

TEACHERS WHO BULLY STUDENTS: PATTERNS AND POLICY IMPLICATIONS [9520]

Alan McEvoy, Wittenberg University, Ohio

Abstract

This study examines non-sexual abuses of power over students by teachers – bullying – that have serious academic and social consequences. Focus group discussions with school staff, and interviews with 236 respondents about their experiences with high school teachers whom they perceive as bullies reveal the pervasiveness of the problem. The data also suggest that school policies and responses to reports of abusive behavior by teachers generally are ineffective or do not exist. Few schools have any avenue to redress legitimate grievances. Suggestions for effective school response, including policy implications and possible legal ramifications, are offered.

Recently, the phenomenon of peer-on-peer bullying by students has garnered considerable attention in both the popular media and in scholarly publications. Journalists, researchers, and educational practitioners have sought to document the nature and extent of bullying in schools, its consequences, and the characteristics of bullies, victims, and bystanders. Efforts also have been directed toward developing school policies on bullying, staff training, and prevention and intervention programming (Davis, 2004; Garbarino and DeLara, 2002; Olweus, Limber, and Mihalic, 1997).

Although progress has been made in gathering baseline data, gaps exist in our knowledge about key aspects of bullying. The focus of this research is on an area of abusive behavior that has received virtually no attention – when teachers bully students. For the purpose of this study, bullying by teachers (or other staff, including coaches, who have supervisory control over students) is defined as *a pattern of conduct, rooted in a power differential, that threatens, harms, humiliates, induces fear, or causes students substantial emotional distress, and serves no legitimate academic or ethical purpose*. Included are behaviors that any reasonable person would recognize as having a significant risk of harming students.

Parallels to Peer-on-Peer Bullying and Other Forms of Abuse

Bullying by teachers shares some similarities to peer-on-peer bullying. Like peer-on-peer bullying, it is an abuse of power that tends to be chronic and often is expressed in a public manner. It is a form of humiliation that generates attention while it degrades a student in front of others. In effect, the bullying can be a public degradation ceremony in which the victim's capabilities are debased and his or her identity is ridiculed. Similarly, it is deliberate, it is likely to distress the target, and it tends to be repeated. Equally significant, the teacher who bullies usually receives no retribution or other negative consequences. This too parallels peer-on-peer bullying. The classroom is the most common place for such bullying to occur.

The process of targeting students and the consequences of being bullied by a teacher may also be similar to peer-on-peer bullying. Victims may be chosen on the basis of apparent vulnerability (e.g., someone who can't or won't fight back), or because the target is seen as someone others will not defend (e.g., gay or lesbian), or because of some devalued personal attribute. Once targeted, the victim is treated in a manner which sets him or her apart from peers. There may be frequent references to how this student differs from others who presumably are more capable or valued. As a consequence, the student may also become a scapegoat among peers.

Teachers who bully feel their abusive conduct is justified and will claim provocation by their targets. They often will disguise their behavior as "motivation" or as an appropriate part of the instruction. They also

disguise abuse as an appropriate disciplinary response to unacceptable behavior by the target. The target, however, is subjected to deliberate humiliation that can never serve a legitimate educational purpose.

Students who are bullied by teachers typically experience confusion, anger, fear, self-doubt, and profound concerns about their academic and social competencies. Not knowing why he or she has been targeted, or what one must do to end the bullying, may well be among the most personally distressing aspects of being singled out and treated unfairly. Over time, especially if no one in authority intervenes, the target may come to blame him or her self for the abuse and thus feel a pervasive sense of helplessness and worthlessness.

Similar to peers who bully, teachers who bully may employ a number of methods to deflect anticipated or actual complaints about their offensive conduct. One common method is trying to convince targets that they are paranoid or crazy, that they have misperceived or misrepresented the behavior in question, or that it is all in their mind. It is also common for bullies to impugn the motives or performance of students, colleagues, and supervisors who register a complaint. For example, an abusive teacher may argue that a student who complains is simply trying to excuse his or her “questionable” academic performance. This shifts attention from the teacher’s inappropriate conduct to a discussion of “standards” and to the student’s motivation for complaining. This also has the minimizing effect of suggesting to others that what is at stake is merely a “personal difference,” rather than a systematic abuse of power.

