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**ANTI-BULLYING BILL OF RIGHTS ACT (ABBRA) IN NEW
JERSEY: A CASE STUDY OF THE IMPLEMENTATION OF
REGULATORY POLICY**

by
Kara Alyson Balkin Douma

A Dissertation

Submitted to the
Department of Educational Leadership
College of Education
In partial fulfillment of the requirement
For the degree of
Doctor of Education
at
Rowan University
Mar 13, 2014

Dissertation Chair: Kara Ieva, Ph.D.

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Dedication

This dissertation is dedicated to my parents, Larry and Marcia Balkin, who taught me life's invisible lessons such as patience, humility, perseverance, dignity, compassion, and the power of dreams. This dedication is also in honor of the memory of my grandparents and great uncle who I miss dearly. Thank you, Grandma Edith, Grandpa Phil, Grandma Helen, Grandma Julie, Grandpa Joe, and Babcia for looking down on me and shining your light to continue to warm me on even the coldest days. Finally, thank you to my Great Uncle Jack who always showed the purest, most honest love for his nieces and nephews.

Acknowledgments

I would like to acknowledge several people for their constant support. First, thank you to my family. Without the unconditional love and support of my parents I would not be writing this today. Dad, thank you for always encouraging me to reach for the stars and for sharing your endless wisdom in our daily conversations from education to business to other valuable life lessons. Mom, thank you for reminding me that true success is built on the content of character and family is what matters at the end of the day. My sister, Elise, thank you for your ongoing love, support, and critical eye. You have taught me the value in balancing my analytical and creative sides. Bill, thank you for believing in me. We moved so I could continue to pursue my dreams and you understood the sacrifice of hundreds of weekends to support me. I am very grateful to have married my college sweetheart who has kept my spirits up with his humor and love. Also, to my constant loving companions, you gently remind me that life is not so complicated. Play, naps, and food simply make every day happier.

Acknowledgments

I would like to thank my committee members. You have challenged me to excel and push myself beyond what I ever thought was possible. Dr. Kara Ieva, Ph.D., as the chair of my committee you showed me a unique combination of warm support and high expectations. I appreciate all of the emails, phone calls, and constructive criticism you provided throughout the years. I have learned so much from you and thank you for being my mentor. My methodologist, Dr. Ane Johnson Turner, Ph.D., thank you for your raw honesty. As an expert in qualitative research, I am and always will be honored to have worked with you throughout this process. Furthermore, Dr. Wendy Harriott, Ph. D., thank you for showing your support and confidence in me by agreeing to serve on my committee. My dissertation may have taken some turns, although regulatory policy significantly impacts the area of special education. Finally, thank you to all of the participants and the Pine School District. Your participation, time, and willingness to share your unique experiences have made this study possible.

Abstract

Kara Alyson B. Douma
ANTI-BULLYING BILL OF RIGHTS ACT (ABBRA) IN NEW JERSEY: A CASE
STUDY OF THE IMPLEMENTATION OF REGULATORY POLICY
2013/14
Kara Ieva, Ph.D.
Counselor Education

The primary purpose of this study was to investigate year two of the implementation of the New Jersey Anti-Bullying Bill of Rights Act (ABBRA). The environment of accountability has become increasingly prominent through the ongoing development of regulatory policy in the field of education (Anderson, 2011; Fowler, 2009; Limber & Small, 2003; Peterson & West, 2003; Rudalevige, 2003; United States Department of Education, 2011; White House, 2011). This investigation focused on the gap between crafted policy and implementation of policy due to prior anti-bullying legislation throughout the country having been unsuccessful in the implementation phase (Glover, Cartwright, Gough, & Johnson, 1998; Kester & Mann, 2008; Smith-Canty, 2010). Analysis procedures utilized the method of qualitative research as grounded theory with case study as a strategy (Charmaz, 2010; Glaser & Strauss, 1999; Yin, 2012). Versus Coding provided the method for analysis (Saldana, 2009). Data indicated that several codes emerged illuminating a single explanatory theme of Control versus Freedom. Implications were suggested for policy implementers, policy makers and further theory development.

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Chapter 1

Introduction to Regulatory Policy

“In education, the implementers of most policies are superintendents and their staffs, principals, and classroom teachers. Educators are not robots who mechanically carry out orders issued from above. They are human beings with minds of their own, making decisions in a specific social and cultural context that they understand better than presidents, governors, legislators, and judges. All policies are therefore mediated through the context in which they are implemented; in the process, changes happen” (Fowler, 2009, p. 6).

Public schools in America are constantly affected by the creation of policy by the federal and state departments of education. A considerable amount of regulatory policy has been developed to continually increase accountability in public schools. Accordingly, the position of an educational leader is quickly summarized as one who implements policy (Fowler, 2009). Strict restrictions guided by regulatory policy, particularly on the behaviors of individuals continue to grow (Anderson, 2011). The thread of accountability in public schools gained momentum when President Regan and the National Commission on Excellence in Education issued a warning of mediocrity in our schools within the document *A Nation at Risk* (1983).

Regulatory policies set forth rules that impose consequences when the policy is not followed (Anderson, 2011). This is significant since public schools are held liable in a court of law. Within regulatory policy there exists multiple examples of holding penalties for those organizations and persons who are out of compliance. One popular case, *L.W. versus Toms River Regional School Board* (2007), charged the district under the Law Against Discrimination as they failed to provide a safe school climate to prevent discrimination based on sexual orientation (American Civil Liberties Union of New Jersey, 2002). Other significant legal battles

concerning student safety include: Rutgers University, South Hadley School District in Massachusetts, and Anoka-Hennepin School District in Minneapolis. Considering the monetary penalty, time engaged in litigation, and other consequences, it is evident this problem could use the attention of research efforts. These case examples and more will be discussed throughout the literature review.

As stated previously, accountability reached a pivotal turning point with *A Nation at Risk*. According to Peterson and West (2003), “accountability is a popular way of taking action” (p. 94). As a result, several policies unveiled the rights of accountability. Some examples included the Elementary and Secondary Education Act (ESEA) in an effort to close the achievement gap with the increasing use of standardized testing; the Individuals with Disabilities Education Improvement Act (IDEIA) to assure monitoring for students with disabilities; and numerous anti-bullying policies throughout the nation (White House, 2011). The aforementioned methods of accountability are only a few highlights of these efforts. Methodically, regulatory policy by nature enforces measures of accountability. Accountability efforts, such as state mandates, can be assigned with a lack or absence of funding to support implementation measures (Fowler, 2009). Lack of funding is only one potential problem with the implementation of regulatory policy.

Statement of the Problem

In summary, the environment of accountability is increasingly prominent through the ongoing development of regulatory policy in the field of education (Anderson, 2011; Fowler, 2009; Limber & Small, 2003; Peterson & West, 2003; Rudalevige, 2003; United States Department of Education, 2011; White House, 2011). Often these policies are underfunded and either fail to be implemented or fail to make any changes (Amis, Wright, Dyson, Vardaman &

Ferry, 2012; Fowler, 2009; McCarthy, Wiene, & Soodak, 2012; Munich & Testani, 2005; Person, Moiduddin, Hague-Angus & Malone, 2009). In particular, prior anti-bullying legislation throughout the country has been unsuccessful in the implementation phase (Glover, Cartwright, Gough, & Johnson, 1999; Kester & Mann, 2008; Smith-Canty, 2010). This, in turn, has consistently shown the significant gap between policy and practice.

Nevertheless, regulatory policies continued to develop and intermediaries served to implement the policy that directly impacts the identified population (Fowler, 2009). As stated in the opening lines:

Educators ... are human beings with minds of their own, making decisions in a specific social and cultural context that they understand better than presidents, governors, legislators, and judges. All policies are therefore mediated through the context in which they are implemented; in the process, changes happen. (Fowler, 2009, p. 6)

Political systems theory assists in explaining how policy makers and lead advocates constructed solutions from a combination of input and output loops (Easton, 1957). Within this system is the “black box” in which policy is designed yet the environment is the linchpin to a successful policy (Anderson, 2011; Easton, 1957). School environments within New Jersey vary significantly in “culture, ecology, personality, social structures, and economy” (Easton, 1957). Variations in school systems funnel down to differences in individual implementers.

Another understanding particular to this study that localized and focused the political systems theory is the sense-making framework. The premise of the sense-making framework is “what a policy means for implementing agents is constituted in the interaction of their existing cognitive structures (including knowledge, beliefs, and attitudes), their situation, and the policy signals” (Spillane, Reiser, & Reimer, 2002, p. 388). Deliberate efforts customized this case

study to share the overarching district environment, while individual participants were interviewed to illuminate their sense-making process with a regulatory policy. Additionally, to complicate matters, Fowler (2009) asserted that new policies are either not implemented or are significantly altered during implementation. Sense-making framework assisted in explaining why policy when handed down is not implemented or is altered. It can be revealed when a smooth transition from policy to practice is blocked or imperfect.

In particular, the issue of security brought such urgency to the political arena it was easily met with Senators who held solutions when the policy window opened (Anderson, 2011; Stone, 2002). Bullying continues to be an identified school safety issue with target groups such as racial minorities, including individuals who are obese, disabled, or sexual minorities who tend to experience a higher rate of repeated bullying (Birkett, Espelage, & Koenig, 2009; Espelage & Swearer, 2011; Frisen, Lunde, & Hwanf, 2009; Graham & Juvonen, 2002; Lovegrove, Henry, & Slater, 2012; McLaughlin, 2012; Waddell, 2007). The Anti-Bullying Bill of Rights Act (ABBRA) is a regulatory policy known to be the strictest anti-bullying law in the nation (U.S. Department of Education, 2011). Therefore, this study was designed to explore a particular regulatory policy, within a specific context, devoted to intense research regarding individual experience in the implementation phase. Simultaneously, implementers of policy shed light on the persistent gap between policy and implementation of policy. There is a lack of research in the area of the sense-making framework as it pertained to intermediaries implementing a regulatory policy. The present study elaborated on themes and concepts that explained the thinking of intermediaries regarding implementation of policy underlying its' success or failure.

National Political Movement for Anti-Bullying Law

“The quest for security...brings a sense of urgency to politics and is one of the enduring sources of passion in policy controversies” (Stone, 2002, p. 86). Evidently, school bullying can easily serve as a priority for policy makers.

In order to fully understand the impact of policy on practice, it is important to first have a background of the phenomenon of bullying. The study of bullying as a phenomenon began in the early 1970s under the discretion of Heinemann (Smith, Cowie & Liefoghe, 2002). Beaty and Alexeyev (2008) studied the types of bullying including direct, verbal, physical, and relational bullying, including sexual harassment. The threads of bullying and family; bullying and impact on school climate; and bullying and suicide are reoccurring in the literature (Espelage & Swearer, 2005; Onder & Yurtail, 2008; Overholser, Braden, & Dieter, 2012). In addition, targeted characteristics for bullying include race, sexual minorities, weight bias, and disability (Chad, 2011; Espelage & Swearer, 2011; Graham & Juvonen, 2002; Gray, Kahihan & Janicke, 2009; Spriggs, Iannotti, Nansel, & Haynie, 2007). These target characteristics were used in the definition of harassment, intimidation, and bullying as a way to determine positive cases.

Federal regulations are in place to protect citizens from harm. These regulations have been applied in schools and many connect directly with anti-bullying efforts. Systematic studies by the United States Department of Education (2011) proved state laws have minimal impact on reducing bullying, which led to a heavier regulatory environment. There is no federal law that enforces anti-bullying policy at the public school level, although there are several laws that paralleled and supported policies at the state level. Such laws that fit this description included the Civil Rights Act of 1964, under title VI that prohibits discrimination based on race, color, or national origin (U.S. Department of Education, Office of Civil Rights, 2004). Other laws

prohibited discrimination based on disability and gender, which will be described throughout the literature review. The U.S. Department of Education recommended that state bullying policies abide by the suggested eleven areas of anti-bullying legislation at the federal level (Stuart-Cassel, Bell, & Springer, 2011).

Nationally, Georgia composed the first anti-bullying law in the country in 1999 (Limber & Small, 2003). Recently, the United States Department of Education prepared an Analysis of State Bullying Laws and Policies that contributed significantly to a broad view of the development of anti-bullying policy and the current situation (2011). Approximately 120 bills were passed between 1999 and 2010 (U.S. Department of Education, 2011). The analysis contributed to anti-bullying law and policy literature by documenting comparisons among states. Some comparisons represented the following categories: definitions, district policy review and development, policy components, and additional elements such as training, prevention, transparency, and legal remedies (U.S. Department of Education, 2011). Within this analysis, New Jersey scored the most points for the strictest anti-bullying law in the country.

Studies on anti-bullying laws throughout the nation proved to conclude with moderate success (Smith, 2011). A study out of Washington state revealed a lack of uniformity in use of policy and a lack of substantial decline in bullying (Kester & Mann, 2008). An analysis of the South Carolina Safe School Climate Act determined that the policy was not effectively implemented and schools were not any safer (Terry, 2010). Additionally, the well-known Olweus Bullying Prevention Program proved to produce ununiformed outcomes in American schools (Limber, 2011). These results provided insight into the unstable and ineffective outcomes of anti-bullying policies and programs.

A policy window is a window of opportunity for advocates who insisted on their solutions (Kingdon, 2011). The Anti-Bullying Bill of Right Act (ABBRA) stemmed from the suicide of Tyler Clementi, a student targeted for being a sexual minority at Rutgers University, opening the policy window for stricter anti-bullying legislation in New Jersey. The advocates who led this act were speaking up on behalf of a stricter anti-bullying policy within hours following this tragedy. Senators Barbara Buono (District 18), Diane B. Allen (District 7), and Loretta Weinberg (District 37) led the charge with the final signature of Governor Chris Christie. Soon after, the Anti-Bullying Bill of Rights Act (ABBRA) was complete.

The Anti-Bullying Bill of Rights Act (ABBRA)

All states have been required to protect and sustain a safe environment for students. Following Columbine, the U.S. Department of Education and the U.S. Department of Health and Human Services held their first federal partners in bullying prevention summit (Stuart-Cassel, Bell, & Springer, 2011). This first part review consisted of an analysis of state legislation and school policy surrounding the following eleven areas: (1) purpose, (2) scope, (3) prohibited behavior, (4) definition of bullying, (5) implementation of local policies, (6) review of local policies, (7) components (definition, reporting, investigating, written record, sanctions, and referrals), (8) communication, (9) training/ prevention, (10) annual reporting and monitoring, and (11) right to pursue other legal remedies (Stuart-Cassel, Bell, & Springer, 2011). The federal partners have started a second review that was scheduled to begin in the fall of 2011. The force of this investigation became especially pertinent when a couple highly publicized teen suicides hit the mass media and opened up the policy window. New Jersey politicians and the Department of Education reacted with the ABBRA that encompassed the total federal analysis pattern.

Policy actors, including the Senators referenced above, responded to the sensitized public by developing heightened concern that led to the political action of a bill (Fowler, 2009). The Anti-Bullying Bill of Rights Act (ABBRA) is a regulatory policy that imposed “restrictions or limitations on the behavior of individuals and groups” (Anderson, 2011, p. 13). This act fell under the auspice of the New Jersey Department of Education. The ABBRA became a governance system that dictated how school personnel are to respond in occasions of potential harassment, intimidation, or bullying. The implementers included the Board of Education as another governance structure to oversee the procedures of the ABBRA. In turn, they are mandated to report back to the state regarding their annual records of bullying behavior. This is tracked through documented district records of harassment, intimidation, and bullying confirmed cases and through reporting documents of Violence and Vandalism as it pertains to bullying (NJ Department of Education, 2010). The ABBRA met each of the eleven standards recommended by the U.S. Department of Education and the U.S. Department of Health.

Purpose of Research

In an effort to understand the implementation of regulatory policy from the perspective of the intermediaries, the New Jersey Anti-Bullying Bill of Rights Act (ABBRA) was examined. The purpose of this research was to capture the particular features of this regulatory policy in action through the framework of sense-making theory (Spillane, Reiser, & Reimer, 2002). A goal of this writing was to reveal the process of looking deeply into the ABBRA through a precise lens that allowed researchers, educators, and policymakers an entry point into viewing other regulatory policies.

By placing the implementation phase of regulatory policy in context, this study was designed to focus on the ABBRA. Since the ABBRA has been determined to be the strictest anti-

bullying policy in the nation it produced a dynamic case due to the nature of this heavily regulated policy design (U.S. Department of Education, 2011). Now it is in the third year of implementation in all public schools. Within this analysis, a single school district in New Jersey was used as a case study to assure context consistency so implementing agents share similarities in experience with the community, population, and district leaders. As defined by Creswell (2009) case study is:

... a qualitative strategy in which the researcher explores in depth a program, event, activity, process, of one or more individuals. The case(s) are bound by time and activity, and researchers collect detailed information using a variety of data collection procedures over a sustained period of time. (p. 227)

Yin (2012) contended that a case is normally a bounded entity in which the context “in both spatial and temporal dimensions” is blurred (p. 6). Therefore, the contextual elements of this common district in addition to the extended elements of the schools within blur dimensions throughout this study. This case revealed the impact of a high-stakes state policy in the public school system.

Research Questions

The research questions for this study consisted of one core question with five guiding research questions. The central question is as follows:

How do regulatory policy implementers, including Anti-Bullying Specialists (ABS), school administrators, and professional school specialists experience the Anti-Bullying Bill of Rights Act (ABBRA) implementation within the context of one K-12 school district (Pine School District)?

Research questions include:

1. How have the regulatory policy implementers of Pine School District changed since the ABBRA has been implemented?
2. How are the Pine School District regulatory policy implementers embracing the benefits and overcoming the challenges of the ABBRA?
3. How do Anti-Bullying Specialists (ABS), school administrators, and professional school specialists in the Pine School District define positive school climate?
4. How do the regulatory policy implementers experience the ABBRA impact on school climate?
5. How has the ABBRA made sense according to individual “knowledge, beliefs, and attitudes,” including the implementer “situation” or role in the school, and the policy expectations (Spillane, Reiser, and Reimer, 2002, p. 388)?

Definition of Terms

The following terms are used throughout this writing. It would be helpful to have a quick reference to these important definitions. The list below provides this benefit.

Anti-Bullying Bill of Rights (ABBR)- Law in the state of New Jersey with several sections outlining steps to addressing harassment, intimidation, and bullying (H.I.B.) as determined by law.

Anti-Bullying Specialist (ABS)- Appointed by the Principal, this guidance counselor or school psychologist has three roles: (1) chair the School Safety Team; (2) lead investigations; and (3) act as the primary official for preventing, addressing, and identifying acts of H.I.B. in the school (N.J.S.A. 18A:37-20 (a)).

Black Box Theory- A general political theory which encompasses the environment as it feeds an input loop based on demands and support into a political system that exits on an output loop of decisions or policies mandated (Easton, 1957).

Bully- Student who is proven by H.I.B. investigation to have committed an act of H.I.B.

Bullying- For the purpose of this writing, bullying is viewed as a complex phenomenon, one that includes “aggressive acts which involve a power imbalance, addressing bullying is commonly seen as a moral issue, the assumption being that the abuse of power is especially reprehensible” (Rigby, 2004, p. 288).

Bystander- Witness to harassment, intimidation, or bullying incident who is encouraged to “Walk away from acts of HIB when they see them; constructively attempt to stop acts of HIB; provide support to students who have been subjected to HIB; and report acts of HIB to the designated school staff” (NJ Department of Education, 2011).

Harassment, Intimidation, and Bullying (H.I.B.)- “any gesture, any written, verbal or physical act, or any electronic communication, whether it be a single incident or a series of incidents, that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic, that takes place on school property, at any school- sponsored function, on a school bus, or off school grounds as provided for in section 16 of P.L.2010, c.122 (C.18A:37-15.3), that substantially disrupts or interferes with the orderly operation of the school or the rights of other students and that:

- a. reasonable person should know, under the circumstances, will have the effect of physically or emotionally harming a student or damaging the student's property, or

placing a student in reasonable fear of physical or emotional harm to his person or damage to his property;

b. has the effect of insulting or demeaning any student or group of students; or

c. creates a hostile educational environment for the student by interfering with a student's education or by severely or pervasively causing physical or emotional harm to the student” (N.J.S.A. 18A:37-14, N.J.S.A. 18A:37- 15(b) (2) and N.J.S.A. 18A:37-15.3).

Policy Window- The window of opportunity for advocates insisting on their solutions (Kingdon, 2011).

Regulatory Policy- Policy that imposes limits or restrictions on the actions of individuals and groups (Anderson, 2011).

Remedial measures and consequences- Remedial measures are provided to correct and prevent problem behavior. H.I.B. policy suggestions include peer support groups, corrective instruction, assignment of leadership responsibilities, or pupil interventions. Consequences for a bully include removal from classroom, in-school suspension, reports to law enforcement, or expulsion (*N.J.A.C. 6A:16-7*).

School Climate- The “overall social and emotional ethos of the school” (Espelage & Swearer, 2004, p. 162-163).

Professional School Specialists- This group includes school counselors, psychologists, social workers, Learning Disabilities Teacher-Consultants, and behavioral therapists. These groups of professionals are included because they interview students involved in potential cases of harassment, intimidation, and bullying. These professionals might also serve in a dual role as Anti-Bullying Specialists in the school.

School Safety Team- Team led by the school Anti-Bullying Specialist that includes several stakeholders (parent, administrator, counselors, teachers) and is “tasked with the following responsibilities: develop, foster, and maintain a positive school climate by focusing on the on-going, systemic process and practices in the school and to address school climate issues such as H.I.B.” (N.J.S.A. 18A:37-21).

Sense-Making Framework- Based on a cognitive model of “what a policy means for implementing agents is constituted in the interaction of their existing cognitive structures (including knowledge, beliefs, and attitudes), their situation, and the policy signals” (Spillane, Reiser, and Reimer, 2002, p. 388).

Target- Student who is the alleged or actual victim of an act of H.I.B.

Significance of the Study

Central to this study of regulatory policy are the findings that are generalized to various fields, substantially extending the results. The deliberate use of grounded theory for this study was intended for the construction of a central theoretical framework regarding the implementation of regulatory policy (Charmaz, 2009; Dey, 1999). Perhaps the most serious advantage to this method was the emerging theoretical framework that transcended this particular policy study. Ultimately the study has thereby illuminated priority concepts relevant to practitioners who served as the policy implementers in their field and policy makers who strived to meet their policy goals.

Another significant piece of this research was to investigate the impact that a new law has on schools; specific to one that has been determined to be the most heavily regulated anti-bullying law in the country (U.S. Department of Education, 2011). This study has been significant regarding the specific issue of anti-bullying policy in schools while simultaneously

constructing theoretical relevance for general regulatory policy implementation. Additional benefits have emerged.

The discovery of themes and rich descriptions in coded interviews regarding the implementation of the ABBRA provided significant information in several more specific areas (Creswell, 2009). First, this review contributed to the literature on school bullying including suggested actions to combat this phenomenon in a more comprehensive way. Second, this analysis provided relevant information to policy makers, educators, school board members, parents, students, and community members as to the implications for practice of a heavily regulated policy. Third, this influenced the relationship between practitioners and policy makers to transfer policy into practice more efficiently. Fourth, this study made recommendations for improvement of policies that could impact public schools in New Jersey and beyond. Fifth, the theory that is generated from this study produced relevant themes and concepts that illuminated the use of regulatory policy in professions beyond the school environment. Sixth and last, the research provided insight into school climate and potential recommendations for an improved school environment.

Limitations

Limitations included a demanding timeline, further study in order to generalize results, and ethical considerations. Data was collected primarily in the spring and summer of 2013 with the potential of continued interviews in the fall due to the need for saturation of data to establish rigor. Therefore, interviews about the implementation of the Anti-Bullying Bill of Rights Act (ABBRA) were held in the second year. Reviewed implementation within the sense-making framework may have produced more accurate information in the first year since participants will have to recall their prior experiences before the law existed. This caused limitations since

participant memories might not be as clear in the second year. Additionally, data limited to a single district is exclusive due to the particular context consequently it would be difficult to generalize the results to other districts without further study. The ABBRA was implemented with vast differences throughout the state even with the strict guidelines in place interpretation and district culture should be taken into consideration.

Ethical considerations have been taken into account as a possible limitation. First and foremost, participant privacy and responses were held in confidence to conceal their identity (Glense, 2006; Rossman & Rallis, 2003; Toma, 2005). Second, due to my dual role as researcher and administrator, I continuously abided by the Code of Ethics for Educational Leaders found in the American Association of School Administrators (AASA) with a particular emphasis on fulfilling “all professional duties with honesty and integrity and always” acting “in a trustworthy and responsible manner” (AASA, 2012). Third and finally, there was a sensitivity to interviewing and a balance that was established to minimize my role as an educator to “preserve the autonomy of the participant’s words and to keep the focus of attention on his or her experience rather than mine” (Seidman, 2006, p. 96). With this in mind, I kept field notes, a reflexive journal, and analytic memos to increase the rigor of this study (Ahern, 1999; Charmaz, 2009; Patton, 2002).

Organization of the Study

My research was developed through the qualitative method of grounded theory with use of the research strategy of case study. Charmaz (2006) described the grounded theory method as a qualitative study that focuses on building conceptual frameworks through data analysis. Therefore, the data shaped and informed future collection of data (Charmaz, 2006). Research techniques included a range of individual interviews and a professional school specialist focus

group (school counselors, psychologists, social workers, and Learning Disability Teacher-Consultants). I intended on using a “structured focus group session” for the professional school specialists (Glense, 2006, p. 103). Individual interviews were held with Anti-Bullying Specialists (ABS) and school administrators throughout the district. Interviews were recorded, transcribed, then coded and bracketed for themes. Interviewees had the opportunity to member check for valid results. Individual interviews continued until the themes were exhausted.

In-depth interviews of Anti-Bullying Specialists (ABS) and school administrators, including a focus group of professional school specialists serve as the multiple sources to establish validity. Meanwhile, district data collection included Anti-Bullying Specialists (ABS) at the elementary, middle and high school levels as well as the district ABS. School administrators were interviewed at all levels. The focus group of professional school specialists included representatives from the middle and high schools. Material culture was also examined as appropriate (Patton, 2002). Simultaneously, the use of a reflexive journal, field notes, and analytic memos throughout the research process guided theoretical sampling (Ahern, 1999; Charmaz, 2009; Patton, 2002). This study was validated as rigorous with the saturation of data that proved specific properties of categories consistent and results in the absence of newly emerging categories (Glaser & Strauss, 1999). Chapter three thoroughly explained the research process.

In the following chapters you should expect a detailed study that uncovered the experiences of implementers of regulatory policy. In Chapter two I provided a thorough review of the literature on the national political climate, public school accountability, regulatory policy, historical features of bullying, elements of the policy window, federal involvement in anti-bullying, the Anti-Bullying Bill of Rights Act (ABBRA) in New Jersey, and implementers

engaged in sense-making theory. Chapter three declared and provided an in-depth plan for the methodology associated with the study. Chapter four communicated the findings and analysis. Chapter five drew conclusions and discussed the implications for research, policy, and practice. Now we will turn to the literature review.

Chapter 2

Literature Review

My literature review began with a critical view of national security and the political climate. Second I discussed public schools and the movement into an era of accountability. Third I explored the implications of the history of bullying and target characteristics as defined by the Anti-Bullying Bill of Rights Act (ABBRA). Fourth, I discussed federal involvement in the national anti-bullying policy. Fifth, a focus on state involvement on a national scale was dissected. Sixth, the significance of the strictest anti-bullying law in the country was analyzed in the state of New Jersey by revealing the components of the policy window, leading Senator actors, and the black box theory (Easton, 1957; Stone, 2002). The seventh and final piece was a narrow focus on the implementation of the ABBRA at the local level with sense-making as a framework for understanding the formal implementers and the intermediaries who must ensure policy is followed, which concluded this literature review (Fowler, 2009; Spillane, Reiser, & Reimer, 2002).

