



ANTI-BULLYING STATUTES 50 State Compilation

STATE	ANTI-BULLYING STATUTE	DEFINITION OF BULLYING	INTENTIONAL ACT REQUIREMENT ¹	SINGLE ACT OR PATTERN OF CONDUCT ²	REASONABLENESS STANDARD ³	HAZING STATUTE	ENUMERATED CLASS PROVISION ⁴	LOCATION OF BULLYING SPECIFIED	REPORTING POLICIES	VICTIM/BULLY-CENTERED POLICIES	ANTI-RETALIATION PROVISION	CIVIL IMMUNITY PROVISION	ADDITIONAL COMMENTS
AK	ALASKA CODE §§ 14.33.200 , 14.33.210	Yes	Yes	Single act which may be SPP	No	No	No	No	Yes	No	Yes	Yes	-Prohibits retaliation against reporter/immunity from liability for reporting. -Definition does <u>not</u> include electronic forms of communication.
AL	ALA. CODE §§ 16-1-23 ; 16-28-3.1 § 16-28B-6	No (defines harassment)	Yes	Continuous pattern; may be SPP	Yes	Yes (Ed. Code)	Yes (No LGBT)	Yes (School property, bus or event; or electronically)	Yes	No	Yes	No	-Under the dropout prevention provision calls for coaching for middle school or high school children who are at risk of poor attendance due to harassment and bullying (§ 16-28-3.1). - Suicide prevention policy (§ 16-28b-8).
AR	ARK. CODE. ANN.§§ 6-5-201 ; 6-18-514	Yes	Yes	Single act; Harassment (pattern of conduct)	Yes	Yes (Ed. Code)	Yes (LGBT)	Yes (School property, bus or event; or electronically)	Yes	No	Yes	Yes	-Protects public school employee as a potential victim. -What constitutes bullying shall be posted throughout the schools (gym, bathroom, classrooms, school buses and auditoriums).
AZ	ARIZ. REV. STAT. ANN.§§ 15-341 , 15-2301	No	---	---	---	Yes (Ed. Code)	No	Yes (School property, bus or event; or electronically)	Yes	Yes (Victim & Bully)	No	No	-Provide victim with copy of bullying policies and procedures. -Hazing policy applies to grades K–12 and colleges.

CA	CAL. EDUC. CODE §§ 245.6 , 32261 , 48900	Yes	No	A single severe or pervasive act	Yes	Yes (Ed. Code)	Yes (LGBT)	Yes (School grounds, traveling to/from school or school activity, during lunch or school activity)	Yes	Yes (Victim & Bully)	Yes	No	-Allows for a victim of bullying to transfer to another school in the district (§ 46600(b)). -Definition of bullying includes electronic acts. -Definition of “reasonable pupil” includes “exceptional needs children.”
CO	COLO. REV. STAT. §§ 18-9-124, 22-32-109.1 ; 22-93-103	Yes	Yes	Single act or pattern	No	Yes (Crim. Code)	Yes (LGB; No T)	No	No	Yes (Victim & Bully)	No	Yes	-No state law prohibiting bullying per se; only directing school boards to create policies. -If bullying constitutes criminal activity, other statutes exist to prosecute offender (harassment, assault). -State program where public schools may apply for grant money to institute anti-bullying programs. -Requires charter schools to implement anti-bullying policies (§ 22-30.5-116).
CT	CONN. GEN. STAT. §§ 10-222d , 10-222g , 10-222l , 53-23a .	Yes	No	Repeated acts	Yes	Yes (Crim. Code)	Yes (LGBT)	Yes (School grounds, bus, event or electronic, or outside school)	Yes	Yes (Victim & Bully)	Yes	Yes	-Directs schools to make policies on prevention and intervention strategies.
DC	D.C. CODE MUN. REGS. tit. 5 § B2599	Yes	Yes	Repeated behavior	No	Yes (Mun. Regs.)	Yes (LGBT)	No (however, electronic transmission is specified)	No	Yes (Bully)	Yes	No	-Bullying is considered a “Tier III” offense that can result in suspension. -Bullying is defined as an umbrella term to include types of behavior – including assault and harassment, which are separately defined.
DE	DEL. CODE. ANN. tit. 14, § 4112D , 9302 DEL. CODE REGS. tit. 14, § 601	Yes	Yes	Single act, may be pervasive or persistent	Yes	Yes (Ed. Code)	No	Yes (School grounds, bus, event or electronically on <u>school</u> computer system)	Yes	Yes (Bully)	Yes	Yes	-Bully definition includes acts against school volunteers and employees. -Physical time or location of a technology-related bullying incident is not a defense if there is a <u>sufficient nexus to the school</u> . -Hazing is a class B misdemeanor. -Admin. Code on sportsmanlike conduct instructs the Athletic Director to develop policies to discourage bullying, hazing, taunting; the coach to enforce these policies; and participants (athletes and cheerleaders), official and spectators to refrain from bullying (Del. Code. Regs. tit. 14, § 1007).