Bullying by teachers produces a hostile climate that is indefensible on academic grounds; it undermines learning and the ability of students to fulfill academic requirements. In this it shares core attributes with more recognized abuses of power such as sexual harassment, stalking, and hate crimes, each of which is, in fact, a form of bullying. In analytic terms, sexual harassment is bullying with overt sexual overtones; a hate crime is bullying with target selection based on race, sexual orientation, or other immutable characteristics; and stalking is bullying with the explicit or implicit threat of physical harm.

Stalking statutes tend to distinguish non-assaultive stalking behaviors from benign conduct by looking at the level of pervasive threat created by the behavior. In other words, would a reasonable person in the victim’s situation be afraid of physical harm based on the stalker’s conduct? By contrast, the threat of harm in bullying by teachers tends to be non-physical but nevertheless pervasive and powerful. As social beings, humans fear shunning and humiliation almost as much (if not more) as we fear physical harm. This means the threat of humiliation can be used as a weapon.

Like stalking victims, students who are the targets of teachers who bully feel trapped in a situation where the abuser is all-powerful. Sometimes they may be literally trapped in an environment (e.g., classroom or office) where offensive conduct is imposed upon them and there is no escape. More often, they feel situationally trapped. Any complaint about the abusive behavior places the student at risk of retaliation by the teacher, including the use of grades as a sanction. Equally important, it is the student not the teacher who suffers deprivations if he or she misses class, withdraws from a course, or has to avoid enrolling in certain classes because the teacher is a bully.

Targets of bullying are often selected because of some immutable or other perceived difference – whether physical, behavioral, or intellectual – that is devalued. If the basis of target selection happens to be a category we recognize as discriminatory, then we also recognize bullying as a hate crime. Ironically, victims of hate crimes have at least some chance of being *less* disadvantaged than other bullied victims, since in theory other members of the discriminated class may support them. When target selection is based on more subtle factors, the likelihood of support is decreased. The bullying conduct sends a message of fear that threatens others in the community, that enhances their sense of vulnerability, and that produces a loss of faith in the fairness of the academic institution.

Victims of bullying by teachers often feel emotionally distraught and fearful, with no place to turn for help. The victim's distress is compounded by the inaction or outright complicity of the larger group. The function of such inaction is to further enable the bully and to affirm his or her "right" to use professional authority in an arbitrary manner. By not defending the victim, others are confirming his or her selection as an appropriate target, thus endorsing and tacitly legitimizing the abuser's mistreatment of that individual. Although not every member of the victim's environment shares the abuser's values, some do. Many bystanders remain silent or comply to avoid being targeted themselves.

Like stalking and hate crimes, sexual harassment is, in effect, a specific instance of a broader category of bullying behaviors. Sexual harassment case law defines as a compensable injury a discriminatory hostile environment which interferes with an individual's work or school performance, and thus renders harm. The same language which the courts have applied to sexual harassment is equally appropriate to bullying – persistent, objectively hostile, renders harm, discriminatory.

Bullying by teachers raises the specter of school liability. For example, the Supreme Court's ruling in *Davis v. Monroe County Board of Education* 526 U.S. 629 (1999) provided a language and a set of principles that should give educational institutions pause. The *Davis* Court defined those factors it found compelling to expand school liability from staff-to-student sexual harassment (where the school is liable for the conduct of its employee) to student-to-student sexual harassment (where arguably the conduct occurred without the school's complicity.) The court ruled that schools receiving federal funds, at all levels of education, may be held financially responsible where officials are "deliberately indifferent" to harassing behaviors that are "severe, pervasive, and objectively offensive." If the Supreme Court found those principles an adequate basis to expand school liability in one arena, why wouldn't they apply equally to a decision to expand school liability in another arena (i.e., to liability for teacher/student bullying)?

The *Davis* Court established four criteria in considering liability: 1) school officials had actual knowledge of severe, pervasive, and objectively offensive conduct; 2) school officials were deliberately indifferent to such conduct; 3) the school had control over the harasser and the context where the harassment occurred (such as the classroom); and 4) the school's response, or lack of response, was unreasonable given such knowledge. The court ruling also suggests that schools should have in place policies and procedures to address abusive conduct. Failure to have in place a means to redress a legitimate grievance related to behavior that creates a hostile environment for learning enhances a school's liability. In effect, if a discriminatory hostile environment exists in the classroom, and school officials have been given appropriate notice but fail to act, then the school risks both compensatory and punitive damages.

