



Public School News

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Cyberbullying: Protecting Children in the School Domain

In the era of information technology, public schools face a brave new world of bullying and new challenges in dealing with it. With schoolchildren's increasing access to computer technology and their comfort with its various forms, "cyberbullies" are using high-tech methods to tease, taunt, and intimidate other students. The methods of choice are email, instant messaging, Wi-Fi (wireless) connected laptops, text messages sent by cell or camera phone, and websites set up to intimidate students and teachers.

As technology progresses, so does the potential for cyberbullying. Sales of camera phones, which can transmit embarrassing words or pictures, are taking off—they were 13 percent of worldwide cell phone sales last year—and in 3 or 4 years, most cellular phones are predicted to have built-in digital cameras, according to the Kiplinger Letter.

If the technology of bullying is new, its aim is not. Children's bullying is commonly defined as intentional, repeated hurtful acts, words, or other behavior, such as name-calling, threatening, and/or shunning committed by one or more children against another. These negative acts are not intentionally provoked by the victims.

Bullying occurs most often in grades 6 to 8, according to a survey published in the *Journal of the American Medical Association*. The survey found that 17 percent of students said they were bullied at least sometimes and that boys tend to be bullied physically, while girls are verbally or psychologically bullied.

High-Profile Cases Expose the Risks

Cyberbullying can cause the same type of emotional hurt and pain as traditional schoolyard bullying. One student in California said the obscene and tormenting Internet postings about her made her physically sick. "I vomited early in the morning. I didn't

want to go to school. I was shaking.” Eventually she transferred to another high school. (ABCNEWS.com, May 6, 2003).

The bullies, their parents, and schools may also suffer repercussions from electronic forms of bullying. This behavior may violate criminal laws that prohibit persons from engaging in intentional behavior toward another person that is likely to cause fear of harm to physical or emotional health, safety, or property. A person can also be held liable for publishing photographs or writings that are designed to insult a person or injure his or her reputation by exposing the person to hatred, contempt, or ridicule. A cyberbully may violate various state and local human rights acts if he or she spreads hate or discrimination based on protected categories such as race, national origin, religion, age, sex, sexual orientation, marital status, or disability.

The following news stories and trends demonstrate the types of exposures that a school system or parents may face:

- In 2003, a Canadian high school student was humiliated when a videotape of him wielding a bladed light saber, mimicking a Star Wars character, was posted on the Internet and downloaded millions of times around the world. The videotape was stolen from a school filing cabinet. The teenager’s parents have filed a lawsuit against the parents of the classmates who stole the videotape. The 15-year-old student has allegedly dropped out of school and is seeking psychiatric care.
- A Tennessee middle school allowed security cameras to film students undressing in locker rooms and then allegedly stored the images on a computer accessible through the Internet. The students’ parents alleged a violation of their children’s rights, and sued the school for \$4.2 million. Although this case did not involve transmission of the images by other students, the potential for access and misuse of such images by classmates is great.
- Camera phones – cellular phones equipped with a camera that can be used to edit, copy, send, and post photographs on the Web – have been reportedly misused in schools and other places. In one reported case, junior high students snapped nude shots of a fellow student and threatened to post them on the Web.

Given the accessibility of the Internet and the speed in which data or images can be transmitted, the monetary damages awarded in such actions could be enormous.

Resources to Prevent Cyberbullying

While the potential for cyberbullying is pervasive, public schools are not without tools to combat the problem. Educating administrators, teachers, students, and parents about the applicable legal framework and school policies on “acceptable uses” of computer networks and the Internet is fundamental. Everyone should understand what bullying is and what types of conduct are prohibited. A fair and consistent disciplinary procedure should be in place for students who misuse computers, the Internet, or personal devices in

violation of school rules. A description of applicable laws and strategies to combat cyberbullying follows.

1. Laws on Privacy of Records and Internet Use

School districts have obligations to comply with various federal and state laws governing the privacy of student records and children's use of the Internet. Schools must be especially vigilant in complying with such laws so that private student information and school networks are not used by cyberbullies to harass or intimidate other students. The basic provisions of such laws need to be taught and understood by school employees – including principals, risk managers, teachers, librarians, and others – as well as by parents and students. Some of the key federal laws that relate to student privacy and computer use are described below.

