Cyberbullying: What We Know and What We Can Do About It

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Plan for Today

• What do we know about bullying?
• Key findings about cyberbullying
• Best practices in prevention and intervention
• Legal issues in cases of cyberbullying
Attention to Bullying Among State Legislatures

Number of State Laws on Bullying

- '99 - 1
- '00 - 2
- '01 - 10
- '02 - 16
- '03 - 20
- '05 - 25
- '06 - 30
- '07 - 35
- '08 - 40
- '09 - 45
- '12 - 50

Years: '99, '00, '01, '02, '03, '05, '06, '07, '08, '09, '12
What Do We Know About Bullying?
Join Anti-Bullying Experts, the DC Office of Human Rights, and StopBullying.gov for a Twitter Townhall on Oct. 5, 3-4 p.m. EST!

Participate @ BullyFreeDC
Community Action Planning

The Bullying Prevention Training Module Materials are research-based resources that can help you lead bullying prevention efforts in your local communities.

Getting Started

The Training Module presentation will help you create an action plan and plan a community event, using the latest research on bullying.

Training Module with Speaker Notes (PDF - 1.3 MB)
Presentation with suggested talking points to help create an action plan and plan a community event

Training Module PowerPoint (PPT - 5.2 MB)
Presentation for use at a community event, workshop or town hall meeting

Planning and Implementing a Community-Wide Event

The Community Action Toolkit includes materials to create a community event using the research, ideas and bullying prevention and response strategies that you learned about in the Training Module.

Community Action Toolkit (PDF - 1.7 MB)
This supplemental guide includes:
Bullying Defined
What is bullying?

- Bullying is unwanted aggressive behavior(s) among school-aged children that:
  - Involves a real or perceived power imbalance
  - Is repeated or has potential to be repeated over time
- Bullying can include threats, rumors, physical or verbal attacks, and purposely excluding someone from a group

Source: Centers for Disease Control and Prevention (in preparation)
Ten Key Findings About Bullying
Finding #1:
Many Children
Are Involved In Bullying
How many children and youth are bullied?

- **20%** of high school students were bullied on school property at least once in the previous 12 months (Centers for Disease Control and Prevention, 2009)
- **28%** of students ages 12-18 were bullied at school during the 2008/2009 school year

*(National Center for Educational Statistics, 2011)*
How are children and youth bullied?

- **Forms of bullying at school** *(NCES, 2011)*
  - 19% made fun of, called names, or insulted
  - 17% subject of rumors
  - 9% pushed, shoved, tripped, spit on
  - 6% threatened with harm
  - 5% excluded from activities on purpose
  - 4% forced to do things they didn’t want to do
  - 3% had property destroyed

- **6% of students ages 12-18 had been cyberbullied (anywhere) during the 2008/2009 school year** *(NCVS, 2009)*
How likely are children and youth to bully others?

Students in grades 3-12 involved in bullying 2-3 times/month or more

Source: Olweus & Limber (2010)
The Many Roles Children & Youth Play in Bullying

- Bullying is best understood as a group phenomenon, in which children and youth may play a variety of roles, including those who:
  - Initiate the bullying
  - Join in the bullying
  - Support/appreciate the bullying but don’t join in
  - Observe the bullying but are disengaged
  - Dislike the bullying, but don’t act
  - Try to help
Finding #2:
There are Similarities and Differences Among Boys and Girls in Their Experiences With Bullying
Boys’ and Girls’ Experiences of Being Bullied

- There are not vast differences in the percentages of boys and girls who are bullied
- Boys are typically bullied by boys; girls are bullied by boys and girls

% Bullied in Grades 6-12 (NCES, 2009)
Differences in the Types of Bullying Experienced by Boys and Girls (NCES, 2011)
Gender Differences in the Frequency with Which Boys and Girls Bully Others

