, Limber and Small (2003) conducted a policy review of the 15 states that, by that year, had passed laws addressing bullying among school children. The authors commented that the major predictors of the effectiveness of an anti-bullying law are: 1) the care with which the law is written, including consistency with relevant research; and 2) how effectively the law influences school-level policies and interventions. The purpose of their study was to review the content of existing legislation, and determine the presence or absence and nature of the following components: 1) definition of bullying; 2) legislative findings about bullying (i.e., conclusions reached by the legislature that justify taking action); and 3) statutory directives such as programs, training, reporting, disciplinary procedures, protection of victims, and improvement of communication among staff and students. Limber and Smith found that the 15 states varied widely in their approaches to anti-bullying legislation, and offered recommendations to policymakers which mirrored the review criteria employed for the study. From their analysis, the authors’ recommendations for anti-bullying policy included: 1) presence of a precise and consistent definition of bullying that does not equate bullying with harassment; 2) requirement of schools or school boards to develop policies in collaboration with other stakeholders; 3) if the policy mandates schools to implement a bullying prevention program, provide information on the effectiveness of different programs, the elements of an effective program, and issues to consider when

selecting a program; 4) encouragement of appropriate training for school-related personnel; 5) consistent (not mandatory) reporting of bullying incidents, in conjunction with other preventive strategies; and 6) discourage “three strikes” or similar zero-tolerance policies.

Srabstein, Berkman, and Pyntikova (2008) conducted a review of anti-bullying legislation enacted through June 2007. This review was framed from a public health perspective, and rated policies based on the Anti-Bullying Public Health Policy Criteria Index which the authors devised based on the core functions of public health (assessment, policy development, and assurance). The Index focused on four basic questions: 1) Is bullying defined; 2) Is a link made between bullying and safety/health; 3) Is bullying prohibited; and 4) Are programs to prevent bullying mandated/funded or just encouraged. Srabstein and colleagues found that, of the 35 state laws reviewed, only 16 had enacted policies that incorporated basic public health anti-bullying principles. Of the recommendations discussed, one point emphasized was the collaboration between policymakers and public health researchers and practitioners to help promote community understanding of the impacts of bullying, provide guidelines for identification of bullying and its effects, and offer periodic assessments of bullying prevalence and correlates. In addition, a range of penalties should be listed that focus on positive behavioral discipline that help perpetrators work through aggressive tendencies and encourage peer support.

Smith, Smith, Osborn, and Samara (2008) conducted a quantitative content analysis of 142 school-based anti-bullying policies in England. The authors first emphasized that effective policies begin with a clear idea of what is considered bullying. The definition should be explicit, the procedure if it takes place should be clear (e.g. what records should be kept, who should be informed at what time, what sanctions are appropriate for different situations). Second, the policy should also contain a guide for appropriate reporting language, for both reporting the incident to parents/families and also reporting the incident formally to school administration. Third, the policy should dictate clear lines of accountability, and include provisions for periodic review/updating of the policy. Finally, the policy should incorporate strategies for prevention, such as school climate change, peer or family support, or activities that promote general wellbeing (e.g., playground activities, mentorship). Smith and colleagues also found that the

most effective policies were not very lengthy (average about 5 pages), but could be read and understood easily, regardless if it was an elementary, intermediate, or high school.