FL	FLA. STAT. ANN. §§ 1006.1471006.63	Yes	No	Systematic and chronological for bullying; single act for harassment	Yes	Yes (Ed. Code)	Yes (No LGBT)	Yes (School grounds, bus, event or electronically on <u>school</u> computer system)	Yes	Yes (Victim & Bully)	Yes	Yes	-Protects employees from bullying. -Anti-bullying statute applies to students K–12. -Requires schools to create procedures for victims and bullies to access counseling. -Disability awareness programs incorporate anti-bullying and harassment awareness for these groups (§ 1003.4205). -Reasonableness standard applies to the definition of harassment.
GA	GA. CODE ANN., §§ 16-5-61 , 20-2-751.4	Yes	Yes	Single act or willful attempt or threat	Yes	Yes (Crim. Code)	No	Yes (School grounds, bus, event or electronically on <u>school</u> computer system)	Yes	Yes (Bully)	Yes	Yes	-Anti-bullying statute applies to students grades 6–12. -Suicide prevention program, recognizing that bullying in schools is a contributing factor (§ 37-1-27). -Hazing is defined in relation to school activities.
HI	HAW. CODE. R. §§ 8-19-2 , 8-19-3 , 8-19-6	Yes	No	Single sufficiently SPP act	No	Yes	Yes (LGBT)	Yes (School property, bus or event; or outside school)	No	Yes (Bully)	No	No	-No state laws addressing bullying; only administrative rules. -Protected class only listed under the definition of "harassment." -Applies to students K–12.
IA	IOWA CODE §§ 280.28 ; 708.10 IOWA ADMIN. CODE § 281-12.3(256)	Yes	No	Single act	Yes	Yes (Crim. Code)	Yes (LGBT)	Yes (School property or event)	Yes	Yes (Bully)	Yes	Yes	-Separate definition for electronic which includes email, phone, text and other internet-based communications. -Does not specify whether electronic bullying/harassment must occur through the use of school property.
ID	IDAHO CODE. ANN §§ 18-917 ; 18-917A ; 33-205	Yes	Yes	Single act, may be sufficiently SPP	Yes	Yes (Crim. Code)	No	No	No	Yes (Bully)	No	No	-Anti-bullying laws are found under the state Criminal Code. -The definition of bullying includes acts through phones and computers.
IL	105 ILL. COMP. STAT. 5/27-23.7 720 ILL. COMP. STAT. 120 , 135/1-2	Yes	No	Single severe or pervasive act	Yes	Yes (Crim. Code)	Yes (LGBT)	Yes (School grounds, bus, event or electronically on <u>school</u> computer system)	No	No	Yes	No	-Schools must update their bullying policy every two years. -Mandates internet safety education programs, encouraging students to report cyberbullying. However, no statute defines cyberbullying (5/27-13.3). -Harassment through electronic communications would cover cyberbullying (Crim. Code).

