

Legal Review of Bullying Cases against Students with Disabilities in Physical Education Learning at Schools: A Systematic Review

Revisión Jurídica de Casos de Acoso Escolar a Alumnos con Discapacidad en Actividades de Aprendizaje de Educación Física en Centros Escolares: Una revisión sistemática

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Abstract. This research aims to examine the legal review of bullying cases against students with disabilities in physical education learning at school. The research was conducted using the systematic literature review method. To achieve the objectives, data were obtained using Scispace software from online scholar databases, such as Scopus and DOAJ. It focused on articles published between 2019 - 2024. The articles were selected based on inclusion criteria: articles published in international journals indexed in Scopus and DOAJ databases. The research employed certain keywords: "Bullying Cases", "Students with Disabilities", and "Physical Education Learning Activities". Based on the search results, 90 articles were initially found in journals indexed in Scopus and DOAJ. Next, these articles were screened again to finally generate 10 articles. They were selected that matched the theme and met the inclusion requirements. The data analysis involved a standard operationalization called the PRISMA method. The results of this literature review found several conclusions, including (1) A long-term, collaborative approach is most effective in reducing bullying among students with disabilities, emphasizing the importance of collaboration among students, teachers, and parents, (2) Developing ongoing special sports programs can empower these students and identify participation barriers, (3) A strategic framework, including problem identification, planning, implementation, and evaluation, is necessary to create a safe and inclusive learning environment, alongside a cultural studies approach to understand the interplay between culture, law, and disability rights, (4) Intensive teacher training is crucial to meet individual student needs and adapt learning strategies. Finally, (5) There is a significant gap in access to online inclusive education for students with disabilities, necessitating policies to ensure equal learning opportunities through technology.

Keywords: Legal review, Bullying cases, Students with disabilities, Physical education, Schools

Resumen. Esta investigación tiene como objetivo examinar la revisión legal de los casos de acoso contra estudiantes con discapacidad en el aprendizaje de la educación física en la escuela. La investigación se llevó a cabo utilizando el método de revisión sistemática de la literatura. Para lograr los objetivos, los datos se obtuvieron utilizando el software Scispace de bases de datos eruditas en línea, como Scopus y DOAJ. Se centró en artículos publicados entre 2019 - 2024. Los artículos se seleccionaron en función de los criterios de inclusión: artículos publicados en revistas internacionales indexadas en las bases de datos Scopus y DOAJ. La investigación empleó ciertas palabras clave: "Casos de acoso escolar", "Estudiantes con discapacidad" y "Actividades de aprendizaje de educación física". A partir de los resultados de la búsqueda, se encontraron inicialmente 90 artículos en revistas indexadas en Scopus y DOAJ. A continuación, estos artículos se examinaron de nuevo para generar finalmente 10 artículos. Se seleccionaron los que coincidían con el tema y cumplían los requisitos de inclusión. Para el análisis de los datos se utilizó una operacionalización estándar denominada método PRISMA. Los resultados de esta revisión de la literatura encontraron varias conclusiones, incluyendo (1) Un enfoque de colaboración a largo plazo es más eficaz para reducir el acoso entre los estudiantes con discapacidades, haciendo hincapié en la importancia de la colaboración entre estudiantes, profesores y padres, (2) El desarrollo de programas deportivos especiales en curso puede capacitar a estos estudiantes e identificar las barreras de participación, (3) Es necesario un marco estratégico, que incluya la identificación de problemas, la planificación, la aplicación y la evaluación, para crear un entorno de aprendizaje seguro e integrador, junto con un enfoque de estudios culturales para comprender la interacción entre la cultura, la ley y los derechos de los discapacitados, (4) La formación intensiva del profesorado es crucial para satisfacer las necesidades individuales de los alumnos y adaptar las estrategias de aprendizaje. Por último, (5) existe una brecha significativa en el acceso a la educación inclusiva en línea para los estudiantes con discapacidad, lo que requiere políticas que garanticen la igualdad de oportunidades de aprendizaje a través de la tecnología.