- Most studies find that boys are more likely than girls to bully their peers. On average, boys are:
  - 1.7x as likely to bully
  - 2.5x as likely to bully and also be bullied (bully-victims)
Finding #3:
Children’s Experiences with Bullying Vary by Age
Age Trends in the Frequency of Being Bullied

- Children are most likely to be bullied in elementary grades
- The likelihood decreases through middle school and high school

% Bullied in Grades 6-12
(NCES, 2011)
Age Trends in the Type of Bullying Experienced *(NCVS, 2009)*

![Graph showing trends in bullying types by grade.](image)

- **Verbal**
- **Physical**
- **Exclusion**
- **Cyber**

*Source: stopbullying.gov*
Age Trends in the Frequency of Bullying Others

Source: Olweus & Limber (2010)
Finding #4: There Are Multiple Risk Factors for Bullying
Risk Factors for Bullying

- Family
- Peer
- Individual
- School
- Community
Examples of Individual Factors Related to Involvement in Bullying

- Temperament
- Social competence
- Alcohol and drug use
- Depression
- Presence of a disability
- Sexual orientation
Examples of Peer Factors Related to Involvement in Bullying

- Exposure to aggressive, violent, delinquent peers
- Having at least one close friend
- Support from peers
Examples of **Family Factors** Related to Involvement in Bullying

- Parental engagement
- Parental conflict, use of drugs & alcohol
- Domestic violence
- Parenting style
- Child maltreatment
Examples of **School Factors**
Related to Involvement in Bullying

- School climate
  - Students’ sense of belonging to the school
  - Degree of respect and fair treatment
- Good adult supervision
- Awareness and responsiveness of staff
Examples of **Community** Factors Related to Involvement in Bullying

- Neighborhood safety
- Connection to adults in neighborhood
Finding #5:
Although Any Child May be Targeted, Some Are at Particular Risk of Being Bullied
Children and Youth At Higher Risk for Being Bullied

- Those who:
  - Have learning disabilities
  - Have Attention Deficit Hyperactivity Disorder (ADHD)
  - Have Autism Spectrum Disorder (ASD)
  - Have special health care needs or chronic diseases
  - Are overweight or underweight
  - Speak another language at home
  - Are questioning their sexual orientation or who are lesbian, gay, bisexual, or transgender
  - However, even if a child has these risk factors, it doesn’t mean that they will be bullied

stopbullying.gov
Finding #6:
Bullying Can Affect the Health, Mental Health, and Academic Well-Being of Children Who are Targeted
Mental Health Consequences

- Children who are bullied experience:
  - Lower self-esteem
  - Greater loneliness
  - Greater anxiety
  - More depression
- Bullying leads to later internalizing problems
- These problems also “invite” further bullying by peers.
Health Consequences of Bullying

- Children and youth who are involved in bullying are more likely to experience psychosomatic problems:
  - Headaches, backaches, stomach pain, sleep problems, poor appetite, bed-wetting
- The highest risks are for children who are bullied and those who are “bully-victims”
Academic Consequences of Bullying

- Children and youth who are bullied are more likely to:
  - Want to avoid school
  - Have lower academic achievement
- Several longitudinal studies suggest that children’s experiences of being rejected by peers or bullied in other ways may lead to lowered academic achievement
Finding #7:
Children Who Bully Are More Likely Than Others to Be Engaged in Other Antisocial Behavior
Concern for Children and Youth Who Bully

- Children and youth who bully others are more likely than their peers to:
  - Exhibit delinquent behaviors
  - Dislike school, drop out of school
  - Drink alcohol and smoke
  - Hold beliefs supportive of violence
  - Bring weapons to school
  - Think of suicide and attempt suicide
Finding #8: Many Children Do Not Report Bullying Experiences to Adults
Likelihood of Reporting

- 50-75% of children and youth do not tell school personnel, are a bit more likely to tell parents.
- Varies by age and gender.
  - Older youth and boys are most reluctant to report bullying.
Percentage of Bullied Children & Youth Who Have Reported Being Bullied

Source: Olweus & Limber (2010)
Why are children & youth reluctant to report being bullied?