Finally, a study commissioned by the U.S. Department of Education (USDOE) was the most recent to conduct a comprehensive, large-scale policy analysis of anti-bullying legislation in the US (Stuart-Cassel, Bell, & Springer, 2011). Legislation from all 50 states were reviewed against 11 key criteria for any state anti-bullying legislation that aims to address the issue in the school setting: 1) purpose statement that outlines bullying as a problem; 2) statement of scope that the policy covers any school-related location/event; 3) specific description of prohibited behavior; 4) examples of groups that may be targeted; 5) directive/instructions for local implementation of the legislation; 6) provision for regular review of local policies; 7) directive/instructions for development of district-/school-level policies; 8) mechanism of communication with students and parents; 9) provision for districts to provide training to all school staff; 10) provision for districts to regularly monitor and report incidents; and 11) statement that the policy does not preclude victims from also pursuing other legal remedies (USDOE, 2010). These criteria were based on and expanded from the findings of the three studies discussed above. Policies were given a score for each of the 11 components – “0” if the item was missing or minimally expansive; “1” if the item existed but was moderate or limited; and “2” if the item was progressive, specific, and/or extensive. The USDOE identified these 11 recommendations based on previous reviews, including the two studies discussed above, as well as a review of existing state legislation (the component was present in at least two current state statutes). Similar to previous reviews, the USDOE’s 2011 policy analysis found significant variation among states, with only two states addressing all 11 key components. The USDOE reports are part of the Department’s efforts to provide technical assistance for those stakeholders looking to develop or revise anti-bullying legislation or policies, and to standardize language and components across states.

Bullying in the State of Hawai‘i

Bullying is a major issue in Hawai‘i, with the impact of cyber-bullying also growing rapidly. According to the 2009 Youth Risk Behavior Survey (YRBS), 51.2% of Hawai‘i high school students and

63.3% of middle school students strongly agreed or agreed that harassment and bullying by other students was a problem in their school (University of Hawai‘i Curriculum Research and Development Group [UHCRDG], 2010). Victimization from cyber-bullying has increased from 23.8% in 2007 to 31.8% in 2009 among high school students (UHCRDG, 2010). The Hawai‘i State Department of Education’s (HSDOE’s) annual School Quality Survey measures a number of dimensions, including student support, school involvement, safety, and overall satisfaction. In 2009, 69.3% of elementary school students reported they felt safe in school, compared to only 49.6% of middle school students and 45.7% of high school students (HSDOE, 2009).

One study conducted with Hawai‘i middle school students found 33% of females and 20% of males reported being a cyber-victim or perpetrator in the past year (Mark & Ratliffe, 2011). However, higher rates were found for Hawai‘i high school students. A study conducted by the Asian/Pacific Islander Youth Violence Prevention Center (APIYVPC) was among the first in Hawai‘i to directly measure cyber-bullying and its correlates (Goebert, Else, Matsu, Chung-Do, & Chang, 2010). In a study of 881 students from two high schools in Hawai‘i, more than 1 in 2 (56.1%) had been victims of cyber-bullying in the last year. Filipino and Samoan youth were more likely to report feeling badly about themselves as a result of cyber-bullying. The study also found the following results of cyber-bullying: (1) an increased likelihood of substance use, with binge drinking and marijuana use both approximately 2.5 times more likely to occur in those who were cyber-bullied, compared to those who were not; (2) an increased likelihood of depression by almost 2 times; and (3) increased suicide attempts by 3.2 times for females and 4.5 times for males.

Anti-Bullying Legislative Policy in Hawai‘i

Historically, efforts to establish anti-bullying legislation in Hawai‘i have not seen substantive outcomes. The Hawai‘i State Legislature’s “Keiki (Hawaiian word for ‘youth’) Caucus” has made bullying one of its top priorities for the past decade. The Caucus is Co-Chaired by Senator Suzanne Chun-Oakland, Chair of the Senate Committee on Human Services, and Representative John Mizuno, Chair of the House Committee on Human Services. In addition to monthly networking and data-sharing

meetings, the Caucus sponsors an annual Youth Summit where youth and adults are invited to hear from state leaders on various issues, meet in small workgroups to discuss those issues, and then vote on the Caucus's policy priorities for the coming legislative session. Every year, a bill to prevent bullying is introduced by this Caucus.

