A Student, a School and a Case that Made History

BULLIED
Using This Guide

_Bullied: A Student, a School and a Case that Made History_ tells an inspiring story of a young gay man who took a stand against the bullying he experienced in school. It is designed to create empathy for victims and to encourage others to take action. Part One provides standards-aligned activities for classroom viewing of _Bullied_. In Part Two, we offer guidance for educators to create environments that are safe for all students, including lesbian, gay, bisexual and transgender (LGBT) students.

For further information and updates, visit tolerance.org/bullied. Send feedback and ideas to editor@teachingtolerance.org.
Contents

PART ONE
Using Bullied in the Classroom

Guidelines for Viewing and Discussion .............................................. 2
Preparing to See Bullied .................................................................... 3
Starting Points ................................................................................. 4
Your School Survey .......................................................................... 7
After Viewing .................................................................................... 8

PART TWO
Using Bullied in Your School and District

Common Questions About Bullied .................................................... 12
Using Bullied in Staff Development ................................................ 15
Assess Your School Climate .............................................................. 15
Resources ......................................................................................... 17
The Nabozny Case ............................................................................ 19
Using *Bullied* in the Classroom

A Guide for Teachers

The film tells an inspiring story of a young gay man who took a stand against the bullying he experienced in school. It is designed to create empathy for victims and to encourage others to take action.

**GUIDELINES FOR VIEWING AND DISCUSSION**

Before viewing *Bullied*, discuss ground rules with students. Post the agreed-upon guidelines in a prominent place. Here are some suggestions:

- One person speaks at a time
- Listen with understanding and empathy
- No slurs
- Refrain from labeling individuals as “gay” or as bullies
- Focus on school climate, rather than religious beliefs/morality

After viewing the film, share your impressions about what you noticed as students watched the film.

When discussing issues relating to sexual orientation, refrain from placing any student in the spotlight. Allow students to enter the conversation as they feel comfortable.

For additional suggestions on how to create a discussion-friendly classroom, visit www.tolerance.org/bullied.
PREPARING TO SEE BULLIED

Objectives
Activities will help students:
• Think about the problem of bullying
• Consider the role students, teachers and administrators play in ensuring that schools are safe for all students

Before you watch Bullied, complete the following activities. Make photocopies of pages 4-7 to distribute to students.

Starting Points
Review Starting Points (pages 4-6) and discuss the following in small groups.
1. Examine the statistics presented in Bullying by the Numbers. What do you observe from the data? Do any of the statistics surprise you? Why? What conclusions can you draw?
2. How do you explain the fact that 70 percent of teachers surveyed claim that educators “almost always” intervene when bullying occurs while another statistic says 66 percent of bullying victims believe school professionals respond poorly?
3. Do any of the facts in the bullying quiz relate to your school? Which ones?

Rights and Responsibilities
Take the anonymous How Safe Is Your School? survey (page 7), and discuss class responses and survey results. What is the significance of the results?
STARTING POINTS

What Is Bullying?
Bullying happens when someone is subjected to negative actions from one or more people and has a hard time defending himself or herself. Bullying takes various forms, including:

- Teasing, taunting or verbal abuse
- Punching, shoving and physical acts
- Spreading rumors
- Excluding someone from a group
- Ganging up on others

In your own words, how would you define bullying?

Cyberbullying is when bullies use the Internet, mobile phones or other electronic devices. It can include:

- Sending mean text, e-mail or instant messages
- Posting damaging pictures or hurtful messages in blogs or on Web sites
- Spreading rumors or lies about someone, sometimes using a fake identity

Adapted from the U.S. Dept. of Health and Human Services (www.stopbullyingnow.hrsa.gov) and Psychology Today

CURRICULUM STANDARDS

Bullied addresses a range of curriculum standards. A comprehensive list of standards aligned with the film and classroom activities can be found at www.tolerance.org/bullied.
Quick Quiz
Facts and Myths About Bullying

True or false?