IN	IND. CODE §§ 5-2-10.1-12 ; 20-33-8-0.2 ; 20-33-8-13.5 ; 35-42-2-2	Yes	No	Overt, repeated acts	No	Yes (Crim. Code)	No	Yes (School grounds, bus, event or electronically on school computer system)	Yes	No	No	No	-The Department of Education shall create a curriculum for the school safety specialist training and certification program, which must include bullying prevention.
KS	KAN. STAT. ANN. §§ 21-5418 , 72-8256	Yes	Yes	Single act, may be sufficiently SPP	Yes	Yes (Crim. Code)	No	Yes (School grounds, bus or event)	No	No	No	No	-Anti-bullying policy applies to school staff members as well.
KY	KY. REV. STAT. ANN. §§ 158.1.56 , 164.375.525.070 , 525.080	No (defines harassment)	Yes	Single act	Yes	Yes (Ed. Code)	No	Yes (School grounds, transportation or event)	Yes	No	No	Yes	-Defines harassing communications to include use of the internet and telephones by a student to another student (§ 525.080). -Hazing statute applies to state universities only.
LA	LA. REV. STAT. ANN. §§ 17:416.13 , 17:416.17 , 17:1801	Yes	Yes	Must be a single, SPP	Yes	Yes (Ed. Code)	No	No	Yes	Yes (Bully)	No	Yes	-The anti-bullying provisions do not apply to certain parishes in LA.
MA	MASS. GEN. LAWS chs. 71 § 37O , 269 § 17	Yes	No	Repeated acts	Yes	Yes (Crim. Code)	No	Yes (School grounds, bus, event or has the effect of disrupting school)	Yes	Yes (Victim & Bully)	Yes	No	-Statute allows schools to identifying categories of students to protect from bullying and harassment. -Failure to report hazing is punishable by a fine of up to \$1,000.
ME	ME. REV. STAT. tit. 20-A, §§ 1001 , 100004	No	---	---	---	Yes (Ed. Code)	No	No	No	No	No	No	---
MD	MD. CODE ED. §§ 7-424 , 7-424.1 , 7-424.3 MD. CRIM. CODE § 3-607	Yes	Yes	Single act	No	Yes (Crim. Code)	Yes (LGBT)	Yes (School grounds, bus, event or has the effect of disrupting school)	Yes	Yes (Victim & Bully)	Yes	Yes	-“Electronic Communication” is defined broadly. -Educational and therapeutic services are required for the <u>bully</u> . -Nonpublic schools are encouraged to create anti-bullying policies.
MI	MICH. COMP. LAWS §§ 380.1310b , 750.411t	Yes	Yes	Single act	Yes	Yes (Crim. Code)	No	Yes (School grounds, bus or event; off-campus use of school-owned telecommunication device)	Yes	No	Yes	Yes	-“Matt’s Safe School Law.” -May be an intentional act OR an act that a reasonable person would know is likely to harm another. -Encourages the development of prevention programs and annual training for school employees.

MN	MINN. STAT. §§ 121A.0695 , 121A.69	No	---	---	---	Yes (Ed. Code)	No	No	No	No	No	No	-Requires school boards to make their own policies to prohibit bullying, including electronic bullying. -Requires schools to create hazing policies.
MO	MO. REV. STAT. §§ 160.261 , 160.775 , 578.360	Yes	No	Intimidation or harassment	Yes	Yes (Crim. Code)	No	No	Yes	Yes (Bully)	Yes	Yes	-Definition of bullying includes cyberbullying, however cyberbullying is not defined. -The hazing definition only applies to colleges and universities.
MS	MISS. CODE ANN. §§ 37 -11-67, 37- 11-69, 97-3-105	Yes	No	Single act or pattern of acts	Yes	Yes (Crim. Code)	No	Yes (School grounds, bus or event)	Yes	No	Yes	No	-Requires both students and employees to report acts of bullying. -Hazing statute does not specifically address hazing in schools (with the exceptions of fraternities/sororities).
MT	No	---	---	---	---	---	---	---	---	---	---	--	---
NE	NEB. REV. STAT. §§ 28-311.06 , 79- 2.137 , 79-267 ,	Yes	No	Ongoing pattern	No	Yes (Crim. Code)	No	Yes (School grounds, bus or event)	No	Yes (Bully)	No	No	-Definition of bullying includes electronic acts. -Hazing definition only applies to post-secondary school organizations.
NC	N.C. GEN. STAT. ANN. §§ 14-35 , 14-458.1 , 115C-407.15 , 115C-407.16	Yes	No	Single act or pattern of gestures	Yes	Yes (Crim. Code)	Yes (LGBT)	Yes (School grounds, bus or event)	Yes	Yes (Bully)	Yes	No	-Cyberbullying is defined under the criminal code and need not necessarily be related to school activities.
ND	N.D. CENT. CODE §§ 12.1-17-10 , 15.1-19-17 , 15.1- 19-18	Yes	No	Severe, pervasive or objectively offensive conduct	Yes	Yes (Crim. Code)	No	Yes (School grounds, bus or event)	Yes	Yes (Victim & Bully)	Yes	Yes	-“Conduct” in the definition of bullying includes the use of technology or electronics.
NH	N.H. REV. STAT. §§ 193-F:2 , 193-F:3 , 193-F:4 , 193-F:7 , 631:7	Yes	No	A single sufficient incident or pattern of incidents	No	Yes (Crim. Code)	Yes (LGBT)	Yes (School grounds, bus, event or has the effect of disrupting school)	Yes	Yes (Victim & Bully)	Yes	Yes	-A single incident or a pattern of incidents may constitute bullying. -Administrative code requires schools to create policies on hazing and bullying. N.H. Code Admin. R. Ed. § 306.04.