In July 2011, for the first time since introducing legislation regarding bullying prevention, House Bill (HB) 688 was passed and signed into law by Governor Neil Abercrombie. Now known as Act 214, this piece of legislation required the Hawai'i State Department of Education (HSDOE) to heighten its collective response to bullying and cyber-bullying, as well as to monitor school-level programs. The final version that was signed into law included only three statements: (State of Hawai'i, Twenty-Sixth Legislature, 2011):

- (a) The board of education shall monitor the department of education for compliance with any department of education administrative rules or statutes governing bullying, cyberbullying, and harassment.
- (b) The board of education shall establish reporting requirements for the department of education to report to the board of education on the department of education's compliance with any department of education administrative rules or statutes governing bullying, cyberbullying, and harassment.
- (c) As used in this Act, "bullying," "cyberbullying," and "harassment" shall have the same meanings as refined in any department of education administrative rules or statutes governing bullying, cyberbullying, and harassment. (p. 1)

A positive result of Act 214 was that in September 2011, the HSDOE unveiled "Peaceful Schools," a campaign to address not only bullying and cyber-bullying, but the safety and well-being of public school students as a whole. The campaign includes training for educators, heightened efforts to identify and assist youth involved in bullying, and increased prevention to stop bullying before it starts (Vorsino, 2011). Unfortunately, many other provisions that were included in the original draft of the bill, such as a more encompassing definition of bullying and requirements for reporting, were stripped from the final version.

Advocacy efforts began again during the 2012 Legislative Session. The Keiki Caucus introduced

Senate Bill (SB) 2596, and its counterpart HB 2295, which again aimed at passing a comprehensive anti-bullying bill. In addition, these bills targeted both public and private schools. Provisions included: 1) a statewide comprehensive school climate change approach to bullying; 2) annual training for all school personnel; 3) publicizing of policies; 4) investigation of violations; 5) regular reports to administration; 6) mechanisms for reporting bullying incidents; 7) publically available statistics; 8) mechanisms for filing of complaints if provisions are not implemented; 9) clearer lines of accountability; 10) mandatory reporting; 11) prompt investigation; 12) specified responses to bullying incidents; 13) specified referral points and resources; 14) prevention of retaliation; 15) anonymous reporting; 16) prevention education for all grade levels; 17) annual reporting of incidents; and 18) use of a school climate change approach (State of Hawai‘i, Twenty-Sixth Legislature, 2012). Not surprisingly, there was much political resistance at moving these bills forward, and constituent support was mixed. As a result, neither bill was heard by any of their assigned committees.

Anti-Bullying School System Policy in Hawai‘i

Prior to the passage of Act 214, the Hawai‘i State Department of Education had taken some steps to create a system-wide anti-bullying policy. These came at the beginning of the 2009-2010 school year with revisions to the Hawai‘i Administrative Rules Chapter 19, including the addition of bullying and cyber-bullying to the list of Class B offenses. These rules govern all disciplinary actions that may take place in the school setting. It defines various offenses, and sets out guidelines for school administrators when encountering an incident. The offenses are classified as A, B, C, or D. Class A offenses are most serious, and include actions such as assault, burglary, possession of weapons, possession of illicit drugs, and sexual offenses (HSDOE, 2010b). Class B offenses are those such as bullying and cyber-bullying, disorderly conduct, gambling, harassment, and trespassing (HSDOE, 2010b). Class C offenses include insubordination, class cutting, smoking, and leaving campus without permission (HSDOE, 2010b). Finally, Class D offenses include possession of “contraband” items, and breaking school rules such as the dress code (HSDOE, 2010b).

In past versions of Chapter 19, “harassment” was very loosely mentioned and defined. There was no mention of any type of bullying, and no policy or guideline for when administrators identified such behaviors. However, explicit definitions for harassment, bullying, and even cyber-bullying are now included in the revision (HSDOE, 2010a):