Palabras clave: Revisión legal, casos de acoso escolar, estudiantes con discapacidad, educación física, escuelas

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Introduction

Bullying against students with disabilities at school is an urgent issue that needs to be taken seriously. This action not only harms psychological well-being but also has long-term impacts on students' physical health, social development, and academic achievement. Bullying often occurs during learning activities at school, including in Physical Education (PE) learning, where learning is dominated by physical activities or sports in the field. Scholars mentioned that bullying in

sports activities can have a negative impact on many aspects of students' lives, such as mental well-being, physical health (Lucas et al., 2023), achievement, and social development (Wen et al., 2023). Students with disabilities have a higher risk of being bullied compared to their peers who do not suffer from disabilities. This highlights the vulnerability of this group in the school environment.

The large number of bullying cases among students with disabilities in the school environment, especially in physical education or sports classes, emphasizes the urgent need for

a legal review to ensure their protection and safety. Schools are highly encouraged to strengthen their capacity to prevent bullying in school (Pearce et al., 2024). This is because bullying behavior is a fairly big problem in schools, especially for students who experience disabilities. In the US, even though anti-bullying policies have been regulated in 50 states, the implementation is still weak (Hall & Dawes, 2019). In fact, legal frameworks and policies play an important role in addressing bullying in schools, including specific regulations to protect students with disabilities from harassment and discrimination in physical education and sports activities. According to Bucur (2022), bullying must not be tolerated and requires special efforts and services. It should involve all parties in school. This idea is supported by a recent study suggesting the importance of student involvement in preventing bullying (Pearce et al., 2024). Of several options to cut off this action, PE programs can be used to prevent bullying (Benítez-Sillero et al., 2020). PE can be directed to create an inclusive and supportive environment that can help reduce bullying cases and encourage positive social interactions among students with disabilities.

Understanding the legal implications of bullying in physical education and sports activities for students with disabilities is critical to developing effective prevention strategies and ensuring compliance with anti-bullying laws and regulations. The interconnections between disability rights, education law, and anti-bullying policies require a comprehensive legal review to address gaps in protections and support for students with disabilities in physical education classrooms. A study by Zhang (2022) pointed out that bullying behavior policies in schools are still far from perfect and need improvement. Strategies are still needed to include various aspects in the physical education curriculum to prevent bullying and cyberbullying (Benítez-Sillero et al., 2020). Moreover, children who do physical activity or sports tend to have a higher bullying index. This bullying index increases with age, especially in children over 11 years old (Ubago-Jiménez et al., 2018). Therefore, collaborative efforts between legal experts, educators, and policymakers are very important in developing and implementing policies that support inclusion, equality, and safety for students with disabilities in physical education and sports learning activities.

According to the National Commission for Child Protection, bullying is a form of physical and psychological abuse, commonly referred to as physical and psychological violence, that is periodically inflicted on victims. It may be based on religion, race, gender, sexuality, and/or personal abilities. Repeated instances of bullying can lead to a decline in the victim's self-esteem, causing them to perceive themselves as weak, powerless, and constantly targeted. According to victimology theory, the rights of victims can be identified, considering that bullying is often not seen as a serious issue but rather as typical children's behavior. In fact, the victims might suffer from various health problems, both physical and mental, and pose a higher risk to individuals

who are victims of bullying. Psychologically, bullying includes expressions or facial gestures that are disdainful, rude, or disrespectful, as well as actions that humiliate and isolate the victim. Bullying does not discriminate by age. It can occur at any time, usually perpetrated by an individual or a group against another individual who cannot defend themselves. Bullying is a violation of human rights law. This is based on Article 1, paragraph 6 of Law No. 39 of 1999 on Human Rights, which states that human rights are inherent in the nature and dignity of human beings as creations of Almighty God. These human rights are universal, cannot be reduced under any circumstances, and are inalienable by anyone (Ibrahim, 2022)