- Negative messages about “tattling” and “snitching”
- Concern about retaliation
- Gender stereotypes
- Lack of confidence in adults’ actions
Finding #9:
Many Children and Youth Are Concerned About Bullying
Peers’ Feelings and Attitudes About Bullying

- Most children & youth have negative feelings about bullying and feel sympathy for bullied peers
  - 90% of elementary students said they felt sorry for students who are bullied
  - Sympathy is somewhat greater among younger children and girls
Peers’ Actions as Witnesses

- Sympathy often does not translate into action
- When bystanders try to help a bullied child, they are often effective in stopping it
- Younger children and girls are more likely to indicate that they:
  - Report bullying
  - Respond directly to help
  - Tell an aggressor to stop
Finding #10:
A Variety of Laws in the U.S. Address Bullying
Federal Laws and Bullying and Harassment

- Schools that receive federal funding must address discrimination based on a number of different personal characteristics
  - Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin
  - Title IX of the Education Amendments of 1972 prohibits discrimination based on sex
  - Section 504 of the Rehabilitation Act of 1973 and Title II of the ADA (1990) prohibits discrimination based on disability
School Districts and Federal Civil Rights

- School districts may violate federal civil rights laws when:
  - Peer harassment based on race, color, national origin, sex, or disability is sufficiently serious that it creates a hostile environment, and
  - The harassment is encouraged, tolerated, not adequately addressed, or ignored by school employees
State Laws and Bullying

- State and local lawmakers have taken action to prevent bullying and protect children.
- Through laws (in their state education codes and elsewhere) and model policies (that provide guidance to districts and schools), each state addresses bullying differently.
Provisions of State Laws

- Almost all require school districts to develop policies on bullying
- Most define bullying (but do so differently)
- Common required or suggested elements in school policies:
  - Responsibilities for reporting and investigating bullying incidents
  - Consequences or sanctions for students who bully
  - Communication of policy to students, parents, staff
  - Education and/or prevention

stopbullying.gov
What is Cyberbullying?

“Bullying through email, instant messaging, in a chat room, on a website, or through digital messages or images sent to a cell phone.”

Kowalski, Limber & Agatston (2007)
Examples of Cyber Bullying

- Repeatedly sending offensive, rude, and insulting messages.
Examples of Cyber Bullying

- Distributing or posting derogatory information about another.
Examples of Cyber Bullying

- Posting or sending digitally altered photos.
- Impersonating another and sending offensive messages.
- Tricking someone into revealing embarrassing information and forwarding to others.
- Some forms of sexting.
Key Findings About Cyber Bullying

1. Rates of Cyber Bullying vary widely from study to study.
How Prevalent is Cyber Bullying?

- **Cox Communications (2009)** interview of 655 teens (13-18)
  - 15% had *ever* been cyber bullied online, 10% by cell phone
  - 7% had *ever* cyber bullied another online, 5% by cell phone
- **Hinduja & Patchin (2009)** survey of middle school students
  - 9% had been cyber bullied *in the last 30 days*, 17% in lifetime
  - 8% had cyber bullied others *in the last 30 days*, 18% in lifetime
How Prevalent Is Cyber Bullying?

- **Kowalski & Limber (2007)** survey of 3,767 middle school students:
  - 18% had been cyber bullied at least once in the last 2 months (6% 2-3 times/mo. or more)
  - 11% had cyber bullied others at least once (2% 2-3 times/mo.)
Prevalence of Specific Forms of Bullying (12-18 year-olds)

Stability of Cyber Bullying Over Time

% Being Bullied

<table>
<thead>
<tr>
<th>Year</th>
<th>Verbal</th>
<th>Cyber</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
<td>18%</td>
<td>10%</td>
</tr>
<tr>
<td>2008</td>
<td>18%</td>
<td>12%</td>
</tr>
<tr>
<td>2009</td>
<td>18%</td>
<td>14%</td>
</tr>
<tr>
<td>2010</td>
<td>18%</td>
<td>16%</td>
</tr>
</tbody>
</table>