Bullying means any written, verbal, graphic, or physical act that a student or group of students exhibits toward other particular student(s) and the behavior causes mental or physical harm to the other student(s); and is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student(s)...Cyber-bullying means electronically transmitted acts, i.e., Internet, cell phone, personal digital assistance (PDA), or wireless hand-held device that a student has exhibited toward another student or employee of the department which causes mental or physical harm to the other student(s) or school personnel and is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening, or abusive educational environment: 1) on campus, or other department of education premises, on department of education transportation, or during a department of education sponsored activity or event on or off school property; §8-19-2; 2) through a department of education data system without department of education authorized communication; or 3) through an off campus computer network that is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student or school personnel, or both. In evaluating whether conduct constitutes harassment, intimidation or bullying, special attention should be paid to the words chosen or the actions, taken, whether the conduct occurred in front of others or was communicated to others, how the perpetrator interacted with the victim, and the motivation, either admitted or appropriately inferred. Electronic transmissions include but are not limited to the use of data, computer software that is accessed through a computer, a computer network system, other computerized systems, cellular phones or other similar electronic devices that display e-mail, text messaging, blogs, photos, drawings, video clips, on-line community websites, or faxes, or a combination of the foregoing. (p. 4)

Currently the actual sanction or punishment depends on the class of the offense, Schools are presented with a list of potential disciplinary options, including: 1) Correction and conference with student; 2) Detention; 3) Crisis removal; 4) Individualized instruction related to student's problem behaviors; 5) In-school suspension; 6) Interim alternate education setting; 7) Loss of privileges; 8) Parent conferences; 9) Time in office; 10) Suspension of one to ten school days; 11) Suspension of eleven or more school days; 12) Saturday school; 13) Disciplinary transfer; 14) Referral to alternative education programs; 15) Dismissal; or 16) Restitution (HSDOE, 2010a). However, there is also much discretion given to the school to handle incidents on a case-by-case basis. Out of this positive change in policy, a need for more intensive training and monitoring to ensure policy implemented and upheld with fidelity has grown as a secondary outcome. Despite the launch of the new Chapter 19 revisions at the beginning of the 2009-2010 school year, however, the HSDOE completed training of its final school complex area in April 2010.

POLICY ANALYSIS

Policy Analysis Criteria

Legislative efforts, both Act 214 and the proposed SB 2596, will be contrasted against the HSDOE’s Chapter 19 policy. First, the three policy alternatives will be analyzed for content, based on the evidence-based recommendations offered from the literature discussed. Each content area will be scored on a scale from 0 to 2, using the matrix below:

	0 points	1 point	2 points
Definition	No definition	Definition is present	Definition is specific and precise
General approach	Not mentioned	Approach focuses on safety	Approach is more holistic (e.g., school climate change, link to health)
Collaboration	Not mentioned	Collaboration with other stakeholders is encouraged	Collaboration on policy and/or program development is mandated
Accountability	Not mentioned	Accountability is discussed broadly	Lines of accountability are clearly defined
Implementation of school-based programs	Not mentioned	School-based programming is mentioned	Information on effective programs and/or guidance on selecting a program is mentioned
Training	Not mentioned	Training for school-based personnel is encouraged	Training for school-based personnel is mandated
Reporting of incidents	Not mentioned	Required reporting is mandatory, with punitive repercussions	Required reporting is consistent
Inclusion of parents/family	Not mentioned	Parents/family is mentioned	Inclusion of parents/family is expected
Consequences for perpetrator	Not mentioned	Consequences are solely punitive (e.g., “three strikes”)	Consequences include referrals to services, as appropriate
Accessibility of policy (available to the public, length, language)	Difficult to access, too lengthy, use of overly complex language	Accessible, but too lengthy and/or complex	Accessible and in straight-forward language

In addition, the following criteria will be used to assess the implementation process of the three policies. All criteria will be quantified with a three-point scale, with “0” representing difficulty/challenges in that category, and “2” representing ease/success. Assessment of each criterion will be discussed following the description of each alternative, and ratings will be summarized in a matrix toward the end of this report.