- **Family Educational Rights and Privacy Act (FERPA)** is a federal law that protects the privacy of student education records. FERPA gives parents and eligible students certain rights with respect to the student's education records. Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. If a school fails to safeguard such records and a cyberbully publicizes the confidential information to classmates or on the Internet, the school may be in violation of FERPA.
- **Children's Online Privacy Protection Act (COPPA)** is a federal law that requires commercial online content providers who either have actual knowledge that they are dealing with a child 12 or under or who aim their content at children to obtain verifiable parental consent before they can collect, archive, use, or resell any personal information pertaining to that child. It may be beneficial for schools to educate their staff and students' parents about the requirements of COPPA so that personal information concerning a child under 12 does not fall into the hands of online content providers or others.
- **Children's Internet Protection Act (CIPA)** is a federal law which requires that schools and libraries that receive specific federal funds must certify to the funding agency that they have in place an Internet safety policy. Such a policy should use technology that blocks access to obscenity, child pornography, or material harmful to minors. It may also include monitoring of children while they are online. Schools may use their Internet safety policies to prevent cyberbullies from gaining access to illicit material that may be used to harass other students.

2. Acceptable Use Policies for School Networks and the Internet

Acceptable Use Policies (AUPs) can help educate students, parents, and staff about Internet use and issues of online privacy and safety, and to seek parental consent for their children's Internet use. For example, an AUP may tell parents about the privacy policies of online services with which a school has contracts and about students' use of non-

contract websites. It may also include warnings to prevent children from disclosing personal information on websites, such as their full name, home or email address, and telephone number.

Schools should consider requiring students to sign a statement agreeing to comply with their school's rules on network or Internet use, and having parents or guardians sign a consent form and a release authorizing their child's use of the school network. In the release, the authorized student user and his or her parent or guardian (if the student is under age 18) agree to indemnify and hold the school system harmless from all claims that result from the student's activities while using the school's network and that cause direct or indirect damage to the user, the school system, or third parties. As with any releases, school officials should seek legal advice regarding the drafting and use of such documents in accordance with applicable laws.

Among the features of an AUP that were recommended recently by the newsletter *Your School and the Law* are the following:

- Advise staff to limit personal use of school computers and the Internet, and not to transmit confidential information because that might violate FERPA.
- Implement steps for responding to incidents in which employees or students abuse the technology.
- Ensure that your school district has a secure system to protect information, such as student education records, that don't fall under open records laws.
- State that everything stored on the school's computers and networks is the school's property.
- Prohibit students, staff, and others from using school computers to advertise or solicit for outside groups.
- Advise employees to keep close tabs on passwords and require them to log off before they leave at the end of the day.
- Have a technology coordinator make sure that the school's network and Internet policies are followed.

3. School Policies on Hand-Held Devices

Another method that school systems can use to discourage cyberbullying is to prohibit or limit the use of hand-held devices such as cell phones, camera phones, and video cameras in school or in specified places such as locker rooms, bathrooms, or swimming pools.

Recently enacted or proposed legislation aimed at protecting privacy rights would provide support to school policies banning students' hand-held devices. In response to the proliferation of camera phones, some cities and health clubs have banned all cell phones from bathrooms and locker rooms. Other cities have enacted ordinances banning the taking of photographs of a person who is partially or fully unclothed without consent or in an area where they would expect privacy.

Many school systems and states in the late 1980s and early 1990s passed policies or laws prohibiting students from using cell phones or pagers in school because of the devices' association with drug dealers. The ringing and beeping from the phones and pagers, sometimes in class, also were disruptive. However, as cell phone usage has grown and their usefulness in emergencies - especially in letting children call their parents - has been demonstrated, some states and school systems have revised their policies and laws to allow school districts greater options. According to the website Education World, California, Maryland, and Virginia have lifted their previous bans on the carrying of cell phones in schools and allowed school districts to draft their own policies.

In considering whether to ban some devices, school districts may have to weigh any potential benefits against the possible use of the technology in cyberbullying. Camera phones, for example, could be used to embarrass students but also may promote child safety. Older children using a taxi could send a picture of the car's registration details to their parents before they begin the trip or simply use the phone to show parents where they are. Nonetheless, the adoption of school policies prohibiting the use of cell phones, camera phones, and other similar devices in classrooms, locker rooms, and bathrooms may be a prudent option.

4. Education on Cyberbullying

Many experts on the subject of bullying and cyber-bullying advocate that schools adopt comprehensive approaches to tackle the problems. Through education and discussions of the prohibited conduct and its consequences, schools can work in coordination with parents, students, and the broader community to reduce or prevent bullying.

