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## Cyber Bullying: Responsibilities and Solutions

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A Missouri woman is indicted on federal charges of causing the suicide death of a teenage girl who frequented the social networking site MySpace. An eighth grade student from Pelham Middle School, N.Y. is the recipient of insulting remarks posted on her MySpace page by a classmate. Another eighth grader receives embarrassing comments as she instant messages with friends. A 13-year-old Vermont boy was bullied for months online. He eventually committed suicide. These are but four examples of a problem known as cyber bullying.

Physical and verbal bullying among students are problems well known to teachers and school administrators. This article examines some of the literature on the topic of cyber bullying and provides information on its prevalence, the definition of cyber bullying, communication technologies, legal considerations and suggestions for dealing with the problem.

### What is Cyber Bullying?

Christopher Wolf, chair of the International Network Against Cyberhate and an Internet and privacy attorney, describes cyber bullying as "a constant and hate-filled attack on a person using the Internet or other means of electronic communication."

Forms of cyber bullying include threats, humiliating remarks, embarrassing photographs and phony stories. What differentiates cyber bullying from physical and verbal bullying is that perpetrators can exploit the secrecy of the Internet to conceal their identity while abusing their victims. Cyber bullying can be found on social networking sites, in blogs, wikis, and other shared communication tools.

### Prevalence of Cyber Bullying

"Cyber bullying is on the rise," said a special issue last fall of the *Journal of Adolescent Health*. The number of adolescent victims of online harassment increased by 50 percent between 2000 and 2005. The report estimated that from 9 to 34 percent of adolescents nationwide were cyber bullying victims within the previous two months.

A study of Internet harassment in *Pediatrics* found "a significant increase in the prevalence of Internet harassment from 2000 to 2005." Alane Fagin and Donna Cattano of Long Island-based Child Abuse Prevention Services report that the prevalence of bullying varied by type. "Verbal was the most prevalent, followed by physical and then by Internet bullying. Physical and Internet bullying peaked in 8th grade and declined in 11th grade, whereas verbal bullying peaked in 8th grade and remained relatively high in the 11th grade."

### Legal Considerations

At present, there is no uniform consensus among states and school districts across the United States on how to best address the problem of cyber bullying. Since cyber bullying is a relatively new issue, courts on both the federal and state levels have not had the opportunity to establish legal precedent that could serve as a benchmark for states and school administrators.

This is not to suggest that state legislators and school administrators have done nothing to address the problem of cyber bullying:

- A South Carolina law requires school districts to define bullying and outline policies and repercussions for the behavior, including cyber-bullying.

- In Oregon, lawmakers have lined up behind a proposed bill that would require all of the state's 198 school districts to adopt policies that prohibit cyber-bullying.
- New York has joined at least thirteen other states in drafting legislation to deal with cyber bullying. The proposed legislation "would arm education law by including electronic communication in the definition of harassment, creating procedures to investigate harassment, and establish a statewide registry for bullying, cyber bullying and hazing complaints."
- New Jersey passed anti-bullying legislation that "added electronic communication to the definition of bullying in school policies. While the law refers to bullying in schools, new state guidelines say school administrators "may impose consequences for acts of harassment, intimidation or bullying that occur off school grounds, such as cyberbullying," but only when those acts substantially disrupt school."

On the other side of the issue is the free speech argument. Steven Brown, executive director of the Rhode Island branch of the American Civil Liberties Union, said, "it will be difficult to draft legislation that doesn't infringe on free speech rights. How much authority does a school have to monitor, regulate, and punish activities occurring in a student's home?" Others reason that parental supervision, not legislation, is the only effective method of controlling cyber bullying.

Although cyber bullying can and does originate on school property via computers located in classrooms or the library, more often than not, cyber bullying takes place at home. However, its impact is no less serious. "The most harmful incidents of cyber bullying involve extensive online harmful actions taken at home that impact school, because school is where the students are physically together." What are the legal ramifications for schools?

The answer to this question hinges on a 1969 case known as *Tinker v. Des Moines Indep. Cmty. Sch. Dist.* "In *Tinker*, the Court stated that students do not "shed their constitutional rights to freedom of speech or expression at the schoolhouse gate." However, the Court acknowledged "the special characteristics of the school environment" by permitting school officials to prohibit student speech if that speech "would substantially interfere with the work of the school or impinge upon the rights of other students, including the right to be secure." Furthermore, "*Tinker* does not require a demonstration of actual disruption, it requires a reasonable factual basis to anticipate disruption at school."