Accountability was increasingly popular in national policy concerning public schools. A broad overview of the trend to hold schools accountable was discussed throughout this section. Such a trend included a need to reduce violence and increase achievement. Accountability facets are largely related to an increase in regulatory policy, such relevant mandates included the Individuals with Disabilities Education Improvement Act, the Elementary and Secondary Education Act and anti-bullying legislation. In the following description, the issue of accountability without financial support is another facet in this trend of strict policies in the field of education. This upcoming segment elaborated on these areas.

Public Schools: Accountability Versus Flexibility

Public schools abided by strict federal and state policies that mandate student, teacher, and administrative requirements. Policies for schools originated at the national, state, or district level. Policy formation was directly linked to monetary support and pressures from outside groups. In particular, educational achievement policies are tied to improving the success of identified struggling learners and holding educators responsible for student outcomes. Policies geared toward educational achievement for struggling learners are often grouped through use of demographics including subgroups of minority populations, free or reduced lunch (based on lower socioeconomic status), English language learners, and students with disabilities. At times the redistributive policy is used to shift school resources from the haves to the have-nots (Anderson, 2011). The implementation phase of policy is significant as this is where policies are always altered since they originated at the top of the wider system or they are not implemented fully or correctly (Fowler, 2009). Improvement of academic achievement remains the overarching goal of policy makers as international competition for jobs and innovation grows.

Capitalizing on the issue of accountability while closing the achievement gap through measurement practice included, identical expectations for both general and special education. According to the National Longitudinal Transition Study Two (2005) approximately 26% of students with disabilities do not graduate from high school. Those who drop out of high school were presented with challenges over time of lower earnings, decreased life expectancy, increased social risk, and becoming a stressor on the economy (Ladner, Lefevre, & Lips, 2010). These at-risk students are regarded as a subgroup under the No Child Left Behind Act (NCLB).

The challenges for academic competition represented only one of the many policy issues that exist in schools today. Successful instruction was limited if students do not feel safe.

Bullying laws increased as the Center for Disease Control (2009) estimated that a total of 30% of 6th through 10th graders confess to being a bully, a victim, or both. In 2007, the third leading cause of death for adolescents ages 15-24 was suicide (National Institute of Mental Health, 2010). The highest percentage of bullying occurs at the middle school level while 25% of all public schools report that bullying occurs on a daily or weekly basis (CDC, 2011). Sadly, homicide is the 2nd leading cause of death for ages 10-24 years in the country (CDC, 2011). Consider the magnitude of these statistics. As this review continues, the connection between anti-bullying policy and the heightened concern surrounding the potential outcome of bullying as harm to the individual child was explored as a reason for increased political response.

An enormous pressure for education resides with special interest groups across the nation continuously taking aim at NCLB regulations. The National Education Association (NEA) filed a lawsuit against the Department of Education (DOE) for creating an “underfunded mandate on public schools” (Munichit & Testani, 2005). The NEA won the lawsuit and it was determined that the federal government violated spending requirements by not funding the resources necessary to implement the policy. Another lawsuit lasted for six years when Connecticut sued the Department of Education (DOE) for funds they lost over paying for tests (Reitz, 2011). Interestingly, the special interest group of NAACP intervened on the side of the DOE over concern that eliminating NCLB would permit for a greater violation of civil rights for students as the state would not spend money in the areas of high need (Reitz, 2011). There were several other class action lawsuits against the DOE. Special interest groups continued to challenge NCLB. This struggle exemplified group theory that “rests on the contention that interaction and struggle among groups are the central facts of political life” (Anderson 2011, p. 20).

Communities struggled with “self-interest and public interest” recognizing that “actions have not only immediate effects, but side effects, unanticipated consequences, second- and third-order effects, long-term effects, and ripple effects” (Stone, 2002, p. 22-23). The paradox existed in every political battle that special interest groups and politicians maintain. The implications for NCLB have provided a heated policy environment around issues of race, disability, and socioeconomic status.

Although NCLB is supposed to provide funding to close the achievement gap and to closely monitor vulnerable subgroups, it appeared that the mobilization of bias could easily be used as the culture of standardized testing still reflects a bias in results (Fowler, 2010). Thereby, it appeared that minority groups were being assisted, although one might question the sincerity of helpfulness when the federal government resists individualization and recognition of various cultural backgrounds by pursuing one test of reading, writing, and mathematics. In this sense, minority groups have been disempowered through the standardized testing system. These tests confirmed the subgroup failure consistently therefore the unusual disempowerment is a continuation of “messages that communicate their low status and unsuitability for leadership” (Fowler, 2010, p. 38). This cycle of standardized testing focused on groups that experience challenge.

The vying interest groups monopolized the political debates, although when it comes down to the final word, it rests at the feet of the ruling elite (Anderson, 2011, p. 22). According to Anderson (2011), the ruling elite neglected the masses and technically “preferences are carried into effect by public officials and agencies” (p. 22). This was recognized in the United States Department of Education (USDOE) reform of NCLB where President Obama cited the need to fix NCLB by calling for “college and career ready standards, more great teachers and principals,

robust use of data, and a more flexible and targeted accountability system based on measuring annual student growth” (US DOE, 2011). A blueprint for reform in the Elementary and Secondary Education Act was formed in March of 2010.

Anderson (2011) resolved the fact that policymaking and the context of its’ development are not separate entities, rather they compliment one another. Realizing the issues at odds with each other, one example was the strictest focus on measurement in schools. Education has been viewed as the “solution to almost all the country’s ailments” (Peterson & West, 2003, p. 4). Keeping this in mind the influx of national standards, referred to as the Common Core State Standards initiative, heightens accountability and steadily increases teacher expectations through course assessments that measure growth. “Accountability is a popular way of taking action” (Peterson & West, 2003, p. 94).

Accountability assured measurement thereby encourages votes and seats on committees to see visible results. Organizational controls included “tests, school report cards, rewards and sanctions, and the like- designed to get district officials, principals, teachers, and students to change their behavior in productive ways” (Peterson & West, p. 81). Through policy development, it appeared that a strict focus on accountability would provide a turn around for schools. This concept that forced accountability led to improved results that are explored throughout this writing.

With the launching of Sputnik, Ronald Regan along with the National Commission on Excellence in Education issued the imminent warning in the document of *A Nation at Risk*, that explained “the educational foundations of our society are presently being eroded by a rising tide of mediocrity that threatens our very future as a Nation and a people. What was unimaginable a generation ago has begun to occur--others are matching and surpassing our educational

attainments” (A Nation at Risk, 1983). The push for accountability related to testing and standards was strong in the nation.

“Accountability in education has been described as a “tripod” made up of standards, tests that measure whether those standards have been reached, and penalties or rewards linked to performance on the tests” (Rudalevige, 2003, p. 25). This tripod is linked to the following policies including the Elementary Secondary Education Act (ESEA), No Child Left Behind (NCLB), Individuals with Disabilities Education Act (IDEA), Response to Intervention (RTI), and Partnership for Assessment of Readiness for College and Careers (PARCC) with the only exception being that penalties or rewards can be linked to process or proper documentation instead of test performance. Accountability poured down from the federal government and the rate of risk and reward increase dramatically. The following were some highlights of accountability.

The Elementary and Secondary Education Act (ESEA) released a blueprint for revision in which all states would follow college- and career-ready standards. The call to revise the act continued to progress. Under the ESEA is the No Child Left Behind Act (NCLBA) of 2001 that held the purpose “to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind” (US Department of Education, 2008). A major focus within the blueprint was Successful, Safe, and Healthy Students (US Department of Education, 2011). Within this proposal is a focus on improving school climate through heightened safety and promoting students’ physical and mental well being including state and district-wide school climate assessments (US Department of Education, 2011).

President Obama executed a presentation that compared the NCLBA to ESEA reform titled “Fair, Flexible, and Focused: President Obama’s Blueprint for Accountability” in which he

requires states to set standards and accountability systems that reward growth and progress on a national scale; while penalizing districts that do not meet accountability measures (US Department of Education, 2011). A keynote comparison was that every level of a public school system that held accountable as opposed to solely at the school level. This accountability policy dealt primarily with funds, reviews, penalties, reports, and accountability for adequate yearly progress (US Department of Education, 2008). ESEA was a regulatory policy required at national level.

The current Individuals with Disabilities Improvement Education Act (IDIEA) had been revised in 2004 by the U.S. Department of Education. The alignment with NCLB was purposefully worked into the IDIEA policy guidelines. Topics incorporated into the policy include the following: regulations on disproportionality, early intervention, evaluation procedures, highly qualified Teachers of Students with Disabilities, identification of learning disabilities, Individualized Education Program (IEP), monitoring, procedural safeguards, secondary transition, and assessments (IDIEA, 2004). Students with disabilities were expected to meet the proficient level for state testing and are permitted accommodations as per the IEP. A student with disabilities may take an alternate form of state assessment if the student's IEP team proves that the student has not participated in the learning necessary to perform on the test or the student would not be able to complete the assessment pieces (New Jersey Department of Education, 2003). The number of alternate assessments used in schools is reported on and is utilized in the system for accountability measures. IDIEA is a regulatory policy imposed at a national level.

Anti-Bullying Policy

The era of accountability has sent us down a path of monitoring and reporting out on school behaviors that revolve around bullying, harassment, and intimidation at a national level. Arne Duncan, the United States Secretary of Education, after reviewing the Analysis of State Bullying Laws and Policies stated that “Every state should have effective bullying prevention efforts in place to protect children inside and outside of school. This report reveals that while most states have enacted legislation around this important issue, a great deal of work remains to ensure adults are doing everything possible to keep our kids safe” (U.S. Department of Education, 2011).

The summarizing report captured key points including a total of forty-six states with anti-bullying laws, while forty-one had model policies, thirty-six had cyber-bully laws, and there are thirteen states that granted schools the right to react to behavior that did not occur on school grounds during school hours (US Department of Education, Press Office, 2011). Further discussion on school security as a nation was discussed. It was relevant to have a background on bullying in order to understand anti-bullying policy within full context. The upcoming section has provided a foundation for the history of bullying, relationships as they pertain to bullying and defining characteristics surrounding issues of bullying. A brief history of national security, followed by a background on bullying was also explained.

According to Anderson (2011), policymaking cannot be successfully understood or analyzed when it is separated from the environment. With this understanding it is important to gain a sweeping view of the nation which could include elements such as social structure, political climate, socioeconomics, demographics, or geographic characteristics (Anderson, 2011). In order to successfully understand the reasoning behind policymaking in the United

States regarding security, it is important to realize that “safety, or the prevention of future needs” has risen up as a prevalent theme in our society (Stone, 2002, p. 94). This section began with an overview of security as a public issue and concluded with elements of accountability within public schools.

The need for future security as an underlying environmental factor can bring a surge of urgency to politics. Stone (2002) explained that “much of our awareness of safety and risk comes from previous accidents...the human imagination is capable of creating infinite terrors, and terror explains why there is often an emotional fervor to arguments about this type of need” (p. 95). An urgent need in our nation came to light after the terrifying attacks on September 11th 2001 where thousands of American lives were taken within a few hours. The massive impact that remained within the nation from this experience creates a feeling of infinite terror in society. Immediately following the attacks, the United States Department of Homeland Security was formed as a way to safeguard the nation with both public and private sector partners. Homeland Security provided planned responses to large emergencies in the United States including terrorist attacks and natural disasters. Prevention efforts to alleviate fear led to policies and regulations that held this department accountable for the security of our nation.

In comparison, approximately two years prior, the shocking attack on Columbine rippled throughout the nation. This led to the partnership between the United States Secret Service: National Threat Assessment Center (NTAC) and the U.S. Department of Education to complete a Safe Schools Initiative that investigated school shootings and other violent attacks which analyzed thirty-seven incidents with forty-one student attackers (United States Secret Service, 2010). Understandably, the order for public safety had increased since 1999 and again in 2001. Other incidents that have resulted in security issues included such events as the following: the

Virginia Tech school shooting in 2007, the Colorado mass shooting at a movie theater in 2012, and the mass shooting at the Sikh temple in Wisconsin. Multiple teen suicides raised public fear including the loss of adolescents: Phoebe Prince, Amanda Cummings and Tyler Clementi. These events created uncertainty in the public arena causing distress that resulted in a political response. Later in this literature review, a discussion on regulatory policy was addressed to determine features that show the need for control in a nation where security issues can feel out of one's control (Anderson, 2011). Now we turn to anti-bullying historical highlights.

Anti-Bullying Historical Highlights

The “quest for security...brings a sense of urgency to politics and is one of the enduring sources of passion in policy controversies” (Stone, 2002, p. 86). Therefore, one can imagine the powerful tie between childhood bullying and urgency in the political arena. Bullying as a field of study began with the research of Heinemann. Following the research and study of bullying, anti-bullying efforts grew drastically as the needs in society illuminated this particular area of interest. Popular threads within bullying studies included the impact of bullying on school climate, the influence of family regarding the act of bullying, and the public link between bullying and suicide. The following details these areas.

Bullying as a formal school of thought commenced in the early 1970s. “Heinemann (1973) was one of the first to write on the phenomenon of bullying. He used the Norwegian term *mobning*, referring to group violence against a deviant individual that occurs suddenly and subsides suddenly” (Smith, Cowie, Olafsson & Liefoghe, 2002, p. 1119). The systematic study of bullying began in 1978 when Olweus published his book on the topic of school bullying titled *Aggression in the Schools* (Smith, Cowie, Olafsson, & Liefoghe, 2002). Olweus was the first to use the term bullying but also extended the definition “to include systematic one-on-one attacks

of a stronger child against a weaker child” (Smith, Cowie, Olafsson, & Liefoghe, 2002, p. 1119). There were several types of bullying including:

- (a) Direct Bullying: Behaviors such as teasing, taunting, threatening, hitting, and stealing that are initiated by one or more bullies against a victim;
- (b) Verbal Bullying: Taunting, teasing, name calling, spreading rumors;
- (c) Physical Bullying: Hitting, kicking, destroying property, enlisting a friend to assault someone for you;
- (d) Verbal (Non-physical) Bullying: Threatening or obscene gestures, excluding others from a group, manipulating friendships, sending threatening E-mail;
- (e) Sexual Harassment: A form of bullying in which the intent is to demean, embarrass, humiliate, or control another person on the basis of gender or sexual orientation. (Beaty & Alexeyev, 2008, p. 1)

Similarly, “aggressive acts which involve a power imbalance, addressing bullying is commonly seen as a moral issue, the assumption being that the abuse of power is especially reprehensible” (Rigby, 2004, p. 288). School bullying hit more headlines and legality of responsibility was being addressed. Bullying exists on a continuum from less to more severe (Rigby, 2004). At times bullying was linked to suicide, for example, Phoebe Prince (2010), a student from South Hadley High School in Massachusetts committed suicide after being a target of bullying. In the case, six teens face unprecedented charges for bullying that allegedly led to Phoebe taking her own life.

Bullying was in the courtroom, as in Phoebe’s case, and in the schools it had notably been on the rise. “The percentage of victimized students had increased by approximately 50 percent from 1983, and the percentage of students who were involved (as bullies, victims, or bully-victims) in frequent and serious bullying problems- occurring at least once a week- had

increased by approximately 65 percent” (Olweus, 2003, p. 13). Schools were only the tip of the iceberg as Espelage, Bosworth and Simon (2000) correlated bullying behavior positively with time spent without any adult supervision, negative peer influences, and community safety issues; in contrast, time spent with positive adult role models was associated with less bullying behavior (p. 78). Herein, assured a positive school climate is linked to an ongoing effort to reduce bullying.

School Climate

The National School Climate Center (2012) defined the necessary elements for a positive school climate including “norms, values and expectations that support people feeling socially, emotionally and physically safe.” School climate was defined for our purposes as the “overall social and emotional ethos of the school” encompassing elements of effective learning, school spirit, motivation, options for student choice/ decision-making, and the quality of relationships present in the school (Espelage & Swearer, 2004, p. 162-163). The heightened evidence of these elements offers implications to positive school climate while negative correlations predicted the alternate. Sustaining a positive school climate was one of the expectations of the Anti-Bullying Bill of Rights Act (ABBRA) requiring a School Safety Team to manage and improve this area. The ABBRA was formed as a response to youth suicide prevention and will be related to the policy window later in this writing. In the meantime, the upcoming section provides relevant knowledge in the area of youth suicide as it relates to bullying.

The term “bullycide” was developed in 2001 when Neil Marr and Tim Field published their book *Bullycide: Death at playtime- An expose of child suicide caused by bullying*. Herein an explicit link from bullying to child suicide was born. Overholser, Braden, and Dieter (2012) contend that life situations that are stressful often serve as the “breaking point that acts upon a

person's pre-existing vulnerabilities" (p. 334). This served as a reason to eliminate bullying since it appears to be a catalyst for taking dangerous action. The National Institute of Mental Health (2010) cite the year 2007 for suicide by age group: 10-14 years old at .9 per 100,000; 15-19 years old at 6.9 per 100,000; and 20-24 years old at 12.7 per 100,000. The most prevalent, strongest association for suicide is attributed to having a psychiatric disorder and correlates with suicide at a rate of over 90% (Cavanagh, Caron, Sharpe, & Lawrie, 2003; Freuchen, Lundervold, & Berit, 2012; Overholser, Braden, & Dieter, 2012; National Institute of Mental Health, 2012). It is relevant to know that suicidal ideation is prevalent in bullies, victims, and bully-victims; those with reoccurring involvement in either position are recommended for professional screening of psychiatric problems on a routine basis since there are treatments that greatly assist with these disorders (Klomek, Sourander, & Gould, 2010; National Institute of Mental health, 2010).

Highly publicized youth suicides included a high school student, Phoebe Prince who committed suicide in 2010 after moving to a new school and being bullied by her peers. Similarly, a Rutgers student in New Jersey, Tyler Clementi committed suicide in 2010 after he had a sexual encounter with another man and found his roommate viewed it on a web cam then continued to make harassing remarks online. Phoebe Prince suffered bullying in Massachusetts and five teens were charged with criminal harassment with penalties of community service and probation (Webley, 2011). Tyler Clementi was a Rutgers University student and his roommate was charged with a bias crime due to his online postings about Clementi's sexual encounters. His bully, Revi, was sentenced to thirty days in jail and community service (McLaughlin, 2012). The springboard for tougher, more direct anti-bullying laws in Massachusetts sprang from Prince's death. In comparison, Clementi's death sent New Jersey into final action toward a rigid anti-bullying act.

Snapshot of Anti-Bullying Politics at the National Level

Anti-bullying efforts have not connected with a particular region, rather efforts of anti-bullying have been pushed from the national level. Laws have protected particular groups and shielded people from violence in America. These laws, discussed below, shed light on the more specific provisions for anti-bullying at the state levels. National court cases and multiple state level policies provided insight into the collective experience across the country.

Several laws existed at the federal level to protect citizens from bias, harassment, and other damaging behaviors. All programs and activities that received federal funds must abide by each governing federal law (U.S. Department of Education, Office of Civil Rights, 2004). These same laws that are applied to citizens of our country must also be abided by within the public school system. First, the Civil Rights Act of 1964, under title VI prohibits discrimination based on race, color, or national origin (U.S. Department of Education, Office of Civil Rights, 2004). Individuals discriminated against for these characteristics are protected under federal law and may file a suit against those who discriminate against them. Second, Title IX of the Education Amendments of 1972 prohibited discrimination based on sex (U.S. Department of Education, 2004). Title IX included equal opportunity in athletics and protected females from discrimination during pregnancy.

Third, similar protection for those with disabilities was covered under the Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990 (U.S. Department of Education, 2004). Fourth and last, the Office of Safe and Drug Free Schools possess the Gun-Free Schools Act and the Safe and Drug Free Schools and Community Act as part of Title IV found in the Elementary and Secondary Education Act reauthorized by the No Child Left Behind Act of 2001 (U.S. Department of Education, 2006). In particular, the Safe and

Drug Free Schools and Community Act broke up into four main areas including: (1) schools need to prevent violence at and surrounding schools; (2) use of drugs, alcohol and tobacco must be prevented; (3) parents and community members must be involved in this process; and (4) federal resources are used to support this Act (U.S. Department of Education, Office of Safe and Drug-Free Schools, 2004). Although several other laws existed that public schools must abide by, these are most relevant to a discussion of federal guidelines that folded into anti-bullying state laws.

A dual effort gleaned from the federal laws referenced above. Both needed to reduce violence and mitigate discrimination is apparent. The laws based in protection from bias or discrimination based on race, color, national origin, sex, or disability aligned with the definition of bullying, harassment, or intimidation based on one of these characteristics. The laws founded in making schools safe and protecting students from issues such as gun violence and drugs or alcohol can support an anti-bullying law because these are examples of items found in an unsafe school environment. Anti-bullying laws protected students in several areas with the underlying goal being a safe, positive school climate. Federal laws paralleled anti-bullying state laws as a way to reduce violence and increase positive, civil behavior.

School districts, according to federal laws, always had an obligation and responsibility to assure students are safe and protected from physical, social, and emotional dangers. Before the issue of bullying grew in urgency, school level regulations offered a code of conduct to address student behavior and building safety regulations to assure student safety. Therefore, school bullying policies do not exist in isolation. Under federal legislation public schools followed the laws and developed appropriate plans to address behavior and schools can only receive federal

funding with these policies in place (Limber & Small, 2003). In an effort to make this clear, it is valuable to take a look at the history specific to the development of anti-bullying laws.

Georgia composed an anti-bullying law in 1999 when the definition of bullying included only physical harm and required schools to implement character education programs (Limber & Small, 2003; U.S. Department of Education, 2011). This began the definition of bullying. Since 1999, the landscape of anti-bullying legislation was altered education.

Recently, the United States Department of Education prepared an Analysis of State Bullying Laws and Policies that contributed significantly to a broad view of the development of anti-bullying policy and the current situation (2011). The aftermath of Columbine in which the student shooters were allegedly bullied, led them to take the lives of others and then their own, delivered a fast track to the development of anti-bullying legislation. Approximately 120 bills were processed between 1999 and 2010 (U.S. Department of Education, 2011). Bully Police U.S.A, a national lobbying group tracks states that adopt anti-bullying legislation (2012). Bully Police U.S.A. is currently attempting to get Montana to develop an anti-bullying law (2012). The organization provided a grade of B+ to South Dakota who is the 49th state to pass an anti-bullying law (2012). Anti-bullying laws continued to be tightened and developed today. More importantly, looking at the content of the policies and comparison across states provides a balcony view of the current laws.

The most striking results emerged from this national study are the inconsistent definitions and the varied state expectations for addressing bullying. Many states chose among the terms “bullying, harassment, and intimidation” using these terms interchangeably, choosing among the three, or distinguishing the difference of “bullying” and “harassment” (U.S. Department of Education, 2011). According to Limber and Small (2003) equating bullying with harassment

caused several problems. Harassment did not have to be based on an actual or perceived characteristic; it did not have to indicate an imbalance of power; and it should already be protected under another school policy under the Civil Rights Act (Limber & Small, 2003). These conflicting terms led to confusion in the implementation phase of policy. Based in research the definition of bullying is agreed to be “aggressive acts which involve a power imbalance, addressing bullying is commonly seen as a moral issue, the assumption being that the abuse of power is especially reprehensible” (Rigby, 2004, p. 288). Further research indicated that these aggressive acts may be represented through relational, indirect and manipulative bullying, most often used by females (Crick, 1995; Leff, Waasdorp & Crick, 2010; Owens, Shute, & Slee, 2000). In opposition, bullying overlaps with harassment when it was based in discrimination hinging on a distinguishing characteristic (U.S. Department of Health and Human Services, 2012). The combination of both terms resulted in confusion in deciphering cases.

The second apparent feature across the United States was the extent of regulating attributes in the law. The U.S. Department of Education analyzed the following components across the country: definitions, district policy review and development, district policy components, and additional elements such as training, prevention, transparency, and legal remedies (2011). The rankings were reviewed based on the expansiveness of the legislation. The highest score was 30 points in Washington and New Jersey, while the lowest score was 3 points in Minnesota and 5 points in Texas (U.S. Department of Education, 2011). According to the U.S. Department of Education (2011), the average rating was 16.5 points. Although the points are the same, New Jersey had been known to have the strictest anti-bullying legislation in the country. This could be due to the following variations: New Jersey demonstrates explicit control over out of school bullying occurrences, while Washington leaves this ambiguous and the score for

transparency and monitoring for New Jersey was a high 2 points, while Washington scored a 0 (U.S. Department of Education, 2011). The extent of expansiveness or specific regulations to address bullying was most restrictive in the state of New Jersey.

Our nation had no overarching federal law dictating that states must have anti-bullying laws or policies within their public school systems. The United States Department of Health and Human Services (2012) had an informative website for the public titled “StopBullying.gov” in which a national overview of anti-bullying is provided. There was a clear distinction among states determining if there is currently a law, policy, or both. According to “StopBullying.gov” a law found within state education codes and a policy provides guidance as to how to successfully follow the law. Montana was the only state to have a policy to follow without a law to support it, while a total of eight states have an anti-bullying law without a model policy (U.S. Department of Health and Human Services, 2012). Prior to uncovering the history of the development of state laws and policies on anti-bullying, it was important to have a background of federal laws that could push the development of state anti-bullying laws.

Development of Regulatory Policy

Regulatory policy imposed limits or restrictions on the actions of individuals and groups (Anderson, 2011). Accordingly, these policies sought to exert control over the behaviors of others by setting forth rules that if not followed impose consequences (Anderson, 2011). The Anti-Bullying Bill of Rights Act (ABBRA) was focused on reporting harassment, intimidation, and bullying behaviors resulting in remedial measures and consequences. When the ABBRA was not adhered to by the public school, consequences ranged from verbal warning to a lawsuit or even police involvement. Regulatory policy, such as the ABBRA was based on the specific, rigid, and lengthy policy requirements. Consider the review by the United States Department of

Education (2012), the extent of expansiveness was linked to a high rating. Consequently, the higher ratings were the more restrictive policies that are correlated to be the better policies with a high score to prove their worth.

Several court cases proved the possible consequences of deviating from strict policy surrounding responses to bullying and positive school climate initiatives. The famous court case of L.W. versus Toms River Regional School Board in 2007 under the Law Against Discrimination found that although the school responded to sexual discrimination of L.W., they failed to take active steps to prevent discrimination based on sexual orientation (American Civil Liberties Union of New Jersey, 2012). Similar cases included Derek Henke from Washoe County School District in Reno, Nevada won \$451,000 after being harassed based on his sexual orientation the district was also required to make their bullying policy more aggressive (Lambda Legal, 2013). Another target, in the area of sexual orientation included the case of Tyler Clementi, a student at Rutgers University who committed suicide in 2011, afterward the parents sued his roommate, the student who harassed him.

Public cases included the suicide of fifteen year-old Phoebe Prince from South Hadley, Massachusetts who was sexually harassed by peers afterwards her parents sued the district and were awarded \$225,000 (American Civil Liberties Union, 2011). Continuing on, in Anoka-Hennepin, Minneapolis, the largest school district in Minnesota, six students committed suicide within two years time due to bullying based on sexual orientation, meanwhile students sued the district for their lacking policy for this protective category resulting in a monetary reward of \$270,000 split among six students and a requirement for the district to build a comprehensive anti-bullying plan worth \$500,000 (Huffington Post, 2012). While several other lawsuits evolved throughout the country, a recent settlement in Ramsey, New Jersey by Sawyer Rosenstein who

was twelve years old when he became paralyzed by his bullies, the school district settled at \$4.2 million dollars (New Jersey Coalition for Bullying Awareness, 2012). It was significant to recognize the correlation between the call for strict policy and active responses to prohibit bullying with the consequence being significant for public school districts and their taxpayers.