Although simple justice and sound educational practices demand attention to teachers who bully students, there are no national studies of this phenomenon. There is, however, overwhelming anecdotal evidence. Narrative accounts from students and former students, from parents, and even from non-abusive teachers about those who mistreat students with impunity seem to abound. Thus, the need to study a phenomenon that has largely been ignored is evident.

Purpose and Method

This is a pilot study of teacher-to-student bullying that occurs in high schools. There are two data sources in this investigation. First, approximately a dozen focus group discussions were conducted with teachers and administrators about the perceived abusive behavior of colleagues toward students, and about school responses regarding such conduct. Narrative accounts from these discussions facilitated the creation of an interview schedule for current and former students. Second, a convenience sample of 236 people (91 males and 145 females), composed mostly of high school and college-age students, was selected. Their ages ranged

from 15 to 23, with most being between 18 and 21. No distinction was made between those attending public or parochial schools.

Respondents were interviewed about their recollections during high school regarding teachers whom they perceived to be abusive toward students. They also were asked about any personal experiences where they felt targeted by an abusive teacher. Both fixed choice and narrative responses were solicited. Several key questions guided the interviews. These are as follows.

- Is the presence of at least some teachers who bully students perceived to be common in schools?
- Is there a high degree of agreement among students on which teachers in a school are perceived to bully students?
- Is longevity of service as a teacher related to the perceived likelihood of bullying students?
- Are teachers who are thought to be abusive toward students perceived to bully with impunity, or are they being held accountable?
- Do schools provide a means of redress for students who complain about the abusive behavior of teachers? What happens when students register a complaint?

Findings

Results from the interviews, involving both fixed-choice responses and narrative accounts, provide a compelling profile of teachers who are perceived as bullies. Respondents were asked, “Do you think most students in your high school would agree on which teachers bullied students?” Of the 236 respondents, 93 percent (n=219) said “yes,” and only 7 percent (n=17) said “no.” This corresponds with focus group discussions with educators who also believe that colleagues who bully students are readily identified within the school.

The 219 respondents who said “yes” were then asked to estimate the number of teachers in their school whom they believed students agreed were bullies. Although no data were gathered on school size or the number of teaching staff, 19 percent identified one teacher as a bully, 23 percent identified two teachers, 25 percent identified three teachers, 11 percent identified four teachers, 11 percent identified five or more teachers, and 11 percent did not specify a number. Similarly, focus group discussions with educators also suggest that it may be common for schools to have one or more teachers who behave in “mean” ways toward students.

The respondents who said “yes” also were asked about gender differences among teachers who bullied students. Of the teachers perceived as bullies, 30 percent involved only males, 12 percent involved only females, and 57 percent of the cases included both male and female teachers.

The findings also indicate that longevity of service is related to bullying by teachers. Of the 219 respondents who identified one or more teachers in their schools as bullies, only 6 percent were new teachers who had taught less than five years. The vast majority of these teachers, 89 percent, had been teaching five or more years (6 percent did not specify).

When respondents were asked whether they thought teachers who bullied students could do so without getting into trouble, 77 percent said “yes,” and 21 percent said “no.” When respondents were asked if there was ever anything done to officially reprimand teachers known to behave in abusive ways toward students, 20 percent said “yes,” and 80 percent said “no.” Among those who indicated that something was done, the action taken

almost never was dismissal. Rather, the offending teacher was “talked to” by someone in school administration. (No data were gathered on possible abusive behaviors of administrators.)

The narratives of respondents further illustrate the belief that most teachers who are perceived to bully students will not be held accountable. These comments also indicate both frustration that nothing was done, and a sophisticated understanding of the complex nature of the behavior. The following comments are typical.

Respondent: “It seemed like no matter how many complaints there were about a teacher, nothing was ever done. Or, they have someone observe the classroom but the teacher would change [his/her] behavior to really nice and caring.”

