



The Impact of Legislative Changes in the Educational Environment Concerning the Bullying Phenomenon

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Abstract

Analyzed from a social, educational and psychological point of view, the phenomenon of bullying has become a global concern in all schools. Taking into account the harmful effects they have on all educational factors (children, parents and teachers), governments around the world to create some policies and dedicated to the prevention and reduction of bullying in the school environment. In recent years, there has been an increasing number of acts of violence and intimidation, both in schools and in the online environment, becoming a problem not only in high schools in Romania, but also in secondary and even primary schools. Thus, although the statistics are worrying, legislative changes in the field of bullying in the educational system in Romania are at the beginning of the road and aspects are generally aimed at prevention. The present paper proposes to bring to the fore the need to develop an integrated intervention strategy in cases of school bullying, by involving the decision-making factors.

Keywords: *change management, conflict management, educational environment, bullying.*

JEL Classification: I28, I00.

Introduction

The desire to survive is instinctual and common among all living things. Survival is directly associated with competition for access to the planet's limited natural resources. Since the beginning of time there has been a constant drive to outdo others and overcome obstacles. The survival instinct and the competitive atmosphere have remained the same as the human race has evolved. This competitive hierarchy, although found in most societies, varies among cultures according to their ethical systems, traditions, and the type of control exercised by the government. Unfortunately, in Romanian society, there is a belief that success and wealth go hand in hand.

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This ideology has shaped a nation where bullying is unintentionally instilled as a survival tactic from a very young age. When a child enters grade school, they are taught to be the best. This apparently innocent attitude can turn, as the child develops during his education, into a hostile attitude towards schoolmates.

Nowadays, violence among minors is the subject of numerous media debates. The governors, as well as civil society, have become sensitive to bullying in the school environment, renouncing the stereotype that the school is an isolated entity, an autonomous social space, unrelated to social dynamics, unaffected by the conflicts and difficulties they face society in general. The school is an integral part of the wider community, and the problems it faces as an institution and environment for training young people concern the whole society. Bullying has come to be considered a common form of violence in schools, and harassment has become a severe problem in academic environments (Al-Raqad and all., 2017), turning educational institutions into unsafe places for students, but also for Professors.

In this context, the Council of Europe supports member states for implementing children's rights. The Strategy for the Rights of the Child defines violence against children as a violation of rights that compromises the social development of children, having devastating consequences on mental and physical health in the short and long term, persisting over generations.

In Romania, although progress is being made in studying the phenomenon of bullying in the school environment, the adoption and application of legislation in the field are slow and fragmented. We believe that progress in this area is hampered by the allocation of insufficient funds, poorly structured and implemented national policies, and the minor attention given to mechanisms for advice, research, and reporting of real situations.

1. Literature review

Jankauskiene et al. [2008, p. 46] define bullying as a set of repeated acts of unprovoked aggression that can cause physical or psychological harm to the victim, and the power of the aggressor/aggressors and the victim is unequal.

The phenomenon of bullying includes aspects of physical abuse, verbal abuse and threats of non-verbal communication, as well as the use of modern means of communication to convey various threatening messages. Quiroz et al. (2006) makes a classification of the bullying phenomenon as follows:

- Physical bullying - hitting;
- Verbal bullying – verbal abuse, insults, threats, false rumours, nicknames, labeling;
- Sexual bullying – indecent words, touches or threats;
- Psychological bullying – harassment, intimidation, humiliation and rejection from the group;
- Social bullying – rejecting the group, spreading rumors about others.

In recent years, the phenomenon of bullying has matched the pace of technological evolution, making it more dangerous and difficult to manage. Cell phones, social media sites, chat rooms and other forms of technology have allowed bullying to spread into cyberspace [Richard Donegan, 2012]. This new form of abuse is known as cyberbullying.

Unlike traditional bullying, cyberbullying allows the perpetrator to hide their identity behind a computer. This anonymity helps the abuser act without having to see the victim's physical response. The distancing effect is technologically supported. The devices

today's youth have often lead them to say and do more cruel things compared to what is typical in a traditional face-to-face bullying situation.