- 1) Feasibility of Implementation – Although the issue of bullying is incredibly multi-faceted and will require work from all angles, implementation feasibility needs to be maximized. All of the policies, in some way, involve the Hawai‘i State Department of Education. Yet it is a Department under much public and political pressure. Teachers and administrators are busy meeting benchmarks and requirements of “No Child Left Behind,” and are now attempting to accomplish all of this with less instructional time due to furlough days and a shortened school calendar.
- 2) Effectiveness to Achieve Outcome – Certainly the ultimate goal of any policy would be to maximize the final outcome of reducing bullying in our schools. This criterion will measure the likelihood of positively affecting our final desired outcome.
- 3) Efficiency to Outcome – All stakeholders wish to see change in the shortest amount of time. Support for any policy will quickly be lost if efficiency to change is not maximized. Therefore this criterion will measure the likelihood of seeing significant changes in bullying rates for each policy.
- 4) Sustainability of Efforts – Any policy solution must be sustainable, so that regardless of what changes occur with educational requirements, administration composition, or the political climate, the intervention will be sustainable. This criterion will measure the likelihood of sustainability beyond a 1 year time period.
- 5) Equity/Access to All – Equity must be maximized, so that all youth are eligible and have the opportunity to feel the effects of the policy. Although the majority of Hawai‘i’s youth are enrolled in our public schools, approximately 25% of our youth attend private schools. Also, there are a small percentage of youth that are not enrolled in any school for various reasons (e.g. home-schooled, not enrolled, in a high-risk situation such as being homeless or a runaway).
- 6) Cost – Certainly all stakeholders involved in this process, regardless of what sector they represent, want to minimize the costs associated with a policy. However, we must also make the case that dollars spent today could save even more tomorrow if this serious issue is addressed

properly. Therefore this criterion will measure strictly the cost associated with each alternative, but arguments may be made if a selection is more costly but may produce exponentially greater outcomes.

- 7) Political Resistance – Because all of the alternatives involve state agencies (i.e. HSDOE, DOH, legislators), the level of political resistance must be considered and quantified. If this political resistance can be minimized and collaboration maximized, then the success of the intervention will be more probable. This final criterion will attempt to measure the political resistance present with each policy. As many have experienced when attempting to make statewide change, political resistance can easily stifle a program or policy despite public support and available resources.

Policy #1 – Legislative Act 214 (signed into law in July 2011)

Some stakeholders consider the passage of Act 214 a success, since it is the Hawaii’s first law relating to bullying prevention. However, its simplicity is reflected in the content analysis the follows:

	Points	Notes
Definition	1	Mentioned, but then refers reader to Department of Education Administrative Rules
General approach	0	Not mentioned
Collaboration	0	Not mentioned
Accountability	1	The Board of Education will monitor the Department of Education; however there are no further specifics on accountability at the school level
Implementation of school-based programs	0	Not mentioned
Training	0	Not mentioned
Reporting of incidents	0	Not mentioned
Inclusion of parents/family	0	Not mentioned
Consequences for perpetrator	0	Not mentioned
Accessibility of policy (available to the public, length, language)	2	Policy is available on Hawai‘i State Legislature website, and is very brief
TOTAL:	4/20	

With regards to each of the implementation criteria (total = 9):

- 1) Feasibility [2] – Given the generality of language and lack of specific provisions, implementing the policy has been very feasible.

- 2) Effectiveness [0] – The policy is not predicted to be very effective, given the lack of specific provisions.
- 3) Efficiency [0] – The policy is not predicted to be very efficient to achieving a decrease in bullying incidents, given the lack of specific provisions.
- 4) Sustainability [2] – Given the generality of language and lack of specific provisions, sustaining such a policy is likely possible.
- 5) Equity [1] – While the majority of Hawai‘i’s students attend public school, this policy misses a significant proportion (approximately 25% attending private school) of youth attending school in our State.
- 6) Cost [2] – Given that the Board of Education already has oversight of the Department of Education, and the lack of specific provisions, there is no cost to implementing this policy.
- 7) Political Resistance [2] – The political resistance for this policy has been very low, given its very general language. This was a major factor in its passage. Prior to the removal of the very specific provisions in the original version, the Department of Education strongly opposed this policy.