To begin with, since Washington is ranked high for expansiveness of anti-bullying legislation, stakeholders should know the outcomes of anti-bullying legislation. A main goal of anti-bullying legislation was reduced or diminished school bullying. Kester and Mann (2008) completed a statewide research study on the public school districts in Washington and found that school districts were not uniformly addressing bullying and bullying had not substantially declined across the state. Since the development of the anti-bullying legislation in 2002, Washington State had not seen the effects of diminished bullying in schools (Kester & Mann, 2008). Some suggestions Kester and Mann (2008) provided in this large study were increased funding for more resources, invested in providing instruction in teacher education programs, make this a statewide initiative beyond school walls, and revisit the language in the state mandate.

After Oklahoma required public schools to address bullying, an urban school district adopted a program called “Bullyproof” and researchers evaluated the five months post-program in which results indicated insignificant change in observed bullying behaviors (Halford, Borntreger, & Davis, 2006). In June 2006 South Carolina established the Safe School Climate Act in which Terry (2010) studied the effects only to determine the policy was ineffectively implemented thereby not making public schools any safer. To extend this discovery, Smith-Canty (2010) completed an analysis of the implementation of South Carolina Anti-Bullying legislation where twenty-four South Carolina middle schools were evaluated using Fowler’s four

criteria, which reinforced that the majority of schools were not successfully implementing the policy. Brickmore (2011) contends that an emphasis on policy reduces the opportunities for diverse student populations to develop independence and take on responsibility. Meanwhile, the Olweus Bullying Prevention Program (OBPP) designed in the 1980s was designed to improve school climate and reduce bullying. The OBPP was coined to be successful in Norwegian schools, while studies of OBPP in the United States proved to produce ununiformed outcomes (Limber, 2011).

Smith (2011) supported that a meta-analysis of anti-bullying programs concluded with only modest success, even with the varied approaches and international efforts. Crothers and Kolbert (2004) compared the perceptions of students and teachers using quantitative and qualitative methods that resulted in not deeming traditional prevention programs helpful. Considering unstable and unsuccessful results apparent in anti-bullying policy and programs an educational leader should consider going back to basics for alternative educational interventions that are steeped in theory.

New Anti-Bullying Policy in New Jersey

There are some key elements for any policy to come into existence. In this case, the focus was on the anti-bullying policy in New Jersey. A common facet of gaining support for a policy was having a hot issue and support from many people. Perfect timing and key political actors are crucial in gained support to institute a law. The policy window and political actors aligned at the just right time to push a previously planned solution into the spotlight (Kingdon, 2011).

A policy window is a window of opportunity for advocates to insist on their solutions (Kingdon, 2011). Kingdon (2011) described the policy window so eloquently that it is worthy of a direct quote: “In space shots, the window presents the opportunity for a launch. The target

planets are in proper alignment but will not stay that way for long. Thus the launch must take place when the window is open, lest the opportunity slip away. Once lost, the opportunity may recur, but in the interim, astronauts and space engineers must wait until the window reopens” (p. 166). The metaphor for a policy window examined the idea that one must take the opportunity when it arrives, just as the launch must take place, the political actors must act on their solutions when the situation that serves as the perfect aligning of planets arrive. In particular, this launch occurred at a time of crisis and mourning. The actors took immediate action after the suicide of Tyler Clementi, a student at Rutgers University, which was deemed a result of bullying due to the real characteristic of his sexual orientation. The following description of the policy actors expands upon the policy window and urgency for a stricter anti-bullying law.

The three most important actors in the role of creating the Anti-Bullying Bill of Rights (ABBRA) are the primary sponsors of the legislation including New Jersey Senate members: Barbara Buono (District 18), Diane B. Allen (District 7), and Loretta Weinberg (District 37). With an underlying connection of self-interest to politics, it is important to acquire background on the senators in positions led the way for each public school district to abide by this regulatory policy (Kingdon, 2011; Stone, 2002). Kingdon (2011) reminded his readers that solutions to problems are debated due to a degree of self-interest such as advancing in their field or growing their group of followers.

First, meet Senator Barbara Buono who stated immediately after the suicide of Tyler Clementi, that “our first duty is to keep the public safe and secure” and to “bring about measures to protect our citizens and our communities with the vigilance and accountability they need and deserve” (Buono, 2012). According to Senator Buono’s Election Fund website (2012) she was “fighting to make our schools more accountable” and she made it her goal to strengthen “the

state's anti-bullying laws to keep parents better informed of the protections their children are entitled to and imposing penalties for non-enforcement." Additionally, Senator Buono ensured that the law had a mandate in it for the first week of October dedicated to School Violence Prevention in all public schools in New Jersey. School Violence Prevention week was also referred to as the "Week of Respect" that requires districts to provide appropriate instruction focused on preventing harassment, intimidation, and bullying (NJ Department of Education, 2011). The Department of Education offers online material to support this week of dedication to instruction against bullying.

Second, meet Senator Diane B. Allen who stated after the ABBRA law was passed that "we have the toughest anti-bullying law in the nation" (Hester, 2011). Her claim was that this bill "offers new hope that all school children will attend a safer, more tolerant learning environment" and that "we owe it to the victims and their parents to make this law work" (Hester, 2011). Senator Allen referenced the state of New Jersey as the toughest in responding to bullying in schools. If there was a question as to why she supports this tough national law, she stated that children in our schools, "can't handle another day of pain, many carry the scars into adulthood and a few are pushed to take their own lives" (Hester, 2011). Evidently, Senator Allen expressed concern over the potential for future struggles of our children due to bullying and the possibility of future suicides in the state.

Third and last, meet Senator Loretta Weinberg who made a public statement immediately following the suicide of Tyler Clementi. Senator Weinberg stated, "this terrible tragedy demonstrates a bigger problem. Despite anti-bullying laws and efforts to teach children tolerance and acceptance, unprovoked acts of cruelty continue to take place, resulting in tragic deaths of youngsters across the country...we must do more" (Assembly Democrats, 2010). As Senator

Weinberg supported that previous anti-bullying laws are not working as a gauge of the tragic deaths of youngsters that continue, she continued to support forward movement of this policy. Recently, Loretta Weinberg led another bill (S-1789/A-2709) that supported the ABBRA in which one million dollars is appropriated to provide grant aide to districts who have already exhausted all of their free options and a 7-member Anti-Bullying Task Force working for the New Jersey Department of Education is tasked with providing guidance to schools for policy implementation by reporting the effectiveness of the act in addressing bullying issues (NJ Senate Democrats, 2012). All three of these female Senate leaders for New Jersey have already incorporated a grading system for school districts that will be reported publically as a measure of bullying in the schools (NJEA, 2010). A reoccurring theme required a look at accountability in schools to visibly reduce number of suicides and bullying incidents in New Jersey. Accountability has taken the form of regulatory policy, there are inflexible guidelines as to the approach, process, and final expectations.

Overview of the Anti-Bullying Bill of Rights Act (ABBRA)

The Anti-Bullying Bill of Rights Act (ABBRA) began in the fall of 2011 in all public schools in New Jersey. The following provides a background and understanding of this act.

New Jersey is in year three of implementation of the Anti-Bullying Bill of Rights Act (ABBRA). Commissioner Christopher D. Cerf received an Annual Report in October 2012 on Violence, Vandalism, and Substance Abuse in New Jersey Public Schools. This report revealed a total of 35,552 Harassment, Intimidation, and Bullying (H.I.B.) investigations conducted with 12,024 confirmed cases of H.I.B. in New Jersey during the 2011-2012 school year (NJ Department of Education, 2012). The confirmed incidents increased four times from the past two years, with a total of 2,808 incidents in 2009-2010 and 3,412 incidents in 2010-2011 (NJ

Department of Education, 2012). In an effort to reduce incidents, the New Jersey Department of Education (2012) concluded this report with recommendations for improving and expanding existing policies, collecting additional data, and implementing improvement plans with local needs in mind. Similar to the national implications, New Jersey also looked to continue to “enact more stringent and more expansive laws” to reduce bullying according to the aforementioned recommendations from the state department of education (U.S. Department of Education, 2011). The ABBRA exemplified regulatory policy.

Within the ABBRA there are multiple and specific features that make it the strictest anti-bullying policy in the country (U.S. Department of Education, 2011). The United States Department of Education offered suggestions for crafting anti-bullying policy, the highlights are found below. Additionally, to note specific sub-groups that are protected under this act and to foster understanding of why they are protected groups, bullying in relation to race, sexual minorities, weight-bias, and disability are discussed in more detail. All of these are real or perceived characteristics that are identified elements that define an act of bullying and thereby make regulatory policy more specific.

The distinguishing features of the strictest bullying policy in the nation were found in New Jersey. As discussed earlier in this literature review, the United States Department of Education completed a recent analysis of state bullying laws and policies that help support the claim that this law is the toughest in the country. Expansiveness or comprehensiveness is a key term when looking at either programs or policies. The significance of expansiveness targeted the extent that the law addresses many areas thereby making the regulations numerous.

When the U.S. Department of Education reviewed state bullying legislation they looked to score the following areas: (1) definitions including purpose, scope, prohibited behavior, and

enumerated groups; (2) district policy review and development including district policy and district review policy; (3) district policy components including definitions, reporting, investigations, written records, consequences, and mental health; and (4) additional elements including communications, training, prevention, transparency, monitoring, and legal remedies (N.J. Department of Education, 2011). To reiterate, the extent of expansion increased with the amount of elements that are covered in the state policy. Therefore, the higher the number of key components required in the policy, the higher the state will score. Although Washington tied at thirty points out of a possible thirty-two points with New Jersey, it should be noted that in the area of transparency and monitoring Washington scored zero out of two points while New Jersey scored two out of two points (N.J. Department of Education, 2011). New Jersey covered every component as defined by the United States Department of Education. New Jersey does not leave one component out and therefore is deemed to have the strictest anti-bullying legislation due to the comprehensiveness.

Specific components of the ABBRA included several facets. I provided a brief description of some of the expectations. The following expectations may be found within the Anti-Bullying Bill of Rights Act (P.L. 2010, c.122). The investigation, including all interviews with potential targets, bullies, and witnesses, must be completed with a final decision by the end of a ten-day period. The Anti-Bullying Specialist and designated others (such as the professional school specialists) must determine an outcome within this time frame. Administrative phone calls to parents or guardians of the students involved in the alleged incident must occur on the first day of the initial report to the Principal and Anti-Bullying Specialist. At the end of the 10-day period, students must also receive consequences and remedial actions for their behavior. This report must be provided to the Superintendent within two days following. A written report

must be provided to the parents at the end of five days following the Board of Education meeting where the reports are reviewed. The Board of Education may affirm, reject, or modify the decision (P.L. 2010, c.122). A Violence and Vandalism report must accompany the paperwork of a confirmed harassment, intimidation, and bullying report by the building administrator prior to the end of the month. Parents have the opportunity to appeal any confirmed report of harassment, intimidation, and bullying.

The requirement of a School Safety Team consisting of a parent, teacher, counselors, and administrators must establish, implement, document, and assess bullying prevention programs, including positive school climate initiatives (P.L. 2010, c.122). One example of a directive from the state on positive school climate includes the requirement for a Week of Respect in New Jersey held in the first week of October to recognize character education. Additionally, all staff members must be trained every year on the ABBRA.

The Anti-Bullying Bill of Rights Act (ABBRA) contained identifying characteristics that require immediate reporting of harassment, intimidation, and bullying whether they are real or perceived by the alleged bully. The definition of harassment, intimidation, and bullying puts a spotlight on certain characteristics. These include the following: “race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic...as provided for in section 16 of P.L.2010, c.122” (Harassment, Intimidation, and Bullying Law, C.18A:37-15.3). The subsequent section assisted in describing the real or perceived characteristics that represent H.I.B. cases.

The definition of bullying under the ABBRA requires real or perceived characteristics that serve as the underlying cause for the negative behavior toward the target. Target

characteristics determined whether the investigation results in an identified bullying incident. Particular target characteristics covered under the ABBRA include race, and perceived or real, sexual orientation and physical or intellectual disability. First, studies in the United States on bullying behavior and race reported findings that black students have a lower prevalence of victimization and a higher rate of aggressive behavior as compared to White, Latino, and Hispanic students (Graham & Juvonen, 2002; Peskin, Tortolero, & Markham, 2006; Spriggs, Iannotti, Nansel, & Haynie, 2007). In a survey of 11,033 students in grades six through ten, black students had a significantly lower rate of victimization as compared to White or Hispanic students (Spriggs, Iannotti, Nansel, & Haynie, 2007). Another study highlighted this area in which a sample of 1,413 students in grades six through twelve concluded that Black students were more likely to be labeled a “bully” in comparison to Hispanic students (Peskin, Tortolero, & Markham, 2006). Similarly, Graham and Juvonen (2002) study an urban middle school where Black students were perceived as more aggressive when compared to Latino and four other cultural groups. To add to this literature, Stein, Dukes, and Warren (2007) found that students who represent more than one race are also more likely to be victimized and the highest victim rate resides with the Asian population (Moultapa, Valente, Gallaher, Rohrbach, & Unger, 2004). Race, as a characteristic, can therefore be seen as a contributing factor to victimization or bullying behavior.

Second, Lesbian, Gay, Bisexual, and Transgender (LGBT) youth either perceived or self-proclaimed face a higher risk of being involved in bullying. Toomey, Card, Russell, Ryan, and Diaz (2010) confirmed prior research that supports increased risk associated among gender nonconformity and the effects of victimization followed by depression. Detailed examination by Birkett, Espelage, and Koenig (2009) proved in their study of 7, 376 seventh and eighth grade

students from the Midwest that LGBT youth identify with higher levels of bullying, drug use, depression, truancy, and thoughts of suicide as compared to their heterosexual peers. This negative, prevalent societal issue is a threat to students who might not feel safe in their school as a result of their sexual preference as there is a focus on masculinity in western culture. Espelage and Swearer (2008) determined that this homophobic banter produces increased negative outcomes in later life for these students.

Third and finally, research perpetuates that students with disabilities serve as targets for bullies significantly more than students who are labeled typical (Chad, 2011; Espelage & Swearer, 2011). A study completed by Estell, et al. (2009) included 484 fifth grade students with the result depicting students with mild disabilities were more likely to be identified as bullies by teachers and peers in conjunction with being rated high as targets of bullying. Social isolates were also correlated with high victimization (Estell, et al., 2009). This study revealed the consistent outcome of students with labels as experiencing social challenges. Students with exceptionalities have been highlighted as students who lack the mastery of social skills that their peers are more apt at performing adequately (Kavale & Forness, 1996). Relationships with parents, teachers, and peers are imperative to maneuvering through the patchwork of several classrooms with continuous demands and pressure. This period of significant schedule change occurred at the middle school level where bullying behaviors are at their peak.

Policy Meets New Jersey Practitioners

After reviewing the policy itself and the actions that policy makers took in order to put ABBRA into effect, this research must now turn to the local practitioners who are required to take action. The major implementing actors include the local school board, school

administrators, and designated Anti-Bullying Specialists who must hold teachers and students accountable for abiding by the ABBRA.

Local school boards in New Jersey are charged with implementation of the Anti-Bullying Bill of Rights Act (ABBRA). Schools are governed by this new policy and it was crafted at the state level (Limber & Small, 2003). The school board reviews final reports of harassment, intimidation, and bullying. All reports are confidential and protected by random assignment of numbers, although the board members have the added requirement of review and there is always a possibility of the accused appealing the final decision within ten business days. The new pressures of this policy absorb more board time and members fall under the stress of trying to understand the cases without full disclosure due to confidentiality issues.

According to the National School Board Association (2011), “in a time of social, economic, technological and geopolitical turbulence, the local school board remains the tried and true governance mechanism for delivering excellence and equity in public education for all of our children.” Members of the local school boards in the state of New Jersey can positively attest to this statement. The hierarchy from federal to state to local level potentially raised alarm without the protection and knowledge of the board members. School boards have always understood their responsibility is to “provide a safe learning environment” by “preventing and eliminating bullying and harassment in public schools” (National School Board Association, 2011). In New Jersey the ABBRA impacted each member and they have the majority ruling on the implementation phase of this policy.

School boards shared the charge of implementing this policy with the understanding that not every board will share the same model. Greene (1992) emphasized the variance among boards that result in professional or political models. These models differed in three dimensions

including responsiveness to community members, conflict among members, and the influence of the superintendent (Greene, 1992, p. 223). The importance of this knowledge complimented the ABBRA uniquely as there is talk in the community of cases and board members have to make a decision as to their operation first and foremost as professionals. Under this policy, anything other than exercising professional judgment could be viewed as unethical. Leaders' "moral weaknesses are multiplied in proportion to their visibility, power, and the size of their constituencies...leaders are supposed to model the virtues of their society or organization" (Ciulla, 2003, p. 54). In this sense, in dealing with the ABBRA in K-12 school districts, it is only expected that the model of professionalism would emerge naturally.

Hess and Meeks (2010) explored the power school boards hold to translate state policy into practice (p. 34). It is reasonable to question interpretation of the ABBRA across boards in the state and to express concern over decision-making minutes regarding student outcomes. This unfunded mandate places local governance with mixed power. They must implement the policy as designed by the New Jersey Department of Education, meanwhile Spillane (1998) defends that local leaders have the power to construct meaning for themselves within their own context and with use of past knowledge. The constructivist sense leads to the interpretation and use of policy. Thereby a balance is required for districts to situate the "social, physical, and cultural contexts" thoughtfully resulting in a wide array of differences in technique and style (Spillane, 1998). The control of local governance established a formal and authorized power granted to all board members (Scott, 2003). In essence, as the state policy makers pass down initiatives, the local boards held the power of practice either directly or indirectly.

Epstein (2004) gave credence to the growing distance between policy makers and local governance when they are charged with accomplishing measureable results. School districts were

graded on their outcomes of harassment, intimidation, and bullying (H.I.B.) cases at the close of the 2011-2012 school year, yet policy makers still have not defined the meaning of the grade. Therefore, now that local governance has been implementing this policy, it is left to wonder how the measurement will be scored. The ABBRA focused on soft skills that will assist in framing instruction and district accountability (Hess & Meeks, 2010).

Primary Implementers

The responsible actors for effectively assuring proper implementation of policy included administrators and Anti-Bullying Specialists as the intermediaries. Administrators oversee the implementation of the policy. Anti-Bullying Specialists and professional school specialists also assured implementation of the policy by adhering to the guidelines to investigate alleged bullying incidents. Administrators supported the process by signing off on and collaborating with their colleagues to complete investigations in a timely manner. According to Fowler (2009), school leader job descriptions may adequately be summarized as policy implementers. The formal implementers are those with legal authority to see that a policy is implemented, in this case it is the New Jersey Department of Education, the local school board, and the Superintendent (Fowler, 2009). The intermediaries exist in the middle of the formal implementers and the target population (Fowler, 2009).

For the ABBRA, the intermediaries are set up to report to the formal implementers. Part of the intermediary ability to successfully implement a policy depends on the will and capacity of those responsible (Fowler, 2009). The ABBRA contained penalties for those who fail to implement the policy herein the will should be strong to avoid possible job penalty or loss. The capacity of the intermediaries depends on several factors including resources and coherent sense-making of the newly expected behaviors. A lack of resources raised difficulty in implementation.

A lack of appropriate sense-making proved detrimental to implementation success due to prior beliefs, knowledge, or context. The upcoming section discussed sense-making in more detail.

The actors who implemented the ABBRA within the context of their district or school experienced the transitional phase from policy to practice. In the case of the ABBRA, as most other policies, those working in schools did not have a chance to participate in the process of the creation of policy. It is evident that the black box theory exists and that it is a mystery to the implementing actors in regard to the policy maker process in crafting the ABBRA (Anderson, 2011). Additionally, when the new policy was put into action, the implementing actors found themselves in a framework of sense-making in order to carry out the strict demands of the ABBRA (Spillane, Reiser, and Reimer, 2002). Humans are complex; policy is “mediated through the context in which they are implemented” (Fowler, 2009, p. 6). The subsequent text framed a conceptual understanding of the dynamic experience of professionals acting out written policy.

Anti-Bullying: Gap from Policy to Practice

Prior studies noted the relationship from policy to practice. Fowler (2009) asserted that previous research has confirmed that new policies are more often either not implemented or are significantly altered during implementation. Subsequently, Fowler (2009) isolated three common problem areas regarding implementation of policy revolving around program, people or setting relations. Program issues dealt with delays, conflicts, and lack of planning, while people targets lack of capacity, resistance, or skepticism; setting conquers outside pressure, insufficient resources, powerlessness surrounding pivotal decisions, and physical environment (Fowler, 2009, p. 298). All three areas create challenges for clear implementation of new policy.

The following are some research-based school examples of the policy to practice gap. First, researchers followed a new childhood obesity policy in Mississippi and Tennessee

collecting data from 2006 through 2009 with the outcome of several barriers to effective implementation including: skewed value system on grades over physical fitness, resource challenges, and administrative overload of direct policies (Amis, Wright, Dyson, Vardaman & Ferry, 2012). The barriers to successful implementation covered the areas of people, program, and setting. People did not see value in the policy as they ranked academic needs over physical needs. The program was in conflict due to lack of planning as a cause of setting which include insufficient resources as administration was already overwhelmed with other policies. The resounding answer from the researchers culminated in a call for greater accountability for those actors responsible for implementing the policy at the building level (Amis, Wright, Dyson, Vardaman & Ferry, 2012). The upcoming policy roadblocks emphasized similar struggles.

Second, the Individuals with Disabilities Education Act require schools to assure the Least Restrictive Environment for students with disabilities. The Least Restrictive Environment dictated that students will be in the setting where they will participate with their nondisabled peers to the greatest extent possible. McCarthy, Wiene, and Soodak (2012) completed interviews in New York with eleven public high schools on inclusive education. The outcome analysis displayed a covert or unconscious thinking about students with disabilities as separate and past policy and practice continue to persist throughout the interviews (McCarthy, Wiene, and Soodak, 2012). This is a direct reflection on people and their capacity to change their thinking. In opposition of the childhood obesity answered for more accountability, the researchers in this study concluded with the dangers of relying on legislation to change an institutional philosophy (McCarthy, Wiene, and Soodak, 2012).

Third, character education policies were implemented and studied in 2009 by the U.S. Department of Education. Drawing conclusions from this lengthy survey study of thirty-six

programs throughout the country resulted in the need to make recommendations toward an effective evaluation system (Person, Moiduddin, Hague-Angus, & Malone, 2009). Several barriers existed to implementation of this policy including the new requirement to evaluate these programs, the multi-faceted elements of character education, the multiple ways of conceptualizing the programs, and the increasing number of character education activities (Person, Moiduddin, Hague-Angus, & Malone, 2009). Fowler (2009) could look at these issues as program issues since evaluation is new, people issues as the capacity for character education could be challenging depending on the teacher's background, and setting as there is competition for other character education programs to be purchased by schools. These challenges are multifaceted.

Fourth and last, twenty-five secondary schools completed questionnaires regarding their efforts in implementing new anti-bullying policies in schools (Glover, Cartwright, Gough, & Johnson, 1998). The outcome reflected difficulty in interpretation, consistency, and contextual pressures. Fowler (2009) could explain that interpretation and consistency are based in people who implement the policy, while contextual pressures fall under "setting" as pressures from the inside and on the outside could be great enough to cause struggle in following the policy strictly. A strong relationship between the implementation of policy and the people working daily in the public school setting highlights that policy fails to change the culture of schools (Glover, Cartwright, Gough, & Johnson, 1998). Identically, Terry (2010) uncovered in the South Carolina study of anti-bullying policy that this alone did not change the school culture. Ultimately, policy does appear to be a sound way to approach problem areas, yet when policy is prescribed ownership can be removed resulting in the inverse intent of policy design (Smith, 2011).

Considering the inconclusive results of various policies, it can be seen that there is a gap from policy intention to implementation result. In other words, childhood obesity policy should result in a reduction of childhood obesity, character education policy should improve student character, inclusive education policy should increase the use of Least Restrictive Environments, and anti-bullying policy in effect should reduce bullying. With no direct correlation from written policy to implementation results, the resounding response is to revise policy to increase accountability (Amis, Wright, Dyson, Vardaman & Ferry, 2012; Carlson & Planty, 2012; N.J. Department of Education, 2012). With this in mind, New Jersey crafted the strictest anti-bullying legislation in the country (N.J. Department of Education, 2012). This literature review now looks at the political systems theory and the sense-making framework to establish a deeper understanding of the gap from policy to practice.

Understanding Prior Theory and Framework

At this point, the literature review revealed a theoretical stance on political systems and a framework for implementing new policy. Ultimately, because this case study is founded in grounded theory methodology, it is necessary to realize the theory or conceptual framework that develops from the research will be original based in a specific analysis of a single district. This particular policy has not been researched within the Black Box Theory or sense-making framework. Now, I will provide a brief description both.

The Black Box

David Easton (1957) executed a general political theory that crafted a basic understanding of political life and how decisions are created for a society. Ultimately the environment feeds an input loop based on demands and support into a political system which exits on an output loop of decisions or policies mandated on the environment (Easton, 1957). As

part of the output loop there is feedback from the environment that generates back into inputs to again approach the political system (Easton, 1957). Hence the political system itself received inputs and delivers outputs to the society is at times referred to as the Black Box.

Reference to the Black Box as the political system is visualized as a mystery regarding the process and procedures in which decisions or policies are made (Anderson, 2011). Easton (1957) pictures the environment surrounding all aspects of Political Systems Theory. Anderson (2011) points out that policy cannot be studied without thoughtfully considering the context or environment. Easton (1957) gives credence to systems in the environment namely culture, ecology, personality, social structure, and economy (p. 388). The power of environment permitted the Black Box such authority with a dynamic nature that remains elusive to a majority of people who are not part of policy-making.

At this time there is a window of opportunity: “The pattern of public needs is the signature of a society. In its definition of public needs, a society says what it means to be human and have dignity in that culture” (Stone, 2002, p. 101). The environment, our society, defined the input consisting of information on demands and stakeholder support. This is visible. The environment, our society, receives decisions and policies based on the input of information to the Black Box. This is visible. The feedback forms the pattern of needs and this defined our environment. Still, the Black Box remained elusive to the majority. When the information was fed into the system, time passed and finally outputs were accepted by society at multiple levels. This simple system is economical in nature and designs a framework for organizing political data that some deem as disconnected (Easton, 1957). For the purpose of this study, the Black Box Theory provided enough structure for an understanding of this research.

Sense-Making Framework

When a new policy arrives at the output stage, it is expected that the implementation of the policy is consistent and is successful in achieving the stated policy goals. Revisiting the concept of the Black Box Theory, it is important to understand that this writing did not attempt to reveal the black box itself. The purpose of this study was to understand the black box as an unknown since it is not in the purview or reality of the implementing actors. This is a theory that researchers have used to theorize political systems. On the outside, there is an understanding of the input and the output since it is built into our experience. The implementing actors deeply experienced the output as a result of their role of enforcement. O'Toole (1986) evaluated reviews of policy implementation theories discovering that there is no general agreement and several techniques are utilized to make sense of actors implementing policy.

It is relevant to explain the sense-making framework in relation to the development of the interview protocol. Interview participants are selected purposefully for their involvement in the explicit role of implementers of policy. Considering their specific role, it is natural for professional school specialists, Anti-Bullying Specialists, and administrators to make connections from their past understanding of anti-bullying efforts to this new Anti-Bullying Bill of Rights Act (ABBRA). In fact, prior experience interfered with implementation of new policy, which could account for the proven gap between policy and practice (Fowler, 2009).