In Romania, the issue of violence in the school environment has been debated since 2007 through the Strategy of the Ministry of Education, Research and Youth regarding the reduction of the phenomenon of violence in pre-university education units [Annex to OMECT no. 1409/29.06.2007]. At the level of each school, the Commission for the prevention and combating of violence in the school environment has been established since then, consisting of the director of the educational unit/ an assistant director/ the coordinator of educational projects and programs, representatives of the teaching staff (elected by the Teachers' Council), representatives of the local public authority, representatives of the parents' association (elected by the Parents' Representative Council), students from the 9th, 12th / 13th grades (elected by the Student Council).

In Romanian legislation, records relating to the phenomenon of bullying appear in 2020, through the publication of the methodological norms for the application of the law to prevent and combat bullying in schools, approved by order of the Minister of Education [ORDER no. 4343/27.05.2020].

According to the document, an anti-bullying action group was established in each educational unit, which includes a maximum of 10 members, among them will be the director of the educational unit, the school counselor teacher, three teaching staff trained in the issue of violence, including psychological violence-bullying, two or more student representatives, a parent representative, representatives of the local authority. This group has the role of preventing, identifying and resolving acts of bullying committed between students, through physical, verbal, relational and/or cyber actions.

The law to prevent and combat bullying, supplemented by methodological norms, was developed following the collaboration, for 3 years, of all existing stakeholders in Romania, representatives of the state and civil society: the Ministry of Education and Research, the Authority National for the Rights of Persons with Disabilities, Children and Adoptions (ANDPDCA), the Crime Analysis and Prevention Service of the Capital Police, CMBRAE, the College of Psychologists, the National Council of Students, the Save the Children Organization, the Smart Parents Association, Itsy Bitsy, Simona Ciff.

Following this law, each educational unit had the obligation to introduce the objective "school with zero tolerance to violence" in the Internal Order Regulation (ROI).

The implementation of the anti-bullying plan, at the level of each school unit, requires:

- a) information and awareness activities on the phenomenon of bullying for school staff, children and parents;
- b) internal communication and information measures, at the level of the educational unit, regarding the procedures for prevention, identification, reporting and intervention of bullying situations in the school space;
- c) intervention procedures in situations of psychological violence-bullying;
- d) making teachers responsible for the purpose of immediate intervention in reported or identified cases of bullying;
- e) organizing activities, such as contests, theater forum, etc., in order to encourage respect for the values and stated mission of the school, participating in the identification, mediation or reporting of bullying situations;
- f) involving parents in participating in debates and information sessions on bullying;

g) activities to measure the impact of the actions contained in the anti-bullying plan and the effectiveness of the action group.

h) any other type of activity that aims to prevent bullying.

Starting from 2020, the situation of incidents of violence in each educational unit is reported monthly, within four categories:

1. Attack on the person
2. Attack on the security of the school unit
3. Attack on goods
4. Other acts of violence or security attacks

Following these monthly centralizations, quantitative and qualitative conclusions can be issued regarding the manifestations of violence by category, gender, and environment.

The SarsCov pandemic has moved education online and brought with it behavioral changes regarding bullying incidents. If physical contact between students was minimized and physical bullying decreased, cyberbullying increased during this period [Nicolae & Mihai, 2020]. This was also accentuated by the weakened psychological background of anxiety and even depression present in this period of crisis.

1. Research Methodology

1.1. Research objectives:

- identification of the types of bullying manifested in the school environment;
- analysis of the causes of existing bullying manifestations in the Romanian educational system;
- identification of possible measures to limit the phenomenon of bullying in the school environment;
- identifying the perception of students and teachers regarding the safety of the school environment.