A. What Schools Can Do

In *Preventing Bullying: A Manual for Schools and Communities*, the U.S. Department of Education states that the model violence prevention program proposed by researcher Dan Olweus includes as core elements interventions at the school level, in classrooms, with individuals, and community activities. For the school level, some ideas are:

- Administration of a student questionnaire to determine the nature and extent of bullying problems at school.
- Formation of a bullying-prevention coordinating committee.
- Increased supervision in areas that are hot spots for bullying and violence at school.

The Media Awareness Network, in *Challenging Cyber Bullying*, provides several suggestions for schools, including:

- Integrate curriculum-based anti-bullying programs into classrooms.

- Educate teachers, students, and parents about the seriousness of cyber-bullying.
- Change the school or board's bullying policy to include harassment perpetrated with mobile and Internet technology. There should be serious consequences for anyone who doesn't follow the guidelines.

B. What Parents Can Do

Parents should be encouraged to get involved in their children's use of Internet and hand-held devices and be aware of the pitfalls of such technologies. The Media Awareness Network recommends that parents:

- Learn about the Internet and what their children are doing online. Talk to them about the places they go online and the activities that they are involved in. Be aware of what their kids are posting on websites, including their own personal home pages.
- Encourage children to come to their parents if anybody says or does something online that makes them feel uncomfortable or threatened. Stay calm and keep the lines of communication and trust open.
- Encourage children to develop their own moral code so they will **choose** to behave ethically online. This involves talking to kids about responsible Internet use; teaching them to never post or say anything on the Internet that they wouldn't want the whole world to read; and creating an online agreement or contract for computer use, which contains clear rules about ethical online behavior.
- Take action if their child is being bullied online or on a cellular phone. This means watching for signs that their child is being bullied online, such as reluctance to use the computer or go to school. If the bully is a student at the child's school, parents should meet with school officials and ask for help in resolving the situation. Any incident of online harassment and physical threats should be reported to local police and the Internet service provider. If the child is bullied through a cellular phone, the problem should be reported to the child's phone service provider. If it's a persistent problem, the parent can change the phone number.

C. What Students Can Do

School officials and parents don't witness many acts of bullying, so it's important that children learn to protect themselves online and respond to cyberbullying among classmates when they encounter it.

The Media Awareness Network recommends that students be taught certain guidelines, including:

- Guard their contact information. Don't give people whom they don't know their cell phone number, instant messaging name, or email address.
- If the student is being harassed online or by a cell phone, the following actions should be taken immediately:
 - Tell a trusted adult—a teacher, parent, older sibling, or grandparent.
 - Leave the area or stop the activity, whether it's a chat room, news group, online gaming area, instant messaging, or something else.
 - If the bullying occurs through email or instant messaging, block the sender's messages. Never reply to harassing messages.
 - Save any harassing messages and forward them to the Internet service provider. Most service providers have appropriate-use policies that restrict users from harassing others over the Internet.
 - If the bullying includes physical threats, notify the police.
- Take a stand against cyberbullying with peers. The student should speak out whenever he or she sees someone "being mean" to another person online.

(The above excerpts of *Challenging Cyber Bullying* were used with permission by the Media Awareness Network (2004), Ottawa: MNet. <http://www.media-awareness.ca>).

Public schools that adopt appropriate policies and educate their staff, students, and parents about the misuse of hand-held devices, computer networks, and the Internet will help to safeguard their students from the emotional pain caused by cyberbullying. Such actions will also help to protect schools from the possible litigation and negative publicity that may accompany such events.

Resources

Bullying and Violence Issues

Center for the Study and Prevention of Violence

<http://www.colorado.edu/cspv/>

Provides assistance to groups committed to understanding and preventing violence, particularly adolescent violence.

Committee for Children

<http://www.cfchildren.org>

A Seattle-based group that sponsors Steps to Respect, a bullying prevention program.

National Alliance for Safe Schools

<http://www.safeschools.org/>

Provides training, technical assistance, and publications to school districts interested in reducing school based crime and violence.

National Education Association's National Bullying Awareness Campaign

<http://www.nea.org/issues/safescho/bullying>

National Association of School Resource Officers

<http://www.nasro.org>

Training organization for school-based law enforcement and school administrators; conducts regional seminars and tailored training in the area of school safety preparation.