NJ	N.J. STAT. ANN. §§ 2C:40-3 , 18A:37-14 , 18A:37-15 , 18A:37-16	Yes	No	A single incident or series of incidents, may cause severe or pervasive harm	Yes	Yes (Crim. Code)	Yes (LGBT)	Yes (School grounds, bus, event or has the effect of disrupting school)	Yes	Yes (Bully)	Yes	Yes	-Each school shall appoint an anti-bullying specialist (§ 18A:37-20). -A single incident or a pattern of incidents may constitute bullying. -Statute defines bullying through “electronic communication.” -Requires the Dept. of Education to create a “Bullying Prevention Fund” (§ 18A:37-28). -Policies to respond to bullying which occurs off school grounds (§ 18A:37-15.3). -Required suicide prevention training for school teaching staff (§ 18A:6-112).
NM	N.M. STAT. ANN. 1978, § 22-2-21 N.M. ADMIN. CODE § 6.12.7	Yes	Yes	Repeated and pervasive or pattern of acts	No	No	Yes (LGB; No T)	Yes (School grounds, bus or event)	Yes	Yes (Bully)	No	No	---
NV	NEV. REV. STAT. NRS §§ 200.605 , 388.122 , 388.123 , 388.133 , 388.135	Yes	Yes	A highly offensive single willful act or course of conduct	Yes	Yes (Crim. Code)	No	Yes (School grounds, bus or event)	Yes	No	No	No	-The Department in conjunction with the board of trustees of school districts will prescribe a policy by regulation that schools must then adopt (§ 388.133). -The Council shall create standards for computer education and safe use of technology which includes prevention of cyberbullying (§ 389.520).
NY	N.Y. EDUC. LAW §§ 10-18 N.Y. PENAL LAW §§ 120.16 , 120.17	No (defines harassment)	No	Conduct or verbal threats, intimidation or abuse	Yes	Yes (Penal Law)	Yes (LGB; No T)	Yes (School grounds, bus or event)	Yes	No	Yes	Yes	-Laws are effective July 1, 2012. -Bullying is included as a form of harassment under the legislative intent (§10). -Harassment through electronic communication is <u>not</u> included in the definition of harassment. -This act does not apply to private, religious or denominational schools (§17).
OH	OHIO REV. CODE ANN. §§ 2903.31 , 3313.666	Yes	Yes	A SPP act which occurred more than once or dating relationship violence	No	Yes (Crim. Code)	No	Yes (School property or event)	Yes	Yes (Victim & Bully)	No	Yes	-Definition of bullying includes violence within a dating relationship. -School districts may, but are not required to, form bullying prevention task forces (§ 3313.667). -Hazing policy applies to all levels of schools. -Victim of hazing may bring a civil action against school (§ 2307.44).