Policy #2 – Proposed Legislative Bills SB2596 and HB2295 (introduced in January 2012)

Known as the “Safe Schools Act,” SB2596 and HB2295 were introduced during the 2012 Legislative Session to continue the momentum gained by the passage of Act 214. Its intent to be very comprehensive is reflected in the content analysis below:

	Points	Notes
Definition	1.5	All terms are defined; however, harassment is intermingled with bullying and cyber-bullying
General approach	2	Discusses safety, school climate change
Collaboration	0	Not mentioned
Accountability	2	Provisions require clear lines of accountability at the state, complex, and school levels
Implementation of school-based programs	1	Integration of programs and lessons is discussed, but no examples or guidelines are offered
Training	2	Annual training for all school personnel; also mentions training for students and parents
Reporting of incidents	1	Reporting is a requirement
Inclusion of parents/family	1	Family is mentioned, but their involvement is not specified
Consequences for perpetrator	2	Consequences/correction must be positive, consistent, and timely; referrals/resources are discussed
Accessibility of policy (available to the public, length, language)	1.5	Policy is available on Hawai'i State Legislature website, but a bit lengthy. There is also discussion on posting of resulting school-based policies so they are accessible to everyone.
TOTAL:	14/20	

With regards to each of the implementation criteria (total = 8):

- 1) Feasibility [1] – Given the extensive number of provisions, as well as the inclusion of private schools, implementation is likely to face many challenges.
- 2) Effectiveness [2] – If implementation barriers are overcome, such a comprehensive anti-bullying policy can make a difference.
- 3) Efficiency [1] – Given the extensive number of provisions, time would be required to train all personnel not only in bullying but the new requirements put forth by the policy. Once that is achieved, however, positive outcomes should be seen.
- 4) Sustainability [1] – The core intent of the policy will be sustainable, since it would be codified as law. However, certain provisions may not be sustainable if resources are not consistently put into this effort. Thus, strong efforts would need to be made to integrate the majority of activities into existing curricula/projects/systems.
- 5) Equity [2] – Because this policy involves change of state law, all youth living in the State of Hawai'i would be subject to its parameters.

- 6) Cost [1] – There will be a substantial cost to train all school-based personnel. However, other activities may be integrated into existing curricula/projects/systems.
- 7) Political Resistance [0] – Political resistance will be the strongest with this policy, particularly with the Department of Education and Hawai‘i’s private schools.

Policy #3 – HSDOE Chapter 19 (updated in July 2009)

Known as the “Safe Schools Act,” SB2596 and HB2295 were introduced during the 2012 Legislative Session to continue the momentum gained by the passage of Act 214. Its intent to be very comprehensive is reflected in the content analysis below:

	Points	Notes
Definition	2	Definitions are clear and comprehensive
General approach	2	Bullying prevention is integrated with the Comprehensive Student Support System, which provides academic, social, emotional, and physical environmental supports
Collaboration	0	Not mentioned
Accountability	1	Accountability at the school-level is discussed, but there is no standardized accountability beyond the school and complex area
Implementation of school-based programs	0	Not mentioned
Training	0	Not mentioned
Reporting of incidents	1	Reporting is discussed in detail; however, severe consequences exist for staff who fail to report
Inclusion of parents/family	1	Notification (versus involvement) of family is discussed
Consequences for perpetrator	1	Consequences are discussed in detail; however, such consequences tend to be punitive
Accessibility of policy (available to the public, length, language)	1	Policy is readily available on the Department of Education website; it is lengthy but fairly clear in its language
TOTAL:	9/20	

With regards to each of the selection criteria (total = 11):

- 1) Implementation [2] – The revisions to the Chapter 19 policy have already been written and approved, and all schools have received training on the most recent changes.
- 2) Effectiveness [1] – While the policy is detailed, it is mostly focused on consequences and punishment. There is no discussion on positive measures, aside from the mention of the Comprehensive Student Support System.

