Anti-bullying Policies and Disparities in Bullying: A State-Level Analysis

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Introduction: Recent research suggests that anti-bullying laws may be effective in reducing risk of bullying victimization among youth, but no research has determined whether these laws are also effective in reducing disparities in bullying. The aim of this paper was to evaluate the effectiveness of anti-bullying legislation in reducing disparities in sex- and weight-based bullying and cyberbullying victimization.

Methods: Data on anti-bullying legislation were obtained from the U.S. Department of Education, which commissioned a systematic review of 16 key components of state laws in 2011. States were also categorized based on whether their legislation enumerated protected groups and, if so, which groups were enumerated. These policy variables from 28 states were linked to individual-level data on bullying and cyberbullying victimization from students in 9th through 12th grade participating in the 2011 Youth Risk Behavior Surveillance System study (N=79,577). Analyses were conducted in 2016.

Results: There was an absence of any kind of moderating effect of anti-bullying legislation on weight-based disparities in bullying and cyberbullying victimization. Only state laws with high compliance to Department of Education enumeration guidelines were associated with lower sex-based disparities in bullying victimization.

Conclusions: Anti-bullying policies were not associated with lower weight-based disparities in bullying and cyberbullying victimization among youth, and only one form of policies (high compliance to Department of Education enumeration guidelines) was associated with lower sex-based disparities in bullying victimization. Results therefore suggest that anti-bullying legislation requires further refinement to protect youth who are vulnerable to bullying victimization.

Because bullying is associated with numerous deleterious outcomes, reducing group-based differences and disparities in bullying is an important public health priority.

Potential approaches to reducing bullying disparities include anti-bullying policies, schoolwide bullying interventions, and school programs targeted at vulnerable groups (e.g., Gay–Straight Alliances). However, there is scant evidence of the effectiveness of these approaches in reducing disparities in bullying. Thus, the current study considered the first identified approach—anti-bullying policies—because many schools begin their anti-bullying efforts by adopting a specific policy.

Recent research has begun to evaluate the effectiveness of anti-bullying policies in reducing bullying among youth. One study of more than 60,000 adolescents found that students living in states with at least one U.S. Department of Education (DOE)-recommended legislative component in their anti-bullying law had 24% lower odds of reporting being bullied and 20% lower odds of reporting being cyberbullied. Another study found a slight increase in bullying immediately after Iowa’s anti-bullying law was passed, followed by a decrease 3 years later. Still, the extent to which anti-bullying laws reduce group-based disparities in bullying is largely unknown. This question was identified as a key research gap in the 2016 National Academy of Sciences report on bullying.

Specific policies targeting groups at risk of bullying, as opposed to general policies that do not enumerate the most vulnerable populations, may be more effective at reducing disparities in bullying. Indeed, some social policies—when they have enumerated and communicated a specific intention to address harms against the stigmatized group—have shown promise in reducing health disparities between stigmatized and non-stigmatized groups. For instance, sexual orientation disparities in psychiatric disorders are significantly lower in states with employment nondiscrimination and hate crime laws that include sexual orientation as protected classes than in states without such laws. Applied to the bullying context, this research suggests that enumerated anti-bullying legislation may be effective in reducing disparities in bullying, perhaps through providing specific protections to vulnerable youth or creating school climates that promote diversity and inclusion.

On the other hand, whereas enumerated interventions can improve outcomes for protected groups, broad and undefined interventions may simultaneously exacerbate inequalities, a phenomenon known as the inequality paradox. For example, black/white disparities in HIV mortality increased following the introduction of highly active antiretroviral treatment, an effective population-level HIV intervention, in part because those with greater access to resources (whites) disproportionately benefited from the treatments. This research suggests that general (i.e., non-enumerated) anti-bullying policies can be effective at a population level, while at the same time actually widening (or at least not reducing) disparities in bullying. These competing hypotheses were tested by conducting the largest and most comprehensive study to date examining whether anti-bullying legislation is associated with lower levels of disparities in bullying related to sex and weight.

METHODS

Data Sample

Data were obtained from the Youth Risk Behavior Surveillance System (YRBSS), which was developed by the Centers for Disease Control and Prevention to monitor social issues and health risk behaviors among teenagers in the U.S. Surveys have been conducted every 2 years since 1991 and are based on representative samples of 9th through 12th grade students. These analyses used data from 28 states (N=79,577): 25 states were obtained from the 2011 YRBSS combined data sets, and the remaining three (Delaware, Iowa, and South Dakota) were obtained with permission from state public health departments. States were selected on the basis of data availability, response rate (≥60%), and enactment of the state bullying legislation on or prior to January 1, 2011 (which occurred before the anti-bullying legislation was coded, thereby ensuring temporal ordering of the relationship between anti-bullying legislation and bullying disparities). Additional details of YRBSS methods may be accessed elsewhere. The study was exempted by the IRB because the analyses involved de-identified secondary data analysis.

Measures

The DOE conducted a comprehensive evaluation of state bullying laws enacted through April 2011. Three policy variables were examined in this study.

First, the DOE categorized bullying legislative and policy provisions according to 11 key components and five subcomponents. For each, a dichotomous compliance categorization was employed to classify states as compliant if their legislation was at least partially consistent with the DOE recommendation. The scores for each component were summed in order to assign an overall compliance score. Additional details can be found in Hatzenbuehler et al.

Second, one of the DOE components dealt with enumeration—that is, whether the law “conveyed specific protections for individuals with characteristics that may motivate bullying behavior (e.g., disability, sexual orientation, race/ethnicity, or gender).” Table 1 presents states according to their compliance with DOE guidelines for enumeration (none, partial, full). No compliance indicates that no groups are enumerated. Partially compliant laws “enumerate victims’ characteristics (e.g., sex, race/ethnicity, sexual orientation, weight) but limit coverage to only those protected classes.” Florida’s partially compliant law, for example, limited coverage to three enumerated groups (sex, religion, and race). Fully compliant laws “do not limit coverage under law to members of those classes (e.g., ‘including, but not limited to’).”
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