Cyberbullying: The Public School Response

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In the fall of 1964 Danny had his gym shorts removed and was placed on the basketball rim by several seniors in his physical education class. The physical education teacher was likely in the coaches’ office and not present in the gym at the time, arriving to find Danny perched on the rim quite pantless. Quickly the same ladder that was used to place Danny on the rim was procured and Danny was retrieved back to the three-second lane. I know that it happened because I watched it happen. The odds are that anyone that ever had a school experience can remember a bullying event. Bullying is nothing new in our schools, but it has morphed into a less hands on phenomenon than Danny experienced, commonly known as cyber bullying.

In a random survey of 4,400 students ages 10 to 18 in February 2010, it was discovered that a core problematic issue increasing among the youth of this generation is the repeated harassment, mistreatment and ridicule of another by the avenue of posting mean or hurtful comments or spreading rumors online (Aydogan and Dilmac, 2010).

What exactly is cyber bullying? Cyber bullying has been defined as any online bullying referenced over an electronic media. Cyber bullying is willful and involves recurring or repeated harm inflicted through electronic text or pictures. It may involve cell phones, computers and other electronic communication devices including instant messaging, chat rooms, e-mails and messages posted on websites (California Department of Education, 2012).

Cyber bullying can take many forms, such as sending mean messages or threats to a person’s email or cell phone, spreading rumors online through texts, posting hurtful or threatening messages on social networking sites or web pages, stealing a person’s account information to break into their account and send damaging messages, pretending to be someone else online to hurt another person, taking unflattering pictures of a person and spreading them through cell phones or the Internet, sexting or circulating sexual pictures or messages about a person. New techniques provide bullies with new tools to hurt others in all of the old ways (Hendricks, Lumadue, and Waller, 2012). Additional studies talk about online chat rooms, “MUD” rooms (multi-user domains), MySpace, Youtube and Hulu as different avenues where harassment can occur (Manuel, 2011). For the school administrator trying to determine the ways for electronically bullying is akin to trying to determine what the latest gang dress is. The challenge is endless.
Bullying through fists and face-to-face exchanges and electronic bullying may seem equally harmful, but there are considerable differences between cyber and standard bullying and the apparent affect upon the victim. Unlike standard bullying, which typically happens on school grounds and is contained, cyber bullying takes place twenty-four hours a day and reaches the victims even when they are alone. Another distinctive characteristic of cyber bullying is that malicious messages and images can be posted anonymously and distributed quickly to a massive audience, and it may be difficult if not impossible to trace the source. This inability to escape the cruel attack may leave victims feeling hopeless, anxious, depressed, and stressed. The hurt caused by cyber bullying can marinate over time and impact the view that the person has of him or herself. It is rare, but in some very highly publicized cases, some students have turned to suicide. The term cyberbullicide has found its way into the literature to describe suicide that is directly or indirectly influenced by experiences with electronic aggression (Hinduja and Patchin, 2010).

The Megan Meier Cyber Bullying Prevention Act was introduced in Congress in 2009 as the result of the cyber bullying of Megan Meier which ended in her suicide. Ms. Meier hung herself after a former friend and the friend's mother created a fake MySpace account, pretending to be a sixteen-year-old boy who was attracted to her. The federal bullying law was not enacted into legislation, however forty-nine states have state bullying laws on the books with forty-seven states including electronic harassment as part of their state statutes as of July 2013. Only Alaska, Wisconsin and Montana do not have any electronic harassment legislation in place. Montana is the only state with no bullying law whatsoever (State Cyber Bullying Laws, 2013).

Montana has a criminal statute prohibiting harassment via electronic means, which states in part “to terrified, intimidate, threaten, harass, annoy, or offend…..communicates with a person by electronic communication, commits a criminal act” (State of Montana, 2013).

In 2013 another highly publicized suicide occurred when a 15 year old girl from California “was driven to suicide after three teens allegedly sexually abused her while she was unconscious from alcohol at an unsupervised party.” When Audrie Potts awoke, she found pen marking across her private parts, including the name of one classmate followed by “was here.” Audrie wrote on Facebook, “I'm in hell. Everyone knows about that night.” One week after she posted that message she hung herself (Stebner, 2013).

The Cyber bullying Research Center has conducted a series of surveys that found over 80 percent of teens use a cell phone regularly, making it the most popular form of technology and the most common medium for bullying. (Bullying Statistics, 2009). School boards and administrators are well aware of the cyber bullying problem. With the exception of Montana all of the other states have legislation that requires that a school policy address the cyber bullying question.

Due to the fact that lawful school district policies that will stand up in court are often created by state school board associations, there is a familiarity. The Seattle, Washington, cyber bullying policy is provided as a sample: “It is the policy of the Seattle School Board to prohibit harassment, intimidation, and bullying by any means, including but not limited to electronic, written, oral or physical acts, either direct or indirect, when such intentional electronic, oral, written or physical acts physically harm, substantially interfere with a student's education, threaten the overall educational environment and/or substantially disrupt the operation of the school.

This includes, but is not limited to, harassment, intimidation, and bullying based upon race, color, religion, ancestry, national origin, economic status, gender, sexual orientation, gender identity, pregnancy, marital status, physical appearance, or mental, physical, or sensory disability.

This prohibition shall apply to all District employees, volunteers, parents/guardians, and students, including conduct between students, between adults, and between adults and students (Seattle School District, 2013)”. It is interesting to note that the Seattle policy does not specifically address cyber bullying that occurs off campus. Only eleven state legislatures (Washington not being one) require the cyber bullying policy to address specifically off campus behaviors (Cyber Bullying Research Center, 2013). South Dakota is one of the eleven states that address off campus cyber bullying stating in part: “this policy is in effect while students are on property within the jurisdiction of the School Board; while students are in school-owned or school-operated vehicles; and while students are attending or engaged in school-sponsored activities (South Dakota Legislature, 2012)”.
The difficulty with a school punishing cyber bulling that occurs after school hours in the local teen hangout or at a party on Saturday night is the legal reality that under the Supreme Court case of Tinker v. Des Moines a major disruption must occur to the educational process at the school (Tinker v. Des Moines, 1969). The Seattle policy stating “substantially interferes with a student’s education, threatens the overall educational environment and/or substantially disrupts the operation of the school” is such vital verbiage (Seattle School District, 2013). If the Saturday night teen party creates a cyber bullying events that transcends the walls of the school house, the principal is within legal rights to investigate and take some action.

Cyber bullying is bullying and harassment by another name and prudent school boards and administrators have always taken action to prevent the negative consequences upon the student. Clear cyber bulling policies must be in place and communicated to all stakeholders of the community often and loudly. Access to the media should be limited to students during the school day. If there is limited opportunity for students to check text messages or Facebook during school hours, emotional eruptions and worse at school might be curtailed.

Teenagers getting revenge upon the bully has been a popular theme of movies for quite a while. Stephen King’s Carrie is the classic case of a beleaguered high school girl that is taunted by her fellow students who through the source of supernatural powers deals with the problem. The 1996 movie The Craft saw several outcast teenage girls, who also happened to be witches, wreak havoc with their tormentors. There are many more movies in this genre besides these; unfortunately most students do not have supernatural powers nor are they witches or warlocks. The students that are bullied, cyber and otherwise, are counting on our assistance.
References