The sense-making framework assisted with the formation of the research questions since schools in New Jersey have addressed bullying behavior prior to this policy. Consequently, Spillane, Reiser, and Reimer (2002) developed their framework based on the cognitive model after analyzing perspectives on policy implementation. The characteristics abundant in the sense-making framework involved “what a policy means for implementing agents is constituted in the

interaction of their existing cognitive structures (including knowledge, beliefs, and attitudes), their situation, and the policy signals (Spillane, Reiser, and Reimer, 2002, p. 388). Ultimately, Spillane, Reiser, and Reimer (2002) wanted policy makers to be aware that their messages are not static, rather they are dynamic as actors use prior experience, beliefs, attitudes, knowledge, and context to interpret their meaning. Spillane, Reiser, and Reimer (2002) even referred to the spirit of a policy. This was in reference to the policy maker intentions for designing the regulatory policy.

The sense-making framework led to a multitude of understanding and inconsistency in implementation. Policy makers and policy implementers should be aware of this to give attention to the realities of the sense-making framework. Stone (1998) warned that often policy goes awry at the implementation phase since policy often asks people to change their behavior. Consider the complexities of the human and individual identities, then add the environment and ask individuals to change based on policy with associated penalties. Implementers of policy are asked to think differently (Spillane, Reiser, and Reimer, 2002). In this research, the sense-making framework will be explored as it relates to implementation of the ABBRA. It will be referenced in the interview protocol.

Summary

A considerable amount of literature was published on bullying. This literature review exposed the Anti-Bullying Bill of Rights Act (ABBRA) as a technical solution to a more aptly defined adaptive challenge (Heifetz & Linsky, 2002). In general, this complex phenomenon of bullying should be explored at greater depths by revisiting the historical trail of an era of national accountability and further regulatory policy. The gap from policy to practice consistently emerged across the nation with a response for increasing accountability. Furthermore,

exploration of target characteristics, risk of youth suicide, and school climate orient the reader in a time and society of diverse needs. Meanwhile, policy implementers and local school board members served as primary actors in the implementation of this technical, act. With adequate background on current practices and trends in bullying, the literature review assessed contributing factors regarding the deliberate policy formation to reduce bullying. Therefore interviewing the intermediaries of the ABBRA elicited a grounded theory model with the sole purpose of deriving a general theory of the implementation process “grounded in the views of participants” (Creswell, 2009, p. 13). The participants’ voice in this particular case study was unique to the Pine School District. This study contributed valuable data to schools as they attempt to reduce school bullying through use of regulatory policy.

Chapter 3

Methodology

This chapter provided an overview of the methods for my case study. I delineated the purpose statement, research questions, rationale and assumptions, strategy of inquiry, participant selection, instrumentation review, and the data collection process, analysis, and rigor. Lastly, the importance of the role of researcher and ethical considerations fell under review.

Purpose Statement

The purpose of this study founded in grounded theory methodology was to investigate the perception of local actors who hold the responsibility of implementing a regulatory policy crafted at the state level. According to Anderson (2006), regulatory policy involves imposed restriction of individual behavior. This study set out to review a regulatory policy upon completion of the second year of implementation, the Anti-Bullying Bill of Rights Act (ABBRA), through the strategy of case study in one New Jersey school district. The school district will be referred to by the pseudonym of *Pine School District*. The review consisted of the reality of implementation of regulatory policy including the benefits, challenges, and reflections of the policy in action. Primary participants included administrators, Anti-Bullying Specialists (ABS), and professional school specialists in the roles of school counselors, psychologists, social workers, and Learning Disabilities Teacher-Consultants (LDTC).

The district-wide individual interviews included Anti-Bullying Specialists (ABS) and administrators at the K-12 levels. The ABS for the district shed light on the broader view of regulatory policy implementation as regarded by those within this case study. The goal provided detailed information that will assist the Pine School District and the state of New Jersey in reviewing the policy for improvement concluding the second year of implementation. Beyond

this initial review, national attention was brought to this matter as school bullying was recognized as a problem throughout the country and was beneficial for other states to have vested interest in reading the results of this dissertation to improve their own policies.

The method of qualitative research was grounded theory with case study as a strategy. Grounded theory, developed by Glaser and Strauss (1965), permitted participants to develop a unique explanation of the meaning of the ABBRA and its implementation process (Creswell, 2007). Grounded theory allowed for the shaping and reshaping of data interpreted as it is collected allowing the researcher to “follow leads that emerge” (Charmaz, 2006, p. 14). This would be the driving force for the research questions participants (ABS, administrators, and professional school specialists) are asked to answer in descriptive, rich explanations ultimately leading to conceptual frameworks or theories (Charmaz, 2006). Now, we will turn to my research questions and design.

Research Questions

I explored one core question with five guiding research questions. The central question to this study is as follows:

How do regulatory policy implementers, including Anti-Bullying Specialists (ABS), school administrators, and professional school specialists experience the Anti-Bullying Bill of Rights Act (ABBRA) implementation within the context of one K-12 public school district (Pine School District)?

Research questions include:

1. How have the regulatory policy implementers of Pine School District changed since the ABBRA has been implemented?

2. How are the Pine School District regulatory policy implementers embracing the benefits and overcoming the challenges of the ABBRA?
3. How do Anti-Bullying Specialists (ABS), school administrators, and professional school specialists in the Pine School District define positive school climate?
4. How do the regulatory policy implementers experience the ABBRA impact on school climate?
5. How has the ABBRA made sense according to individual “knowledge, beliefs, and attitudes,” including the implementer “situation” or role in the school, and the policy expectations (Spillane, Reiser, and Reimer, 2002, p. 388)?

Research Design

Qualitative research explored meaning as it relates to a particular group that addresses a social issue (Creswell, 2009). This inquiry revered an inductive style which focused on the meaning individuals create and values the complexity of a problem within its’ context (Creswell, 2009; Rossman & Rallis, 2003; Whitt, 1991). The inductive style served as the specific examination of a particular case that leads to a more general understanding. Whitt (1991) viewed qualitative research as a blending of both rigor and creativity composed from the reality of those within the particular culture. The qualitative method was one of the more practical ways to examine a particular phenomenon in a real context. Rossman and Rallis (2003) composed common characteristics of qualitative research including the study occurring in a natural environment, use of multiple methods, and attention to contextual features that are both emergent and interpretive. A case study strategy provided the specific focus on the implementation of the ABBRA within a K-12 district setting. In effect, to deeply understand the point of view of the implementers, it was necessary to develop a holistic perspective that an intricate and trustworthy

case study permits (Whitt, 1991). Thus began my reasoning for developing a case study strategy to examine this topic.

Case Study Strategy

As defined by Creswell (2009) case study is defined as the following:

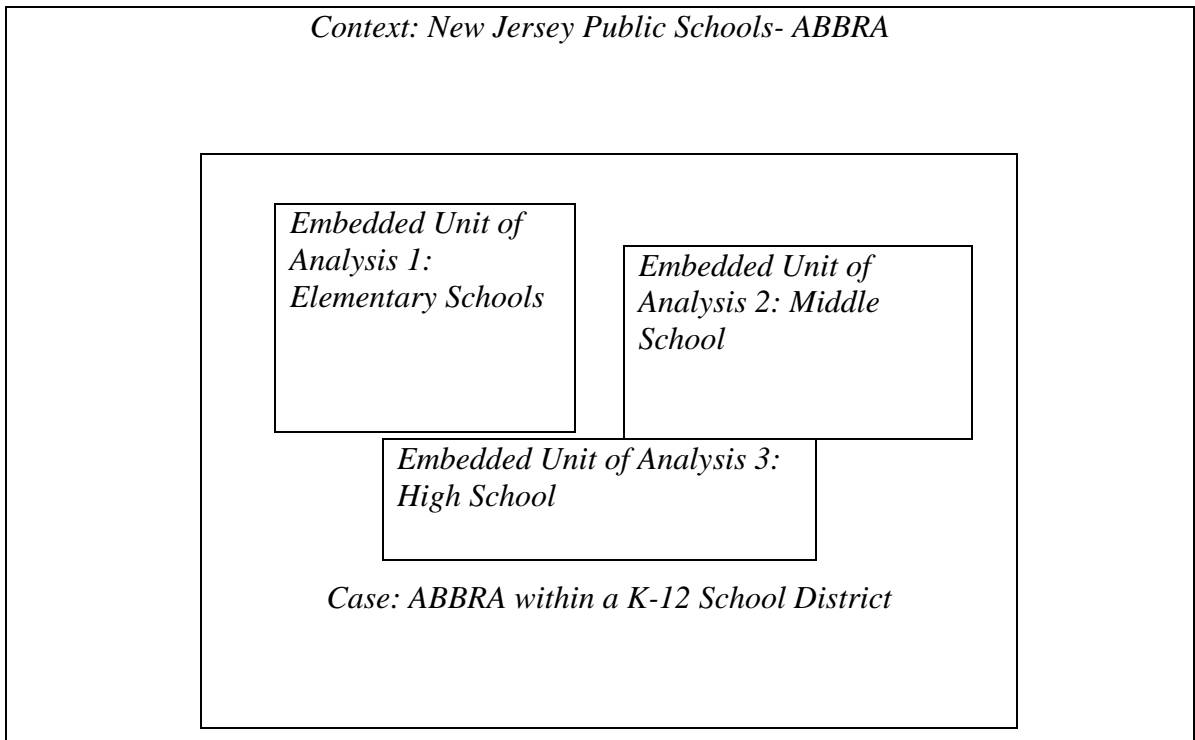
... a qualitative strategy in which the researcher explores in depth a program, event, activity, process, of one or more individuals. The case(s) are bound by time and activity, and researchers collect detailed information using a variety of data collection procedures over a sustained period of time. (p. 227)

Yin (2012) contends that a case is normally a bounded entity in which the context “in both spatial and temporal dimensions” is blurred (p. 6). Therefore, the contextual elements of a common district in addition to the extended elements of the schools within blur dimensions throughout this study. This case revealed the impact of a critical and high-stakes state policy in the public school system. The complexity of implementing anti-bullying policy in schools permits this study to uncover the specific experiences of practitioners who are on the front-line of policy implementation. In this case, the activity of implementation of the ABBRA in a K-12 school district was studied. Bogdan and Biklen (2007) identified the importance of selecting foci that breaks a piece off of the whole. The ABBRA was part of the larger system meanwhile it had a “distinct identity of its own” when in practice within the context of particular schools (Bogdan & Biklen, 2007, p. 61).

This case required embedded subcases of study involving several Anti-Bullying Specialists (ABS) in the district within the holistic design (Yin, 2012). The juxtaposition of the natural complexity of bullying and the legal impetus to standardized bullying prevention was explored through this multiple-case study design. Practitioners served as the stewards of policy. I

contend that these stewards must be examined to gain clarity for improved school climate, thus declined bullying behavior. Due to the singular nature of this state policy, a case study was the rational strategy to sufficiently research this single phenomenon as it impacts a particular district.

Table 1. Single Case Study Design with Embedded Subcases (Yin, 2013)



The table above represents a visual diagram of a single case study design with embedded subcases (Yin, 2012). This table format is adapted from the text, *Applications of Case Study Research* (Yin, 2012, p. 8). At the state level, New Jersey policy served as the bounded expectation for all public schools. Within the state policy, an individual district serves as the case study. The holistic level reflected a singular district implementing the ABBRA. The individual schools represented the embedded subcases. Essentially, this study was explanatory due to the contemporary event over which any actors or the researcher have control that represent the need to deeply understand this human phenomenon (Yin, 2009). This strategy was adopted due to the multivariate nature of the study along with the need to seek patterns in the data for suggestions

(Yin, 2009). Specific aspects of understanding are necessary to explain this phenomenon, especially within the context it occurs. The strategy of case study is used with the grounded theory method of data analysis driving the results. A combination was necessary for this particular study in an effort to diminish bias and generate theory based in the rich descriptions of implementers of regulatory policy.

My rationale for my chosen methodology of grounded theory provided a reduction of bias to use the data to allow a theory to emerge, as opposed to beginning the study with a pre-determined theory that could have originated from my professional experience (Eisenhardt, 1989). It also established an authentic look at a single school district for a theory to develop that captured the district essence. Furthermore, I chose qualitative research because it was the most natural way to collect meaningful descriptions on the experiences of ABS, administrators, and professional school specialists directly involved with the ABBRA implementation. Discovering the perceptions of people requires data that is “rich in description of people, places, and conversations, and not easily handled by statistical procedures. Research questions are not framed by operationalizing variables; rather, they are formulated to investigate topics in all their complexity, in context” (Bogdan & Bilken, 2007, p. 2). In order to gain an understanding of the influence of this policy it is imperative to collect data from those who experienced the action on a daily basis. The experiences relative to the policy environment were collected from the key stakeholders. I prepared my methodology to provide detailed descriptions that better explain the phenomenon of a unit of analysis within implementation of a new policy.

My chosen strategy of inquiry included individual interviews with Anti-Bullying Specialists (ABS) and administrators throughout the district, including focus groups comprised of professional school specialists. The professional school specialists were included due to their

role in the interview process for potential targets, bullies, or bystanders. Additionally, the ABS served in a dual role as a professional school specialist as well as the ABS. Herein, my group was selective; in regard to collecting data they have necessary relevant and involved experiences regarding the ABBRA. I found it essential to acquire rich data through close listening. In order to accomplish this sensitivity with the participants a semi-structured interview was utilized with the option for a follow-up session (Creswell, 2009). This created an intimate setting that cannot be accomplished with quantitative analysis. Distance between the population and the researcher would not induce the trusting environment two people seated face to face would permit.

Participants and Sampling Methods

The targeted population for this study was administrators, Anti-Bullying Specialists, and school specialists. School specialists were included in the focus group and represented professionals working at the middle and high schools. The Anti-Bullying Specialists worked under the certificate of school counselor, social worker, or school psychologist. Administrators worked under the licenses of supervisor, Vice Principal, or Principal. Status sampling was utilized to select participants who are expected to implement the regulatory policy (Whitt, 1991).

Qualitative research requires purposeful sampling which means “choosing subjects, places, and other dimensions of a research site to include in your research to enlarge your analysis or to test particular emerging themes and working hypothesis” (Bogdan & Bilken, 2007, p. 274). Purposeful sampling best describes selection of interview participants directly illuminate this phenomenon (Patton, 2002). All of my participants were employed in a public school district and are affiliated with grades Kindergarten through twelfth grade. The sample of participants used for this research study included: (1) Anti-Bullying Specialists representing each school level; (2) district-wide Anti-Bullying Specialist; (3) administrators K-12; and (4) professional

school specialists (school counselors, psychologists, social workers, and Learning Disabilities Teacher-Consultants). The focus group was held with the professional school specialists. Individual interviews were held with four elementary school Anti-Bullying Specialists, one middle school Anti-Bullying Specialist, two high school Anti-Bullying Specialists, and one district level Anti-Bullying Specialist.

All school administrators had individual interviews with the researcher. There were individual interviews with a minimum of one Kindergarten through second grade administrator, two third through fifth grade administrators, one middle school administrator, and one high school administrator. Due to the nature of grounded theory, the interviews continued with additional administrators until the themes and concepts are exhausted. All interviewees and focus group participants had an opportunity for a follow-up interview, if requested by the participant or by the researcher. The criteria the participants had to meet included the following: (a) all participants must be representative of the district population; (b) interview participants must be employed or in school for the entire 2011-2012 and 2012-2013 school years; and (c) all participants must willingly want to participate in the study identified by signing the informed consent agreement.

All interviews included at least one Kindergarten through second grade level Anti-Bullying Specialist, two third through fifth grade Anti-Bullying Specialists, along with one middle school, two high school, and one district level Anti-Bullying Specialist. Due to the implications for data saturation in grounded theory, the number of participants interviewed increased as data is analyzed throughout the study. All participation was voluntary, although it should be noted that part of the state law is to evaluate the policy at the end of each year. Since this study contributed informally to evaluation, participant willingness increased. It is logical to

assume Anti-Bullying Specialists had a particular penchant for wanting to participate in interviews since this research directly impacts their role in the school.

In an effort to identify the entities eligible to be included in my research I used purposeful sampling for my interviews with Anti-Bullying Specialists since they have the direct experience of implementing the policy in schools (Bogdan & Bilken, 2007; Patton, 2002). All Anti-Bullying Specialists were trained in implementation of the policy. Although, the Anti-Bullying Specialist at the building level is a trained counselor or school psychologist, at the district level it does not necessarily have to be an individual in a counseling position. Ultimately, at the district level they have the luxury to observe a balcony view of policy implementation. The district Anti-Bullying Specialist possessed the depth of knowledge to see patterns, themes, and trends across schools. In addition, they held knowledge of broad perspectives that would contribute to their ability to see trends, dissonance, and effective comparisons. They capitalized on this broader experience since they were not likely to intimately know the cases due to the fact that they have less student contact, and they looked only at the final paperwork to report out to the Board of Education and Superintendent.

My use of purposeful sampling was to secure the most valid and reliable results for my case study (Bogdan & Bilken, 2007; Creswell, 2009). Therefore, I looked for participants who were currently in the setting, spent the most time in the school, who experienced the effects of the ABBRA, and who were involved in the process since the beginning of 2011 (Creswell, 2009). Participants were then asked to volunteer and had the right to withdraw at any time (Seidman, 2006). All of the participants were familiar with the environmental context of time and place. The focus groups are typically groups of six to ten people from similar environments who are interviewed for one to two hours (Patton, 2002). Focus groups are interviews that allow

for people to build off of the discourse of others by considering their own thoughts with the views of others in place (Patton, 2002). This method was selected for professional school specialists since they have unique information about this process due to their role as the interviewer as they begin the investigation process. They are the first to hear student stories in the alleged bullying incident.

The interviews of the Anti-Bullying Specialists were individual due to their in-depth knowledge of the policy, their detailed roles in implementation, and their numerous, associated responsibilities throughout the process. In addition, administrators were interviewed individually due to their similar detailed experience in implementation of the ABBRA.

There were several steps to take in order to identify, select, and contact my sample. Professional school specialists were contacted via face-to-face invitation. I introduced them to the study I was implementing and asked for their voluntary contribution along with the best time they can participate in a focus group. After receiving responses on availability I solidified one focus group meeting time being the most optimal time for professional school specialists. If they were interested, they were asked to come in for a focus group interview for a 60 to 90 minute block of time. If they agreed, they signed the consent form. My next step involved the administrators and the Anti-Bullying Specialists simultaneously. I introduced them to my study and recruited their support in the process. At any time, participants could withdraw from the study. Interviews were provided a mutually agreeable time to interview, with individuals and professional school specialists scheduled with a group of seven to ten participants. After the conclusion of interviews the participants had the option of completing a follow-up session (Toma, 2006).

Data Collection Process

The first step in data collection methods was to obtain Board of Education approval. Following this was Internal Review Board (IRB) approval from Rowan University (Appendix C, IRB Permission). The following is an overview of data collection.

Focus Group

The focus group session had eight participants including the professional school specialists (school counselors, psychologists, social workers, behavioral specialists, and Learning Disabilities Teacher-Consultants). Anti-Bullying Specialists and administrators had individual interviews. School support professionals were provided informed consent forms indicating highest confidentiality. If they agreed, they produced their signature, were provided guidelines for the focus group and information on the research process. The focus group and interviews were recorded and transcribed. Third, after the transcription participants were provided the opportunity to member check and they will have time for a follow-up. Fourth and finally the data was coded and bracketed for themes.

The interview protocol was designed to elicit responses surrounding the central question: *How do regulatory policy implementers, including Anti-Bullying Specialists (ABS), school administrators, and professional school specialists experience the Anti-Bullying Bill of Rights Act (ABBRA) implementation within the context of one K-12 school district (Pine School District)?*

The protocol for the interview was designed to align with the five research questions developed around the central question. The guiding research questions were phrased as topics regarding how schools have changed in response to the ABBRA, strengths and challenges experienced, policy impact personally, school climate, and reactionary and proactive measures.

All interview questions (IQs) represented suggested interview questions asked of all participants. All questions were developed to seek information about the participants’ perceptions in regard to the ABBRA implementation. The configuration below detailed the relationship between the research questions and the interview questions. This visual depiction serves as the foundation for coding in both focus groups and interviews (Saldana, 2009). The protocol for interviews can be accessed in appendix A and B of this document.

Table 2. ABBRA Research and Interview Configuration

Research Questions	Interview Questions
RQ1. Changes since implementation.	IQ 3 Role in the district; IQ 4 Changes
RQ2. Experience benefits/ challenges.	IQ 5 Benefits and challenges; IQ 10 Suggestions
RQ3. Positive school climate.	IQ 6 Define positive school climate
RQ4. School climate and ABBRA.	IQ 7 Experience of impact on school climate; IQ 9 Impact on others
RQ5. Sense-making	IQ 8 Knowledge, beliefs, and attitudes; IQ 11 Other information; IQ 12 Documents and other evidence

The interview protocol consisted of an interview guide approach where questions under the area of the driving research questions had been developed, however the sequence and questions may change throughout the interview process (Patton, 2001). The critical nature of this guiding approach is that it is systematic while simultaneously flexible by nature. Semi-structured interviews provided the space for “participants to construct reality and think about situations, not just to provide answers to a researcher’s specific questions and own implicit construction of

reality” (Yin, 2012, p. 12). Later in this chapter, the role of researcher was discussed for this reason of mastering a balance of participant response and researcher bias. Realistically, this method sustained the authenticity of a participant’s response and diminishes leading information. In order to fully understand the participant, probing was utilized to clarify and contrast or define a response (Patton, 2001). Opportunities for follow-up were also be provided for all interview participants (Toma, 2006).

I recorded all interviews and the focus group session then transcribe the recording. During the interviews and focus group I took personal notes to both record my thoughts and monitor pacing (Merriam, 2001). I used member checking to increase validity and use field notes throughout the process to ensure accurate analysis of interviews. According to Glense (2006) focus groups required preparation in procedures in order to facilitate discussion and permit for rotating speaking order. In groups there were a few simple rules to guide the participants so they know what to expect and how to proceed. The focus group session was recorded with the quickvoice app on the iPad. Data will be stored on a password protected iPad and laptop in a safe place for confidentiality purposes. During the focus group I permitted time for storytelling to collect in-depth data. Data analysis indicated how to proceed as the researcher.

Every transcription included a line number document and member checking will occur prior to formal analysis. Interviews and focus groups were analyzed through use of coding data. Data was analyzed consistently with the use of memo writing to crystallize questions and pursue further exploration (Charmaz, 2006). These memos led to theoretical sampling to secure data saturation with the exploration of categories and assurance of properties that are consistent within a category (Charmaz, 2006). Themes and rich descriptions emerged into an interpretation of the data (Creswell, 2009). According to Ryan and Bernard (2003) locating themes involves

subthemes, utilizing hierarchies, and decision-making according to the importance of theme. Interviews and focus groups were analyzed in comparison to build a deeper description of the analysis. I used the narrative format of a combined approach including objective writing and rich, thick descriptions (Creswell, 2009).

Material Culture

Documents are considered “material culture” and serve as a powerful source of data (Patton, 2002). Intended artifacts for this study included the written policy of the ABBRA from the state of New Jersey, the district form for documenting an incident of harassment, intimidation, or bullying, and meeting minutes from the School Safety Team with a focus on identifying measures to improve school climate. Material culture served as another means of collecting valuable information regarding the context of policy implementation (Merriam, 2001; Rossman & Rallis, 2003). The relevance of existing documents contributed directly to the rigor of this case study including the standardized language of the policy and of the district.

Data Analysis

I employed the case study strategy of category construction and holistic methods for data analysis (Merriam, 2001; Rossman & Rallis, 2003). Interlocking elements of qualitative coding are used to enrich category construction (Saldana, 2009). These approaches permitted theorizing to occur which are central to the grounded theory method (Merriam, 2001). According to Patton (2002), grounded theory is “inductively generated from fieldwork, that is, theory that emerges from the researcher’s observations and interviews out in the real world rather than in the laboratory” (p. 11). The following is the process for data analysis.

I reviewed documents and transcribed interviews in preparation for data analysis. I was prepared to read all the information first to begin to develop a rhythm for this analysis. Category

construction began with the first piece of information as the interview and documents began to accrue. Continuous reading and review of research throughout the process while making meaningful notations such as wonderings, questions, recognitions, and reflections contribute to the research as it develops (Merriam, 2001). Beyond these notations, I formally documented analytic memos regarding “emergent insights, potential themes, methodological questions, and links between themes and theoretical notions” (Rossman & Rallis, 2003, p. 291). These memos helped establish patterns and uncover gaps in my analysis that guided theoretical sampling to confirm patterns or fill gaps (Charmaz, 2009).

As I continued to organize the data and comment, I began to group similar notes together in an effort to extract relevant categories (Merriam, 2001). According to Merriam (2001), the category titles emerged from “the researcher, the participants, or sources outside the study such as literature” (p. 182). For the purpose of this section of category construction, I turned to a relevant technique of coding in Saldana (2009). After I deciphered categories that supported the research questions to explicitly extract meaning, and involve categories that are relevant to all data I intend on using a first cycle of Versus Coding (Merriam, 2001; Saldana, 2009). According to Saldana (2009), “Versus Coding is appropriate for policy studies, discourse analysis, and qualitative data sets that suggest strong conflicts within, among, and between participants (p. 94). The purpose for the established Versus Coding was to illuminate this policy research to emphasize the moieties that exist in our social world (Saldana, 2009).

Subsequently, eliciting a theory from the gathered meanings produced an explanation for the relationship of data (Merriam, 2001). This process required the ability to get above the methods to seek conceptual meaning in the data. Essentially, this left the reader with a sense of

holistic meaning relevant to the contextual experiences of those involved in the case study (Merriam, 2001).

Establishing Rigor

Toma (2005) established that rigor is essential, although it is “up to the individual researcher...to become familiar with various conceptions and approaches...working out the conflicts and inconsistencies that are almost certain to arise with any set of decisions” (p. 406). Consequently, Toma reminded “researchers that, as in life, there are few if any absolutes in research” (p. 406). The fundamental nature of grounded theory is the ability to saturate the data for a rigorous study. Saturation of data is not only the revelation of consistent categories with the absence of newly emerging ones; it is also that specific properties of the categories are proven consistent (Glaser & Strauss, 1999). Throughout data collection the categories and properties are tested through theoretical sampling to confirm patterns or fill gaps (Charmaz, 2006). Charmaz (2006) asserted theoretical sampling allows the researcher to “seek statements, events, or cases that will illuminate your categories” therefore the researcher might have to follow-up with earlier participants or ask them questions that were not previously addressed. The researcher has the responsibility of ensuring data is relevant and thereby continuously adjusting the type of data collected based on the emerging categories (Glaser & Strauss, 1999). Herein, grounded theory uses saturation of data to establish rigor.

Validity and trustworthiness is addressed through the participation of various groups for comparison including administrators, Anti-Bullying Specialists and professional school specialists to review the many similarities and differences captured throughout data collection (Glaser & Strauss 1999). Rich descriptions distinguished any bias, present important counter

information, and chronicle peer debriefing (Creswell, 2009, p.191). To add value, field notes were maintained from the beginning of research through until the conclusion.

Field notes extended the rigor of my study, in order to ensure honesty as a researcher. It also allowed me to cross-reference the themes I discovered in line with the process of my research. Field notes were taken at all phases of research in order to record direct quotes, reactions, experiences, and interpretations of interviews (Patton, 2002). Reflective field notes consisted of “observer’s comments, memos, and other such materials contain the following: reflections on analysis; reflections on method; reflections on ethical dilemmas and conflicts; and reflections on the observer’s frame of mind” (Bogdan & Bilken, 2007, p. 123). As a good qualitative researcher I used my reflective field notes to explore the process of my research in depth and align the notes with the transcripts from the interviews and focus groups. It was a checkpoint for myself to establish the rigor that grounded theory required. The goal of this case study was to not only to expand, but also generalize theories beyond this case study (Yin, 2009).