1.2. Research hypotheses:

- I. We assume that verbal bullying prevails in the school environment.
- II. We assume that the basis of bullying manifestations is the family environment (disorganized, low level of education).
- III. We assume that the majority of teachers believe that the manifestations of bullying could be reduced through a closer collaboration with parents and the school counselor.
- IV. We assume that the majority of students seek the help of teachers to resolve conflict situations.
- V. We assume that bullying in schools has decreased, as a result of legislative changes in the last 3 years.

1.3. Research methodology and sample

The research carried out is of an explanatory (causal) type, aiming to identify the specific aspects of the unfolding of violence phenomena in time and space, the variables that determine them, the meaning and intensity of the influence. The method used is the survey based on a questionnaire. The questionnaire was administered in four school units in the

Municipality of Târgoviște. In order to achieve the set objectives, a number of 234 questionnaires were applied, as follows:

- 184 questionnaires for students aged between 12-14 years;
- 47 questionnaires for teachers of different specialties and ages.

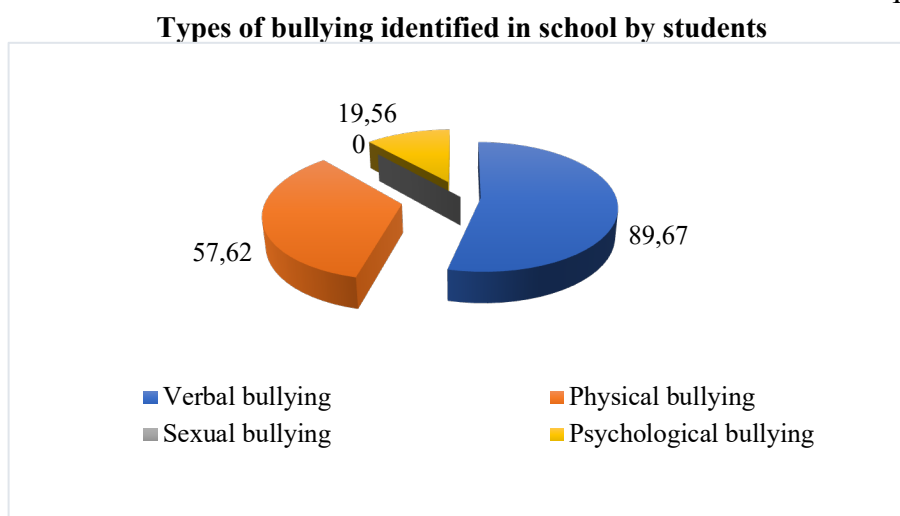
The student questionnaire contains 12 questions, 8 of which are closed questions and 4 ask for the respondent's opinion.

The questionnaire for teachers has a number of 5 closed and 2 open questions.

1.4. Analysis and interpretation of the data resulting from the administration of the questionnaires

1. We assume that verbal bullying prevails in the school environment

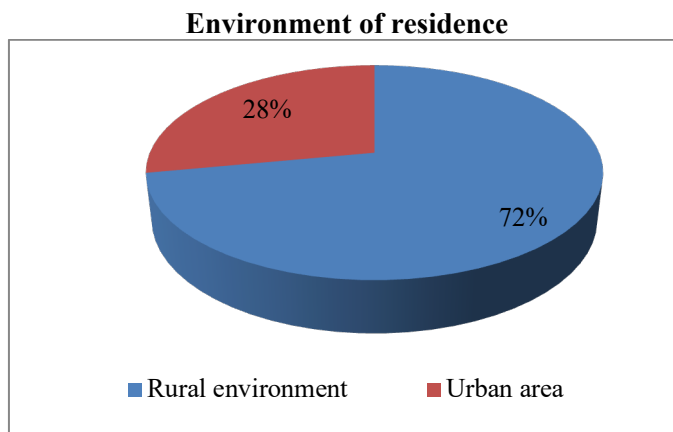
Figure 1.



(Source: Author 2023)

Among the student respondents, 89.67% of them answered that verbal bullying had taken place in their school. Only 57.62% opted for physical bullying and 19.56% for psychological bullying.