Respondent: “Seniority would always protect them in a situation with a student ... basically it was the teacher’s word against the student’s word.”

Respondent: “The school needs teachers so the Board of Education will protect the teachers involved in such acts.”

Respondent: “Teachers who were mean had been there for a long time, and students just assumed nothing would happen [if they complained].”

Respondent: “People could complain until they were blue in the face, but nothing would happen unless the teacher was physically abusive, and they never were.”

Respondent: “If they were harsh in their ways, it could be justified because of the popular opinion (among teachers and administrators) that the child was a troublemaker.”

Respondents were asked if they ever complained to school officials about a teacher who bullied them or a peer. They also were asked what happened, if anything, once a complaint was registered. The following examples of accounts by respondents are illustrative.

Respondent: “Nothing happened after I complained, but since I knew that my teacher knew I complained, I was scared to go to class.”

Respondent: “I was told I basically had to ‘live with it’ and work the issue out with the teacher myself.”

Respondent: “Nothing happened. I complained to the principal, who said he would “look into it,” and nothing happened.”

Respondent: “We could go and talk with the dean but rarely was anything ever done.”

Respondents also explained why they did not register a complaint against a teacher whom they perceived to be abusive. The following comments are typical.

Respondent: “I would have no idea where to go if I had a serious problem with a teacher.”

Respondent: “Many of my other classmates complained and didn’t get anywhere with the school officials.”

Respondent: “I felt I would be a rat.”

Respondent: "I felt that nothing would be done and the teacher would be mad at me for mentioning it."

Respondent: "I never did [complain] because I never felt that the student being bullied was blameless."

Respondent: "I felt the teacher would hate me more."

In raising these questions, many respondents offered personal incidents of being humiliated and mistreated by teachers. Some related stories about being given poor grades – grades they did not feel were deserved – as part of these bullying behaviors. An unexpected finding was how emotional and vivid these accounts were, even long after the events took place. There also was deep frustration that abusive behavior could persist seemingly without consequences for the perpetrators. The common denominator in these narrative accounts seemed to be the absence of justice in the face of what is perceived to be deliberate cruelty by persons in positions of authority.

The frustrations shared by many in the sample of respondents also was expressed by professional educators in the focus groups. Many talked about the mean and “over the top” behavior of colleagues; they were disheartened at the inability of school officials and other colleagues to counter what they saw as a pattern of unprofessional conduct. Sadly, few of their accounts included any practical guidance about effective school response.

Discussion

In this study, no attempt was made to balance what may be varied perceptions of bullying behavior by teachers toward students. Clearly, different individuals hold different subjective standards in defining the malfeasance of another. Nevertheless, it seems that this topic strikes a deep cord. Moreover, the interviews do suggest several generalizations that merit more intensive study to determine their validity. These generalizations include the following.

- In many schools – perhaps most schools – at least one or more teachers can be identified as abusive toward students. Students will be in substantial agreement about which teachers are high rate offenders. The same degree of agreement may hold true for the colleagues of these offenders. They too appear to know which colleagues are abusive. The public nature of bullying patterns increases the likelihood of consensus on those who are most extreme in their behaviors. Simply stated, the faculty and students within the institution often are in private agreement about who the few culprits are, and express deep frustration at feeling powerless to stop the problematic behavior.
- Those who bully students are not likely to be new teachers. Teachers who bully tend to be established and secure in their positions (taught five or more years). The reasons for this are not yet clear. Perhaps new teachers who bully do not have their contracts renewed and are weeded out. Perhaps they are too new to have lost sight of the reasons why they became teachers. Perhaps they have not yet learned how far they can stretch the boundaries of professional conduct. What is true is that the greater the longevity of service as a teacher, the more difficult it is to remove one from the position. This may be especially so in schools where the principal has been in his or her position for a long time. The reluctance to act is fueled by a long history of inaction.
- There seldom will be negative sanctions applied to teachers who bully students. The ability to justify how one treats students, the absence of school policies that specifically address the problem, and the absence of an effective institutional response, mean that there is not likely to be effective accountability for bullying behavior.