Charmaz warned qualitative researchers best when she said, “Neither observer nor observed come to a scene untouched by the world” (2006, p. 15). Trustworthiness is crucial and can only be achieved through the conscious, planned activities of the researcher. Toma (2005) expressed the strong need for trustworthiness to be deliberate in qualitative research. The clarity of the research and the ability to trust the analysis is critical to establishing rigor. Toma (2005) contends:

It is up to the individual researcher...to become familiar with various conceptions and approaches- and to apply those that resonate to his or her own beliefs and values, working out the conflicts and inconsistencies that are almost certain to arise with any set of decisions. (p. 406)

Consequently, the reality of this case study was based in the varying experiences with the role of researcher having human biases that made the entire qualitative study based in life that ultimately has no absolutes.

Ahern (1999) similarly credits the ability of researchers to be aware of their feelings and preconceptions in order to be reflexive since objectivity is an ill-defined concept. Patton (2002) defined reflexivity as “understanding how one’s own experiences and background affect what one understands and how one acts in the world, including acts of inquiry” (p. 546). Charmaz (2006) phrased this a bit differently by stating, “researchers must be reflexive about what we bring to the scene, what we see, and how we see it” (2006, p. 15). As a result, I included the added measure of reflexive practice by means of keeping a reflexive journal guided with elements of both Ahern’s (1999) suggestions and Patton’s (2002) reflexive questions.

My role as the researcher extended the trustworthiness of my study due to my position as an administrator who is directly impacted by the ABBRA. I used my experience to make meaningful connections for my readers so they may generalize the information I collected to their personal work in the public school system. Maxwell (2005) validated the researcher as a worthy source who brings “a major source of insights, hypotheses, and validity checks” to the study (p. 38). On the continuum of involvement in the research I am immersed in the study. As an immersed member, I have the advantage of having a depth of understanding surrounding the “specialized language and norms of the setting” therefore am more able to “yield a deep emic understanding” of the research (Rossman & Rallis, 2003, p. 151). This understanding is a direct relation to the amount of time I spend in the context of the study.

In response to this history of involvement in implementing policy in schools, I incorporated reflexive questions designed by Patton (2002). Therefore, as cited above through

use of my reflexive journal, I yield to understanding that it is impossible for me to be completely objective which allows me to reflect on my ideas. Patton (2002) identified the role of the researcher to target balance that assists in “understanding and depicting the world authentically in all its complexity while being self-analytical, politically aware, and reflexive in consciousness” (Patton, 2002, p. 41). It was my responsibility to understand and represent my role of researcher truthfully. As I provided rich description in my findings, this assisted in reducing bias “that researchers bring to the work” and I will present “negative or discrepant information that runs counter to themes generated” (Toma, 2005, p. 414). Field notes and analytic memos assisted in my ability to maintain rigor throughout this case study.

With the support of *The Coding Manual for Qualitative Researchers* (Saldana, 2009), I will effectively keep rigorous data analysis from the interviews and focus group. Coding for themes through rich descriptions actively assisted in generalizing conclusions to give the reader purpose in using this research as a resource. Toma (2005) stated that “findings must relate to some reality (authenticity) and to how others construct their world (trustworthiness) such that a reader would be confident in acting on the conclusions, implications, and recommendations they yield” (p. 410). The credibility of this study was based in the presentation of the participants through themes and quotes. The nature of the truthful design allowed the reader to see the conclusions and implications as relevant to their own experience in education. I even predicted that the research collected would be real to those in other fields of work where regulatory policy was commonly implemented. Toma (2005) recommended that rigor included the components of transferability and dependability. Transferability was found in the generalization of my research and dependability referred to the results I analyzed with “reference to possible changes over time” (Miles & Huberman, 1994; Toma, 2005, p. 416). This allowed readers to look at the data

and infer what might change. It also permitted readers to analyze the information through their own paradigm.

Ethical Considerations

As stated above, prior to the commencement of this study, clearance was sought from the gatekeepers at the district and university levels. Beyond this, ethical considerations were essential for qualitative research that must be trustworthy due to the relationships that developed during the study in which I guarded participant privacy and commit to hold in confidence their responses (Glense 2006; Rossman & Rallis, 2003; Toma, 2005). Relationships fostered reciprocity where participants see direct benefit in their field (Creswell, 2009). Stemming from my role as researcher, I looked to my professional code and commit to abiding by the Code of Ethics for Educational Leaders found in the American Association of School Administrators with a particular emphasis on fulfilling “all professional duties with honesty and integrity and always” acting “in a trustworthy and responsible manner” (AASA, 2012). Deliberate and intentional means were taken to abide by this code.

First, I ensured protection for my participants by keeping their name confidential, furthermore I mixed up any quotes used so there is no chance of identification (Mertens & McLaughlin, 2004). Additionally, due to the sensitivity of interviewing, there was a balance established to minimize my role and “preserve the autonomy of the participant’s words and to keep the focus of attention on his or her experience rather than mine” (Seidman, 2006, p. 96).

Second, I performed the following protective measures for participant safety: (a) research purpose was explained; (b) confidentiality was described; (c) informed consent with the option of individual removal from the case, if requested, was signed; and (d) debriefing, a method of

member-checking was granted to ensure proper reporting of participant interview (Patton, 2002; Toma, 2005).

Third and last, I sought to take caution to assure identities are kept anonymous. With this individual invitation, I was transparent in the description of my research and established purpose. All explanations were accomplished on an individual level to ensure the comfort of the potential participant to ask any questions they might have prior to agreement. All interviews and the focus group occurred in a neutral location for maximum and fair participation.

In summary, I crafted this case study in an effort to elicit qualitative data to analyze implementation of the ABBRA in the context of a K-12 school district. This chapter provided the structure that systematically investigated the experiences individuals had in response to policy and their understanding to assist in generalizing the findings to impact future policy (Merriam, 2001). Now I will proceed to the findings.

Chapter 4

Findings

The purpose of this chapter is to provide the findings that came to fruition after data analysis. A review of the methodology will be stated, following a description of the analytic table for thematic Versus Coding will be provided (Saldana, 2009). Each research question will be explored with the delineation of two themes. Finally, an explanation for all codes to a singular explanatory theme will be reviewed.

Methodology

This study was constructed to address the following core research question: How do regulatory policy implementers, including Anti-Bullying Specialists (ABS), school administrators, and professional school specialists experience the Anti-Bullying Bill of Rights Act (ABBRA) implementation within the context of one K-12 school district (Pine School District)? Five guiding research questions were explored and include the following:

1. How have the regulatory policy implementers of Pine School District changed since the ABBRA has been implemented?
2. How are the Pine School District regulatory policy implementers embracing the benefits and overcoming the challenges of the ABBRA?
3. How do Anti-Bullying Specialists (ABS), school administrators, and professional school specialists in the Pine School District define positive school climate?
4. How do the regulatory policy implementers experience the ABBRA impact on school climate?

5. How has the ABBRA made sense according to individual “knowledge, beliefs, and attitudes,” including the implementer “situation” or role in the school, and the policy expectations (Spillane, Reiser, and Reimer, 2002, p. 388)?

I utilized the method of qualitative research as grounded theory with case study as a strategy. Grounded theory allowed participants to develop a unique explanation of the meaning of the ABBRA and its implementation process (Creswell, 2007; Glaser & Strauss, 1965). The individual interviews allowed for rich descriptions that captured the essence of the regulatory policy in the environment at this time (Bogdan & Bilken, 2007). Additionally, case study strategy was used since this case is “bound by time and activity” (Creswell, 2009). As such, within the context of New Jersey public schools a new regulatory policy has been required. Pine School District is a single K-12 school district in New Jersey working under this policy. The units of embedded analysis include elementary schools, the middle school, and high school. A strong point to keeping this qualitative study exclusive to a single district is that it illuminates how professionals from various schools within the same community respond to this particular phenomenon of implementing regulatory policy.

Data Collection

Data was collected through individual interviews beginning in April 2013 through October 2013 when the interviews were completed, the focus group was held. During the interview process I formally documented analytic memos that assisted with the construction of categories (Rossman & Rallis, 2003). My memos helped me establish patterns and reveal gaps (Charmaz, 2009). Additionally, field notes were another method that extended my thinking beyond the memos that included reflections on analysis and other important notes (Bogdan & Bilken, 2007). These notes were my constant companion and provided significant insight as I

coded. Most importantly, my practice of a reflexive journal helped me look at myself, and how I view the world (Ahern, 1999; Patton 2002). Finally, a review of the material culture included the written policy of the ABBRA and the district form for documenting cases of harassment, intimidation, and bullying.

Prior to beginning my description of the findings, it is relevant for me to highlight my reflexive bracketing practice throughout the coding process (Ahern, 1999; Patton, 2002). I utilized Ahern's tips for reflexive bracketing as my main guide. Ultimately, reflexivity kept me honest throughout the process to ensure saturation of data and recognize my own personal beliefs that interfere with analysis, since complete objectivity is impossible (Ahern, 1999).

Ahern (1999) recommends that the recognition of feelings that are not neutral is a signal for the researcher to engage in reflexivity. Patton (2002) extends this consideration through suggested reflexive screens including culture, age, gender, language, values, and class, among others (p. 66). Here I will note that I felt most anxious during interviews when participants expressed consistently positive feelings toward the policy, with a lack of negative associations. In order to successfully understand this feeling, it took several interviews. I realized that I was looking at the participant as being deceptive or dishonest with me.

I can't believe that she doesn't see any negative effects of this policy. She is spending most of her time interviewing kids, like a police officer and writing up hours of paperwork. Doesn't she recognize the contradictions in her statements? She is agreeing that the law will protect kids, but then she signals that it is very time-consuming and she is missing out on her primary work. How can someone not question authorities? Why is it that educators go along with policy so willingly? How are we deceived to believe that documentation and investigation by way of counting must make a difference in our schools? What background, beliefs, and feelings does she bring to the interview that I don't understand? Is it politics; does she fear suicides or school shootings; does she think the paperwork and process will protect the school? Or is it too much work to think too much about so she just goes along with it because her beliefs will not sway policy makers since educators have so little power in the system? Maybe I am being negative and she only wants to believe in something better. (Journal entry, July 17th 2013)

My feelings indicate that I believed the participants may have been trying to move the interview along quickly, avoid reflective thinking, or feared their interview being shared or my viewing them differently. I also believed that the interviewees could have only focused on the positive because this is their personality or they are used to playing politics. No matter the reason, I took a step back and ensured that I remain as neutral as possible to separate my emotion from the interviewee's responses. As I transcribed the interviews, I listened to my voice and attempted to control my tone and expression so as not to influence responses.

Lastly, I want to point out that I became anxious during the transcription process. I would replay the recording several times at a clip to ensure I had the proper language; then I would eventually replay and reread the responses due to the high number of contradictions found in interviews. The contradictions represented a continuous gap in my analysis until I recognized the gap as the centerpiece for analysis: paradox. Although many participants remained highly positive about the policy, their verbal interview contradicted their positive manner.

How can you say that the policy gives us a process to handle complaints and investigations when we you said we handled this in the past with a school policy? Also, you say the policy is good, but you don't have the time for your other work to get done? What is more important being visible and forming relationships with students, knowing the pulse of the building, or interviewing offenders and typing up hours of paperwork? The contradictions are endless and my frustration grows. I see myself looking at the interviews and judging them because of my own experiences and beliefs. I see my own experiences, such as having strong family values that prescribe to resolving behavioral/social issues primarily with immediate family instead of counselors or administrators, to interfere with the perspective of others. I see my family history, as well as my education and independent values being imposed on others as I try to hide my frustration. I see myself looking at others as if they should feel the same as I do. My beliefs are strong therefore I have to ensure participant words are taken at face value so I avoid imposing my history on their words. For clarity, I need to step back and remove my emotions to truly listen to others so the themes will come to light with more honesty, with contradictions and all (Journal entry, June, 11th 2013).

By way of illustration, most participants expressed the need to have this policy in place for many reasons and agreed that it would help students so they are not bullied in school. If the

policy were the solution, then why would the participants introduce conflicting statements about not being able to get their primary work done? Why wouldn't a participant recognize that perhaps the work they did prior was more valuable than the new work for implementation of this policy? Responses led me to Versus Coding because there were contradictions in every interview, illuminating a policy paradox (Stone, 2002).

In terms of reflexivity, I now realize that my frustration with interviewees emerged because my underlying motives were to engage participants in a dialogue that caused them to reflect on the policy, recognize the contradictions, question the policy, and willingly present the possible negative impacts of the policy on school members, in addition to the positive aspects (Ahern, 1999). Another dimension of my bias, aside from family values and beliefs about independence, stems from my heavy involvement in the implementation of the ABBRA and other state-mandated regulatory policies. I have first-hand experience in the contradictions, gray areas and, at times, the negative impact on school members. During one interview a participant shared that this policy was really necessary in schools and hopefully the policy will seep out into the community so the lessons can be generalized over the years. When I asked the participant, who had several years of public school administrative experience, to provide an example of past regulatory policy that has been successful; the participant sat for a minute or two, mentioned the attendance policy, then said that it has not been so successful, and continued that they could not name such a policy which they viewed as a success. We went onto the next question after this response to keep the flow of the interview.

Therefore, when the participants did not raise these issues and I have seen them struggle with the issues, I get frustrated, as previously noted, I get a sense of them being deceptive or dishonest. Being aware of my underlying motives, values, and beliefs contributes to my work to

remain neutral because I have a deeper understanding of myself as a researcher as to bracket these moments in the transcripts (Ahern, 1999). Prior to a presentation of my coding methods, following are the demographics of my study.

Demographics

At the high school level one Anti-Bullying Specialist (ABS) and one administrator were interviewed. One ABS and one administrator from the middle school were interviewed. At the third through fifth grade level, three ABS's and three administrators were interviewed. At the Kindergarten through second grade level, two ABS's and two administrators were interviewed. Finally, at the pre-kindergarten level, one administrator was interviewed. Including the district ABS, a total of eight ABS's and a total of nine administrators were individually interviewed. The focus group included a total of eight professional school specialists from both the middle and high school levels.

The total number of participants was twenty-five. Participants were asked how many years they have been working in New Jersey public schools. In the administrative group the minimum years of experience in the field of education in the state of New Jersey was twelve years with the maximum of nineteen years. The average was sixteen years of experience for an administrator. Anti-Bullying Specialists (ABS) offered four years of experience as the minimum with a maximum of seventeen years of experience. The average for ABS's was eight years of experience. Finally, school specialists ranged from a minimum of two years of experience to twenty-one years of experience with an average of twelve years of experience. Although some participants willingly shared this was a second career, no participant stated that they had experience working in the field of education outside of the state.

Among the total twenty-five participants, six were male and nineteen were female. Four participants were African American, two participants were Hispanic, and nineteen participants were Caucasian. Within the focus group of school specialists and ABS's, five were social workers, two were school psychologists, six were school counselors, and one was a Learning-Disability Teacher Consultant. There were two outliers, one was an ABS who worked under an administrative title and another participant in the focus group worked under a school specialist role that mirrored administrative responsibilities. Turning now to the Versus Coding analytic table, these codes work to clarify the contradictions from the interviews and focus group.

Versus Coding Analytic Table

Prior to beginning a description of the results after data analysis, the analytic table is shared below as an overview and point of reference for the remainder of the chapter. As noted in the previous chapter, each research question was paired with interview questions. The interviews were semi-structured in order to provide consistency for the coding of categories (Creswell, 2009). All interview and focus group participants completed the member-check process. Transcription and coding continued until the data was saturated with consistent categories established in the absence of newly emerging ones (Glaser & Strauss, 1999). The interviews and focus group for all participants were transcribed, coded for categories, traced for concepts, and completed the first cycle coding of Versus Themes through the deliberate entry of subject statements that shared repeated categories.

I completed each part of the process, which is relevant to note because it took over six months to efficiently transcribe, analyze, and continue to interview participants. After each interview was transcribed and coded, I considered the validity of information and to ensure data saturation, included more participants than proposed. A change from the original timeline is

important to note here, the focus group was conducted after all individual interviews were completed. This is significant because the switch to conduct this group at the end provided pivotal insight into the established categories. It contributed greatly to the confirmation of the saturation of data since the group did not produce new categories and properties that were not already explored at some point during the interviews. The table below provides an overview of the themes that emerged through the interviews and focus group. The themes align to the five guiding research questions.

Table 3. Analytic Table for Versus Coding

Research Questions	Versus Coding Themes
RQ1. Changes since implementation	Theme 1.1: Quantity vs. Quality Theme 1.2: Fast vs. Slow Thinking
RQ2. Experience benefits/ challenges	Theme 2.1: Public vs. Private Domain Theme 2.2: Reactive vs. Proactive
RQ3. Positive school climate.	Theme 3.1: Community vs. Individuation Theme 3.2: Inflexible vs. Flexible
RQ4. School climate and ABBRA.	Theme 4.1: Myopic vs. Sagacious Theme 4.2: Meaningless vs. Meaningful
RQ5. Sense-making	Theme 5.1: Process vs. Outcomes Theme 5.2: External vs. Internal Control
Emergent Themes	ET 1: Visible vs. Invisible Effects ET 2: Ruling Elite vs. School/ Youth Culture

RQ1. Changes Since Implementation. The first research question stated: How have the regulatory policy implementers of Pine School District changed since the Anti-Bullying Bill of Rights Act (ABBRA) has been implemented?

The statements between Anti-Bullying Specialists (ABS) and school administrators overlapped in many areas that described the change in their role since implementation. Some of the language used to describe the changes surfaced in repetitions of words such as: extra job, deadlines, paperwork, follow-up, timeline, responsibility, spending time, and details. From these repetitions, concepts of quantity and fast thinking emerged.

The concept of quantity with the ABBRA emerged from subject statements that emphasized the increase of manual work that took large amounts of time. An ABS described their change in role as primarily an extra job to do, an added responsibility, in which the ABS had to be more creative with their time management to complete the work. Similarly, an administrator explained the following:

It has changed the role because there is obviously a more extensive paperwork trail that needs to be initiated, created, then followed through with. It has taken me away from being as visible in the building as I would like to because I am playing a larger role with my counselor in the process.

To their credit, analysis of the ABBRA as material culture mandates a ten-day timeline, along with procedures for investigations, parent notifications, determinations, and follow-up that require ABS and administrative collaboration to ensure the policy has been completed in its' entirety. Regulatory policy formalizes this protocol for the ABBRA to obtain measurable results, in the meantime, when quantity of work increases, quality is in conflict. Participants recognize the quantity of work removes them from being visible in the school environment due to the paperwork and timeline that is in effect behind closed doors. Consider this statement emphasizing the coding ritual:

..that you have to do this and you have to do that and you have ten days to do that is always a little frustrating and so I think that we as in education or any public service workers you have a lot of regulations to deal with so it is sort of more of the same. Every time you try to codify something you end up with a million regulations.

The contradiction of what the policy intends and what it looks like in schools begins to emerge in this first conflicting thematic code. To extend this first theme of quantity, consider the loss of primary role to this new responsibility that could decrease the responsibilities to monitoring the paper trail to prevent litigation or repercussions:

It's all being orchestrated by this paperwork trail, by this law and administration and people who are trying to educate kids and we are not educating kids, we are not doing that, I feel like a lot of my job is babysitting and having counseling sessions about twitter.

The combination of monitoring online and offline behavior causes ABS's to spend their time tracking paperwork for their file to prove that they addressed behaviors deemed inappropriate.

With the shift to quantity of paperwork, the removal of quality of counseling sessions and working through problems with students is eliminated. The process requires ongoing documentation that takes away from relationships and forces a heavily monitored system by educational professionals.

The concept of fast thinking developed from subject statements that emphasized the pressure to meet deadlines, remain in compliance, and follow the prescriptive steps.

Unfortunately, the ABBRA has left me with very little time to give to my students because it encompasses all of my day.

An administrator notices that one of the most stressful things is contacting all parents at the correct time, keeping within the ten-day time frame, and filling out the form accurately so the procedures are completed in a correct manner.

The timeline on the policy, that is one of the stressful things that we are making sure we are contacting both parents at the correct time and that we are in ten days time frame and that the information on the form that we are filling out is accurate, so not only are you spending time investigating, but you are spending time making sure that all of the procedures and protocol are done correctly, so when you break it down it is just another responsibility.

Another participant stated:

...prescribing every step of the investigation and remediation may not be the best because I think that sometimes you have to trust the judgment of the people in the buildings and give them a little leeway to make decisions that are in line with their culture and that are in the best interests of their kids and their communities.

When each step is prescribed, thinking can interfere with the process and since the timeline is demanding, the implementers must move quickly.

Fast thinking dovetails with the theme of quantity as several steps are required within a fixed time period, meanwhile there are other responsibilities to attend to; there is no time to waste with slow thinking, resulting in added responsibility with multiple demands.

The regulatory policy has changed implementers by increasing their workload and requiring completion within ten days of receipt of the complaint of alleged Harassment, Intimidation, and Bullying (HIB). Prolonging a case, with slow thinking or focusing on quality over the quantity of the paperwork could result in adverse effects of the detailed regulatory policy. Penalties could result if the policy is not strictly followed.

RQ2. Experience Benefits/ Challenges. The second research question stated: How are the Pine School District regulatory policy implementers embracing the benefits and overcoming the challenges of the ABBRA?

The benefits that participants cited contributed to the challenges they experienced. For example, reoccurring language in interviews described documentation, records, grading systems, thoughtlessness, knee-jerk reactions, labels, lawyers, letters, and litigation. Consequently, these repetitions establish the patterns for the thematic codes. The first being public domain and the second being reactive behavior.

As related to the benefits and challenges of the ABBRA, participants expressed concern about how the district would be graded on the New Jersey Department of Education website as to how they are succeeding with implementing the policy with an ambiguous grading system. This record is public.

It just adds that extra layer of accountability just knowing that you have to write, formalize a report, and there is a formal procedure that you have to follow and now you are going to be graded by the state on how well your school does in terms of whatever.

Another implementer also referred to the public grading process for HIB and the unknown outcomes that may exist with making bullying behavior public.

If you were keeping the paperwork, so you can say hey you know what there is this pattern, between these two students so we need to look at that and separate them or whatever you are going to do and that's fine, but all the rest of it seems like it could end up being counterproductive, we are going to have to see what happens with it when all of those grades are posted on websites across the state next year.

Additionally, interviewees cite that documentation is recorded and will follow students from grade to grade.

Because now that when I find a situation where there is a true victim, I have some tools that I can say well this is going to be recorded and there are going to be consequences and if it continues to be a pattern then there is something that we can actually look at and there is something that could possibly follow the student throughout the school. I still don't know how they are working that out, you know from kids who are in Kindergarten, all the way up to high school.

This record is tied to students and those who have legal access to review their files. Finally, the ABS and administrators shared that parents express concern over the label of bully or target being on their child's record. This concern is relevant for parents who may stress over the long-term consequences of a heavily documented process that remains accessible in various forms to publicize the elimination of bullying through records and public grading. Implementers, ABS and administrators, voice the increasing public domain may help us track behavior to help to eliminate or prevent it from occurring more often. The contradiction lies between public and private.

As stated, this coding surfaces a contradiction of public versus private domain. For instance, the effect of codifying the elimination of bullying relies on documentation that provides a foundation for maintaining the codes linked to students in a system. This provides a public measurement in which students remain anonymous. Simultaneously a private record is stored for students to maintain a tracking system from grade to grade which concerns parents since the

teachers of students and administrators have access to those files, thereby keeping a historical track of bullying or victimization ready for ongoing review. The public domain of student behavioral history is emphasized in the process; in opposition the private domain is minimized by an increase in recordkeeping to track district, school, and student success in regard to the ABBRA.

Within this same research question, participants expressed challenges associated with the ABBRA being reactionary. First, several interviewees shared this was a knee-jerk or reactionary measure due to what happened at Rutgers, the case of Tyler Clementi, in which he was bullied then committed suicide. As noted in the literature review, Senator Barbara Buono stated the day after the suicide of Tyler Clementi, that “our first duty is to keep the public safe and secure” and to “bring about measures to protect our citizens and our communities with the vigilance and accountability they need and deserve” (Buono, 2012).

It was implemented, I don't want to say thoughtlessly, but without much thought or consideration about how it would actually play out...it was very reactionary against you know in the wake of Tyler Clementi suicide. I feel like it is sort of like look how great NJ is to have this tough anti-bullying law.

Second, with the policy in place, implementers expressed that the reactionary effect is that the strict policy raises awareness to the point where it inflames things and amps it up. The administrative phone call home to parents signals the beginning of an investigation. This investigation of a potential bullying incident where a child may be labeled a bully or target with the finalization of a letter from the Superintendent's office can be a catalyst for parents to get a lawyer and move toward litigation for protection from the strict policy.

I think it moves people to get lawyers and go into litigation faster, while we say we are going to the Board, they say they are going to get a letter and they are threatening to do that that does take time, then it is a whole type of shame thinking, do I want to go to the Board and maybe in front of my neighbor who knows me, or is there a more sensitive way in which is maybe between me and the principal?

Third, implementers also point out that the concern of the ramifications of coding an incident incorrectly or recognizing that students may learn from their mistakes rather than immediately coding the incident.

I think I felt very confident in my decision-making about discipline and children who I thought had committed a wrong and now I find that I do a lot more second guessing of myself, like hmmm... Is this something we should be investigating? Whereas in the past, I never would have really given it a second thought, I would have made a decision... but now I literally sit up at night and I will talk with our ABS and I will say well what do you think about that? I am also a little more fearful of the ramifications of what if we didn't code that correctly and this child comes back as a child who has a second offense?

This remains a challenge due to the reactionary measure before knowing the entire incident the response is immediate investigation for all those involved. A challenge expressed is how policy makers did not think this through because the reactionary measures place an adversarial spin on school communication involving potential bullying cases.

Versus Coding unifies these challenges. In particular, one statement from a participant elucidates this divide.

Then you see people divide, is that just kids being kids, should that be made a big deal of or is that really an incident that we want to stop and so things don't go further growing up and sort of change this society into this negative behavior. I do see some of that is raising awareness and dividing people too.

Fourth and finally, beyond a divide of opinion, an implementer expressed concern with the strict policy placing an adversarial spin on everything causing an immediate state of reaction with sustained stress.

I think raising awareness of incidents has definitely been one of the purposes and it has been achieved, but it also inflames things. I think it aggravates a lot of incidents that could be handled mutually between two parties, you know or incidents that could be handled between a counselor or another counselor, peer mediation. Or between two families and it kind of puts an adversarial spin on everything we do, and it heightens everyone's anxiety about the incident already and so that being the parties involved as well as the school, so I think it inflames things that could easily be handled with a conversation or mediation, but now there is the whole paperwork and there is the phone

call and there are the Board reports and that gets everyone's anxiety levels maxed and that is when people start making poor decisions or they get very angry.

Implementers determine a challenge of the ABBRA as it has ratcheted up a tension toward bullying that has resulted in a reactive and public approach. It has also been recognized that it has created a divide between those who support the heightened reaction and those who do not.

RQ3. Positive School Climate. The third research question stated: How do Anti-Bullying Specialists (ABS), school administrators, and professional school specialists in the Pine School District define positive school climate?