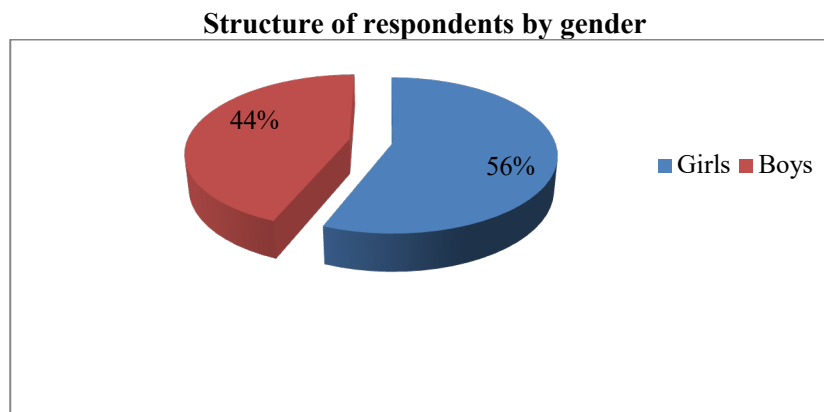
Figure 2.



(Source: Author 2023)

Of the 89.67% of students who answered that verbal violence took place in their school, 72% came from rural areas and 28% came from urban areas.

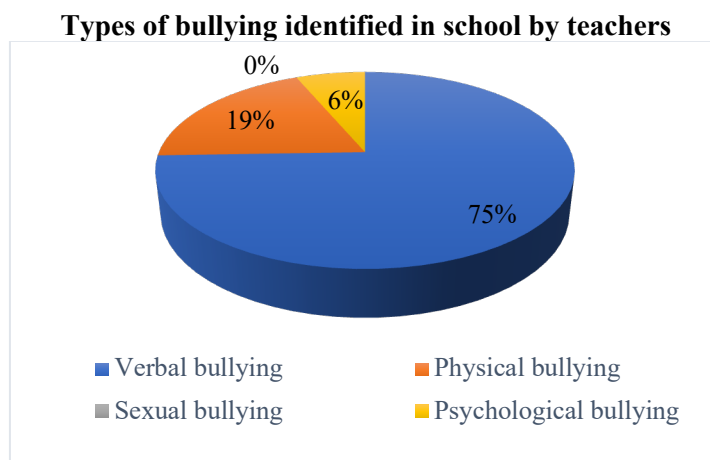
Figure 3.



(Source: Author 2023)

Of the 89.67% of students who answered that verbal violence took place in their school, 56% are girls, and 44% are boys.

Figure 4.



(Source: Author 2023)

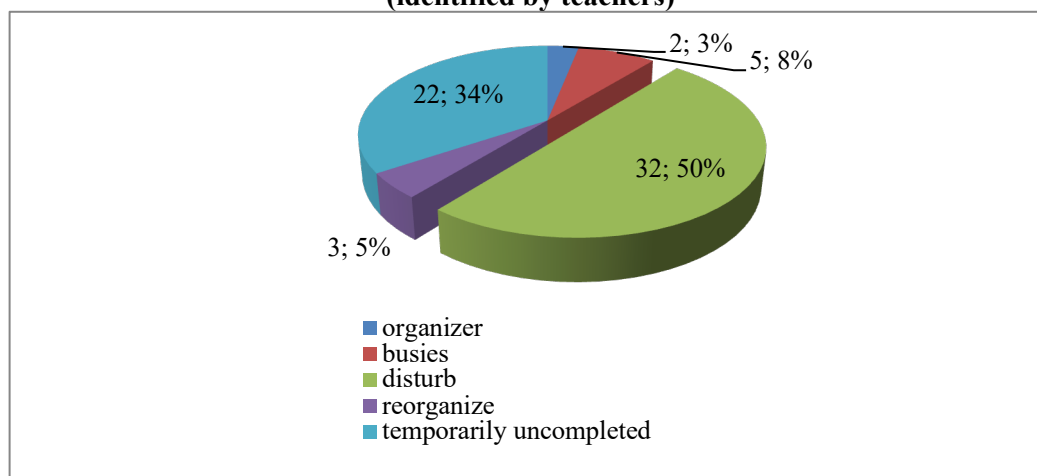
To the same question, the surveyed teachers answered as follows:

- verbal bullying - 75%
- physical bullying – 19%
- sexual bullying – 0%
- psychological bullying – 6%

II. We assume that the basis of bullying manifestations is the family environment (disorganized, low level of education).