% Bullying Others

<table>
<thead>
<tr>
<th>Year</th>
<th>Verbal</th>
<th>Cyber</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
<td>12%</td>
<td>4%</td>
</tr>
<tr>
<td>2008</td>
<td>14%</td>
<td>6%</td>
</tr>
<tr>
<td>2009</td>
<td>16%</td>
<td>8%</td>
</tr>
<tr>
<td>2010</td>
<td>18%</td>
<td>10%</td>
</tr>
</tbody>
</table>

Source: Olweus (2012)
Key Findings About Cyber Bullying

2. Cyber Bullying is of concern to youth.
## Teens’ Perceptions of Cyber Bullying (Cox Communications, 2009)

<table>
<thead>
<tr>
<th>% strongly/somewhat agree</th>
<th>Boys</th>
<th>Girls</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bullying online is a serious problem with today’s youth.</td>
<td>60%</td>
<td>76%</td>
</tr>
<tr>
<td>If someone is caught bullying online there are serious legal consequences.</td>
<td>45%</td>
<td>54%</td>
</tr>
<tr>
<td>There should be stricter rules about online bullying</td>
<td>70%</td>
<td>80%</td>
</tr>
</tbody>
</table>
Key Findings About Cyber Bullying

3. Some studies indicate that girls are more likely to be involved in cyber bullying than boys.
Boys’ and Girl’s Experience of Cyberbullying *(NCVS 2009)*

<table>
<thead>
<tr>
<th>Category</th>
<th>Boys</th>
<th>Girls</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total CB</td>
<td>5%</td>
<td>0%</td>
</tr>
<tr>
<td>Internet</td>
<td>1%</td>
<td>0%</td>
</tr>
<tr>
<td>IMs</td>
<td>2%</td>
<td>1%</td>
</tr>
<tr>
<td>Texts</td>
<td>6%</td>
<td>4%</td>
</tr>
<tr>
<td>E-mails</td>
<td>5%</td>
<td>1%</td>
</tr>
<tr>
<td>Gaming</td>
<td>3%</td>
<td>2%</td>
</tr>
<tr>
<td>Excluded</td>
<td>2%</td>
<td>0%</td>
</tr>
</tbody>
</table>
Key Findings About Cyber Bullying

4. Engagement in cyber bullying increases significantly among middle and early high school-aged students.
Age Trends in Cyberbullying Experienced (NCVS, 2009)
Grade Differences in Cyberbullying Status (Kowalski & Limber, 2008)
Key Findings About Cyber Bullying

5. There are similarities and differences between cyber bullying and “traditional” bullying.
Cyber Bullying and “Traditional” Bullying

*Similar* characteristics:

- Aggressiveness
- Power imbalance
- Repetitiveness
Cyber Bullying and “Traditional” Bullying

*Different* characteristics:

- Anonymity
Identity of “Cyber Bully”
(Kowalski, Limber, & Agatston 2012)

Of those who had been cyber bullied

- Another student
- Stranger/ DK
- Friend
- Sibling
- Someone else

(Kowalski, Limber, & Agatston 2012)
Cyber Bullying and “Traditional” Bullying

Different characteristics:

• Anonymity
• Disinhibition
National Crime Prevention Council PSA: “Talent Show”
Cyber Bullying and “Traditional” Bullying

*Different* characteristics:

- Anonymity
- Disinhibition
- Accessibility
- Replicability/Scalability
- Bystanders?
Overlap Between Frequent Cyber Bullying and Frequent Traditional Bullying  
(Kowalski & Limber, under review)  N = 931 students in grades 6-12

