



# Hate Speech and Bullying

## READINESS AND EMERGENCY MANAGEMENT FOR SCHOOLS TECHNICAL ASSISTANCE CENTER

According to the [Centers for Disease Control and Prevention \(CDC\)](#), bullying among youths includes *any unwanted aggressive behavior involving an imbalance of power that is repeated multiple times or is likely to be repeated* (For definitions of terms in italics, see this [CDC document](#)). Bullying becomes [discriminatory harassment](#) when it is based on race, national origin, color, sex (including sexual orientation and gender identity), age, disability, or religion. Hate speech, also called bias-based speech, is a type of discriminatory harassment that can occur as verbal or written slurs, stereotypes, or images involving any [protected characteristic](#). According to the 2022 [Report on Indicators of School Crime and Safety](#), 22 percent of students ages 12–18 reported being bullied, 7 percent reported being called hate-related words, and 23 percent reported seeing hate-related graffiti at school in 2019.

Bullying and harassment can have significant negative physical, psychological, and academic consequences on those who are bullied, those who bully others, and those who witness bullying. In schools, bullying fosters a climate of fear and disrespect and creates conditions that negatively affect learning. Students who are bullied are more likely to perform poorly in academics and skip or drop out of school.

All federally funded educational institutions are legally obligated to address discriminatory harassment. This fact sheet explains how core and ad hoc planning team members at K-12 schools and school districts can prepare for bullying, harassment, and hate speech through the development of a Bullying Annex.

### Hate Speech and Emergency Operations Plans

Schools can take a proactive approach to preventing and mitigating the effects of hate speech by including a Bullying Annex in their comprehensive emergency operations plans (EOPs). The [Guide for Developing High-Quality School Emergency Operations Plans](#) and [The Role of Districts in Developing High-Quality School Emergency Operations Plans](#) (Guides) indicate that comprehensive EOPs should include annexes to address different types of threats and hazards, including [adversarial and human-caused threats](#). These annexes describe

#### Protected Characteristics

The U.S. Department of Education's Office of Civil Rights enforces laws that protect all students from [discrimination](#) based on

- Race
- Color
- National origin
- Sex
- Disability
- Age
- Shared ancestry
- Ethnic characteristics
- Citizenship or residency in a country with a dominant religion or distinct religious identity.

#### Types of bullying:

- Physical (use of physical force)
- Verbal (oral or written bullying)
- Social/relational (behavior designed to harm reputation/relationships)
- Property damage (theft or alteration of property)
- Cyber/electronic (uses mobile devices or the Internet)



goals, objectives, and courses of action for specific threats to student safety, such as bullying, harassment, and hate speech.

## Developing a Bullying Annex

Schools and districts can apply the [six-step planning process](#) outlined in the *Guides* to collaboratively [develop a Bullying Annex](#) that outlines courses of action for before, during, and after an incident. Core planning teams may want to include or consult individuals with knowledge and experience specific to bullying, harassment, and hate speech, such as school resource officers; school nurses; school counselors; community mental health specialists; diversity, equity, and inclusion experts; and students, parents, and school staff. [Collaboration with the entire school community](#), including students and parents, is essential for bullying prevention and mitigation activities to succeed.

### Before

Actions to take before a bullying incident occurs include ways to prevent bullying, protect against bullying, and mitigate the effects of bullying, such as

- Assessing school culture and climate. Refer to this [National Center on Safe Supportive Learning Environments \(NCSSLE\) resource](#) for guidance.

- [Fostering a positive school culture and climate](#) that does not support bullying or harassment. Refer to this [REMS TA Center webinar](#) and the [NCSSLE School Climate Improvement Resource Package](#) for more information.
- Providing clear, consistent, and ongoing communication of your school or district's policies and expectations regarding bullying and hate speech throughout the school community and describing consequences for behaviors that violate these policies and the shared values of respect and dignity for all.

### During

Courses of action to take during a bullying incident focus on de-escalation and restoration of a safe and secure environment. These may include

- Utilizing positive discipline practices, such as [Positive Behavioral Interventions and Supports](#), [restorative practices](#), and [trauma-informed approaches](#).
- Offering [social, emotional, and behavioral supports](#) to improve student conflict resolution skills and [strengthen student sense of belonging](#).

[Research](#) shows that positive school discipline practices that create and maintain identity-safe, inclusive, and stable learning environments for all students are more effective than punitive discipline or zero-tolerance approaches. In fact, punitive, exclusionary discipline is linked to lower academic achievement, higher dropout rates, and higher likelihood of juvenile justice involvement in students.

### After

Strategies to apply after a bullying incident support recovery and restoration of the learning environment, including

- [Supporting all individuals affected by bullying](#), including victims, bullies, and witnesses, and connecting them to relevant support services.
- Evaluating the effectiveness of the plan described in your Bullying Annex and updating the plan as needed.

## Policy

A Bullying Annex should align with local, state, and federal policies. No federal law directly addresses bullying; however, harassment and discrimination based on protected characteristics is prohibited by [federal civil rights laws](#) enforced by ED and the U.S. Department of Justice (DOJ). Most states and territories require schools and districts to implement bullying policies; however, bullying is addressed differently in state laws, policies, and regulations. ED has compiled a [list of common components included across state policies](#) that may be helpful as planning teams consider how to incorporate bullying and hate speech prevention and response into a Bullying Annex. [Stopbullying.gov](#), a federal website managed by the U.S. Department of Health and Human Services (HHS), provides an interactive map of state anti-bullying laws and policies.

## Conclusion


Bullying, harassment, and hate speech can lead to both short- and long-term negative outcomes for all involved. By developing a Bullying Annex for EOPs, schools and

districts can proactively address bullying and hate speech in schools and support a safe, inclusive, and supportive learning environment for all students.

## Resources

- [Stopbullying.gov](#), Website (ED, HHS, DOJ)
- [Bullying/Cyberbullying](#), Web Page (NCSSLE)
- [Preventing Bullying Through Science, Policy, and Practice](#), Website (National Academies of Sciences, Engineering, and Medicine)
- [Preventing Youth Hate Crimes & Identity-Based Bullying Initiative](#), Web Page (DOJ, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention)
- [Addressing Adversarial and Human-Caused Threats That May Impact Students, Staff, and Visitors](#), Web Page (REMS TA Center)



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