Figure 5.

**The types of families that aggressive children come from
(identified by teachers)**

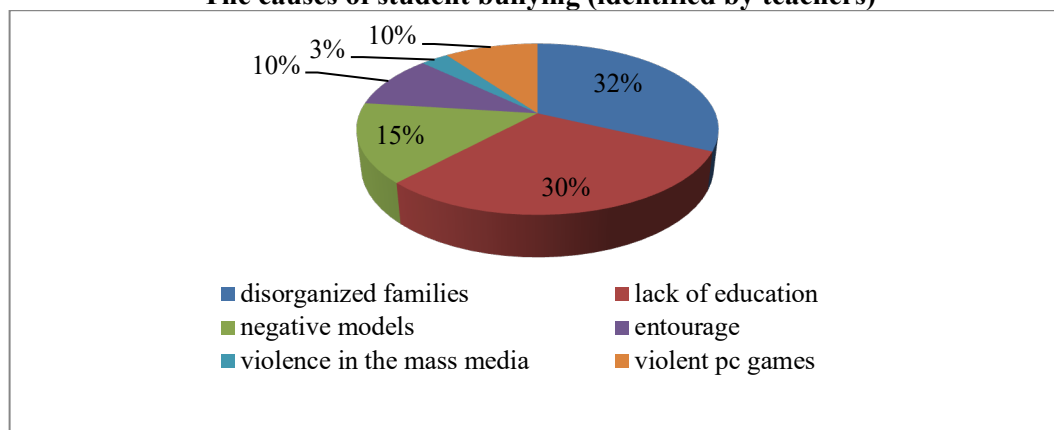


(Source: Author 2023)

When asked "what kind of families do aggressive students come from", the surveyed teachers most often chose the answer "temporarily depleted families by going abroad", and in second place "disorganized families".

Figure 6.

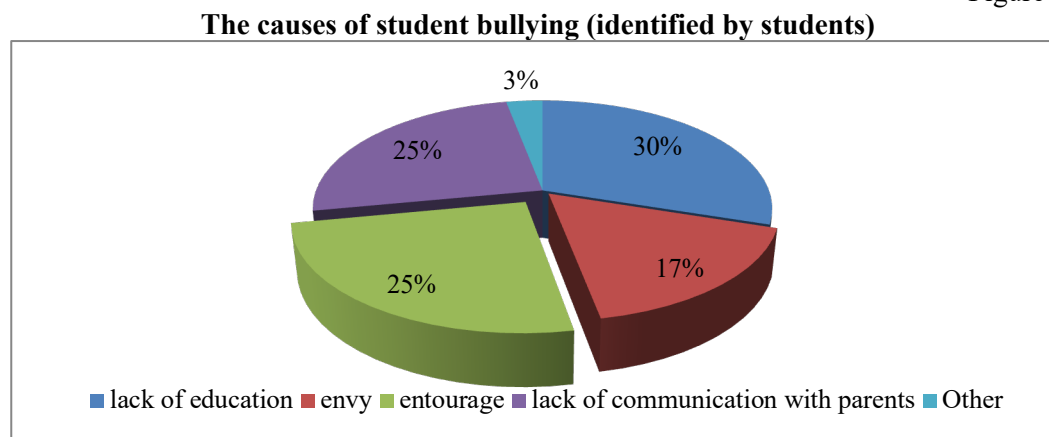
The causes of student bullying (identified by teachers)



(Source: Author 2023)

To the question "What do you consider to be the causes of student bullying" most teachers answered "disorganized families". The next causes mentioned by the teachers were "lack of education", "negative models", entourage, "violent computer games" and "mass media violence".