<table>
<thead>
<tr>
<th>Traditional Bullying Status</th>
<th>Had been frequently cyber bullied</th>
<th>Had frequently cyber bullied others</th>
</tr>
</thead>
<tbody>
<tr>
<td>Victim Only</td>
<td>17.7% (n = 13)</td>
<td>4.1% (n=3)</td>
</tr>
<tr>
<td>Bully Only</td>
<td>4.1% (n=3)</td>
<td>23.2% (n=17)</td>
</tr>
<tr>
<td>Bully/Victim</td>
<td>42.5% (n=14)</td>
<td>31.3% (n=10)</td>
</tr>
<tr>
<td>Not Involved</td>
<td>2.4% (n=17)</td>
<td>.8% (n=6)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Cyber Bullying Status</th>
<th>Had frequently been bullied (traditional bullying)</th>
<th>Had frequently bullied others</th>
</tr>
</thead>
<tbody>
<tr>
<td>Victim Only</td>
<td>55.5% (n=20)</td>
<td>17.2% (n=6)</td>
</tr>
<tr>
<td>Bully Only</td>
<td>8.7% (n=2)</td>
<td>77.3% (n=17)</td>
</tr>
<tr>
<td>Bully/Victim</td>
<td>76.5% (n=13)</td>
<td>75.1% (n=12)</td>
</tr>
<tr>
<td>Not Involved</td>
<td>9.4% (n=78)</td>
<td>8.9% (n=73)</td>
</tr>
</tbody>
</table>
Key Findings About Cyber Bullying

6. Initial findings suggest that cyber bullying may seriously affect children.
Effects of “Traditional” Bullying on Victims

- Higher anxiety and depression
- Lower self-esteem
- More suicidal ideation
- Higher rates of illness
- School attendance, absenteeism, academic achievement
Study on Psychological, Physical and Educational Correlates of Bullying (Kowalski & Limber, under review)

- 931 students from 2 schools, grades 6-12
- Assessed:
  - involvement in bullying, cyber bullying
  - Depression
  - Anxiety
  - Self-esteem
  - Health
  - Grades
  - School absence
Beck Anxiety and Depression Scores x Involvement in Bullying

Bullying

<table>
<thead>
<tr>
<th>VO</th>
<th>BO</th>
<th>BV</th>
<th>NI</th>
</tr>
</thead>
<tbody>
<tr>
<td>35</td>
<td>30</td>
<td>45</td>
<td>25</td>
</tr>
</tbody>
</table>

Cyber Bullying

<table>
<thead>
<tr>
<th>VO</th>
<th>BO</th>
<th>BV</th>
<th>NI</th>
</tr>
</thead>
<tbody>
<tr>
<td>40</td>
<td>35</td>
<td>50</td>
<td>30</td>
</tr>
</tbody>
</table>

- Blue: Anxiety
- Red: Depr
Suicidal Ideation Item on BDI-Y
Involvement in Bullying

Suicidal Ideation

Bullying

Cyber Bullying

VO BO BV NI

VO BO BV NI
Suicidal Ideation: Group x Gender Interactions

**Bullying**

- VO: Boys 1.5, Girls 1.5
- BO: Boys 1.5, Girls 1.5
- BV: Boys 2, Girls 2
- NI: Boys 2, Girls 2

**Cyber Bullying**

- VO: Boys 2, Girls 2
- BO: Boys 2, Girls 2
- BV: Boys 2, Girls 2
- NI: Boys 2, Girls 2
Self-Esteem x Involvement in Bullying

**Bullying**

*Higher scores = lower self-esteem*

**Cyber Bullying**

*Higher scores = lower self-esteem*
Health Scores x Involvement in Bullying

Higher scores = more health concerns
Grades x Involvement in Bullying

High scores = lower grades
Summary of Key Findings

• Involvement in bullying (particularly as bully-victims) was related to poorer psychological, health, and academic outcomes
  • Particularly for boy bully-victims and high school bully-victims.
• Similar patters were found for traditional and cyber bullying.
Bullying, Cyber Bullying and Suicide Hinduja & Patchin (2010)

• Study of middle school students
  • Those involved in traditional bullying or cyberbullying had more suicidal thoughts and attempts than non-involved peers.
  • Those who had been bullied were at higher risk
• Experience of being bullied is one of MANY factors that place a child at risk for suicide.
Key Findings About Cyber Bullying

7. Children’s responses to cyber bullying are often counter-productive.
Reactions of Victims
(Kowalski, Limber, & Agatston 2012)

In reaction to being cyber bullied, I...