A legal review of cases of bullying of students with disabilities in PE classes can provide important insights, as well as provide guidance for developing well-targeted support mechanisms and services. By examining cases of bullying in PE classes, researchers can identify various cases, phenomena, and legal protection efforts for students with disabilities. To date, research on PE still focuses on mainstream issues, such as the achievement of physical education learning outcomes (Martono et al., 2024; Septiantoko et al., 2024), the curriculum and management (Destriani et al., 2024; Hamsyah et al., 2024; Komari et al., 2024; Mardiyah et al., 2024; Mulyanti et al., 2024; Setyawan et al., 2023a; Setyawan et al., 2023b; Setyawan et al., 2024a; Setyawan et al., 2024b; Setyawan et al., 2024c), health, fitness, and therapeutic sports (Widiyanto et al., 2024a; Widiyanto et al., 2024b; Zanada et al., 2024), sports training and sports performance (Bahtra et al., 2024; Kurniawan et al., 2024), and movement skills (Anam et al., 2024; Pranoto et al., 2024). However, there is still a lack of research that carries out legal reviews of bullying against students with disabilities, especially in PE learning at school. Thus, the risk of bullying cases is still prone to occur in the future. Therefore, this research aims to examine the legal review of bullying cases against students with disabilities in PE learning activities at school.

Materials & Methods

This study aims to provide in-depth information regarding the legal review of bullying cases against students with disabilities in PE learning activities at school through a systematic literature review. This research used a systematic literature review method by identifying, evaluating, and interpreting all relevant research results. This systematic literature review followed the "Preferred Reporting Items for Systematic Reviews and Meta-Analyses" (PRISMA) guidelines for systematic reviews and meta-analyses (Tricco et al., 2018). This guide has been widely recognized for producing systematic literature review reports that are more transparent, complete, and accurate, thereby facilitating decision-making based on evidence (Page et al., 2021). To achieve this objective, the study collected scientific evidence available online by applying inclusion and exclusion criteria (Martín-Moya & González-Fernández, 2022).

Thus, a comprehensive strategy was used to search relevant articles in research journal databases. The databases were restricted to international journals indexed by Scopus

and/or DOAJ. The detailed criteria in this study are shown in Table 1:

Table 1. Inclusion and Exclusion Criteria

| Criterion | Inclusion | Exclusion |
|-----------------------|---|---|
| Period | Journal published in 2019 - 2024 | Journals published before 2019 |
| Indexed | International journals indexed in Scopus and/or DOAJ | International journals that are not indexed by Scopus and/or DOAJ |
| Access | Open access | Close access (subscription-based) |
| Document/Article Type | Original research article | Reviews, conference proceedings, books, book chapters, book series, editorials, etc |
| Language | English language | Non-English language |
| Full Text | Titles/abstracts match the theme Article available in full text | The titles/abstracts do not match the theme The full text of the article is not available |
| Topic of Discussion | The content of the article is relevant to the theme of legal review of bullying cases against students with disabilities in PE learning activities at school. | The content of the article is not relevant to the theme of the legal review of bullying cases against students with disabilities in PE learning activities at school. |

Articles in this study were searched using Scispace software. The search focused on articles published between 2019 - 2024. The articles were selected based on inclusion criteria, i.e. they were published in a Scopus or DOAJ-indexed international journals. On the other hand, the exclusion criteria were those that were not indexed by Scopus and DOAJ. The keywords used in the journal searches were; "Bullying Cases", "Students with Disabilities", and "Physical Education Learning Activities". Based on the search, 90 articles were found from Scopus and DOAJ. Furthermore, they were screened again to finally select 10 articles that matched the theme and met the requirements. Inclusion requirements, or at least some, were selected to strengthen the discussion theme. The flow of how these studies were selected is described below in Figure 1:

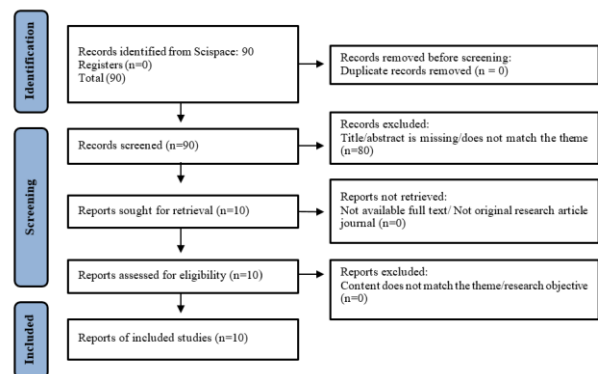


Figure 1. PRISMA Flowchart of The Article Selection Process

Results

This section presents the results of the literature review related to legal review of bullying cases against students with disabilities in Physical Education (PE) learning at school. The detailed results are shown in Table 2.