Participants related the interview questions associated with this research question back to the relationship between the ABBRA and positive school climate. Key words and phrases reoccurred throughout the interviews, including how the law makes schools responsible for everything, 24/7 monitoring, law enforcement and churches are involved, and this law ensures that everyone knows we are watching. Additionally, there were comments stating that kids are no longer allowed to cope on their own and they have to go tell someone so a report is filed. There was agreement that positive school climate is when everyone in a building feels comfortable, can form important relationships, and is able to grow as a learner. Meanwhile, the implications of the ABBRA circulate two themes of community and inflexibility as next described. The policy itself does not work to improve school climate.

During this segment of interviews, individual participants expressed complex feelings regarding the responsibilities of the school to ensure positive climate within the parameters of the ABBRA. For instance, one participant stated that the law unfortunately makes the school responsible for everything.

If you think about it, everything impacts the social environment here at school... anything that happens on a Friday night, three days later is going to impact them here at school because they see the same students here at school, so the law unfortunately makes

schools responsible for everything. And things that really parents should be responsible for, so it really makes it impossible, it creates an impossible job for us.

Another participant shared that the law is all about 24/7 monitoring, even on the weekends and via social media.

... you have other people who think that it is going to save the world and that goes back to my original concern, that it is just a school. So I think you still have that huge imbalance of people's beliefs, either that bullying is normal or that schools can be the police of the world and stop it and I don't think that is the case either so I think there needs to be a happy medium so that schools they can contribute to it.

To extend this example of responsibility for the community, an implementer addressed the concerns of school as the guarding force.

Yet this law is all about 24/7, we are on the clock. I have a tweet on my desk right now at 12:17 am. I have to consequent for that, I have to remediate for that? Really I think there needs to be more parent involvement in this law, there needs to be more a mandated parents need to come into school, parents need to be accountable, we are doing all the parenting right now, or trying to and the kids just go home and they may get a phone call informing them of what happened, but they don't really understand. They should be made to come in and see what their kids are reading and writing.

There was a shared concern of community responsibility over student or parent responsibility, as others acknowledged that law enforcement and churches offer support beyond the school.

Schools have all of this responsibility for maintaining a positive environment, but there are all of these factors that we have no control over. Family, media, social media, just things like that that I think are impossible to control. I do get very concerned. I often feel that schools have a huge burden, I mean that not only with HIB, but with educating them, and feeding them, and doing all those things, getting them home safely, and all of those things add to what makes the job so difficult.

The concern that you can't fix school climate with regulatory policy stood in stark contrast with interviewees who said that the law sends the message to people that we're watching...if you see something, you need to say something. The impact of the law is an increase of monitoring. Within this theme, community represents school, church, law enforcement, while individuation represent self and family. When broken down into manageable

parts, community serves as the primary mechanism for watching, reporting, responding, and determining the outcome. However, the individual responsibility is limited due to the ABBRA policy expectations of community taking responsibility. Therefore, this contradiction emphasizes community over individuation.

The second theme of inflexible versus flexible originates from the ABBRA streamlining responses that encourage inflexible approaches as opposed to flexible responses that vary depending on the situation.

I think it also involves school too much and I want to qualify that. But sometimes these kids can figure it out on their own, they are not learning to cope on their own, because they don't have any social skills to say, stop doing that or to say listen we are in a conflict, let's work this out. They immediately say something to them, they don't like the way it sounds or feels and they go tell someone and a report is filed, there is not kind of initiative to solve it for yourself or remediate kind of a thing. So that has been a big issue.

Regulatory policy imposes limits or restrictions on the actions of individuals and groups (Anderson, 2011). Accordingly, these policies seek to exert control over the behaviors of others by setting forth rules that if not followed impose consequences (Anderson, 2011).

It gave individual school districts very little freedom to how they were going to implement it, you had to follow these strict guidelines, you just knew right away that there were a matter of just differences, now we don't have that option.

To explain the contradiction, a participant offered that there is never going to be a school where only positive interactions occur, that is part of life and we want students to learn how to deal and cope with problems effectively. To further illuminate this concept, participants noted that students were not learning to cope on their own and were not given the space to figure it out for themselves. Unstructured time such as on the bus, in the cafeteria, or on the playground were locations that had the most bullying incidents in which the loose activity was to blame for negative events. Here is a specific contradiction between structured and unstructured as well as supervised and less supervision:

...building a positive playground situation because this is where most of the HIB incidents seem to happen, or the disagreements or the problems seem to happen on the playground, at recess, lunch, and playground, those are really the big times and being able to create a different playground situation because there are only three aides outside with three classes of kids, so being able to create some alternate activities, being able to have people outside, maybe another person outside doing some formalized group activities, because you want to have unstructured time, but you also want to have some structure to it.

Whether flexibility is measured in time, location, or dialogue between two students, participants divulge contradictions since student time must be inflexible to avoid bullying behavior and ensure safety. Those who vacillate between the inflexible and flexible approach point out the ABBRA does not allow kids to learn and grow from social experiences.

I don't think we are allowing kids to deal with their own issues. We are not allowing kids to try to deal with this on their own, we are not giving kids space to just figure it out for themselves, have a fight, work it out with your friends, a lot of times you will see it is girls who are friends...

The ABBRA removes a flexible approach to learning and replaces it with an inflexible reporting system that has strict guidelines. The impact on school climate is one protected by policy with consequences for flexible decision-making as it directly contradicts the policy in place.

RQ4. Perception of Policy on School Climate. The fourth research question stated: How do the regulatory policy implementers perceive the ABBRA impact on school climate?

Implementers perceive the ABBRA impact on school climate as a confusing or gray policy that had associated hysteria the first year and has since faded into a routine of procedure in conjunction with school guidelines for improving climate. The myopic understanding of the policy adheres to a strict definition of bullying and the meaninglessness of the ABBRA evolved from the hysteria of a new, mandated policy to a common practice. Both concepts are in contrast with opposing principles as described in the coding below. Also, as stated above, the policy does not work to improve school climate as evidenced from the participant responses.

When addressing school climate issues, in particular potential bullying, the ABBRA takes a myopic approach according to interviewee responses. Implementers struggle with a gray area that is hard sometimes to determine when you are dealing with children as to whether or not the code is bullying. For example, one respondent found that there might not be a perceived characteristic to fully fit the bullying definition, although the behavior is still harassing and intimidating, it just doesn't always feel right to code it conflict. Yet, the definition identifies that there must be a target characteristic which may compromise feelings, but provides a definite foundation to make a final decision. This aspect of following the law does not account for confusing situations or lack of clarity in complex situations.

...series of single incidences and the characteristic, and of course the idea that somebody is being bullied in my school and that it doesn't fit HIB gives me more concern that is what really there were times we would talk about behaviors that would bother us but it doesn't fit the definition of HIB. So are we as a school then accomplishing the things we need to accomplish with school climate and safety if we can't address the actual bullying behaviors under the definition of HIB and so that is why I think the legislature has gotten part of it wrong and should really go back and revisit the law.

The myopic lens forces everyone to implement the law by filtering every situation through the same process. However, the sagacious perspective busies itself with discernment and judgment, which is in direct contradiction with the treatment of regulatory policy that requires the same approach to every situation. At one point, a participant added that they want to make sure that children are getting what is required under the law. If this is the case, children are receiving the myopic treatment of regulatory policy that sends every situation through the same process. In effort to be consistent to the law, professionals can no longer look through a sagacious lens. Implementers can no longer make independent decisions based on context of difficult situations. The ABBRA is a comprehensive regulatory policy that offers little flexibility or discernment between situations.

According to implementers, when the ABBRA started in 2011 staff were worried and there was hysteria the first year of implementation. Now, just closing out the second year of implementation during these interviews, implementers note it just becomes a code word that everything is bullying.

...bullying, you know, kind of is glamourized and is thrown across, he is bullying me or she is bullying me, and they are most definitely entitled with that circumstance, but a lot of times we are finding that they are not able, or they kind of default back on that term, instead of dealing with it head on.

Every time the word is brought up by parents or students an investigation is started, so one may imagine how many times that may come up throughout a school year.

It wasn't a case of bullying, but it just becomes a code word that everything is bullying, every act that they don't like is an act of bullying.

For instance, the connection between bullying and tragedy is so strong that parents make these connections so often that they become meaningless. Reporting bullying has become commonplace. Connecting bullying to tragedy has become commonplace.

...the paper is calling it bullying, however the paper doesn't have all the information, you know, and no one really can, mostly it is confidential stuff. But, it is the go-to the buzz word, and I think if anyone can attach their story to it, it takes off and that's kind of hysteria around that word, it's like a witch hunt sometimes, you know, that is what it feels like, some of it is just kids being mean and you need to consequent and talk to them, typical kind of old school but I think the community always wants to go there, and I have gotten phone calls from parents saying my son or daughter is going to be the next so and so, and they are going to kill themselves, and like that is their go-to, so that is the community vibe.

When calling for "bully" reporting becomes an everyday event, it removes meaning due to the routine. An implementer adds that the guidelines learned in training have become a no-brainer so it is used for everybody.

...we were already doing the Barr Anti-bullying lessons for three years before this law and I had used those previously because they are good and they are free. And I had gone

to the training and I already wanted to be using the Win-Win guidelines, we were already using that...it's a no-brainer, so we used it for everybody.

Thus, the conflict between meaningless and meaningful policy emerges.

As stated earlier, Fowler (2009) isolated three common problem areas regarding implementation of policy revolving around program, people or setting relations. In particular, setting involves outside pressure, insufficient resources, powerlessness surrounding pivotal decisions, and physical environment (Fowler, 2009, p. 298). A relationship between setting as powerlessness surrounding decisions and insufficient resources may elucidate this dichotomy. The heightened pressure of new policy eventually faded into the background with the knowledge of decisions made according to policy guidelines and attempting to implement policy without funding to back the policy. In a sense, the meaning deteriorated in order to meet the demands, eventually becoming a no-brainer to follow guidelines as an established habit. As another participant described:

In general from my discussion with the students, they are sick of it. They are sick of hearing it, they use it as a joke, I mean just looking at the report today, it says are we going to file another HIB report? Are you gonna HIB me? Or you know I have 5 HIBs already, what are you going to give me another one? So it actually has become a bit of a joke around here for some kids and they throw it around as a threat.

These descriptions represent the experiences students had with the policy as it became meaningless since it was part of the daily routine. It was used so often that the policy became routine because there were so many reports. The students who were reported are now used to the process and shake it off like any past routine procedure. This is symbolic of moving from a policy that could have been meaningful if it were used with discretion to a policy that is blanket and generalized, making it lose meaning in the process.

RQ5. Sense-Making. The fifth research question stated: How has the ABBRA made sense according to individual “knowledge, beliefs, and attitudes,” including the implementer “situation” or role in the school, and the policy expectations (Spillane, Reiser, and Reimer, 2002, p. 388)?

The characteristics abundant in the sense-making framework involve “what a policy means for implementing agents is constituted in the interaction of their existing cognitive structures (including knowledge, beliefs, and attitudes), their situation, and the policy signals (Spillane, Reiser, and Reimer, 2002, p. 388). Spillane, Reiser, and Reimer (2002) want policy makers to be aware that their messages are not static rather they are dynamic as actors use prior experience, beliefs, attitudes, knowledge, and context to interpret their meaning. Within this description, participants explored what this policy meant for them. Some commonly used words were as follows: interrogation, Week of Respect, grading, spirit assemblies, process, curriculum, telling lessons, monitoring, and bystanders. Subsequently, these words in their context resort to an emphasis on process and external control as explained next.

Participants discussed the process of implementing the ABBRA. A few highlights focus on the interrogation, handling complaints, and students or parents who complain that the process itself has made them feel bullied. The protocols, forms, and phone calls capitalize on ensuring the process is documented from beginning to end. Other parts of the process include formalized rituals to impart positive school climate on the community members including anti-bullying curriculum, Week of Respect, and spirit assemblies. An implementer described a ritual for random acts of kindness when children are caught doing something good such as picking up a book for a classmate from the floor, since they don’t have to do this and choose to, they receive a coupon which goes into a lottery for a reward.

It is really trying to promote the successes, celebrate when we see children doing a random act of kindness and having the emphasis be on the positive so we celebrate children by catching them do random acts of kindness. Which can be anything from having their classmate drop a book on the floor and they pick it up for them. That is something they don't have to do, and then they are rewarded for it. They are given a coupon, the coupon goes into the lottery.

The process is captured in a grading binder that documents all the rituals, meetings, reports, and other facets of the law so districts can receive a grade on their process.

Since this regulatory policy focuses on the process, it seems the outcomes may be diminished.

I have had kids and parents. I have had articulate teenagers and their parents tell me that the process made them feel bullied, that going through the process made them feel bullied, harassed. Absolutely getting the phone call, the kid doesn't know what is going on, they have been accused, the process has been taking place behind their back and with as many reports as we have had and with reports from the counselor. I couldn't always intervene and get to the kids...it created a lot of anxiety.

For instance, as mentioned above, students who admit that the process has made them feel bullied sheds light on a possible negative outcome. After all of the interviews, conversations, and signatures, how is the student feeling about the process?

Another example was a question posed by a participant. They asked about kids who are now part of the interview process and are vulnerable to some of those other kids who will continue bullying or they have taken it outside of the school culture or silenced it.

It is also providing an unsafe environment for our kids that are now part of the interview process, that are now vulnerable to some of those other kids who will continue bullying or they have taken it outside of the school culture or silenced it, could we have gotten to that more through conversations, social groups, counseling, rather than signatures, interviews and calling parents?

This is a comparison of the possible outcomes as opposed to the current process. Finally, another interviewee questions how the process does not permit for cases to be handled on an individual

basis. The protocols and paperwork throughout the process may be difficult because it is about going through the motions, whether the social problem fits it or not.

Not it is more of a formalized process so making sense out of it wasn't that difficult. I understood what needed to be done, some of the protocols and forms were more difficult to understand at first... but every K-5 child is getting the 6 bully lessons a year from the end of September to the end of the year.

Thus, we have process versus outcomes as the primary conflict in sense-making. Although the process makes sense and is familiar, at times the case did not fit well into the checklist of the process. Therefore, the outcomes can remain on the implementers' minds, although the process is followed whether or not it results in long-term positive outcomes.

A major finding as part of the process is a shift from internal to external controls.

Multiple interviewees shared that the responsibility of bully reporting has been shifted to bystanders who are expected to say something if they see something. This participant questions the practice of shifting responsibility to students who are not directly involved.

I mean especially at that age who don't want to be involved, who for a lot of reasons, a lot of bullying has been shifted to bystanders, kids who stand around and say nothing. Well what about kids who live in violent homes, kids who watch their father abusing their mom and feel completely traumatized by what they are seeing and really don't have any power to say anything. What about those kids? Or the kids who are abused themselves at home? You know, sometimes you blame kids, but you have to remember there is a fear factor going on and kids sometimes are clueless and don't really understand what's transpiring in front of them.

Additionally, schools are completing tattling versus telling lessons so students are being good 'stand-ups' or good bystanders by telling. In addition to students being taught to exert control over situations, all faculty members are held accountable by the ABBRA therefore, it is their responsibility to always do something when they see or hear something. To extend this theme, guardians contact the school stating that they do not have direct control over their child's choice for safety and it is the school's responsibility. Another step is removed from ownership in

decision-making of the child themselves, to even the parent feeling as if they cannot contribute to their child's safety.

And I just can't stand that hanging over my head when I get that phone call, that if we don't do enough it is our fault if a student hurts themselves, we do everything within our power to make sure that doesn't happen, and that is just the parent talking, the kids don't necessarily feel that way, you know, but the parent goes there in their mind.

The paradox here is if other students and school staff are responsible parties and the student and parent are not, the shift moves from internal controls to external controls as accountable by others which are unrealistic demands since it is impossible for those who are furthest away from the person to control behavior and decision-making.

Emergent Themes

There were other themes that emerged throughout the interviews. The majority fit under already crafted versus themes, although there were two reoccurring themes that emerged and should be explained. They are as follows.

Visible Versus Invisible Effects

Visible versus invisible effects conflicts with what is accountable or visible versus what is felt or experienced, but not visible for formal recording purposes. In one case, the effects of parents in the process where there were several subjects who voiced their concern about how parents use the ABBRA to retaliate against another student or in a situation where parents report the incident.

But for this one, we just went back and forth, I had the parents in here with the ABS and there was screaming and fighting across the table and meanwhile the girls are reading together on the rug.

Another situation reveals how students are learning to play the system so it works to their advantage.

There are kids that are learning to play the system, where if one person reports them then they are trying then to report them or have some retaliation to it. And I do have some concerns about kids being afraid that they are considered a snitch and how it is documented and how are they going to handle a situation when it is supposed to be a way to help them.

The visible effect is seeing the process being used by stakeholders although the invisible effect is left unspoken.

I think sometimes they give the idea that this could have, you don't know what is going to happen in the future, so they could start fear on the parents on how this could effect them in college, instead of looking at it from the perspective of the child is having issues now, here is the time to work on this so that he or she becomes better for the future.

Invisible effects may help explain why parents are using the ABBRA to retaliate against another student or family or how two children can get along well while parents argue about how the school should address bullying. Perhaps an invisible effect is how students are using the process to play each other. The process is visible, although the invisible effects may not be easily explained when such a process is only black and white based on what is seen and heard. One participant challenges the invisible effects of the policy in regard to what it does to a child's intellectual growth.

Kids come here to learn, remember that thing we do in school? Learning and having a desire to learn: enjoy going to class for the most part, wanting to be here for a purpose and engaging in school for the sake of learning. Not just coming here because they have to and then resenting it. Getting kids engaged in wanting to learn is a huge part of school climate.

The policy seeks to control visible behavior while the invisible behavior is discounted. The invisible, immeasurable inner workings of intellectual growth cannot always be directly measured by behavior due to its nature, although to pursue learning behaviors may be contradictory or hurtful to others in order to teach life lessons in which students learn and grow from risk taking and mistakes. If authority continued to pursue behavioral controls, children may become less thoughtful and the negative thoughts may result in more covert behavior due to the

heavily regulated environment where behavior is always monitored. The future may become increasingly unpredictable due to the need to hide more of your behaviors from authorities. Signals that used to exist as precursors to larger scale problems may be lost due to the authorities demanding behavior control.

Ruling Elite Versus School/ Youth Culture

Ruling elite versus school/ youth culture questions the expectations of the policy versus the culture, development, and heterogeneous population in NJ public schools. There were two parallels drawn to describe these concerns depending on the grade level. First, for students who were younger, participants proposed a contradiction such as when a young child pretends to have a gun because that is what they saw on television or when they watch rap videos then recite the words at school.

I think differentiating between the different developmental ages, I know they say in the law it has to be developmentally appropriate, but I think that has to be more spelled out. You know what are we considering for K-3, what is a violent act? If somebody puts their fingers out and says “bang, bang, you are dead” as a gun thing or you know let’s play cops and robbers, it is so different in our society when I grew up and it is a hard lesson to teach children because they see it on TV, they see it all on TV, they see it on their computers, and so I think there needs to be more recognition.

Part of the concern is the media and home culture the child is raised in goes against policy expectations. The other part is trying to determine if a student truly understands what they are saying that it could be coded as bullying. Ultimately, this theme represents that the school culture contradicts the policy regulations as dictated by the ruling elite or policy makers who place identical expectations on all schools.

Second, for students in high school, participants expressed that the culture of youth uses sarcasm, teasing, online language that is derogatory, and they use “nasty” language with their friends. Students explain this is the way they engage in conversation with friends. Regardless,

bullying reports are filed due to the potential issues of harassment, intimidation and bullying (H.I.B) as dictated in the policy. One interviewee described situations that left students with the point that the policy does not account for various cultural norms.

I don't think it took into consideration the cultural things, you know, different groups communicate with each other in different ways and what I may call bullying in a typical affluent culture, it is not bullying, but when it is brought before the bullying committee, if you are having people who don't understand the culture, then it is taken in a different way than what it was meant, therefore I saw kids where it was brought up as bullying when I saw it as their way of playing around. I mean we can speak to them and help them understand that when you are in Rome, you have to do what the Romans do, and they also need to understand people who are not from Rome.

Again, this is relevant for those who traditionally act differently at home and with friends then they are expected to when they are at school.

The systems that established the policy and its' requirements are questioned here and referred to as "the Romans," whomever it was who created the policy. Furthermore, another participant states:

And to add to the cultural piece, I would add too, boys versus girls and sometimes how girls in situations have had experiences with boys where the boys don't interpret it as bullying and the girls have, just in the way that we communicate between the sexes as well.

The ruling elite versus youth culture symbolizes an element of the Political Systems Theory that remains a mystery to implementers who refute that those creating the policy do not develop it with the culture in mind.

...prescribing every step of the investigation and remediation may not be the best because I think that sometimes you have to trust the judgment of the people in the buildings and give them a little leeway to make decisions that are in line with their culture and that are in the best interests of their kids and their communities.

Transferability and Dependability

Toma (2005) advised that rigor includes the components of transferability and dependability. My research is transferable due to the design of the study. Regulatory policies are not only implemented in New Jersey, but are found throughout the country. Additionally, they are not only found in public schools, rather regulatory policy impinges upon most workers in our society today. It is likely that similar Versus Codes, especially with the explanatory theme of Control versus Freedom has been proven to be part of regulatory policy. Therefore, I would be at liberty to predict that the themes that emerged from my research would exist in other institutions where intermediaries are negotiating newly implemented regulatory policy.

Dependability refers to the results I analyzed with “reference to possible changes over time” (Toma, 2005, p. 416). Consider the statement by Stone (2002) regarding “the pattern of public needs” being representative of the society (p. 110). Over time society needs change. A saying often referenced in colloquial language is the pendulum that swings back and forth. I might regard the conflicting codes as a continuum that swings according to public need. Furthermore, take into consideration that this paradigm may be applied to other districts implementing regulatory policy or various situations that depend on control. Considering the emergence beginning with specific, context oriented details of implementing policy during individual interviews to the establishment of themes that emerged from the original codes, it is evident that the big ideas or themes may visibly surface on a daily basis for those who read this dissertation. The themes and their implications transcend time, place, and even the vehicle of the regulatory policy under study. These themes may be applied in endless circumstances when strict

rules are imparted on individuals to control behavior. Now I will turn to chapter five to document the discussion, limitations, recommendations, and implications for further study.

Chapter 5

Discussion and Conclusions

This final chapter reflected the discussion and conclusions section. First, I discussed the twelve versus codes that were discovered in the interviews and focus group. These codes are connected to the literature to expand the context rich descriptions and experiences provided by the participants. Second, I reviewed the implications for theory development. Third, I discussed implications for the policy implementers, policy makers, and for future research. Fourth, I discussed the strengths and limitations of the study. Fifth and last, I produced a brief reflection with concluding comments.

I reviewed each Versus Code and compare it to the relevant literature. The codes facilitated under each research question will be combined to examine the literature reflective of the context, rich descriptions and experiences of the participants. Following, I explained the rationale for the explanatory theme of Control vs. Freedom.

Quantity and Fast Thinking

According to Peterson and West (2003), organizational controls include “tests, school report cards, rewards, sanctions, and the like—designed to get district officials, principals, teachers, and students to change their behavior in productive ways” (p. 81). This is linked to the regulatory policies including the Elementary Secondary Education Act (ESEA), No Child Left Behind (NCLB), Individuals with Disabilities Education Act (IDEA), Response to Intervention (RTI), and Partnership for Assessment of Readiness for College and Careers (PARCC). By design, to infuse these controls, regulatory policy seeks to exert control over the behaviors of others by setting forth rules that if not followed impose consequences (Anderson, 2011). To

illuminate this idea, the requirements of the ABBRA identify monitoring controls including documentation, timelines, procedures, and detailed paperwork to demand a measured process.

The quantity or amount of requirements that have to be accounted for increase the focus on quantity over quality, since it is the quantity that is being counted toward following regulations. For instance, implementers described an added responsibility, extensive paperwork, parent notifications and protocol for measurable results. The U.S. Department of Education reviewed state bullying legislation they looked to score the following areas: (1) definitions including purpose, scope, prohibited behavior, and enumerated groups; (2) district policy review and development including district policy and district review policy; (3) district policy components including definitions, reporting, investigations, written records, consequences, and mental health; and (4) additional elements including communications, training, prevention, transparency, monitoring, and legal remedies (N.J. Department of Education, 2011). To reiterate, the extent of expansion increases with the amount of elements that are covered in the state policy. Therefore, the higher the number of key components required in the policy, the higher the state will score. Although Washington tied at 30 points out of a possible 32 points with New Jersey, it should be noted that in the area of transparency and monitoring Washington scored 0 out of 2 points while New Jersey scored 2 out of 2 points (N.J. Department of Education, 2011).

Participants viewed this detailed documentation as an increase in work quantity, thereby a reduction in work quality, such as being visible in the school building during the day. Another element to an increase in quantity is the ten-day timeline that demands fast thinking. The prescriptive steps and deadlines require not only an increase in the quantity of paperwork, but also time frames in which to accomplish these tasks, such as calling parents, investigating, determining outcomes, instilling consequences and remediations, and mailing home a letter

indicating the Board of Education's proposed discussion date. Together, quantity and fast thinking work in opposition of quality that may require slow thinking.

Public Domain and Reactive Practice

Senator Barbara Buono (2012) draws our attention to the public domain immediately prior to the ABBRA. Accordingly, Senator Buono is "fighting to make our schools more accountable" by strengthening "the state's anti-bullying laws to keep parents better informed of the protections their children are entitled to and imposing penalties for non-enforcement" (Election Fund web.). Over the past two years, Senator Buono supported the regulatory policy of the ABBRA and now parents are aware of bullying incidents, documentation follows students from grade to grade, and schools are publically graded for their abiding by the ABBRA. When the public domain is uncovered, the private domain fades due to the restrictions of sharing information with community.

Suicides have been identified as a major contributing factor to this reactive practice. In 2001, the term "bullycide" was developed when Neil Marr and Tim Field published their book. To further elaborate, following the suicide of Tyler Clementi, Senator Weinberg stated, "this terrible tragedy demonstrates a bigger problem. Despite anti-bullying laws and efforts to teach children tolerance and acceptance, unprovoked acts of cruelty continue to take place, resulting in tragic deaths of youngsters across the country...we must do more" (NJ Senate Democrats, 2012). Both Senator Buono and Senator Weinberg used the policy window or the time to insist on a solution for elimination of the problem, in this case, bullying to prevent youth suicides (Kingdon, 2011). Participants in this study voiced the explicit connection to the suicide of Tyler Clementi and the timely action of the ABBRA implementation, questioning the reactive practice to enforce strict policy throughout the state.

Note that during the opening of the policy window a connection between bullying and child suicide was re-established by the Senators that increased the urgency. Research demonstrates that the most prevalent, strongest association for suicide is attributed to having a psychiatric disorder and correlates with suicide at a rate of over 90% (Cavanagh, Caron, Sharpe, & Lawrie, 2003; Freuchen, Lundervoled, & Berit, 2012; Overholser, Braden, & Dieter, 2012; National Institute of Mental Health, 2012). Additionally, in order to prevent suicide, Klomek, Sourander and Gould (2010) and the National Institute of Mental Health (2012) recommend children who have prevalent involvement in bullying situations be screened for psychiatric problems on a routine basis since there are treatments that assist with these disorders. Research here demonstrates that high involvement in these positions should lead to referral for psychiatric problems, which does not create a direct correlation from bullying to suicide. Rather, if you have a psychiatric issue that could lead to high involvement in bullying situations.

The combination of the maximum public domain activity and the reactive nature of the law reflect a feeling by the participants that this law inflames things or amps it up to a stressful level. Again, with Versus Coding, when the public domain becomes heightened, the private domain diminishes. Similarly, when the reactive nature of the law creates such a fearful connection between bullying and suicide, the proactive nature deflates. The strict law has ratcheted up a tension toward bullying that has even created a divide between those who are supportive of a strict law and those who are not.