- Didn't do anything
- Asked person to stop
- Cyber bullied back
- Made Fun of the bully to others
- Blocked the bully
- Saved evidence
- Told on them
Who the Victims Told
(Kowalski & Limber, 2012)

When I was cyber bullied, I told a(an)...

- Friend
- Parent
- Sibling
- Adult at school
- Teacher
- Other
What Are Schools Doing To Address Bullying?

• Nothing
• Awareness-raising efforts
• Reporting, tracking
• Zero tolerance (student exclusion)
• Social skills training for victims
• Individual & group treatment
• Mediation, conflict resolution programs
• Curricular approaches
• Comprehensive approaches
Common “Mis-directions” in Bullying Prevention and Intervention

- Automatic suspension (“zero tolerance policies”)
- Conflict Resolution/Peer Mediation
- Group treatment for children who bully
- Simple, short-term solutions
Best Practices in the Prevention of Cyberbullying
1. Incorporate Into Comprehensive Bullying Prevention Efforts

• Include cyber bullying prevention in school-wide and community bullying prevention efforts.
• Focus on the social environment of the school.
2. Assess Cyberbullying

- Include cyberbullying in regular assessments of bullying among students.
- Use data to monitor extent of problem, need for training, impact of efforts, etc.
- Also consider...
  - Collecting more detailed information in informal group discussions with students
  - Assessing perspectives of staff and parents
3. Provide Staff Training

• All staff should be familiar with the basics.
• In-depth training for key staff:
  • Administrators
  • Counselors
  • Media specialists
4. Develop Clear Rules and Policies About Cyberbullying

- Incorporate into school rules about bullying and enforce consistently.
  - What is/isn’t acceptable, how to respond
- Incorporate into bullying prevention policy.
- Incorporate into “student use of technology” policy.
  - [www.cybercrime.gov/rules/acceptableusepolicy](http://www.cybercrime.gov/rules/acceptableusepolicy)
- Distribute information about the policies to students, staff, parents
5. Encourage Reporting of Cyberbullying

• By students, staff, parents
• Consider safe, online reporting options
6. Spend Class Time Discussing Cyberbullying

- Incorporate discussions into class meetings and activities on bullying & peer relations.
  - What is cyberbullying?
  - What are the schools’ rules?
  - How to respond to cyberbullying?
  - Online “netiquette,” safe blogging, monitoring reputations online
  - What if you witness cyberbullying?
  - Activities that aid empathy and perspective-taking
  - Use social norming approaches
• 4% of teens (12 – 17) have sent sexually suggestive photos
• 96% have NOT sent such photos.
• But of those who did, most felt “pressure” to send the photos.
7. Use Youth As Resources

- Youth are more knowledgeable than many adults
- Youth involvement sends an important message
- Youth can lead social norm campaigns
• 90% of King High School Students have not engaged in cyber bullying and believe it is wrong to spread gossip and rumors online.
8. Build Strong School/Parent Partnerships

• Net Cetera: Chatting With Kids About Being Online
  • Onguardonline.gov
  • bulkorder.ftc.gov
Intervention in Cases of Cyber Bullying
1. Be Vigilant For Warning Signs

• A child may be experiencing cyber bullying if he or she:
  • Is visibly upset or angry after Internet or cell phone use
  • Withdraws from family and friends
  • Has a drop in academic performance
  • Is a target of traditional bullying at school
  • Appears depressed or sad
2. Investigate