National Association of School Safety and Law Enforcement Officers

<http://www.nassleo.org/>

Promotes the profession of school safety and security; provides leadership in security planning and training; informs the educational community about the role of school security; maintains a network where by information is exchanged freely.

National School Safety and Security Services

<http://www.schoolsecurity.org/>

Provides training, consultation, and technical assistance on school safety, security training, security assessments, crisis preparedness, and related management issues.

National School Safety Center

<http://www.nssc1.org/>

Provides training, technical assistance, and resources on school safety and school crime prevention; offers training films on various issues; conducts national public service campaigns.

The Olweus Bullying Prevention Program

<http://modelprograms.samhsa.gov/pdfs/FactSheets/Olweus%20Bully.pdf>

A model program of the Substance Abuse and Mental Health Services Administration, U.S. Department of Health and Human Services. The program is a multilevel, multi-component school-based program designed to prevent or reduce bullying in elementary, middle, and junior high schools.

Safe Child Programs

<http://www.safechild.org/internet.htm>

Provides a curriculum which teaches prevention of sexual, emotional and physical abuse by people known to the child. Specific programs include safety on the Internet and dealing with bullies.

Stop Bullying Now

<http://www.stopbullyingnow.com>

Comprehensive portal to many anti-bullying sites. A train-the-trainer seminar, teacher

training workshop, student workshops, and teacher training video, are offered.

Internet and Technology Issues

Get Net Wise

<http://www.getnetwise.org>

A public service brought by a wide range of internet industry corporations and public service organizations seeking to promote resources that Internet users need to make informed decisions about their and their family's use of the Internet.

(www.getnetwise.org).

Just Think Foundation

<http://www.justthink.org>

An organization that teaches young people media literacy skills through in-school, after school and online media arts and technology education.

Online Privacy Alliance

<http://www.privacyalliance.org/kidsprivacy>

A group comprised of corporations and industry trade associations seeking to promote privacy practices among its business members.

Safekids.com

<http://www.safekids.com/>

A project of the Online Safety Project, which publishes numerous articles about online safety.

Government Resources

Preventing Bullying: A Manual for Schools and Communities. Washington, DC. U.S. Department of Education. (1998).

<http://www.cde.ca.gov/spbranch/ssp/bullymanual.htm>

U.S. Federal Trade Commission

<http://www.ftc.gov/bcp/online/edcams/kidzprivacy/teachers.htm>

Provides resources for teachers in complying with the Children's Online Privacy Protection Act.

News and Magazine Articles

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Public Risk and Insurance Association

Privacy Technology Blocks Camera Phone Photos, Silicon.com (September 12, 2003)
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http://www.education-world.com/a_issues/issues270.shtml

Valerie Strauss, *Some Schools Take on the Classroom Bully*, Washingtonpost.com, November 4, 2003.

Will Evans, *Camera-Equipped Cell Phones Are On the Way – and So Are Worries about Spying*, Sacramento Bee, October 9, 2003
<http://www.sacbee.com/content/lifestyle/story/7566346p-8507563c.html>

Research and Surveys

Connected to the Future: A Report on Children’s Internet Use from the Corporation for Public Broadcasting (2002).
<http://www.cpb.org/ed/resources/connected>

Safe & Smart: Research and Guidelines for Children’s Use of the Internet, National School Boards Foundation
<http://www.nsbf.org/safe-smart/full-report.htm>

School Acceptable Use Policies

Chicago Public Schools’ Acceptable Use Policy
<http://policy.cps.k12.il.us/documents/604.2.pdf>

New York City Public Library Policy on Public Use of the Internet
<http://www.nypl.org/admin/pro/pubuse.html>

Includes links [A Safety Net for the Internet: A Parent's Guide](#)

The Internet Advocate
Develop an “Acceptable Use Policy” for Schools and Public Libraries
<http://www.monroe.lib.in.us/~lchampel/netadv3.html>

Virginia Department of Education’s Acceptable Use Policies – A Handbook
<http://www.pen.k12.va.us/go/VDOE/Technology/AUP/home.shtml>

We welcome your suggestions of safety concerns that you would like to see UE address. Contact us at risk@ue.org. For more information about UE, its services, and its policies, please visit our website at www.ue.org.

You may also access all the issues of *Public School News* through our Members Only Library at the UE website. If you do not currently have a username and password, go to www.ue.org and click “Members Only Library.” Choose “Click here to register” on the right and complete the online form. Past issues have covered many topics, including lockdowns, school transportation safety, accident investigations, and molestation prevention.