Figure 7.



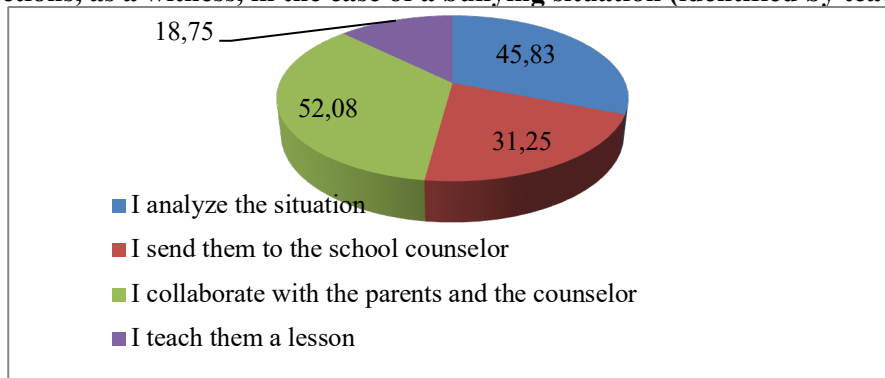
(Source: Author 2023)

To the same question, the students answered: lack of education - 30%, lack of communication with parents - 25%, entourage - 25%, envy - 17%, others - 3%.

III. We assume that the majority of teachers believe that the manifestations of bullying could be reduced through a closer collaboration with parents and the school counselor.

Figure 8.

Reactions, as a witness, in the case of a bullying situation (identified by teachers)



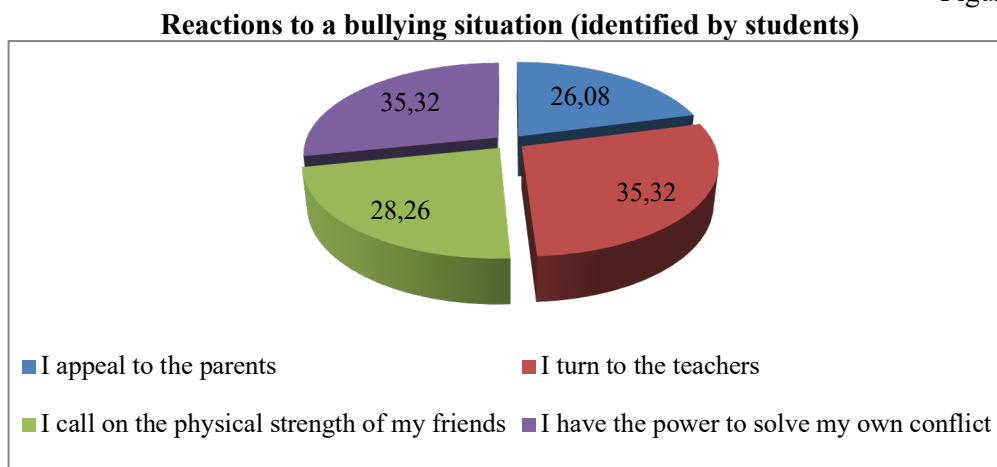
(Source: Author 2023)

To the question, "How do you act if you witness a bullying incident?", the surveyed teachers answered as follows:

- analyze the situation to find the causes - 45.83%;
- I send them to the school counselor - 31.25%;
- I give them a moralizing lesson - 18.75%;
- collaborate with parents and the school counselor to solve the problem - 52.08%.

IV. We assume that the majority of students seek the help of teachers to resolve conflict situations

Figure 9.



