

NORTHWEST HERALD

Illinois gets 'A-' grade for bullying laws

Published: Wednesday, Oct. 10, 2012 5:30 a.m.

By CHELSEA McDOUGALL - cmcdougall@shawmedia.com

Although the state gets high marks for its bullying prevention efforts, some argue that laws fall short of protecting schoolchildren.

The Bully Police, a national watchdog organization that reports states' anti-bullying laws, gives Illinois an A- rating.

The high grade means that Illinois meets much of the criteria for successful bullying prevention laws according to the organization's standards, said Brenda High, founder of the Bully Police.

High's son, Jared, was bullied in school and later committed suicide. High filed a lawsuit against Jared's school, and one thing became evident during court proceedings, she said.

"We noticed during the depositions that [schools] really didn't have a clue about what to do," High said. "There was no policy, there was no procedure, there was no law."

And so the Bully Police was born.

High was instrumental in getting bullying legislation passed in her home state of Washington and since has been tracking the progress of bullying laws across the U.S.

All but one state, Montana, have bullying laws on the books. Some state laws are better than others. The highest grade issued is an A++, earned by 13 states.

Illinois' A- means that the state has a clearly defined bullying law and offers recommendations on how to enforce those laws, High said. The law addresses cyberbullying, earning it higher marks.

Keeping the state from a perfect score, High said, is a lack of programs for bullied children and clearly defined reporting criteria.

"A good law involves school administration on all levels," High said.

Illinois' bullying laws require schools to have a policy in place and on file with the Illinois State Board of Education. Schools must update the policy every two years. Policies also must

be communicated to students and parents.

The law defines bullying as “severe or pervasive physical or verbal actions or conduct including communication made in writing or electronically.”

Stricter statewide anti-bullying legislation failed this year amid conservative groups’ fears that it would indoctrinate students and it embraced homosexuality.

The law was sponsored by state Rep. Kelly Cassidy, D-Chicago, an openly gay lawmaker.

“I found a lot of the objections to the bill really disingenuous,” Cassidy said. “It was described as being a homosexual [agenda]. Emails [from opposition] cited the fact that I’m openly gay. ... Apparently my interest in mortgage foreclosure reform is also part of the gay agenda.”

The bill would have required schools to adopt more detailed anti-bullying policies.

As it is written now, Illinois’ law “lacks uniformity and responsibility on all schools districts,” Cassidy said. “In my opinion, a one-line policy is not one.”

Conservative groups demanded an “opt-out” provision for anti-bullying programs if a program is against a students’ moral or personal convictions.

“[Illinois State Board of Education], as a supporter of local decision-making, was disappointed to see the bill fail as school administrators already allow students to opt-out or attend alternative activities when an activity of the school day is against their moral or personal beliefs,” ISBE spokeswoman Mary Fergus said.

The measure lost by one vote. It needed 30 votes to pass but got only 29, with 12 senators voting “no” and 12 voting “present,” including state Sen. Pam Althoff, R-McHenry. State Sen. Dan Duffy, R-Lake Barrington, who was not in session that day.

“It was stunning,” Cassidy said.

The Illinois Prevent School Violence Act in 2010 created the Bullying Prevention Task Force, of which the ISBE was an integral part.

Peggy Thurow of District 300’s Algonquin Middle School was selected to be part of the task force and was charged with exploring the causes and consequences of bullying, identifying tools, and creating a framework to implement bullying prevention efforts.

They took great effort to define bullying and said solutions would follow.

“I think when you have a system that identifies needs and what needs look like, you are better able to offer a solution,” Thurow said.

But all the laws in the world are meaningless if schools don’t enforce them, experts say. A lot of gray area begins to emerge and enforcement takes its place.

“Part of the problem of enforcement is that an administrator may not agree with the person who’s being bullied, or with the bully in terms of the behavior,” said Hank Nuwer, a journalist and author of “Broken Pledges,” a book about hazing. “There’s no litmus test. ... There’s no pH test that says is this [bully behavior].”