Table 2. Literature Review Results

| Author | Purpose | Results/Conclusion |
|----------------------------|---|---|
| (Mierzwinski et al., 2019) | Offers a figurative sociological approach to understanding bullying in Physical Education. Provides critical thinking regarding labeling bullying as a social justice issue. | They found that a long-term, gradual approach helps in understanding bullying in physical education. A relational-based approach was reported to help analyze bullying in various educational settings. |
| (Augustine et al., 2022) | Examine disabilities and their relationship with mental health and bullying. Examine how bullying impact the mental health's of people with disabilities | They revealed that people with disabilities have a higher mental health risk, especially if they are victims of bullying. |
| (Robinson et al., 2023) | Develop inclusive sports opportunities for students with disabilities Empower students with disabilities to get involved in sports programs | Positive findings include increased competence and autonomy, as well as identifying barriers to sports participation. Unexpected findings were also found, such as unattainable intrinsic motivation and sustainability of the exercise program. |
| (Bowling et al., 2022) | Develop a framework that includes youth with social and emotional disabilities. Address existing gaps in existing health behavior change theories to increase engagement. | They applied the Child Physical Activity Engagement Approach to the Unseen Social, Emotional, and Behavioral Disabilities (SEBD) framework. Unique children's needs with social, emotional, and behavioral disorders were addressed. |
| (Emonson et al., 2022) | Assess the feasibility and acceptability of PA programs by grade. | The research emphasized that PA breaks in class are appropriate and acceptable in special schools. They also highlight the need for flexibility for various student needs in program implementation. |
| (Blakey et al., 2019) | Develop a strategic framework for academic staff involvement. Increase the effectiveness of handling bullying by increasing the participation and knowledge of participants. | This four-part strategic framework offers a strong foundation for developing student bullying interventions. These findings are a potential first step as a turning point for research on bullying among students. |

| | | |
|-------------------------|--|---|
| (Wade et al., 2022) | Synthesize the effects of peer-based interventions spearheaded by school leaders. | This study argued that school-based intervention programs involving peers positively affect students' academic and psychosocial outcomes. |
| (Cleary et al., 2019) | Explore barriers and conveniences to physical activity for children with cerebral palsy. Assist in planning physical activity intervention programs for students in special schools. | Physical activity programs for children with cerebral palsy should consider their age, developmental stage, and academic needs. |
| (Lonsdale et al., 2019) | Increase motivation in the field of physical education and physical activity of students. | They found that online teacher training can facilitate broader knowledge about professional learning practice efforts. |
| (Kim & Fienup, 2021) | Evaluate an online intervention program using a simultaneous multiple baseline design for three second-grade elementary school students with disabilities who were unable to access the online curriculum. | Children with disabilities do not have access to online inclusive education activities. Simple online tools can increase access to various educational facilities. |

Discussion

This research conducted a systematic literature review on legal reviews of bullying cases against students with disabilities in PE learning at school. The research initially reviewed 90 articles. They were then screened again to ultimately select 10 articles that fit the theme and met the inclusion requirements. After data analysis, the research found several findings. First, it found that a long-term, gradual approach to understanding bullying behavior in physical education classrooms shows the importance of an ongoing process in addressing this problem. With consistent and long-term efforts, bullying incidents can be effectively reduced. In addition, it helped us understand the causes of bullying behavior toward students with disabilities. Moreover, the applied relational-based approach can help analyze bullying in various educational environments. The approach emphasizes the importance of collaboration between students, teachers, and parents. It allows the identification of factors causing bullying behavior and provides insight into how social interactions can strengthen or reduce bullying behavior. As Mierzwinski et al. (2019) expressed, a long-term gradual approach helps in understanding bullying in PE learning and a relational-based approach helps analyze bullying cases in various educational settings. Thus, it can be concluded that a long-term and relational-based approach is more effective in reducing bullying incidents and understanding the dynamics of bullying among students with disabilities. It is also important to collaborate with students, teachers, and parents to identify factors that cause bullying behavior and use social interaction methods to reduce bullying behavior.