Community and Inflexibility

This versus code focuses on themes of community and inflexibility. It has been suggested by the literature review combined with the interviews that regulatory policy is a shift from individuation to community decisions. For instance, school climate may be defined as the

“overall social and emotional ethos of the school” encompassing elements of effective learning, school spirit, motivation, options for student choice/ decision-making, and the quality of relationships present in the school (Espelage & Swearer, 2004, p. 162-163). In stark contrast, regulatory policy imposes restrictions on the individual by way of using organizational controls to change the behavior of others (Peterson & West, 2003). The spirit of the ABBRA policy is not found to improve school climate, rather it is based on increasing school community control. To elaborate, when Arne Duncan, the United States Secretary of Education after reviewing the Analysis of State Bullying Laws and Policies stated that “every state should have effective bullying prevention efforts in place to protect children inside and outside of school. This report reveals that while most states have enacted legislation around this important issue, a great deal of work remains to ensure adults are doing everything possible to keep our kids safe” (U.S. Department of Education, 2011). In analysis, participants expressed concern over the mandated 24/7 monitoring of students by the school and making the school responsible for behaviors, even outside of the school day. The adults following the ABBRA are required as policy implementers. Community responsibility for behavior at the school level overshadows individual responsibility.

Another effect of the ABBRA is inherent in regulatory policy and that is inflexibility. By design, regulatory policy imposes limits or restrictions on the actions of individuals and groups (Anderson, 2011). In 2011, when the U.S. Department of Education analyzed anti-bullying laws across the country, the highest score was found to be 30 points in both Washington and New Jersey, with the average number being 16.5 points (U.S. Department of Education, 2011). New Jersey came out in the lead because unlike Washington the law is explicit about exerting control over out of school behavior. Participants explored this concept of inflexibility in concerns over not allowing students to attempt to work out problems on their own or not permitting students to

talk with another student after an act, rather they are commanded to immediately report the act for fear it may be bullying which would send the incident through the reporting process.

Regulatory policy is an imposition, but the degree varies. In the country, New Jersey has the most inflexible law against bullying that prohibits, and in some cases, penalizes flexible decision-making.

Myopic and Meaningless

Participants expressed a particular struggle with a gray area that it is sometimes difficult to determine the code for bullying or conflict. As such, implementers noted times that the act didn't fit the definition, but the decision just didn't feel right. Remember that many states choose among the terms "bullying, harassment, and intimidation" using these terms interchangeably, choosing among the three, or distinguishing the difference of "bullying" and "harassment" (U.S. Department of Education, 2011). According to Limber and Small (2003) equating bullying with harassment causes several problems. Harassment does not have to be based on an actual or perceived characteristic; it does not have to indicate an imbalance of power; and it should already be protected under another school policy under the Civil Rights Act (Limber & Small, 2003). These conflicting terms could lead to confusion in the implementation of the policy. Based in research the definition of bullying is agreed to be "aggressive acts which involve a power imbalance, addressing bullying is commonly seen as a moral issue, the assumption being that the abuse of power is especially reprehensible" (Rigby, 2004, p. 288). This feeling of a gray area has been proven valid through research.

Furthermore, the environment of accountability is increasingly prominent through the ongoing development of regulatory policy in the field of education (Anderson, 2011; Fowler, 2009; Limber & Small, 2003; Peterson & West, 2003; Rudalevige, 2003; United States

Department of Education, 2011; White House, 2011). Often these policies are underfunded and either fail to be implemented or fail to make any changes (Amis, Wright, Dyson, Vardaman & Ferry, 2012; Fowler, 2009; McCarthy, Wiene, & Soodak, 2012; Munichit & Testani, 2005; Person, Moiduddin, Hague-Angus & Malone, 2009). In particular, prior anti-bullying legislation throughout the country has been unsuccessful in the implementation phase (Glover, Cartwright, Gough, & Johnson, 1998; Kester & Mann, 2008; Smith-Canty, 2010). This, in turn, has consistently shown the significant gap between policy and practice. The gray area that participants discuss assists in labeling the gap that is felt from policy to practice. The regulatory policy is tight, hard, and inflexible forcing implementers to be myopic in strict implementation that decreases the sagacious perspective that would have used thinking to distinguish between situations.

Meaninglessness is rooted in the initial cautious hype of the ABBRA during the first year, whereas now the availability of the ABBRA is widespread and routine in this particular district. Participants experienced the code word of “bullying” as one that comes up often and that the guidelines learned in training have become a “no-brainer.” Interestingly, with no direct correlation from written policy to implementation results, the resounding response is to revise policy to increase accountability (Amis, Wright, Dyson, Vardaman & Ferry, 2012; Carlson & Planty, 2012; N.J. Department of Education, 2012). Although this particular regulatory policy is only moving into the third year, this shift from meaningful to meaningless with strict regulations brings up many questions as a response is to further increase restrictions.

Process and External Control

According to participants, process is seen as a major contributing factor to the successful implementation of the ABBRA. What we know about the ABBRA, in addition to evidence from

this case study, is largely based upon material culture since the policy exists as a public document. Therefore, as previously stated, when the U.S. Department of Education scored the anti-bullying acts in the nation, New Jersey ranked highest for strong components including: definitions, district policy review and development, district policy components, and additional elements such as training, prevention, transparency, and legal remedies (2011). All of which contribute to the precise implementation of the anti-bullying process. With this in mind, an opposing force of outcome is examined. For instance, students who admit the process itself has made them feel bullied or the loss of conversations, social groups, and counseling due to an increase in interviews, recording signatures, and reporting calls to guardians question the high demand process versus the outcomes of the process that are left undocumented.

Similarly, for the process to be documented and executed, a natural shift to external control occurs as intermediaries ensure policy implementation to change behavior. Sense-making for policy implementers may interfere with the full implementation of policy due to the contradictions of past experiences in resolving behavioral issues through conflict resolution and problem-solving with the individuals directly involved (Spillane, Reiser, and Reimer, 2002). In this case, participants explained the shift of responsibility to bystanders to tell including “tattling versus telling” lessons. Additionally, school community members are expected to exert their control over situations by reporting all potential incidents. Espelage, Bosworth and Simon (2000) correlate bullying behavior positively with time spent without any adult supervision, negative peer influences, and community safety issues; in contrast, time spent with positive adult role models is associated with less bullying behavior (p. 78). Understandably, this policy shift to external controls is to exert power over others’ behavior. Although, this shift decreases the need for internal control since there are agents who are expected to account for your behavior.

Thereby, participants in the school community are responsible for others and the student will receive the consequences from external controls as dictated by policy. Process and external control support regulatory policy by focusing on the written expectations and enforcing the policy; in contrast, outcomes and internal controls focus on an individuals' experience that is too complex for a single policy to account.

Visible Effects and Ruling Elite

Visible effects reflect what is seen and heard therefore can be measured. Regulatory policy ensures measurement on what is visible, since regulations cannot account for effects that are not seen or heard. One explanation from a participant details a scene where parents reported bullying, yet the children sat quietly and played while the parents argued. Although this can be documented, it does not fit neatly in the process of the ABBRA. The words they spoke did not match student interaction, although judgment is postponed and the policy must be abided by. Interestingly, there is a unique paradox in visible versus invisible effect, mainly in the long-term results of strict policy. Stone (2002) notes that communities struggle with "self-interest and public interest" recognizing that "actions have not only immediate effects, but side effects, unanticipated consequences, second- and third- order effects, long-term effects, and ripple effects" (p. 22-23). This public interest to implement a strict law cannot determine the impact in the future. In the case of the children playing together, the process of investigation and parent argument along with administrative uncertainty cannot predict the invisible effects that are not accounted for under the ABBRA. To further this paradox, culture is impacted.

The ABBRA policy was designed by the few ruling elite policy makers (Anderson, p. 22). According to Anderson (2011), the ruling elite neglect the masses and technically "preferences are carried into effect by public officials and agencies" (p. 22). This plan anticipates

the relevance of the Political Systems Theory or the Black Box (Anderson, 2011; Easton, 1957). It is apparent from the participants that the policy does not coordinate well with the culture of youth. One participant commented “while in Rome, one must do as the Romans do.” Consider the Romans as the ruling elite with the power to develop then implement such a policy. Herein, culture is not taken into account and the development of the policy occurred in some obscure Black Box that delivered the ABBRA to New Jersey public schools. Ruling elite cultural expectations do not always account for youth culture or variant cultures within youth culture.

Implications for Theory Development

The implementation of the ABBRA is perceived by the participants, the implementers, as falling within the codes of the following:

1. Quantity vs. Quality
2. Fast Thinking vs. Slow Thinking
3. Public vs. Private
4. Reactive vs. Proactive
5. Community vs. Individuation
6. Inflexible vs. Flexible
7. Myopic vs. Sagacious
8. Meaningless vs. Meaningful
9. Process vs. Outcomes
10. External control vs. Internal control
11. Visible Effects vs. Invisible Effects
12. Ruling Elite vs. School/ Youth Culture

The results in the list above signify Versus Codes that detail “qualitative data sets that suggest strong conflicts within” participants (Saldana, 2009, p. 94). Considering the ABBRA is pegged as the strictest anti-bullying policy, it is understandable that the extremes of regulatory policy

would emerge. Saldana (2009) warns that Versus Coding “makes evident the power issues at hand as humans often perceive them- as binaries” (p. 97). In a sense, these codes represent paradoxes that naturally exist in policy, although as a caution there are many complexities that exist which make total binaries impossible. We must take into account that just as the creation and implementation of a regulatory policy does not eliminate problems there is no panacea to bullying in a world that is complicated, diverse, and variant.

To integrate theory development a singular explanatory theme for these codes fall under Control vs. Freedom. Each code can be explicated to support the theme of Control and each opposing theme can support the theme of Freedom. Most studies in the field support this notion of Control vs. Freedom in regulatory policy since control is the intention thereby an imbalance of freedom exists within the regulations.

I delineated each code to qualify its’ relationship to Control and Freedom. With Control, the quantity of paperwork ensures strict guidelines are adhered to and the timeline embeds fast thinking to implement the policy within a ten-day period. With public knowledge of anti-bullying accountability rises by involving others in watching over the process; it is also reactive as the first signs of bullying incite the anti-bullying regulations. Additionally, the community is involved to implement the law and it is inflexible so every case is treated through the same parameters. Consequently, it has become myopic because there is one singular policy for everyone in this diverse state and it is meaningless as the term bullying is used by public entities. Furthermore, the process supports the details and external control socializes anti-bullying as watching those around you to report cases. Finally, the visible effects are the ones we record because they can be seen and heard, while the ruling elite culture determines the policy.

This research proved that implementers of the ABBRA perceive the policy as controlling. It is controlling because it is strict, there are deadlines, consequences, inflexibility, pressure to make determinations that will remain on record, and it is reactive as opposed to trusting individuals in a school to use their judgment and the context of a situation to make a decision. Consequently, the implementers endure regulatory policy that results in stress from a lack of freedom and a policy if not implemented correctly has associated penalties.

...but now I literally sit up at night and I will talk with our ABS and I will say well what do you think about that...I am also a little more fearful of the ramifications of what if we didn't code that correctly...

This grounded theory research emerged with a theme that is inherent in regulatory policy: Control vs. Freedom. Regulatory implementers perceive increasing control as a concurrent loss of freedom, in this particular case study it was the theme that emerged in the Pine School District.

Explanatory Theme

This explanatory theme is not a novel concept. Control versus Freedom or Accountability versus Flexibility have been universal themes throughout policy literature and understood by many (Anderson, 2011; Fowler, 2009; Peterson & West, 2003; Rudalevige, 2003). Also, controversy and paradox are commonly associated with policy (Fowler, 2009; Stone, 2002). Charmaz (2011) found “grounded theories- are constructions of reality” (p. 10). Therefore, this study cannot be replicated again due to the unique participants, context, and my construction of this theory. The case study emerged in the rich, descriptive participant interviews. Simultaneously, the sense-making framework is “what a policy means for implementing agents is constituted in the interaction of their existing cognitive structures (including knowledge, beliefs, and attitudes), their situation, and the policy signals” (Spillane, Reiser, & Reimer, 2002,

p. 388). Throughout this study, participants expressed policy signals that contradict with their existing cognitive structures and situations. The ABBRA requires that implementers suppressed their thoughts and behave in a systematic, controlled manner. The underlying theme derived directly from the sense-making process of participants result in them silencing their cognitive structures and their situation to strictly abide by the policy. As humans, implementers seek to make sense out of policy for themselves. Yet, a main criticism of heavily regulated policy is that it does not involve human understanding rather it mandates behaviors to be followed, not necessarily understood.

This study set out to answer the research question: How do regulatory policy implementers, including Anti-Bullying Specialists (ABS), school administrators, and professional school specialists experience the Anti-Bullying Bill of Rights Act (ABBRA) implementation within the context of one K-12 school district (Pine School District)? The results of this study revealed that policy implementers perceive regulatory policy, specifically the ABBRA, as controlling thereby a loss of freedom is endured. Sense-making is applied here as there is a contradiction of past experiences involving the learning process as opposed to the behaviors that are now regulated by policy (Spillane, Reiser, and Reimer, 2002).

Before the legislation came out, we would work with students, and go through conflict resolution when a student complained about an issue and that is how we would deal with a suspected bullying incident, you would sit down, maybe get both parties in the room, teach the students how to work through their differences. When this legislation came out, at that point they gave us strict guidelines saying that this is how it had to be done. It gave individual school districts very little freedom to how they were going to implement it, you had to follow these strict guidelines, you just knew right away that there were a matter of just differences, now we don't have that option.

The following is my explanation of the single explanatory theme: Control versus Freedom. According to Stone (2002), "The pattern of public needs is the signature of a society. In its definition of public needs, a society says what it means to be human and have dignity in

that culture” (p. 101). Evidently, protection from bullying is valued in society and is hoped to reduce emotional harm. In exchange, we give up freedoms. The ability to use discernment, use self to control outcomes, and use individuation as a way to improve self are some of the concepts that are minimized. Greater control offers a feeling of safety to know that children are being reported, cases are being investigated, schools are serving as the protectors, and tracking is assisting with protection over the years. Ironically, a participant associated childhood bullying with criminal implications considering the investigation, timeline, and other regulations to institute the policy. To explain further, I would like to view the table below as a way to conceptualize the themes for Control versus Freedom. Simply looking at the table should bring to mind concepts of control and freedom.

Table 4. Control vs. Freedom

CONTROL	FREEDOM
<p>Quantity</p> <p>- Investigations, reports filed, and students tracked over time.</p>	<p>Quality</p> <p>- Depends on relationships between students and adults. Relationships are not quantifiable since they are based in feeling, experience, and dialogue.</p>
<p>Fast Thinking</p> <p>- Timeline to respond within 10 days.</p>	<p>Slow Thinking</p> <p>- Respond in time depending on the situation.</p>
<p>Public</p> <p>- Depend on the authorities to handle the situations, keep the record in student files, and grade the school.</p>	<p>Private</p> <p>- Depend on parents, child, and the school, as needed, to resolve issues on an individual basis.</p>
<p>Reactive</p> <p>- At the first possible sign of bullying, the students must be separated and the investigation process begins.</p>	<p>Proactive</p> <p>- At the first possible sign of bullying, the adult should respond according to their knowledge of the student and situation.</p>
<p>Community</p> <p>- School members, police, and church members are involved in eliminating bullying.</p>	<p>Individuation</p> <p>- Child and parents work with the school to take responsibility and raise responsible adults.</p>
<p>Inflexible</p> <p>- The ABBRA policy has specific steps that must be completed by certain times.</p>	<p>Flexible</p> <p>- Students learn how to cope on their own and resolve issues through mediation or discussion.</p>
<p>Myopic</p> <p>- One detailed procedure to apply to every situation provides a narrow view.</p>	<p>Sagacious</p> <p>- Recognize that bullying is complicated and view situations within school policy.</p>
<p>Meaningless</p> <p>- Bullying is a term applied to many situations and it is prevalent.</p>	<p>Meaningful</p> <p>- Bullying was not a commonly used word in schools, each situation was different.</p>
<p>Process</p> <p>- The ABBRA supports a detailed process of paperwork, product, deadlines, and tracking.</p>	<p>Outcomes</p> <p>- Each student experiences situations differently and the outcomes matter.</p>
<p>External Control</p> <p>- Bystanders and school officials exert control over the reduction of bullying.</p>	<p>Internal Control</p> <p>- The individual student has control to avoid, participate, or address situations.</p>
<p>Visible Effects</p> <p>- Parents and students report harassment, intimidation, and bullying then the school investigates.</p>	<p>Invisible Effects</p> <p>- When parents or students report, there is indication that the reports are in retaliation</p>
<p>Ruling Elite</p> <p>- The few ruling policy makers come from an elite culture of power that dictates how children should behave and deem them bullies if they behave unacceptably according to policy.</p>	<p>School/ Youth Culture</p> <p>- Youth culture permits for aggressiveness, derogatory language, and negative social media interactions. Youth contradicts the monitoring culture of adults in authority.</p>

Considering my evidence accumulated over the months, it is argued that regulatory policy was established to increase safety thereby enforcing a public school strict process to track bullying.

...this is not just bullying like how we thought of it as kids. It is like people attach criminal implications to it. I am saying this in the best possible way; it has got the heft that it was intended with this law.

In a previous chapter, Anderson (2011) explains that regulatory policy imposes limits or restrictions on the actions of individuals and groups. Accordingly, these policies seek to exert control over the behaviors of others by setting forth rules that if not followed impose consequences (Anderson, 2011). Table 4 shows a trend for increased control that provides the public with a sense of security or safety. The categories include the column of control representing what is visible, external, public, reactionary, based in community watching, and quantified by the process. All of these themes fall under control because the categories lend themselves to what can be directed; things that we can see, hear, and count. If we are told we have to respond to all that is visible and we can control the situation, it seems rationale to assume that we will be much safer.

Freedom and control situate themselves on opposing ends of a continuum in this study. The categories in the column of freedom represent opposing ideas with control. For example, quantity versus quality, quantity is a way to measurably track and investigate what is seen and heard, while quality relies on individual relationships that are comprised of feelings, experience, and dialogue that cannot easily be quantified or measured. Other freedoms that are accounted for include: slow thinking, individuation, flexibility, internal control, invisible effects, and others listed above. The scale may be seen as tipped. The most serious disadvantage to comprehensive

regulatory policy is a heavy emphasis on control while sacrificing freedom. Control is a pattern of public need as evidenced by this research on increasing regulatory policy (Stone, 2002).

Delimitations

Data was collected in the second year of implementation of the ABBRA as purposefully planned. The research design and my role in the research process were decisions that were made thoughtfully for placing controlling boundaries on this study to produce a robust theory.

This research design utilized the method of qualitative research as grounded theory with case study as a strategy. This case study was “bound by time and activity” (Bogdan & Bilken, 2007; Creswell, 2009). Essentially, the impact of studying a singular district is that it presented a singular case with transferable themes that may be used as comparative data that could emerge from studying other districts or organizations implementing regulatory policy. Meanwhile, the use of grounded theory allowed participants to develop a unique explanation of the meaning of the ABBRA and its implementation process (Creswell, 2007; Glaser & Strauss, 1965). The rich descriptions and concepts are transferable as there are other cases that exist can be threaded under the themes and concepts that emerged from this study.

Ethical considerations must be taken into account since I am a researcher who is deeply connected to my study since I work as in an educational leadership role. Participant privacy and responses are held in confidence to conceal their identity; although this does not preclude participants from sharing more detailed experience with me due to my conflicting role as administrator (Gelense, 2006; Rossman & Rallis, 2003; Toma, 2005). Furthermore, there is a sensitivity to interviewing and a balance that must be established to minimize my role as an educator to “preserve the autonomy of the participant’s words and to keep the focus of attention on his or her experience rather than mine” (Seidman, 2006, p. 96). I did keep field notes, a

reflexive journal, and analytic memos to increase the rigor of this study meanwhile this may still be considered a limitation (Ahern, 1999; Charmaz, 2009; Patton, 2002)

Implications for Policy Implementers

Saldana (2013) suggests use of the “touch test” to derive codes that move from the concrete to the abstract or from the specific to the general. The codes I have constructed based on the data are broad and conceptual. This assists with crafting a theory that transcends the daily lives of the participants in this study to implications for policy implementers on a broad scale (Saldana, 2013). Saldana (2013) eloquently captures the core struggle for policy implementers, as well as for myself as the researcher, “think not only of the words you have chosen, but the words you have not” (p. 249). This phrase shines light on the struggles endured by the implementers.

Each code and the singular explanatory theme raise other questions. For instance, in place of “Control vs. Freedom” the following could be used to explain the codes: Transparency vs. Opaqueness or Accountability vs. Flexibility. Originally, I started with Safety vs. Freedom then came to terms that safety could occur at the same time as freedom. Control was more apropos for the subsequent codes. Control does not have to mean a lack of freedom, although in this case control is created by the policy maker and imposes on the freedom of the implementers. Now, consider the implications this language has to policy implementers. Three key suggestions for policy implementers include noticing the extent of the policy, recognizing the lack of resources to support the ABBRA, and using this information to learn how to communicate with policy makers to improve public school regulations.

A major indicator of the degree or extent of regulatory policy is measured in expansiveness or comprehensiveness to determine the strictness of the law (U.S. Department of

Education, 2011). Regulatory policy grows more controlling as the expansiveness increases. A balance of freedom and control is lost when the regulatory policy is thoroughly comprehensive. The continuum that exists within Versus Coding examines the continuous questions, contradictions, exceptions, and complexities. The difference between broadly written rules and narrow ones is what gives implementers more or less freedom (Fowler, 2009).

First, being aware of these contradictions and pressures keeps the implementer informed so it may be increasingly possible to abandon the daily stressors that result from overseeing the policy details. This regulatory policy, the ABBRA, is the most expansive or comprehensive policy in the country at this time for anti-bullying efforts and the pressures associated may lead to personal and professional stress to keep up with the policy itself. As Heifetz and Laurie (2001) emphasized, “leaders have to be able to view patterns as if they were on a balcony. It does them no good to be swept up in the field of action” (p. 125). Policy implementers should take some time to view the policy workings from above in an effort to respond to policy makers and stay focused on what matters most, student learning and safety.

Second, rather than fear or stress about the policy, track the patterns and keep a broad perspective to avoid getting stuck in the trappings of daily implementation. Implementers have power in numbers to make a grassroots change if they feel it is necessary. For instance, the lack of funds to support the extra responsibility is a source of necessity for implementation. Although the state has provided some resources, the description that participants provide strongly recommend another person responsible for implementation. A past example is when NCLB regulations came into place the National Education Association demanded appropriate resources from the Department of Education for creating an “underfunded mandate on public schools”

(Munichit & Testani, 2005). This power should be utilized as necessary and policy implementers have a responsibility to attempt to communicate with policy makers (Fowler, 2009).

Third and last, often these policies fail to be implemented or fail to make any changes (Amis, Wright, Dyson, Vardaman & Ferry, 2012; Fowler, 2009; McCarthy, Wiene, & Soodak, 2012; Munichit & Testani, 2005; Person, Moiduddin, Hague-Angus & Malone, 2009).

Regulatory policy that seems very concrete and quantifiable can ironically present the most difficult to describe challenges. In support of these dilemmas, prior anti-bullying legislation throughout the country has been documented as unsuccessful in the implementation phase (Glover, Cartwright, Gough, & Johnson, 1998; Kester & Mann, 2008; Smith-Canty, 2010).

Policy implementers should question the validity and reliability of the strict, quantifiable policy that should be able to measure success. Policy implementers may want to take political action by questioning the impact the regulations have to make improvement in school climate and reduction of bullying.

Implications for Policy Makers

The future design of regulatory policy demonstrates an important implication to close the gap between policy and practice. A considerable amount of literature has been published on the lack of success with implementation of regulatory policy. These studies show the high failure rate of regulatory policy in this phase (Glover, Cartwright, Gough, & Johnson, 1998; Kester & Mann, 2008; Smith-Canty, 2010). Furthermore, there is a paradox within regulatory policy contexts, such as increased accountability with student testing and performance measures, these regulations have shown to weaken student-teacher relationships (Mausethagen, 2013).

Regulatory policy in the realm of anti-bullying has Walton (2011) use the metaphor of “spinning our wheels” as bullying cannot be simplified by policy to right or wrong. Nevertheless,

to be critical, there are some policies that are successful and Fowler (2009) analyzes the elements that make it successful including: resources such as training, consultants, and materials, policy consistency with district philosophy, and a deep commitment (p. 276). A serious weakness is that these elements are not present in the Anti-Bullying Bill of Rights Act (ABBRA). This study has shown that the balance of Freedom versus Control is out of sync as the policy dictates high control and low freedom. Therefore, I would like policy makers to consider the following: research in learning theory to develop educational policies, increased parent involvement within the policy regulations, and finding a way to communicate with policy implementers to ensure necessary funding, among other resources for successful implementation.

The first consideration is that policy makers should work to include policy implementers in the workings of the black box as the design occurs (Easton, 1957). Franberg and Wrethanden (2012) identify social problems handled by a regulatory policy oversimplify problems and divorce behavior from self. In this case, research in learning theories would be appropriate for designing and amended the ABBRA, or any regulatory policy that seeks to change societal behavior. Regulatory policy in educational institutions requires thinking beyond behaviorism and investing in research about learning.

Carr (1915) reviewed an article by J.B. Watson who coined the term behaviorism as an objective point of view of behavior that is concerned with the observations. B.F. Skinner was a behaviorist who believed that “inner events” should be linked to behavior to perform objective analysis (Throne, 1992). Albert Bandura (1993) originated social learning theory with an understanding that children learn through imitation. Behaviorists study what is visible, the behaviors. Similarly the ABBRA policy has a strict focus on behavior and control of behavior. There is strong evidence of bullying being a complex phenomenon that cannot be reduced to a

single behaviorist approach. Jacobson (2007) considers the bullying phenomenon “from a variety of perspectives ... to clarify the complexity of rational transformations (changing one’s mind), the desires that fuel bullying (desires that are often stronger than threats of punishment), and the cultures that inherently foster such relations” by viewing bullying through the lenses of “intricacies of the rational; subconscious, and social elements that both create and sustain such activities” (p. 1938). Well-known experts in the field of learning include John Dewey, Erik Erikson, Jean Piaget, and Daniel Goleman.

First, John Dewey (1938) who critically examines the organic structure of learning as experience said there is power in “the importance of the participation of the learner in the formation of the purpose which direct his activities in the learning process” (Dewey, 1938, p. 67). According to Dewey, active participation in problem solving is a key to learning.

Second, Erik Erikson (1964) identified eight ages of man. The three ages of concern for pre-adolescents and adolescents include industry vs. inferiority; identity vs. role confusion; and intimacy vs. isolation (Erikson, 1964). Third, Jean Piaget (1969) originated four stages of development including sensorimotor, pre-operational, concrete operations, and formal operations. During the formal aspect of thought “to think means, above all, to understand” and this leads to transformation (Piaget, 1961, p. 275). These stages may assist policy makers with an understanding of the developmental phases of children as they grow from Kindergarten through twelfth grade. This research may open up a more flexible, diverse policy to respond to students at their current stage.

Fourth and finally, Daniel Goleman (1994) introduces emotional literacy as a major factor in progressing academic achievement in schools. The behaviors which children should internalize include: “emotional self-awareness, managing emotions, harnessing emotions

productively, empathy: reading emotions, and handling relationships” (Goleman). Dewey (1938), Erikson (1964), Piaget (1961), and Goleman (1994) are among the many experts who use child development milestones and cognitive functions to increase learning.

