

Ohio Safe Schools Project

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«AddressBlock»

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«GreetingLine»

The Ohio Safe Schools Project at the University of Toledo strives, through education and advocacy, to make Ohio schools free from harassment, bullying and other forms of violence against students. We are writing to help your school district adopt an anti-bullying policy that will promote safe schools and improve student achievement, and have enclosed a model policy that meets the new legal requirements.

As you may be aware, the passage of Ohio House Bill 276 on March 31 requires local public school boards to adopt policies to prohibit harassment, intimidation or bullying by December 31, 2007. Bullies prey on students whom they perceive to be socially weaker or inferior. Ohio secondary students report the most common reasons to be bullied are: physical appearance/body size; perceived sexual orientation; and gender expression, (e.g., a girl who “acts like a boy”).¹

An *enumerated* policy, (i.e., a policy that enumerates specifically protected traits or characteristics), *reduces overall harassment and makes students feel safer*.² The value of an enumerated policy is that it is inclusive. Enumeration sends personnel and students a clear message that, regardless of community prejudices, the policy covers *all* students, including *the socially weakest groups*. The NEA, the National PTA, the American Association of School Administrators (AASA), and the National Association of Secondary School Principals endorse enumeration as a proactive step to preventing bullying.³

Indeed, teachers in schools with enumerated policies are *significantly more likely to intervene in student-to-student harassment* as compared to teachers in schools with generic policies.⁴ Enumeration, thus, *reduces the possibility that a school district or official will be held legally liable* for failing to protect a bullied student. Federal lawsuits brought against school districts for anti-gay harassment have overwhelmingly resulted in favorable verdicts for victims.⁵

We are pleased to offer guidance to your school district in adopting a policy to make students safer. We are also hosting a seminar on these issues, “Bullying Prevention: Effective Compliance with the New Anti-Bullying Law,” on October 24, 2007 at the University of Toledo College of Law from 3:30 to 6:30p.m. (For details and registration, please go to: www.law.utoledo.edu/safeschools.)

Sincerely,

Professor Robert Salem, B.A., J.D.
Ohio Safe Schools Project

Professor Susan Telljohann, H.S.D., CHES
Ohio Safe Schools Project

¹ GLSEN (2005). *From Teasing to Torment: A Report on School Climate in Ohio*. New York: GLSEN.

² *Id.*

³ The National Safe Schools Partnership (2007). *Bridging the Gap in Federal Law: Promoting Safe Schools and Improved Student Achievement by Preventing Bullying and Harassment in Our Schools*.

⁴ Kosciw, J.G. and Diaz, E.M. (2006). *The 2005 National School Climate Survey*. New York: GLSEN.

⁵ *E.g. Flores v. Morgan Hill Unified School District*, 234 F. 3d 1130 (9th Cir. 2003).