The second result found in this study is that the effort to develop inclusive sports programs for students with disabilities is necessary. This is because people with disabilities have a higher mental health risk, especially if they are victims of bullying (Augustine et al., 2022). This program will provide many positive benefits, including increasing the competence and independence of students with disabilities and making it easier to identify barriers to participation in sports. Studies (Bowling et al., 2022) suggest a need for framework programs that involve youth with social and emotional disabilities to address the unique needs of children with social, emotional, and behavioral disorders. In addition, there is a need for flexibility for various student needs in program implementation (Emonson et al., 2022). Other research (Robinson et al., 2023) posited that the de-

velopment of special sports and the empowerment of students with disabilities in sports can increase competence and independence. Adaptive sports mentoring activities in inclusion (disability) classes are very useful, and efforts are needed to sustain the program (Setyaningsih et al., 2022). Thus, it can be concluded that the development of special sports and the empowerment of students with disabilities can increase abilities and independence and facilitate the identification of barriers to participation for students with disabilities. Continuous efforts are needed in adaptive sports mentoring programs because it is very important to achieve optimal results according to the individual needs of students with disabilities.

Another interesting finding from the reviewed articles was the strategic framework, consisting of four parts. The framework offers a strong basis for developing efforts to prevent student bullying. It includes problem identification, planning prevention efforts, implementation, and evaluation, all of which are important for creating a safe and inclusive learning environment for students with disabilities. In Indonesia, the obligation to recognize and protect children's rights is enshrined in the 1945 Constitution of the Republic of Indonesia Article 28B paragraph (2), which states that every child has the right to survive, grow, develop, and get protection from violence and discrimination. In addition, Article 54 of Law Number 23 of 2002 on Child Protection jo. Article 54 of Law No. 35 of 2014 on Amendments to Law No. 23 of 2002 on Child Protection also regulates the protection of children's rights in the education environment. The law states: (1) children in and around the education unit must receive protection from physical, psychological, sexual, and other crimes committed by educators, education personnel, fellow students, and or other parties; (2) protection as referred to in paragraph (1) is carried out by educators, education personnel, government officials, and/or the community. The intended meaning of 'education unit environment' is a place, container, or area where the education process takes place. Meanwhile, 'other parties' in the law refers to security officers, cleaning staff, food vendors, canteen staff, school pick-up staff, and school guards. Furthermore, Law Number 35 of 2014 on Amendments to Law Number 23 of 2002 on Child Protection (Law 35/2014) has also regulated that every person is prohibited from placing, allowing, committing, ordering to commit, or participating in violence against children. The perpetrator will be punished with a maximum imprisonment of 3 (three) years and 6 (six) months and/or a maximum fine of IDR 72 million (Muarifah et al., 2020).

However, Zahro (2024) reported that the implementation of legal regulations on inclusive education in one region in Indonesia is still not progressing well. There are various factors that influence its implementation, so in practice, these regulations have not worked well. Thus, a cultural studies approach is also needed to become the basis for uncovering the dynamics and interactions between culture, law, and the rights of persons with disabilities (Abdussamad et al., 2023). Blakey et al. (2019) proposed that a strategic framework is needed because it offers a strong basis for developing efforts to prevent student bullying. For example, school-based anti-bullying programs are effective in reducing cases of bullying behavior among students (Gaffney et al., 2021). Wade et al. (2022) stated that school-based intervention programs involving peers positively affect students' academic and psychosocial outcomes. Physical activity programs for children with cerebral palsy disabilities must consider their age, developmental stage, and academic needs (Cleary et al., 2019). This is a potential first step to overcoming the problem of bullying behavior among students with disabilities at school during PE learning activities so that it can become a reference for making policies or legal regulations. It is an effort to prevent bullying that can be adapted to meet the special needs of students with disabilities.