_____ 1. Nearly one-third of American teens are involved in bullying.

_____ 2. Fewer than 10% of American teens admit to bullying others.

_____ 3. Students who are bullied usually participate in class and have good attendance.

_____ 4. Most students who bully are insecure.

_____ 5. Male bullies are not usually bigger and physically stronger than their peers.

_____ 6. Witnesses often end friendships with the victim and feel guilty for not reporting the incident.

_____ 7. Bullies have trouble making friends.

_____ 8. Bullies do poorly in school compared to students who do not bully.

_____ 9. Most bullies discontinue aggressive behavior in adulthood.

_____ 10. Nine out of 10 LGBT students have been bullied.

Adapted from www.safeyouth.org
Answers to the quiz are on page 11.
VOICES
“I’ve often wondered about the kids who watched [the bullying] happen—why they didn’t say anything, how they felt about what was going on?”

—T. C. LARGAESPADA
SOCIAL WORKER AT YOUTH SHELTER

Largaespada’s quote refers to “bystanders.” A bystander is a person who sees unacceptable behavior but does nothing to stop it. What do you think prevents bystanders from taking action?

BULLYING BY THE NUMBERS

160,000—Estimated number of U.S. students who skip school daily to avoid being bullied
32%—Students who report being bullied at school during the school year
86%—Gay or lesbian students who report being bullied
70%—Teachers surveyed who say that educators “almost always” intervene when bullying occurs
35%—9th graders who believe their teachers are interested in trying to stop bullying
66%—Bullying victims who believe school professionals responded poorly to the bullying they observed
10–20%—Bystanders who provide any real help

Visit www.tolerance.org/bullied for more statistics and sources.
**HOW SAFE IS YOUR SCHOOL?**

*Assessing the Climate of Your School Community*

Take this anonymous survey by checking AGREE or DISAGREE for each statement.

<table>
<thead>
<tr>
<th>Statement</th>
<th>AGREE</th>
<th>DISAGREE</th>
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<tbody>
<tr>
<td>Bullying is a problem in my school.</td>
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<td>Someone I know is sometimes afraid to come to this school because of harassment.</td>
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<td>My school is unsafe for some students.</td>
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<td>I’m not sure what the procedures are for reporting bullying in my school.</td>
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<td>I’ve heard adults in my school make negative remarks about a student or about a particular group of students.</td>
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<td>I feel uncomfortable reporting bullying and harassment.</td>
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<tr>
<td>At my school, there are no consequences for bullying.</td>
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<tr>
<td>In my opinion, some kids deserve to be picked on or bullied.</td>
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**TOTALS**

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<th>AGREE</th>
<th>DISAGREE</th>
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**Understanding Survey Results**

Compile student responses. What do the results suggest about bullying in your school?

*Adapted from Responding to Hate at School (www.tolerance.org), Mix It Up (www.mixitup.org), and the U.S. Department of Education’s “Creating a Safe and Connected School Climate” (www.scusd.edu/safeschools)*
AFTER VIEWING
Themes and Voices
After viewing *Bullied*, select one of these quotations. Write a reflection on what it means in the context of the film and in relation to one or more of these themes: discrimination, courage, empathy and justice.

“Kids get harassed for all kinds of reasons. They’re too fat. They’re too thin. They’re too tall. They are too smart. They’re too dumb. Gays and lesbians are picked on.”
—NINA BUXBAUM, HOME ECONOMICS TEACHER AT ASHLAND HIGH

“Mrs. Podlesny said that ‘boys will be boys,’ and that if Jamie was going to act so openly gay he had to expect this stuff to happen to him.”
—CAROL ROSIN, JAMIE’S MOTHER

Themes in Focus
After watching *Bullied*, talk about these questions in small groups and share in class discussion. Suggested answers available online at www.tolerance.org/bullied.

Courage and Empathy
1. What did Jamie hope to accomplish by filing a lawsuit?
2. What do you think Jamie felt on a typical day?

The Impact of Bullying: Dealing with Discrimination
1. What role did bystanders play in Jamie’s bullying?
2. What are some common misconceptions about bullying?

Making History: Standing Up for Justice
1. What is the constitutional basis of Jamie’s case?
2. What are Jamie’s key messages when he speaks at the assembly? What lessons do you take away from his story? *(See page 19 for more details on Nabozny v. Podlesny.)*
RESPONDING TO BULLYING: WHAT WOULD YOU DO?