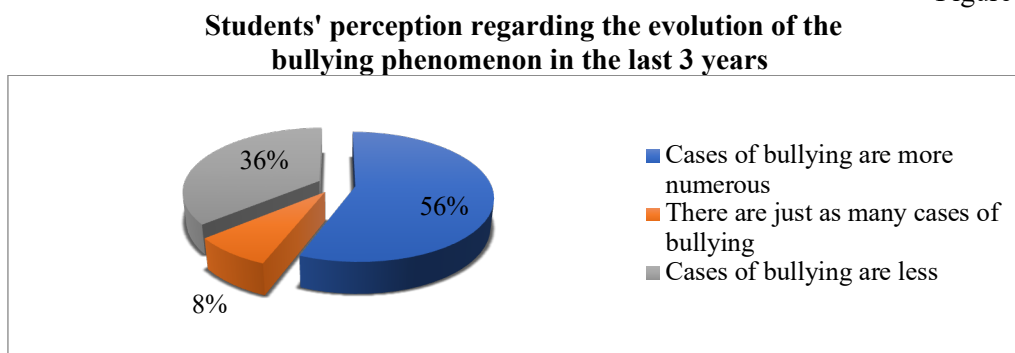
(Source: Author 2023)

To the question "How do you proceed if you are involved in a bullying situation?" the students answered as follows:

- I appeal to parents - 22.21%;
- I turn to teachers - 29.21%;
- I call on the physical strength of friends - 18.26%;
- I have the power to solve my conflict by myself - 30.32%.

V. We assume that bullying in schools has decreased because of legislative changes in the last 3 years.

Figure 10.

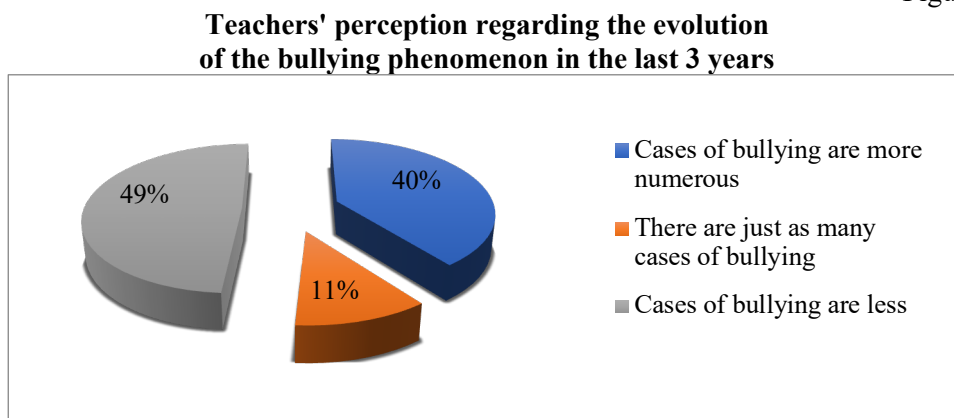


(Source: Author 2023)

To the question, "To what extent do you think that bullying is currently manifested in school, compared to the period before the Covid pandemic?", the students answered:

- bullying cases are more numerous - 56%;
- there are the same number of cases of bullying - 8%;
- bullying cases are less - 36%.

Figure 11.



(Source: Author 2023)

Unlike the students, the teachers' perception was more optimistic, so they answered:

- bullying cases are more numerous - 40%;
- there are the same number of cases of bullying - 11%;
- bullying cases are less - 49%.

This happens due to teachers' trust in the collective efforts to prevent and combat bullying in schools by carrying out projects and activities in collaboration with specialists and the family.

The conclusions of the research

This research aimed to detect the causes of bullying phenomena and identify possible measures to improve these manifestations. The assumptions we started from were the following:

- We assume that verbal bullying prevails in the school environment.
- We assume that the basis of bullying manifestations is the family environment (disorganized, low level of education).
- We assume that the majority of teachers believe that the manifestations of bullying could be reduced through a closer collaboration with parents and the school counselor.
- We assume that most students seek the help of teachers to resolve conflict situations.