OK	OKLA. STAT. tit. 70, §§ 24-100.3, 24-100.4 OKLA. STAT. tit. 21, § 1190	Yes	No	Single act	Yes	Yes (Crim. Code)	No	Yes (School grounds, bus or event)	Yes	Yes (Bully)	No	No	-Definition of bullying includes electronic communications. -Directs schools to create a Safe School Committee (§ 24-100.5). -Hazing statute applies to higher education institutions.
OR	OR. REV. STAT. §§ 163.197, 339.351, 339.356, 339.362	Yes	No	Single act	Yes.	Yes (Crim. Code)	Yes (LGB; No T)	Yes (School grounds, adjacent to school grounds, bus stop, bus or event)	Yes	Yes (Bully)	Yes	Yes	-School districts are encouraged to hold anti-bullying training sessions and form tasks forces (§ 339.359).
PA	24 PA. CONST. STAT. §§ 5352, 13-1303.1-A	Yes	Yes	Single act or series of acts that are SPP	No	Yes (Ed. Code)	No	Yes (School, school grounds, transportation, bus stop or activity)	Yes	Yes (Bully)	No	No	-Definition of bullying includes electronic acts. -School districts may define bullying to include activities that occur off school grounds if those activities meet the requirements provided by statute. -Anti-hazing law does not apply to grades K-12.
RI	R.I. GEN. LAWS §§ 11-21-1, 16-21-26, 16-21-33, 16-21-34	Yes	No	Single act	Yes	Yes (Crim. Code)	Yes (LGBT)	Yes (School grounds, adjacent to school grounds, bus stop, bus or event)	Yes	Yes (Victim & Bully)	Yes	Yes	-Department of Ed. directed to create a statewide policy. -Strategy to provide counseling to victims and bullies. -Students are prohibited from accessing social networking websites while at school.
SC	S.C. CODE. ANN. §§ 59-63-120, 59-63-130, 59-63-140, 59-63-275	Yes	No	Single act	Yes	Yes (Ed. Code)	No	Yes (School grounds, bus stop, bus or activity/event)	Yes	Yes (Bully)	Yes	Yes	-Definition of bullying includes electronic communications.
SD	No	---	---	---	---	---	---	---	---	---	---	---	---
TN	TENN. CODE ANN. §§ 49-6-1015, 49-6-1016, 49-6-1018, 49-7-123	Yes	Yes	Single act	Yes	Yes (Ed. Code)	No	Yes (School grounds, bus stop, bus, activity/event or is directed at a student and has the effect of disrupting school)	Yes	Yes (Bully)	Yes	Yes	-School districts are encouraged to form anti-bullying task forces (§ 49-6-1019). -Intentional act requirement and the reasonableness standard in the definition of bullying apply only to bullying on schools grounds. -Anti-hazing law does not apply to grades K-12.

TX	TEX. EDUC. CODE ANN. §§ 37.001 , 37.0832 , 37.151 , 37.218 .	Yes	No	Single act which may be SPP	Yes	Yes (Ed. Code)	No	Yes (School property, vehicle or activity)	Yes	Yes (Victim & Bully)	Yes	No	-Definition of bullying includes through electronic means. -Requires school districts to provide counseling options to the victim and bully. -Procedure for transferring victim and/or bully from the classroom or to another campus (§ 25.0342). -Cyberbullying is briefly defined in a statute directing school districts to make policies addressing students accessing material containing minors engaging in explicit conduct (§ 37.218). -Anti-hazing law only applies to high school and college students.
UT	UTAH CODE ANN. §§ 53A-11a-102 , 53A-11a-201	Yes	Yes	Single act	No	Yes (Ed. & Crim. Code)	No	Yes (School grounds, bus stop, bus, event or while traveling to or from a location listed above)	No	Yes (Victim & Bully)	Yes	No	-Hazing and cyberbullying are prohibited at any time in any location. -Definition of harassment requires "repeatedly communicating" (§ 53A-11a-102).
VA	VA. CODE ANN. §§ 8.01-220.1:2 , 18.2-56 , 22.1-279.6	No	--	--	--	Yes (Crim. Code)	No	No	No	Yes (Bully)	No	Yes	-The School Board's model policy must address bullying through the use of electronics. -Each school board shall develop a character education program to teach positive character traits and discourage bullying (§ 22.1-208.01). -Harassment by computer is prohibited under the state's criminal code (§ 18.2-152.7:1). -Every two years the local school board shall review the school's acceptable internet use policy for public and private schools (§ 22.1-70.2). -The reporting provision does not mention acts of bullying (§ 22.1-279.3:1).
VT	VT. STAT. ANN. tit 16, §§ 11(a)(32) , 165 , 565 , 1161-a	Yes	Yes	Overt act repeated over time	No	Yes (Ed. Code)	Yes (LGBT)	Yes (School property, bus or activity)	Yes	Yes (Bully)	Yes	No	-Definition of bullying does <u>not</u> include electronic communication, but is broad enough to include "any overt act." -Definition of "harassment" would include a single act with no intent requirement (§ 11(a)(26(A))). -Anti-retaliation applies to acts of harassment. -Vermont Dept. of Education Model Policy .