Objectives
Activities will help students:
• Understand the “bystander effect” by using scenarios from Bullied and their own lives
• Propose appropriate action in response to acts of bullying

A bystander is a person who sees unacceptable behavior—including bullying—but does nothing to stop it. Consider this story:

When Steve Tower, a youth health coordinator ... visited a fifth-grade class as part of an anti-bullying program, he showed students a photograph of an 11-year-old boy in a football uniform and invited the students to “write down as many things about what you imagine that person in the picture is like.” Later, he showed them a second photo of the same boy—but this time, the boy was in a casket. When students asked how the boy died, Tower explained: “He was bullied ... some boys accused Carl of being gay, even though he wasn’t, and then mercilessly taunted him. And no one, no one, did anything. There were no leaders in that bystander group. ... All of you are bystanders,” Tower says. “All of you can be leaders.”

—Adapted from “The Secret to Stopping a Bully?” by Neil Swidey, The Boston Globe

Discuss: What is a bystander? What can bystanders do to protect victims and prevent bullying?
Acting with Courage
In a small group, consider one of the *Bullied* scenes below.

1. In each of these scenarios ...
   - If you had witnessed the scene, what might you have done?
   - If you saw this happening to a friend, what would you do?
   - If you saw this happening to someone you didn’t know—or to someone you didn’t like—what would you do?
   - If someone you know was doing this, what would you do?

**SCENARIO I**
**BULLY:** Hey, homo.
**JAMIE NABOZNY:** I just know that it hurt a lot to hear those words on a daily basis—people calling me queer, fag, homo ... saying really disgusting things about ... sex ...

**SCENARIO II**
**JAMIE:** When I was walking down the hallway I’d have things thrown at me ... I’d be kicked, tripped, spit on, kicked.

**SCENARIO III**
*One day Jamie’s science teacher stepped out of the classroom.*
**JAMIE:** And the two boys started harassing me. And they had started touching my legs and telling me, you know, that “you like it” and stuff, and I kept pushing them away. And then eventually I tried to get away from them and they pushed me to the ground. One of them got on top of me and were just continuing to—to touch me and being vulgar, I guess.

2. Now come up with your own scenarios to discuss with classmates. What would you do?
**NEXT STEPS: MAKING A DIFFERENCE**

What can you do to bring about change in your school and community? Revisit the questions in the How Safe Is Your School? survey (page 7) to identify your school’s needs. Develop an action plan. Here are some possible ideas.

- Screen the film for other classes and lead a discussion
- Create a guide for parents and other members of the community
- Plan a “No Bullying in Our School” day, week or assembly
- Plan to participate in GLSEN’s “No Name-Calling Week”
- Launch an anti-bullying awareness campaign

**Answers to Quick Quiz from page 5**

1. **TRUE** In a recent survey, 13 percent admit to bullying, 11 percent admit to being bullied, and 6 percent have been bullied and also bully others.

2. **FALSE** See above.

3. **FALSE** Students targeted by bullies sometimes avoid school or have trouble concentrating. They can also develop disorders like depression and anxiety.

4. **FALSE** Studies show that most bullies have confidence and high self-esteem.

5. **FALSE** Male bullies are usually bigger and stronger than their victims.

6. **TRUE** Witnessing an act of bullying has negative consequences even if you are not directly involved.

7. **FALSE** Bullies seem to make friends easily, particularly with other students who are aggressive and may join them in bullying.

8. **TRUE** Behaviors associated with bullying include impulsiveness, disliking school and getting in trouble often.

9. **FALSE** 60 percent of bullies will go on to have at least one adult criminal conviction because the behavior carries over.

10. **TRUE** The 2007 National School Climate Survey released by GLSEN found that nearly 9 out of 10 LGBT students (86.2%) experienced harassment at school in the past year.

*Adapted from www.safeyouth.org*
Using *Bullied* in Your School and District

A Guide for Teachers and Administrators

**COMMON QUESTIONS ABOUT BULLIED**

**What is the film, *Bullied*, about?**

*Bullied: A Student, a School and a Case that Made History* tells the story of Jamie Nabozny, a gay student who endured relentless bullying in both middle and high school despite seeking help from school administrators. The film shows how Jamie’s legal battle helped him secure justice and underscores how important it is to confront anti-gay bullying.