- 3) Efficiency [2] – Given the clear-cut and punitive nature of the policy, bullying incidents may at first decrease quickly.
- 4) Sustainability [2] – This policy is likely to be sustainable, since it is codified into policy.
- 5) Equity [1] – While the majority of Hawai‘i’s students attend public school, this policy misses a significant proportion (approximately 25% attending private school) of youth attending school in our State.
- 6) Cost [2] – The revisions to the Chapter 19 policy have already been written and approved, and all schools have received training on the most recent changes.
- 7) Political Resistance [1] – Since this is an existing Department of Education policy, political resistance from that agency is not an issue. However, there is much political attention from other parties, including the State Legislature. The Department of Education has resisted legislation, such as SB2596/HB2295, citing the existence of its Chapter 19 policy. Thus, Chapter 19 has been under much scrutiny as to whether it is an adequate policy to address bullying in our public schools.

FINAL RECOMMENDATION

Bullying is certainly a complex, multi-faceted problem facing our youth. Therefore, our response must not be with a “silver bullet” but instead with a multi-faceted solution and multi-agency collaboration. While programming at the school level or policy at the state level may provide a basis for change, either component alone is not enough (Samara & Smith, 2008). Making real change in our State requires action on all levels, and therefore this report is proposing a hybrid plan that includes change of both legislative and school system policy. The major call for action with this proposed solution would be two-fold. Based on the matrix included at the end of this report, the content of the “Safe Schools Act” is certainly the strongest and most comprehensive. However, the many implementation challenges would likely stifle its potential impact. Therefore, by pairing this with components of the HSDOE’s Chapter 19 school system policy, it may be possible to mitigate some of those implementation challenges.

School System Policy

Since the HSDOE serves the entire State of Hawai‘i, it is an excellent venue to reach the majority of youth in the state. Schools in general are ideal locations for youth programs and interventions (Cortina et al., 2008). Housing an intervention within a school increases access for all students, thereby promoting equity for all. The school and educational system also possesses the already-existing infrastructure of the physical grounds, trained personnel, and other resources. American educators have long been developing classroom curricula beyond traditional academic schooling, with lessons that promote social change for the public good (Cuban, 1993).

Also, building on the recent Chapter 19 revisions would be cost and time effective since the additions have already been written and implemented. However, other provisions that would support the policy are still missing – namely, the components which were drawn from research and discussed in the content analysis above. Limber and Small (2003) confirm and emphasize need for a strong research base when implementing any comprehensive anti-bullying prevention initiative. Also, while the Chapter 19 revisions to include the word “bullying” is a big step, a push for prevention needs to be formalized so that over time it is not lost amidst schools’ efforts to achieve academic benchmarks. Committing to

prevention would solidify the Department's commitment to addressing not only the academics, but also the social and behavioral needs of our youth as well.

The question then becomes how to fortify the HSDOE's Chapter 19 policy, without raising the same implementation challenges predicted for the "Safe Schools Act." One solution may lie in the active and purposeful integration of the new components into existing systems, programs, and activities. For example, training of HSDOE staff statewide is already monitored by the Comprehensive Student Support Section (CSSS). Monitoring could be done with an already-existing data source, such as the Youth Risk Behavior Surveillance System (Smith, Smith, Osborn, & Samara, 2008). In addition, one of the components completely lacking from the existing Chapter 19 policy is mention or encouragement of collaboration with other agencies. The creation of formalized, multi-disciplinary, and integrated collaboration has been suggested as a valuable tool that can facilitate action and change at the societal level (Sugimoto-Matsuda & Braun, 2012). For example, evaluation could be done in partnership with another agency, such as the University of Hawai'i.