WA	WASH. REV. CODE ANN. § 28A.300.285 , 28B.10.901	Yes	Yes	A single act, may be SPP	No	Yes (Ed. Code)	Yes (LGB; No T)	No	Yes	No	No	No	-Washington state school directors association shall create a model anti-bullying policy that includes information about cyberbullying.
WI	Wis. STAT. §§ 118.46 , 948.51	No	---	---	---	Yes (Crim. Code)	No	No (dept's policy must specify)	Yes	Yes (Bully)	Yes	No	-The 4 th Wednesday in September is Bullying Awareness Day (§ 118.02).
WV	W. VA. CODE ANN., §§ 18-2-33 , 18-2C-2 , 18-2C-3	Yes	Yes	A single act, may be sufficiently SPP	Yes	Yes (Ed. Code)	No	No	Yes	Yes (Victim & Bully)	Yes	Yes	-Definition of bullying includes electronic acts.
WY	WY CODE ANN. §§ 21-4-312 , 21-4-313 , 21-4-314	Yes	Yes	A single act, may be sufficiently SPP	Yes	No	No	Yes (School property, bus stop, bus/vehicle or activity/event)	Yes	Yes (Victim & Bully)	Yes	No	-Department of Education is required to create a model policy to assist school districts. -Definition of bullying includes intentional electronic communications.

¹ The term “intentional” in the statute is a legal phrase meaning, “done with the aim of carrying out the act.” (Black’s Law Dictionary 2011).

² Whether a single act of bullying or harassment can trigger liability under the statute, or whether it takes a “continuous pattern” of conduct. Sometimes statutes require a level of severity for the act. For example, the single act may have to be severe, persistent, or pervasive (SPP).

³ The term “reasonable” in the statute is a legal phrase meaning, “fair, proper, or moderate under the circumstances.” (Black’s Law Dictionary 2011). The term “reasonable” is also used by some states in the definition to refer to a “reasonable student/pupil.” A reasonable person is: “a hypothetical person used as a legal standard, esp. to determine whether someone acted with negligence; specif., a person who exercises the degree of attention, knowledge, intelligence, and judgment that society requires of its members for the protection of their own and of others interest. The reasonable person acts sensibly, does things without serious delay, and takes proper but not excessive precautions.” (Black’s Law Dictionary 2011).

⁴ Enumerated class provisions identify specific characteristics of a person, such as race, religion, disability, gender, sexual orientation, and gender identity. If a person is bullied on the basis of one or more of these traits, liability will arise under the statute. Currently, the anti-bullying statutes of 19 states and Washington, D.C. contain enumerated provisions. Some enumerated provisions are drafted to explicitly protect more traits than others. This is particularly true with regards to the lesbian, gay, bisexual, transgender (LGBT) community. Lesbians, gays, and bisexuals are protected when a provision prohibits bullying on the basis of “sexual orientation.” Transgender individuals are protected when a provision prohibits bullying on the basis of “gender identity/expression.” The following abbreviations represent different categories of protection:

LGBT = the statute’s enumerated provision contains the terms “sexual orientation” and “gender identity/expression”

LGB; No T = the statute’s enumerated provision contains the terms “sexual orientation” but omits the term “gender identity/expression”

No LGBT = the statute’s enumerated provision contains the terms “sex” or “gender” but omits the terms “sexual orientation” and “gender identity/expression”



SUPPORTERS



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