**Why is a film on anti-gay bullying necessary?**

Some educators are wary of raising issues relating to sexual orientation or gender identity because the subject is seen as politically or religiously charged. While they would promptly take action in the case of bullying based on race, religion or ethnicity, they may hesitate when bullying is based on sexual orientation or the perception that a student is gay.

**What are the risks to students?**

Victims of anti-gay bullying often believe that no safe haven exists. Subject to physical and verbal harassment, as well as isolation, they endure an array of physical, behavioral and emotional effects, including lower grades, suicide attempts and depression.

**What is at stake for the school?**

Schools that don’t deal explicitly with anti-gay bullying risk sending the message that some bullying is acceptable. School personnel must understand that, unless all students feel safe, the school is not providing the best environment in which to learn. Treating all students—including those who are lesbian, gay, bisexual or transgender (LGBT)—with fairness and respect is essential.
**Does the ruling depicted in *Bullied* apply to my school?**

*Nabozny*, together with numerous other federal cases across the country, established that districts and administrators may be held liable for the harassment of LGBT students. Although these rulings have arisen in the public school context, private schools are likely to be found to have an obligation to provide safe school environments for all students as a contractual matter or as a consequence of receiving federal funds.

**What about a teacher’s, student’s or parent’s personal beliefs?**

Whatever one may think about homosexuality, we can all agree on the need to protect students from psychological and physical harm. Schools must be safe for ALL students.

**COMPARED TO THEIR PEERS, LGBT YOUTH ARE**

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<tr>
<td>two to three times more likely</td>
<td>to be bullied</td>
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<tr>
<td>up to four times more likely</td>
<td>to attempt suicide</td>
</tr>
<tr>
<td>seven times more likely</td>
<td>to miss a day of school because they feel unsafe</td>
</tr>
<tr>
<td>more likely to experience physical</td>
<td>bullying</td>
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Visit www.tolerance.org/bullied for more statistics and sources.
How can I explain the decision to use *Bullied* to my school community? Some members of the community may not understand the need for school programs that address equality for all students, including those who are LGBT. As an educator, you can point out that the film and accompanying lessons:

- Are motivated by the need to protect all children, especially those most vulnerable to harassment
- Uphold the principle that schools must provide a safe environment for each and every student
- Underscore the legal obligation of school leaders to respond promptly and effectively to student harassment

*Bullied* can be used in school while accepting the fact that some administrators, teachers, students and their families may object to homosexuality on religious or other grounds.

**My school already has an anti-bullying policy that protects all students.** Anti-bullying policies that simply state that “all students” must be protected are not as effective as those that enumerate specific types of bullying—based on race, religion and sexual orientation, for example—that are particularly common and destructive.
USING BULLIED IN STAFF DEVELOPMENT

Screen the film for staff

_Bullied_ carries a powerful message about the need and obligation to take action to protect LGBT students, and those perceived as such, from harassment and bullying.

After viewing the film with staff, consider using these questions to lead a discussion about the situation in your school.

• Could this happen at our school?
• Does it happen here?
• Are we prepared to stop it?
• Do we have an effective anti-bullying policy? Does our staff know the policy?
• Do we think students know the policy?
• Are students scared to come forward here?
• Do educators understand their obligations?
• Are we comfortable discussing this topic with students and their parents?
• What kinds of reaction should we anticipate from students viewing the film? How can we defuse inappropriate responses?

ASSESS YOUR SCHOOL CLIMATE

Using the survey on page 16 in a staff development session can help you to assess the situation in your school. As an alternative to a pen-and-paper survey, consider having teachers indicate their response by, for example, standing up to express their views.

Some schools find it useful to poll students separately, using the student survey on page 7. Do teachers and students share a common view of the school’s policy and safety? If not, what actions should administrators and staff take?
## STAFF SURVEY

<table>
<thead>
<tr>
<th>Question</th>
<th>Agree</th>
<th>Disagree</th>
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<tr>
<td>I have heard students use slurs or have seen derogatory graffiti.</td>
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<tr>
<td>Bullying is a problem in our school.</td>
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<tr>
<td>Students feel comfortable approaching me about bullying.</td>
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<td></td>
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<tr>
<td>I feel comfortable intervening when I witness bullying.</td>
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<tr>
<td>Students and adults listen to each other at our school.</td>
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<tr>
<td>Some students are afraid to come to school for fear of being harassed.</td>
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<tr>
<td>Our school has an effective anti-bullying policy.</td>
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<tr>
<td>The school has a clear procedure for reporting acts of bullying.</td>
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<tr>
<td>Members of our school staff work actively to create a safe and welcoming environment for all students.</td>
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### Red Flags
- Any staff member sees a problem.
- A gap between staff responses and student perceptions.
RESOURCES

Find Youth Info
bullyinginfo.org
A clearinghouse for information prepared by the federal government to help prevent and address bullying in communities.