The fourth result emphasized the need for a more intensive approach and focused on the individual needs of students with disabilities to increase their participation in physical activity. This can be done by training both offline and online teachers in order to facilitate the wider dissemination of knowledge about professional learning. This teacher's professionalism includes adapting learning methods that can meet the needs of each student, both normal and those with special needs (disabilities). Training to use online platforms can offer an effective and efficient way to train teachers to implement anti-bullying strategies that can have a positive impact on student well-being. According to Lonsdale et al. (2019), online teacher training can facilitate broader knowledge about professional learning practice efforts. This is exemplified by the Olweus Bullying Prevention Program (OBPP), which can reduce the number of bullying victims in the school environment (Borgen et al., 2022). Trained and professional teachers can adapt learning strategies, materials, tools, and learning environments to suit individual student needs, both normal and those with limitations (disabilities). Therefore, it is important to take an intensive approach and focus on the individual needs of students with disabilities in order to increase their participation in sports. However, teachers need to be given both offline and online training, so that they can still be professional according to students' needs.

The final result was regarding challenges faced by disabled students. The reviewed articles seemed to agree that students with disabilities do not have access to online inclusive education activities, resulting in gaps in educational access. Discrimination, limited access to education, employment, public facilities, and a lack of public understanding of

the rights and needs of people with disabilities are the main challenges (Abdussamad et al., 2023). Further research (Kim & Fienup, 2021) suggests that students with disabilities do not have access to inclusive educational activities online, even though simple online tools can increase access to various educational facilities. Adjusted policies are needed, and immediate changes must be made to address inclusive students (Amponsah & Bekele, 2023). It is necessary to develop and implement solutions to problems using inclusive technology to ensure that all students, both normal and disabled, have equal opportunities to learn and participate in learning activities. This is because the lack of equal access to online inclusive education activities will leave students with disabilities behind, exacerbating disparities in the world of education. Concrete and collaborative steps are needed to ensure equitable and quality inclusive education for all students. For example, sharing simple online tools can increase access to various educational facilities, as found in this research. The use of easily accessible technology can help overcome the barriers faced by students with disabilities in accessing education and support their participation in teaching and learning activities.

Furthermore, according to one expert, Satjipto Rahardjo, legal protection is an effort to provide protection for the interests of individuals by distributing power to someone to take action in their interests. In this paper, the protection reviewed is repressive legal protection, which intends to overcome a problem by linking the recognition and protection of human rights, especially for students with disabilities. Similarly, legal protection for other children who are discriminated against is given since the Convention on the Rights of the Child is an important international human rights instrument ratified by Indonesia through a Presidential Decree (Prameswari, 2017). The Convention aims to provide protection and guarantee children's rights, including the right to have education, grow, develop, and receive legal protection (Apsari & Nurwati, 2017; Nugraheni & Alfarizki, 2022). Policies related to legal protection should be carried out as a state responsibility so that students with disabilities no longer get bullied in physical education learning at school.

Conclusion

The results of this literature review found several conclusions, including (1) A long-term, collaborative, or relational-based gradual approach is more effective in reducing bullying incidents and understanding the dynamics of bullying among students with disabilities. Collaboration between students, teachers, and parents is very important to identify the factors that cause bullying. The use of social interaction is an effective method to reduce it. (2) The importance of developing special sports programs that empower students with disabilities to increase their competence and independence. Also, it is easier to identify barriers to their participation. Adaptive sports mentoring programs need to be implemented on an ongoing basis to achieve optimal results

according to the individual needs of students with disabilities. (3) A strategic framework is needed in the forms of problem identification, planning, implementation, and evaluation to create a safe and inclusive learning environment. A cultural studies approach is also needed to reveal the dynamics between culture, law, and the rights of persons with disabilities. Besides, (4) Intensive teacher training must be encouraged because it is important to meet the individual needs of students with disabilities and create professional learning. Trained teachers can adapt learning strategies to suit all students. Finally, (5) There is a gap in students with disabilities who often do not have adequate access to online inclusive education activities, thereby exacerbating educational disparities. Therefore, policies or legal regulations that are adapted to the needs of using technology for inclusive students (with disabilities) are needed in order to guarantee equal learning opportunities for all students.

Conflicts of interest

The authors declare no conflict of interest.

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