Hypothesis number 1 was confirmed following the application of the questionnaire. To the question: What bullying type manifestations took place in your school? 89.67% of the students answered "verbal bullying". Of these, 56% are girls, and 44% are boys. Also, among those who gave this answer, 72% are from rural areas and 28% from urban areas. In the second place in the types of bullying that the students witnessed is "physical bullying", and in third place is "psychological". Not a single student declared that he saw "sexual bullying" phenomena. To the same question, the majority of teachers put "verbal bullying" first - 75%. It turns out that the school environment is one permeated with verbal bullying, which both teachers and students agree with.

And hypothesis number 2 was confirmed by the results of the questionnaires administered to teachers and students. The teachers identified the following as reasons for bullying manifestations: "disorganized families" - 32%, "lack of education" - 30%, "negative role models" - 15%, "entourage" - 10%, "violent computer games" - 10 % and "mass media

violence" - 3%. In the students' answers, the most common answer is "lack of education" - 30%, followed by "lack of communication with parents" - 25% and "the environment" - 25%. We observe a common point between teachers and students - "lack of education" as a reason for violence and "the environment", but while teachers choose disorganized families as the main cause, students consider the lack of communication with parents as a source of bullying manifestations. The following two hypotheses try to identify possible measures to improve bullying manifestations from the teachers' and students' perspectives.

The third hypothesis assumes that the majority of teachers believe that the manifestations of bullying could be diminished through a closer collaboration with parents and the school counselor. The results of the questionnaire confirmed it. 52.08 of the teachers answered that, if they witness a violent demonstration, they collaborate with the parents and the school counselor to solve the problem. 18.75 of the teachers give them a moralizing lesson, and 31.25 send those involved to the school counselor. Therefore, we can mention that a possible measure to improve bullying phenomena could be a closer collaboration between teachers, parents and the school counselor.

The students' opinion about how such a situation can be resolved disproved the fourth hypothesis. In the research, we started from the hypothesis that most students turn to the help of teachers to resolve conflict situations, but to the question, "How do you proceed if you are involved in a bullying situation?" the students answered as follows:

- I appeal to parents - 22.21%;
- I turn to teachers - 29.21%;
- I call on the physical strength of friends - 18.26%;
- I have the power to solve my conflict by myself - 30.32%.

Therefore, an approximately equal number of students turn to teachers in these situations with students who solve these problems by themselves. Here, specific measures are required to popularize among students the idea that you don't have to do justice yourself, but you have to ask for the help of teachers.

The last hypothesis was partially confirmed by the teachers' opinion, who believe that the number of cases has decreased compared to the pre-pandemic period (49%). However, a significant percentage of the responding teachers (40%) believe that there are more cases of bullying today than three years ago. The students' perception disproves the last hypothesis, 56% of them considering that nowadays, the cases of bullying are more numerous than in the period before the SarsCov pandemic.

Conclusions

In recent years, there has been more awareness of the problem of violence in schools and bullying, in particular. Legislative measures have been reflected in school regulations, by introducing procedures aimed at school safety. But the current national anti-bullying policies are incomplete and with a low degree of applicability so as to protect both students and teachers. At the community level, there are more and more voices, non-governmental organizations, associations and partners such as the police, county resource centers and educational assistance that are involved in preventing and stopping bullying in the school environment through various projects.

The family has a very important role and can significantly influence the manifestation of child violence. Better collaboration with parents would facilitate student-school-family communication. The methods of intervention in cases of bullying are insufficiently known

and applied at the level of the educational unit. The anti-bullying groups that are established at the level of each school must act in a prophylactic manner and carry out activities to make students aware of the bullying phenomenon, to train them in prosocial skills to successfully face such challenges.

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Legislation:

Ministerul Educației, Cercetării și Tineretului, Direcția Generală Management Învățământ Preuniversitar, *Strategia ministerului educației, cercetării și tineretului cu privire la reducerea fenomenului de violență în unitățile de învățământ preuniversitar*, Anexa la OMECT nr. 1409/29.06.2007.

ORDER no. 4343/27.05.2020, regarding psychological violence - bullying

The Law no. 221/2019, regarding the prevention and combating of bullying in spaces intended for education.