School administrators cannot take punitive action against a student or group of students simply because they post an unpleasant remark or opinion on a website. Administrators can take action if the posted material might disrupt school safety. It is important for school administrators to carefully assess the situation and provide evidence justifying any disciplinary action.

## **Solutions to Cyber Bullying**

What can administrators, librarians, teachers, and parents do to control cyber bullying? There are a number of methods being explored across the country.

One approach is to set up anti-bullying committees or groups. In the Ayer, Massachusetts, middle-high school, "students take part in advisory groups, with peers and teachers and do group work based around conflict resolution." Parents should also be included in anti-bullying groups because they are best able to monitor their children's online activities when they are at home and can take preventative measures to avoid or stop cyber bullying.

Researchers Agatston, Kowalski and Limber recommend bullying prevention programs as a means of controlling cyber bullying. "Schools are encouraged to adapt bullying prevention programs that include lessons on cyber bullying to ensure that students understand that targeting classmates through negative messaging or images online or through cellular phones is a form of bullying. Classroom lessons should include steps that bystanders can take to report and respond to cyber bullying, whether it occurs on campus or in the community."

Internet attorney Christopher Wolfe states that schools have a responsibility to protect victims of cyber bullying. "You must have some punishment that is on the books in the school regulations, and you must have rules and regulations about appropriate use of Internet tools." A good idea for schools to provide parents and students with a handbook detailing, among other things, Internet policy and requiring that both parents and students sign a form acknowledging receipt of the handbook.

Ebony Belmar, a social worker at the Mont Pleasant Middle School in the Schenectady, N.Y. School District recommends "parents monitor their children's MySpace and other similar pages to check the content, frequently stop by when their children are on the Internet and watch for change in mood after their children use the computer." When parents discover that their child is being bullied, Belmar advises "rather than contacting a bully's parents directly, it's always best to call the school's administrators, counselors or social workers. Often, parents of bullies don't want to believe their children could

engage in such behavior."

The use of filtering or blocking software to prevent teens from accessing social networking Web sites is another approach that schools and parents can utilize. The disadvantage with blocking software is that teens eventually find a way to circumvent the blocking software. "Given the propensity for youth to constantly update language by the use of new words and phrases and alterations to the meaning of existing words and phrases, it would appear a difficult task to keep filtering software fully updated."

Recently, a movement has started on Wikipedia to develop a blogger's code of conduct to encourage civility on the Internet. At present, the code has seven proposed ideas:

1. Take responsibility not just for your own words, but for the comments you allow on your blog.
2. Label your tolerance level for abusive comments.
3. Consider eliminating anonymous comments.
4. Ignore the trolls.
5. Take the conversation offline, and talk directly, or find an intermediary who can do so.
6. If you know someone who is behaving badly, tell them so.
7. Don't say anything online that you wouldn't say in person."

## Resources

The following organizations provide information about cyber bullying and provide recommendations for dealing with the problem:

### [American Library Association](#)

A list of links on Internet safety for parents, children and librarians.

### [Anti Defamation League \(ADL\)](#)

The ADL's Curriculum Connection site provides lesson plans and other resources on a range of topics cyber bullying being one of them. Teachers can access lesson plans for elementary, middle and high school students.

### [Center for Safe and Responsible Internet Use](#)

The Center for Safe and Responsible Internet Use provides research and outreach services to address issues on the safe and responsible use of the Internet. This site has information for educators, parents and students.

### [New York City department of Education](#)

Rules for Internet acceptable use.

### [New York State, Division of Criminal Services](#)

Information about the offenders and victims of cyber bullying and how to prevent cyber bullying.

### [New York State Education Department](#)

This site offers a wide range of information on Internet safety. Included are sections for school administrators, teachers, librarians, students and parents.

### [NS Teens \(NetSmart\)](#)

Provides a variety of educational resources for teens and adults on cyber bullying. Resources include downloadable software, videos, activities and comics in both English and Spanish.

### [Pew Internet and American Life Project](#)

Report on cyber bullying and online teens. The report provides facts and statistics.

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