- Schools are not perceived as providing meaningful and predictable redress for complaints against teachers who are alleged to bully students. The reality may be that no means of redress exist. It may also be true that even if formal means of registering a complaint against a teacher exist, there is a lack of faith in the integrity of the process. This functions to inhibit reporting. The difficulty of providing “proof” of misbehavior also could reinforce the view that nothing is likely to be done. It seems equally likely that fear of retribution if a complaint is filed will suppress the willingness to risk holding someone accountable.

Policy Implications and Recommendations

Conspicuously absent from current school policies is recognition of teacher-to-student bullying as a problem, or the provision of any formal mechanism to remedy student complaints against abusive teachers. Teachers who bully students are enabled by lack of policies and by institutional inaction. In effect, the institution unwittingly colludes with bullies by giving students and colleagues who have legitimate complaints about bullying few (if any) avenues of redress. In the absence of formal policies and procedures, targets and bystanders who object find little support should they confront the bully.

An ineffectual grievance process itself adds to the harm done by the bully. For example, when students complain of an abusive teacher, they may be sent to the department chair, to the school counselor, to the principal, to district officials, and then back to the abuser to “work it out.” (Targets of bullying should *never* be asked to “work it out” with their abusers.) Seldom is there a formal process which allows for a fair investigation and airing of grievances. Seldom is there a sanction for the abuser. The result seems to be a profound sense of injustice and a weakening of bonds to the school.

Failure to address incidents of teachers who bully students has serious ethical implications. It may have legal implications as well. Much like trends in sexual harassment lawsuits, it seems plausible that lawsuits against schools based on tolerance of bullying and denial of redress could be on the horizon. Whether or not plaintiffs stand a good chance of winning lawsuits involving teachers who bully (which only future juries can answer), schools that fail to create appropriate policies to ameliorate the problem will pay a steep price in reputation, in student well-being, and in the learning climate they seek to nurture.

Fortunately, there are steps schools could take to address these concerns. The following are a few suggestions schools may wish to consider.

- Every school should have a clear statement in its policy and its code of professional ethics that specifies bullying behaviors as inappropriate, unprofessional, and worthy of sanction. Such a statement could parallel the institution’s sexual harassment policy, with comparable adjudication procedures and due process considerations.
- Each school should develop guidelines for the tracking of complaints against teachers who are alleged to bully students. Evidence may include the number of formal grievances filed and other letters of complaint over time. It may also include a pattern of informal complaints registered with department chairs or other teachers, the principal, or district officials. Finally, evidence should include student evaluations of teachers, particularly where patterns of questionable conduct are identified time and time again. Course evaluation forms should allow students the opportunity to identify bullying behaviors by teachers.
- Schools should provide opportunities for students whose allegations are substantiated to withdraw from a class without penalty, or to complete the class under the direction of another qualified teacher. No reference to the withdrawal should be included on the transcripts.

- Orientation of new students and of new teachers should include information about bullying as a violation of policy and hence an “actionable” offense.
- A consideration of bullying should be part of retention and promotion processes. Periodic peer review of teaching practices should be done for *all* faculty, including those who are of senior rank.
- In making the bullying of students a violation of policy, bystanders who are *not* the targets, including other teachers and students, should be allowed to file a complaint. Because targets often are reluctant to take such action, the offensive behavior should be called into question by any person who is in a position to know. Similar to sexual harassment or racist incidents, the school has an obligation to act even if the victim is reluctant to become involved in a grievance process.
- Protection of the complainant and witnesses against retribution by the alleged bully should be addressed. Bullies often will use institutional or other legal processes to claim victim status and to punish those who challenge their conduct.
- Sanctions for bullying should not be limited to “counseling.” A panoply of sanctions should be available, including dismissal.

Conclusion

Although most professional educators are ethical in their conduct, bullying of students by teachers needs to be recognized as a problem. Even if only a few teachers engage in this behavior within a school, the consequences for school climate and for fulfilling the institution’s educational mission are profound.

Perhaps the most troubling finding of this investigation is institutional collusion through inaction when bullying incidents are known. The apparent absence of policies and procedures to address the problem should give us pause. The many caring educators who must tend to the casualties of abusive colleagues whose egregious conduct goes unchecked can only place a serious damper on school climate and morale. Sadly, in the absence of an effective institutional response to bullying, a small number of bullies can do enormous harm.

References

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