The second part of this proposed solution would be the promotion of a more preventative approach to decreasing bullying. There are several evidence-based approaches that may offer guidance on shifting an entire school or system climate. For example, the Olweus Bullying Prevention Program is a universal intervention for the reduction and prevention of issues associated with bullying. It is a model, evidence-based program, as determined by several federal agencies that rate programs based on rigorous evaluation results. The program setting is the school, and school staff members are the primary individuals responsible for the introduction and implementation of the program (Olweus, Limber, & Mihalic, 1999). Based on rigorous evaluations, it has been shown to result in a substantial reduction in boys' and girls' reports of bullying and victimization; a significant reduction in students' reports of general antisocial behavior such as vandalism, fighting, theft and truancy; and significant improvements in the "social climate" of the class (as reflected in students' reports of improved order and discipline, more positive social relationships, and a more positive attitude toward schoolwork and school) (Olweus,

Limber, & Mihalic, 1999). Several schools on the Big Island of Hawaii are already implementing the Olweus Program, and administrators on the island are looking at expanding the program to other schools.

A system-wide change within the HSDOE may not take the form of a full-fledged program such as Olweus, but the Department should send a common message to all students, parents, and teachers statewide. This message should not only include the negative ramifications of bullying, but also actions that the Department is taking to prevent bullying from occurring in the first place. Srabstein and colleagues (2008) emphasize how any policy must be accompanied by a strategy aimed at developing whole community awareness about bullying and the related health risks, prohibiting bullying, and developing emotionally and physically safe environments in school settings.

Legislative Policy

In addition to policy implementation in the school setting, legislation is needed to support school-based efforts, as well as ensure the necessary funding stream to sustain related activities. Limber and Small (2003) confirm and emphasize need for stable funding to support these programs in order to maximize success and optimal outcomes. Anti-bullying laws can be extremely effective, but again is a process that will require multi-agency support. The states that have enacted such laws have done so in various manners, but Srabstein and colleagues (2008) recommend that the law at minimum include mandated monitoring, detection, and reporting of bullying incidents; provide guidance for school intervention; and offer guidelines for medical consultation. This type of large-scale effort must include ongoing programs with elements of primary, secondary, and tertiary prevention. In the end, it should complement and enhance school-level policy, and give power to all those involved by providing potential legal actions such as criminal sanctions, ability to request a protective order (Srabstein, Berkman, & Pyntikova, 2008). Finally, Smith and colleagues (2008) remind us that while schools need multi-agency support including supplemental legislation, the ultimate ownership needs to remain with the schools, as it is important factor in anti-bullying work.

By moving the necessary content into the proposed Chapter 19 changes, political resistance for new legislation can be minimized. However, legislation is necessary to codify the HSDOE's efforts into

Hawai'i State law. Thus, changes in HSDOE leadership, academic requirements, or Department priorities will not alter the momentum built in bullying prevention. At a later time, legislators may also work towards expansion of the HSDOE's efforts into private and charter schools. With successful implementation of the proposed Chapter 19 changes, and positive evaluation results, policymakers may be able to ameliorate the political resistance from those schools not subject to the Chapter 19 policy.

Table 1. Matrix summarizing content and implementation/process analysis of three anti-bullying policies in Hawai'i

	Act 214 (Current Legislative Policy)	SB2596 and HB2295 (Proposed Legislative Policy)	Chapter 19 (Current School System Policy)
<i>Content Analysis</i>			
Definition	1	1.5	2
General approach	0	2	2
Collaboration	0	0	0
Accountability	1	2	1
Implementation of school-based programs	0	1	0
Training	0	2	0
Reporting of incidents	0	1	1
Inclusion of parents/family	0	1	1
Consequences for perpetrator	0	2	1
Accessibility of policy (available to the public, length, language)	2	1.5	1
<i>Subtotal:</i>	<i>4</i>	<i>14</i>	<i>9</i>
<i>Implementation/Process Analysis</i>			
Feasibility of implementation	2	1	2
Effectiveness to achieve outcome	0	2	1
Efficiency to outcome	0	1	2
Sustainability of efforts	2	1	2
Equity/access to all	1	2	1
Cost	2	1	2
Political resistance	2	0	1
<i>Subtotal:</i>	<i>9</i>	<i>8</i>	<i>11</i>
TOTALS:	13	22	20

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