Gay, Lesbian and Straight Education Network (GLSEN)
glсен.org
A leading national educational organization focused on LGBT issues in K-12 schools. GLSEN offers a variety of resources and materials focused on anti-LGBT bullying, including No Name-Calling Week and Ally Week.

Safe Schools Coalition
safeschoolscoalition.org
This public-private partnership aims to reduce bias-based bullying in schools by raising awareness among students, educators and parents. The site has classroom materials, content on public policy and Spanish-language resources.

National Education Association (NEA)
nea.org/tools/30420.htm
The NEA provides a Diversity Tool Kit, links to anti-bullying resources and a school employee’s guide to LGBT issues.

Parents and Friends of Lesbians and Gays (PFLAG)
community.pflag.org
PFLAG provides tools to create safe schools, a training program, updates on national legislation and advice for supporting LGBT parents of school-aged children.

Committee for Children
cfchildren.org
The Committee for Children develops evidence-based bullying, child abuse and violence prevention education curricula that teach social-emotional skills to children, families and educators.

For a more comprehensive list of resources visit
www.tolerance.org/bullied.
Use this chart as a starting point to help participants in your staff training identify specific actions they can take. A printable chart can be found at www.tolerance.org/bullied.
In 1995, 19-year-old Jamie Nabozny sued the school district and administrators from his middle school and high school. Nabozny based his suit on the 14th Amendment to the U.S. Constitution, which provides for equal protection.

OCTOBER 1995

A district court dismisses Jamie’s case. Jamie appeals.

JULY 1996

The Seventh Circuit reverses the lower court’s dismissal.

The court held that Jamie presented a viable claim that the defendants had violated his right to equal protection “by discriminating against him based on his gender or sexual orientation.” The idea behind this holding was that the defendants would have protected Jamie from harassment from other boys had he been a girl or had he not been gay. The court also held that the defendants were not immune from liability because a reasonable person in their position “would have concluded that discrimination against Nabozny based on his sexual orientation was unconstitutional.”

NOVEMBER 1996

Based on this appeal, Nabozny and his lawyers return to a lower court and present their case to a jury.

The jury returned a verdict against school officials. The school district settled the lawsuit for $900,000. This landmark case was the first successful legal challenge to anti-gay violence in public schools.
ENDORSEMENTS

Anti-Defamation League
adl.org

Committee for Children
cfchildren.org

Encompass
encompass.org

Fortunate Families
fortunatefamilies.org

GLSEN
glsen.org

Groundspark
groundspark.org

Mississippi Safe Schools Coalition
mssafeschools.org

New York State United Teachers
nysut.org

PFLAG National
community.pflag.org

Welcoming Schools/HRC
hrc.org/welcomingschools

Charles Haynes, Senior Scholar
First Amendment Center

Kevin Gogin, Program Coordinator
Support Services for LGBT Youth, SFUSD

Sandra Lee Fewer, Commissioner
San Francisco Unified School District

For a complete list of endorsers, visit www.tolerance.org/bullied.
“It would serve us all to remember that the core mission of public schools is to prepare young people for citizenship in a democratic society. This means, first and foremost, maintaining a school environment that respects the rights of students to free speech and free exercise of religion while simultaneously ensuring that student speech does not degenerate into name-calling, bullying or attempts to silence other views.

Under the First Amendment, a school is both safe and free when students, parents, educators and all members of the school community commit to addressing their political and religious differences with civility and respect. A safe school is free of bullying and harassment. And a free school is safe for student speech even about issues that divide us.”

—PUBLIC SCHOOLS AND SEXUAL ORIENTATION: A FIRST AMENDMENT GUIDE FOR FINDING COMMON GROUND