- **Who** is involved?
  - Obvious and not so obvious (anonymous, retaliation, impersonation)
- **What** is occurring?
  - What are the forms and technologies being utilized?
  - *When* and *where* is this occurring?
  - Off campus, on campus...
3. **Notify parents of all involved children**

- Share concerns with other adults at school/in the organization
4. Provide Tips About Gathering Evidence & Possible Responses

- Help to collect evidence
  - Printed SNS pages, instant messages, emails, text messages
- Provide suggestions on various response options.
  - Ignoring
  - Blocking
  - Removal
Report Inappropriate Content and Fake Profiles on Social Network Sites

• Facebook has new reporting options.
• YouTube has a help center.
• MySpace – click on the report abuse link at the bottom of a profile if someone is violating the terms of service.
• For more links or information on reporting or removing online content visit www.cyberbullyhelp.com.
5. Contact Police in Serious Cases

- Threats of physical harm
- Sexual harassment
- Posting nude or compromising photographs
- Extortion
- Stalking
6. Consider Formal Discipline & Alternatives

• May be appropriate from school authorities if it:
  • occurs on campus
  • occurs off campus but includes on-campus harmful interactions
  • causes substantial disruption
  • creates hostile environment

• But, suspension alone does not solve the problem.
Alternatives to Suspension/Formal School Discipline

• Individual conferences with students and parents
• Informal resolution
• Focus is on stopping the behavior and “repairing the harm”
Legal Issues

• When can school officials intervene to address cyber bullying?
  • And when does it violate students’ First Amendment rights?
• When can officials monitor or search student internet records?
  • And when does it violate students’ 4th Amendment rights?
• When might school personnel be held liable for failing to address cyber bullying?
When Can School Personnel Limit Students’ Speech on Campus?


• If it is **lewd, vulgar, or profane** (*Bethel School District v. Fraser*, 1986)

• If it is **sponsored** by the school (*Hazelwood School District v. Kuhlmeier*, 1988)

• If it substantially **interferes** with the work of the school or **impinges** on student rights (*Tinker v. Des Moines Independent Community School District*, 1969)
When Can School Personnel Limit Students’ Off-Campus Speech?

- If speech has or could cause a substantial disruption at school OR interferes with the rights of a student to be secure. (*Tinker v. Des Moines*, 1969)
- Officials **cannot** restrict student off-campus speech merely because they find it offensive or contrary to the school’s educational mission. (*Fraser; Morse v. Frederick*, 2007)
When Can School Personnel Monitor or Search Student Internet Records?

• Students have 4th Amendment rights to be protected from unreasonable searches & seizures.

• School officials may search a student if:
  • There is reasonable suspicion of a violation of a law or policy (*no fishing!*), and
  • They conduct the search in a way that is reasonable and not excessively intrusive (*New Jersey v. T.L.O*, 1985)
When Might School Personnel Be Liable for Failing to Address Cyber Bullying?

• School personnel have a duty to protect students and ensure there is no substantial interference with their rights to receive an education.

• Districts may be liable for failing to stop bullying if personnel are found to have acted negligently or if they violate federal or state laws.
Can School Personnel Be Found Negligent in Protecting Students from Cyber Bullying?

• Laws are unclear
• Personnel do have a legal duty to protect safety and security of students.
• They should be able to foresee misuse of cyber technologies to cause harm.
• What is a reasonable standard of care that personnel should provide?
Prudent Administrators Should...

• Develop clear rules and policies to prohibit use of district computers and technologies to bully.
• Establish policies and procedures that limit use of school Internet for nonacademic purposes
• Educate students and staff about cyber bullying and policies
• Provide adequate supervision and monitoring
• Establish good systems for reporting cyber bullying or misuse of technology
• Establish good responses to reports
For More Information:

- Stopbullying.gov
- Onguardonline.gov
- Cyberbullyhelp.com
- Olweus.org
- Teachingtolerance.org
- Commonsensemedia.org
- Connectsafely.org
Questions?