A second consideration, beyond using learning as the strategy to change behavior, is to include the family in a meaningful way. Erikson (1964) notes when home does not adequately equip a student for school or when school does not match the student’s home growth, it can interrupt the developmental process. Hong and Espelage (2012) recognize the complexity of bullying and besiege school districts to develop a deeper understanding of the interrelations among the various systems and the child. Embedded in these systems lie neighborhood, cultural norms and beliefs, including religion and other elements in the environments within the community and in society at large (Hong & Espelage, 2012). Studies show that family involvement is crucial to impacting change. Georgiou (2008) calls parents to action as partners because victimization and bullying grows from home and parental strategies, even viewed as symbiotic, do have impact by either blocking or heightening a child’s involvement in target, bully, or other roles. Policy implementers called for parent or guardian involvement in this case study. When a policy is flexible enough to weave into the context of the district philosophy, a deep commitment to support policy success could be cultivated (Fowler, 2009).

A third consideration is that policy makers respond to the needs of a society, yet the response should be heavily investigated, planned for, and researched before full implementation. For instance, the policy window opened here after a youth suicide. Rather than reacting to an instance, policy makers may step back to carefully consider the process and the research. If there is a direct link to suicide and mental illness, psychological screenings for children may be a consideration to prevent students from becoming targets or bullies through treatment (Cavanagh,

Caron, Sharpe, & Lawrie, 2003; Freuchen, Lundervold, & Berit, 2012; Klomek, Sourander, & Gould, 2010; Overholser, Braden, & Dieter, 2012; National Institute of Mental Health, 2012). As Stone (2002) explains, “much of our awareness of safety and risk comes from previous accidents...the human imagination is capable of creating infinite terrors, and terror explains why there is often an emotional fervor to arguments about this type of need” (p. 95). In an effort to reduce an emotional, reactive response, policy makers may want to pilot a new policy or collaborate with school members before fully implementing strict regulations. Additionally, the funding and resources to support successful implementation must be planned for well in advance. Rice (2011) highlights that the law tackles this issue by assigning those already employed at the school as the Anti-Bullying Specialists (ABS) to assist eliminate the overhead costs. Evidenced prior, this added responsibility only shifts responsibilities and thins resources. The lack of funding and quick implementation with the ABBRA, without training or resources, is a major weakness.

Future Research

This study was the first to investigate the perceptions of intermediaries implementing the newly formed, ABBRA regulatory policy in a single public school district. Beyond this, the research here is rare as it reveals a look into the strictest anti-bullying policy in the country in its second year of implementation. The rich descriptions ground theory in the code of Freedom versus Control, a universal theme. This significant finding of a comprehensive regulatory policy is “control” that endorses elements of quantity, inflexibility, reactive practice, external controls, among other qualities. It is recommended that further research be undertaken in the following areas: cultural implications of regulatory policy, stress within the policy environment, school climate compared to the spirit of regulatory policy, and extended methods.

Ladson-Billings (2001) studies culturally relevant pedagogy and her studies may dovetail with the ABBRA since participants voiced concerns in regard to a ruling elite culture administering authority over a diverse New Jersey public school system. For instance, further study into the effect of the ABBRA on litigation would examine the impact of the regulatory policy. It would also provide keen insight into those who can afford to hire an attorney to clear their name from the ABBRA versus those who cannot and what this may indicate about this system. Another study that may greatly extend this writing is on the relationship between stress and strict regulatory policy. The participants in this study voiced the stress they experience on a daily basis. The degree of impact and a cost analysis of the stress of implementation should be analyzed. Finally, the impact of the spirit of regulatory policy on school climate should be examined in greater depth. This study revealed a purpose of the ABBRA is to reduce bullying and improve school climate. Ironically, participants discussed mainly the ABBRA process for reporting mechanisms. When participants discussed school climate, they talked about the process of spirit days, reward coupons for good behavior, and delete day to eliminate negative accounts online. No participant connected the regulation of the ABBRA to improved “overall social and emotional ethos of the school” (Espelage & Swearer, 2004, p. 162-163). This is in need of ongoing investigation.

Since this research utilized the grounded theory method, future research should use either mixed methods or quantitative research. Additionally, the population sample included 19 female participants and 19 participants who were Caucasian. Populations investigating this same phenomenon should represent a more diverse sample of participants. This sample should include participants from various backgrounds and extend to interviews with policy makers, politicians, school board members, parents, students, and other members of the school system who feel the

impact of regulatory policy. The research should also expand beyond one school district in New Jersey to include multiple districts for comparison. This case study opens a dialogue to many other future studies in regulatory educational policy in public schools.

Overall, this study examined the perceptions of professionals implementing the ABBRA for the second year. Additionally, the study investigated aspects of changes since implementing the regulatory policy, benefits and challenges of the policy, implications on school climate, and sense-making in policy implementation. The findings provided multiple categories that emerged into Versus Codes corresponding with each research question and merging under the explanatory theme of Control vs. Freedom. Furthermore, findings provided support that a gap from policy to implementation exists for participants. Likewise, if the goal of regulatory policy is to control behavior, participants voiced their concern about this policy interfering with the learning process since the ABBRA has students report rather than address the situation. Regardless, participants want to follow the policy since this prescriptive law is supposed to improve school climate and prevent bullying through a system of accountability. Although there remain many questions, policy implementers should continue to question what is delivered from policy makers that emerges from the black box and policy makers should examine their process in regard to thoughtful decision-making with research to fully support their policy creations for public schools.

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Appendix A: ABBRA Interview Protocol

Participants: Administrators and Anti-Bullying Specialists

Thank you for taking the time to meet with me today. May I tape record this interview so I don't miss any information? You have already signed the consent form for this interview, although I would like to remind you that your participation in this process is voluntary and you are always free to withdraw from this study at any point. (Interview questions will be tape recorded, asked aloud, and the interviewer will take notes throughout.)

Interview Questions

1. First, would you tell me a few things about yourself? Are you from New Jersey, what talents, interests, or passions do you have, etc.
2. How did you come to work in New Jersey public schools? How many years have you been working in New Jersey public schools?
3. Would you tell me a little bit about your role in the district? What does your work look like on a regular basis?
4. Has the implementation of the Anti-Bullying Bill of Rights Act changed your role? If yes, how?
5. In your opinion, what purpose does the Anti-Bullying Bill of Rights Act serve? What do you think are some barriers to accomplishing this purpose?
6. An overarching goal of the Anti-Bullying Bill of Rights Act is to improve school climate. In your experience, how would you practically define a positive school climate? Please provide a few examples of what this looks like.
7. How has the Anti-Bullying Bill of Rights Act remained stagnant, improved, or impeded the creation of your definition of a positive school climate? Please explain.
8. Can you tell me how you made sense out of this new policy to effectively implement it? For example, your knowledge, beliefs, and attitudes about anti-bullying in this school (or district) existed prior to the new policy, therefore how did you use what you already experienced to make sense out of something new?
9. Can you describe the effect the ABBRA has had on students? Other staff members? Parents or legal guardians of students? Community members? You?
10. If we were able to sit across from the policymakers who constructed this new law, what words would you choose to share with policymakers regarding the ABBRA?
11. Lastly, is there anything else you would like to share about your experience with the ABBRA?
12. Can you list or name any documents that could support the information you shared with me today?

I appreciate and value your contribution to this important study. Within two weeks an overview of this interview will be delivered to you. This overview will contain critical parts of your interview. Please review this overview and verify this is what you intended to say. Remember you are always welcome to contact me if you would like to expand on any comments and I might have some follow-up questions for you as well. Again, all of this information is confidential and you may withdraw from this study at any time. Your willingness to contribute to this study will result in positive benefits for those who have a stake in K-12 public school education in the state of New Jersey. Thank you for your time.

Appendix B: ABBRA Focus Group Protocol

Participants: Professional School Specialists

Thank you for taking the time to meet with me today. I will be taping this focus group session so I do not miss any information. You have already signed the consent form for this focus group, although I would like to remind you that your participation in this process is voluntary and you are always free to withdraw from this study at any point. Due to the nature of this focus group of professionals, please take caution not to name any individuals in your responses. (Focus group questions will be tape recorded, asked aloud, and the interviewer will take notes throughout.)

Interview Questions

1. First, would you tell me a few things about yourselves? Are you from New Jersey, what talents, interests, or passions do you have, etc.
2. How did you come to work in New Jersey public schools? How many years have you been working in New Jersey public schools?
3. Would you tell me a little bit about your role in the district? What does your work look like on a regular basis?
4. Has the implementation of the Anti-Bullying Bill of Rights Act changed your role? If yes, how?
5. In your opinion, what purpose does the Anti-Bullying Bill of Rights Act serve? What do you think are some barriers to accomplishing this purpose?
6. An overarching goal of the Anti-Bullying Bill of Rights Act is to improve school climate. In your experience, how would you practically define a positive school climate? Please provide a few examples of what this looks like.
7. How has the Anti-Bullying Bill of Rights Act remained stagnant, improved, or impeded the creation of your definition of a positive school climate? Please explain.
8. Can you tell me how you made sense out of this new policy to effectively implement it? For example, your knowledge, beliefs, and attitudes about anti-bullying in this school (or district) existed prior to the new policy, therefore how did you use what you already experienced to make sense out of something new?
9. Can you describe the effect the ABBRA has had on students? Other staff members? Parents or legal guardians of students? Community members? You?
10. If we were able to sit across from the policymakers who constructed this new law, what words would you choose to share with policymakers regarding the ABBRA?

11. Lastly, is there anything else you would like to share about your experience with the ABBRA?

12. Can you list or name any documents that could support the information you shared with me today?

I appreciate and value your contribution to this important study. Within two weeks an overview of this focus group will be delivered to you. This overview will contain critical parts of your interview. Please review this overview and verify this is what you intended to say. Remember you are always welcome to contact me if you would like to expand on any comments and I might have some follow-up questions for you as well. Again, all of this information is confidential and you may withdraw from this study at any time. Your willingness to contribute to this study will result in positive benefits for those who have a stake in K-12 public school education in the state of New Jersey. Thank you for your time.

Appendix C: IRB Approval

FOR IRB USE ONLY:

Protocol Number: IRB-_____ Received:_____ Approved : _____
Date:_____

Rowan University INSTITUTIONAL REVIEW BOARD

HUMAN RESEARCH REVIEW APPLICATION

INSTRUCTIONS: Check all appropriate boxes, answer all questions completely, include attachments, and obtain appropriate signatures. Submit an original and two copies of the completed application to the Research Office, Bole Hall. **NOTE:** Applications must be typed. Incomplete and handwritten applications will be returned. Be sure to make a copy for your files.

Step 1: Determine if the proposed research is subject to IRB review.

All research involving human participants conducted by Rowan University faculty and staff is subject to IRB review. Some, but not all, student-conducted studies that involve human participants are considered research and are subject to IRB review. Consult the “Frequently Asked Questions” on the IRB website and your faculty advisor regarding student research. Some research may be eligible for exemption from IRB review. However, it should be submitted to the IRB Committee to determine whether an exemption applies. If you think your research is eligible for exemption, please fill out the application and attach a cover letter explaining why you think your research should be exempted. More details on what is considered research and types of exemptions can be found in Appendix A. You may also consult the “Frequently Asked Questions” on the IRB website.

Step 2: If you have determined that the proposed research is subject to IRB review, complete the

Researcher: Kara Alyson B. Douma	Date: February 5, 2012
Department: Educational Leadership: CGCE	Location: Education Hall 3072
Mailing Address: (for PI) Street Town/State/Zip:	
E-Mail: doumak54@students.rowan.edu	Telephone:
Co-Investigator/s: None	
Faculty Sponsor (if student)* Dr. Kara Ieva	
Department: Department of Educational Services, Administration, and Higher Education	
Location: Rowan University	
E-Mail: ieva@rowan.edu	Telephone: (856) 256-4500 x3827

Approved For Use by Rowan IRB: 01/2012

Step 3: Determine if your research study requires a full IRB review

The Rowan University IRB handles reviews on an expedited basis (meaning that the protocol is examined by one IRB reviewer and the chair) with the exception of those that put the participant at greater than “minimal risk” (see below).

(Note: "Minimal risk" means that the risks of harm anticipated in the proposed research are not greater, considering probability and magnitude, than those ordinarily encountered in daily life or during performance of routine physical or psychological examinations or tests. The concept of risk goes beyond physical risk and includes risks to the participant's dignity and self-respect as well as psychological, emotional, or behavioral risk.)

Please indicate the level of risk participants will face in your research study:

- Greater than minimal risk Not greater than minimal risk

Step 4: Complete the following information:

PROTOCOL DESCRIPTION:

1. THE HUMAN SUBJECTS INVOLVED IN THIS RESEARCH:

a) Who are the subjects?

Students in grades 6-8

Teachers in grades 6-8

School Anti-Bullying Specialists in K-12 schools

District Anti-Bullying Specialist

Parents of students in grades 6-8

b) How many subjects will be involved in the project?

Students in grades 6-8: 7

Teachers in grades 6-8: 7

School Anti-Bullying Specialists: 6

District Anti-Bullying Specialist

Parents of Students in Middle School: 7

c) Specify your plans for including women and minorities, if appropriate.

The sample will be representative of the district demographics.

d) List all inclusion and exclusion criteria.

Students, teachers, and parents who participate will be representative of the middle school population. They must be current members of the school and must be willing to participate in the interviews. School bullying specialists must be currently employed in these official roles. All members who participate in the interview must have been a part of the school district throughout the entire 2011-2012 school year when the H.I.B. policy was first implemented in the state of New Jersey.

e) Do your subjects include any of the following:

- Yes No Pregnant Women or Human Fetuses or Neonates?
 Yes No Children and Minors ages seven through seventeen?
 Yes No Infants or Children younger than seven years of age?

- Yes No Cognitively Impaired Persons?
 Yes No Inmates/Prisoners?
 Yes No Elderly/Aged Persons?
 Yes No Non-English Speaking Persons?

NOTE: These subjects, by virtue of their age or status, may not be competent or free to give their own consent and may be particularly vulnerable to coercion and undue influence. Investigators must incorporate additional safeguards into the research plan and document fully the informed consent of these individuals and/or that of their legal representatives. If excluding minors, please explain how.

f) Are your subjects students?

Yes No If YES, name the institution(s) in which they are enrolled:

g) Are there prospective subjects who, if selected for this project, would be especially vulnerable to risk because of the procedures you will be using?

Yes No If YES, describe the process you will use to screen such subjects:

2. RECRUITMENT:

a) Specify how you will gain access to, recruit, and select your subjects.

I will gain access to my population through convenience sampling. I will be performing my research at the school in which I am currently employed. I will recruit my subjects through use of already formed groups. I will ask 7 parent members of the Home School Association to participate in my middle school parent focus group as they already hold meetings in the school and are part of the school culture. At this time parents would sign the consent form for their interview and they would also sign the consent form for their child to participate in the student focus group. If they are unwilling to let their child participate, they have every right to refuse and their child will not be asked to interview. If they sign the consent form, their child will be asked to interview and the child will be able to decide whether or not they would like to participate in the process. The subjects will be selected via the Home School Association by asking the parents if they would be interested in taking part in the study. If the parent wants to take part, they will be given the opportunity to sign the consent form for their child to partake in the student focus group.

Teachers will be requested to take part in a focus group interview. There will be two K-2 School Bullying Specialists, two 3-5 School Bullying Specialists, one K-5 School Anti-Bullying Specialist, one 6-8 School Anti-Bullying Specialist, two 9-12 School Anti-Bullying Specialists, and one District Anti-Bullying interviewed as individuals. These positions have already been assigned formally in the district.

All participation will be voluntary.

b) Are you advertising or posting a notice for subjects/volunteers?

Yes No If YES, submit a copy of the advertisement or notice.

c) Will the subjects be recruited from your place of employment?

Yes No

If YES, explain how this research relates to your job role and provide any other information pertinent to your relationship with the subjects (e.g., how will you ensure against the possibility of coercion?):

This research relates directly to my position as the entire district is enforcing year one of H.I.B.(Harassment, Intimidation, and Bullying) policy. Several potential subjects will be requested to volunteer, therefore the potential for pressure is minimal in that no individual is made to feel obligated. In regard to the Bullying Specialists, they will most likely want to participate since there is a state mandate that this policy must be reviewed annually for improvement. School Bullying Specialists will most likely feel the benefits outweigh the negatives as this research is intended to improve their position. My relationship with my subjects (parents, teachers, and students) is purely professional. Participation in the research is completely voluntary and subjects can withdraw at any time during the study.

3. **COST/PAYMENT:**

a) **Are you paying your subjects?**

Yes No

If YES, indicate the amount of payment and describe if (and how) you will pro-rate the payments to subjects who withdraw before they complete their participation:

b) **Will participation in the study involve any cost to the subject?**

Yes No

If YES, indicate the anticipated costs to the subject.

4. **INFORMED CONSENT:**

a) **Does your protocol involve the use of an informed consent form?**

Yes No

If YES, enclose a copy of the form. Informed consent must be obtained from the subjects and/or, in the case of minors under the age of 18, the parent or legal guardian. See Appendix B for instructions on informed consent. All requirements **must** be met. If NO, explain how consent will be obtained.

NOTE: If the only record linking the subject and the research would be the consent document and the research presents no more than minimal risk of harm to subjects, you may use an alternative procedure for consent. (See **Appendix B** for more information)

b) **Will the research be conducted at a site other than Rowan institution?**

Yes No

If YES, list the institutions and provide letters from appropriate institutional official(s) with the authority to approve research at their institution (e.g. school principal, school superintendent, director of institution, IRB)

(Approved letter attached from Superintendent of Schools)

5. THE RESEARCH PROCEDURES:

Describe in non-scientific language exactly what you will be doing to, or with, your subjects. Include in your description:

- The goal/s of the research

The goal of my research is to discover the strengths, weaknesses, opportunities and risks involved with the new Harassment, Intimidation, and Bullying (H.I.B.) policy in its' first year of implementation. This information will help determine what changes need to be made for upcoming years and what should remain as it is successful. It will also determine the possibilities for improvement and risks involved with the implantation of the policy. The goal is to provide detailed information that will assist the school district and the state of New Jersey in reviewing the policy for improvement after its' first year in action.

- The procedures to be followed

There are several steps to take in order to identify, select, and contact my sample. Teachers will be verbally asked to participate. I will introduce them to the study I am implementing and will ask for their participation along with the best time they can participate in a focus group. After receiving the first 7-10 email responses on availability I will solidify a focus group meet time with the highest availability for teachers. My next step will involve parents and students. Since students need parent permission to participate in this study I will first attend to identifying willing parent participants. I will introduce this study to parents serving on the Parent Teacher Student Association and solicit their support in the process. If they are interested, they will be asked available dates and times to participate in a focus group. At this time the parents will be informed of the study and their choice to not participate will remain. If they agree, they will sign the consent form for themselves and they will be asked to sign a consent form for their child to participate. When I have the signed consent forms for students I will arrange a focus group time for student interview. The parent and child are to be interviewed in focus groups separately to obtain the most valid results and keep them with their appropriate population. Interviews will not be held during the school day. Additionally, the parent and child are separate persons and their voice must be richly understood without any other input to ensure the richest qualitative data. During all focus group interviews, a non-participant observer will take notes.

Simultaneously H.I.B. Anti-Bullying Specialists will be requested to schedule an individual interview with me. This will be arranged to best fit their schedule. The Anti-Bullying Specialists will interview at will, although their interest in this study would be high due to the direct implications on their unique position in the district.

a) Will you be carrying out procedures or asking questions that might disturb your subjects emotionally or produce stress or anxiety?

Yes No If YES, describe your plans and criteria for counseling such subjects:

b) Are you using a questionnaire, survey, and/or an interview as part of your procedure?

Yes No If YES, submit a copy of the questionnaire(s) and/or interview questions.

c) Are you using focus group discussions as a part of your procedure?

Yes No If YES, submit a copy of the focus group guide.

d) Does your study involve deception of your subjects?

Yes No

If YES, describe the deception, justify its need, and describe the procedure you will use to debrief your subjects. Submit a copy of the debriefing statement, which should include a statement of your willingness to allow subjects to withdraw from your study after debriefing and to remove from your files all records of their involvement.

e) Will this study involve the use of existing data, documents, records, pathological specimens, or diagnostic specimens?

Yes No

If YES, include authorization to access the data if not publicly available from an official with authority to provide such permission.

The study will involve the state H.I.B. policy document. This document is available to the public.

6. DATA STORAGE/DISPOSITION:

a) Will participants' names be kept:

confidential anonymous neither

(See Appendix B (Informed Consent) for definitions of these terms)

b) If participants' names are to remain confidential how will confidentiality be maintained?

Names will not be used and to further protect participant's pronouns indicating gender will not be used. Subjects will only be referred to by number.

b) Describe how you will keep your data secure:

The school district, student and educator's names will be kept anonymous at all times. This study is completely voluntary and parents, students, and educators will be given an informed consent document to read and sign. Participants under the age of 18 will be required to have a parent signature informed consent document signed prior to focus group inquiry. All tape recordings, transcripts, and signed consent forms will be kept confidential and in a locked cabinet for three years to ensure its safety. Data will be stored only on one computer which is password protected.

c) Describe how you will ultimately dispose of your data (notes, drafts, lists of subjects, photographic records, tapes, computer disks, etc.) after you have completed your research (e.g. shredding, burning) (please note that all research records must be maintained for **at least three years after the completion of the research, including consent forms, flyers, etc.). **If you do not plan to destroy research data, please provide a justification for maintaining the data for an indefinite period of time and how you will ensure confidentiality:****

After three years all paper data will be shredded and disposed. Electronic sources will be deleted and tape recordings will be crushed prior to being placed in the garbage. Discs or other storage pieces will be crushed before being placed in the garbage.

7. **RISK/BENEFIT:**

In three or four sentences, summarize the risk/benefit ratio of the proposed research, with regard to the human subjects, the risks to them, and the potential benefits to knowledge or society:

There are no risks to human subjects. The benefits include an increase in knowledge of working in an improved school environment after a complete analysis of the new H.I.B. policy. This includes improvements recommended from professionals, making the process more effective, and the potential of impacting the policy on the state level as policymakers look for feedback regarding implementation of the new law. Benefits also include development of additional strategies to reduce harassment, intimidation, and bullying in schools, districts, within the state, and on a national level.

8. **COLLABORATION:**

Does this research project involve the IRB approval of one or more participating institutions or organizations other than that of Rowan?

Yes No

If YES, list the institutions and submit copies of the related IRB approval notices.

9. **ADDITIONAL INFORMATION (OPTIONAL) (Attach a separate sheet if needed)**

CERTIFICATIONS:

Rowan University maintains a Federal-wide Assurance (FWA) with the Office of Human Research Protection (OHRP), U.S. Department of Health & Human Services. This Assurance includes a requirement for all research staff working with human participants to receive training in ethical guidelines and regulations. "Research staff" is defined as persons who have direct and substantive involvement in proposing, performing, reviewing, or reporting research and includes students fulfilling these roles as well as their faculty advisors.

Once training is complete with a overall score of 80 percent or higher, Collaborative Institutional Training Initiative (CITI) certificates will generated automatically on-line to the Research Office.

To begin CITI training, go to <https://www.citiprogram.org/>. Click on "New User" to create an account and choose Rowan as your affiliation. On the second page, enter your Banner ID and place it in the space that says "Employee ID" to ensure accurate tracking. Once you are logged into the system, register for "Human Subjects Research" module in your area of expertise. If you have not already completed your "Responsible Conduct of Research" (RCR) training, sign up for that module to complete the certification. All researchers must have RCR training.

Researcher: I certify that I am familiar with the ethical guidelines and regulations regarding the protection of human participants from research risks and will adhere to the policies and procedures of the Rowan University Institutional Review Board. I will ensure that all research staff working on the proposed project, who will have direct and substantive involvement in proposing, performing, reviewing, or reporting this research (including students fulfilling these roles), will complete IRB approved training. I will not initiate this research project until I receive written approval from the IRB. I agree to obtain

informed consent of participants in this project if required by the IRB; to report to the IRB any unanticipated effects on participants which become apparent during the course or as a result of experimentation and the actions taken as a result; to cooperate with the IRB in the continuing review of this project; to obtain prior approval from the IRB before amending or altering the scope of the project or implementing changes in the approved consent form; and to maintain documentation of consent forms and progress reports for a minimum of three years after completion of the final report or longer if required by the sponsor or the institution. I further certify that I have completed training regarding human participant research ethics within the last three years as indicated below my signature.

Signature of Researcher: _____ Date: _____

Faculty Advisor (if Researcher is a student): I certify that I am familiar with the ethical guidelines and regulations regarding the protection of human participants from research risks. I further certify that I have completed training regarding human participant research ethics within the last three years as indicated below my signature (attach copy of your "Completion Certificate for Human Participant Protections Education for Research Teams" from the Collaborative Institutional Training Initiative).

Signature of Faculty Advisor: _____ Date: _____

Please check one of the following:

- Full Review Needed
- Expedited Review Needed
- Expedited Review with Exemption Number _____ (See Appendix B)

Step 5: Complete the checklist below.

INVESTIGATOR CHECKLIST

DIRECTIONS: *(Use NA if "not applicable")*

- Yes NA Application typed or computer-generated, not hand written
- Yes NA Identifying information complete
- Yes NA Principal Investigator's signature on application
- Yes NA Names of all investigators specified
- Yes NA Summary in non-technical terms
- Yes NA Risks and benefits specified
- Yes NA Informed Consent form appended

- Yes NA All instruments appended (e.g. questionnaires, standardized tests, interview schedules)
- Yes NA Advertisement for recruitment of participants appended, if relevant
- Yes NA Approval letter(s) from ALL relevant off-campus site(s) (e.g. school principal, other IRB's) appended
- Yes NA If applicant is a STUDENT, advisor signature included
- Yes NA Indicated that application needs “full review,” “expedited review,” or “expedited review with exemption.”
- Yes NA “Certifications” form for PI and Co-investigator/s completed and signed

Step 6: Submit an original and two copies to the Research Office, Bole Hall. If you have technical questions about your IRB application, you may send an e-mail to hartman@rowan.edu. If you have administrative questions, you may send an e-mail to heiser@rowan.edu or call 856-256-5150.

**DO NOT INCLUDE THE FOLLOWING APPENDICES IN YOUR SUBMISSION.
THEY ARE FOR YOUR INFORMATION ONLY.**

Appendix D: IRB Request for Revision

**Rowan University
INSTITUTIONAL REVIEW BOARD
FOR THE PROTECTION OF HUMAN SUBJECTS (IRB)**

Request for Revision to Approved Protocol

Principal Investigator: Kara Alyson B. Douma

E-mail: doumak54@students.rowan.edu

Project Title: Case Study: First Year Review of Implementation of Harassment, Intimidation, and Bullying (H.I.B.) Policy in New Jersey

Faculty Advisor (If student is PI): Dr. Kara Ieva

Department: Department of Educational Services, Administration, and Higher Education

IRB Protocol #: 2012-216

Original Approval Date: 04/04/12

Describe the changes to the protocol (use additional page if needed):

The project title will be changed to reflect the second year of H.I.B. policy implementation. Parents and students will no longer be used as participants. School administrators, CST members and school counselors will be used as participants. Focus groups will be used with CST members and school counselors. Administrators and Anti-Bullying Specialists will be individually interviewed. The interview and focus group protocol has changed slightly from the original format.

CERTIFICATIONS: I will continue to observe the ethical guidelines and regulations regarding the protection of human subjects from research risks and will continue to adhere to the policies and procedures of the Rowan University Institutional Review Board.

SIGNATURES: _____

Principal Investigator _____ Date _____

Faculty Advisor (if PI is student) _____ Date _____

FOR IRB USE ONLY:

Date Received: _____ Status: Approved _____

Rejected _____ (Date) _____ (Date)

IRB Authorized Signature: _____
