Educator's Guide to Cyberbullying
Addressing the Harm Caused by Online Social Cruelty

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(Note: This material is addressed in much greater depth, with implementation resources, in the book *Cyberbullying: Mobilizing Educators, Parents, Students, and Others to Combat Online Social Cruelty,* which is available through this web site.)

Students have fully embraced the Internet and other mobile communication technologies, such as cell phones and PDA's for communicating with friends, making new friends, seeking information, and creating their own web sites and blogs (interactive web journals). While most Internet use is fun and beneficial, there are increasing problems of students using the Internet or other mobile devices to send or post harmful or cruel text or images to bully and harass others.

The stories are heart breaking. Students who are …

• Sending cruel, vicious, and sometimes threatening messages.

• Creating web sites that have stories, cartoons, pictures, and jokes ridiculing others.

• Posting pictures of classmates online and asking students to rate them, with questions such "Who is the biggest ___ (add a derogatory term)?"

• Breaking into an e-mail account and sending vicious or embarrassing material to others.

• Engaging someone in IM (instant messaging), tricking that person into revealing sensitive personal information, and forwarding that information to others.

• Taking a picture of a person in the locker room using a digital phone camera and sending that picture to others.

What is cyberbullying?

Cyberbullying is sending or posting harmful or cruel text or images using the Internet or other digital communication devices. The various ways in which cyberbullying may occur include the following:

• Flaming – Sending angry, rude, vulgar messages directed at a person or persons privately or to an online group.

• Harassment – Repeatedly sending a person offensive messages.

• Cyberstalking – Harassment that include threats of harm or is highly intimidating.

• Denigration (put-downs) – Sending or posting harmful, untrue, or cruel statements about a person to other people.

• Masquerade – Pretending to be someone else and sending or posting material that makes that person look bad or places that person in potential danger.

• Outing and Trickery – Sending or posting material about a person that contains sensitive, private, or embarrassing information, including forwarding private messages or images. Engage in tricks to solicit embarrassing information that is then made public.

• Exclusion – Actions that specifically and intentionally exclude a person from an online group, such as exclusion from an IM "buddies" list.

Cyberbullying material may be posted on personal web sites, in blogs, and on third party web sites. Cyberbullying messages may be transmitted through e-mail, discussion groups, chat, instant messaging, newsgroups and text or digital image messaging via mobile devices.

A cyberbully may be a person the student knows or may be an online stranger. Sometimes cyberbullying may involve sexual harassment or may be the result of the break-up of a real world or online relationship. Sometimes cyberbullying may be related to racial, religious, or cultural bias.

Unfortunately, it appears that some students have developed a very damaging social norm for online behavior. The norm goes something like this: "My free speech rights are superior to all other rights. On the Internet, I have the right to say anything I want about others regardless of any invasion of their privacy or harm inflicted by my statements."

A second strong online social norm is: "Online matters should remain online." Telling an adult about what is happening in an online teen community would constitute a major violation of this norm.

Sometimes harmful online material may be directed at the school or one or more staff members. While the primary focus of this document is on student-to-student cyberbullying, recommendations will be provided to address this situation also.

What is the impact of cyberbullying?

It is well known that face-to-face bullying results in long-term psychological harm to victims. This harm is reflected in low self-esteem, depression, anxiety, anger, school failure, school avoidance, suicide, and school violence.

It is very possible that the psychological harm inflicted by cyberbullying may be even greater. There is no escape for the young person who is being cyberbullied. There is a wider scope of dissemination of hurtful material. Sometimes bullies are anonymous. Many students appear reticent to tell parents about cyberbullying for fear that parents will not understand or will overreact. Students may also fear that if it is found that they have told, they will be ostracized or bullied even more.

It is reasonable to predict that every student who communicates regularly online has been playing one or more of the roles in the bullying triad: bully, victim, or bystander.

• The bully is the one who is currently engaging in online social cruelty.

• The victim is the one currently receiving such online cruelty.

• The bystanders fall into two types: those who are part of the problem and those who are part of the solution.

   • Bystanders-who-are-part-of-the-problem are those who encourage and support the bully, or who stand by watching the cyberbullying occur, but do nothing to intervene or to assist the victim.

   • Bystanders-who-are-part-of-the-solution are those who seek to stop the bullying, protest the bullying, or provide support or assistance to the victim.

Why are people willing to do or say things on the Internet that they would be much less likely to do or say in person?

The term researchers use to describe this phenomena is "*disinhibition*." There appear to be a number of factors that facilitate disinhibition.

Technology creates the illusion of invisibility. Users may also specifically create a level of anonymity. Students may think that because it is not likely that they will get caught, it is OK to engage in harmful behavior.

There is no tangible visual or auditory feedback that an online action has caused harm. Without tangible feedback, students may not feel empathy. They may not pay attention to the hurt they are causing to another person.

Sometimes the social norms within an online environment are strongly supportive of cyberbullying. Students may think that because everyone else is being rude and demeaning, it is OK for them to do so also.

Many students have established a variety of different online "personas" or "avatars" Each persona has different ways of behaving within different online environments. Students may pretend that they did not engage in bullying, because the action was taken by their online "persona."

Sometimes people who have a lower social status in face-to-face situations feel more comfortable communicating online. A student who is being bullied at school may feel comfortable retaliating online. This is a very important concept for educators to understand. While the cyberbullying must be stopped, it is important to have a clear understanding of the whole picture and not further victimize a student who is already a victim.

How can educators apply what is known about disinhibition to the development of effective strategies to address cyberbullying?

Effectively addressing cyberbullying will require addressing each of the factors addressed above. These factors should be addressed in the context of a comprehensive plan to "create sunlight" – bring this issue to the attention of educators, parents, students, and other community members.

If schools discover that cyberbullying is occurring through the district's network or through cell phones used on campus, efforts will need to be directed at the development of policies that address such misuse. Additionally, schools should evaluate the manner in which educators are supervising Internet use and consider more effective means of monitoring such use.

Parents should be advised about concerns of cyberbullying and encouraged to engage their children in a discussion of cyberbullying concerns, as well as to increase their level of supervision. Students should be appraised of the fact that they are never truly invisible when using the Internet. They always leave "cyberfootprints" that can be tracked if necessary.

However, the reality must be faced that much of the activity in the student online world will remain outside of the direct supervision of responsible adults. The

more adults seek to supervise and monitor this world, the more students will seek to use technological means to hide their activities. Therefore, it is essential to focus on strategies to seek to change the social norms in these online worlds, to empower victims with the knowledge of how to prevent and respond to cyberbullying, and to discourage bullies from engaging in such activity.

Hopefully, schools have already established programs to address the face-to-face bullying that occurs in their school. It is very important to look closely at these programs. Programs that are too strongly based on the role of the adult authority are unlikely to be effective in generating the kinds of understandings and social norms that will be effective in addressing cyberbullying.

Anti-bullying programs should be primarily focused on the values of kindness and respectful human relations, enhancing student's empathic awareness, and providing effective problem solving skills.

While rules are important, the primary focus of anti-bullying programs should be based on values: Kindness and respect for others and self. Peaceful relations. Respecting and honoring differences. Improving the world and the Internet. Learning to do what is right in accord with your own personal moral, regardless of the potential of detection and punishment imposed by an authority.

Specific educational strategies can strengthen student's predictive empathy. Students be provided with practice in considering the perspective of others they cannot see and predicting the possible or probable impact of their actions on unseen others.

Students should be taught effective decision-making strategies to assist in deciding what is the right action. Some of these strategies include:
Are you being kind and demonstrating respect for others? How would you feel if someone did the same thing to you? What would a trusted adult, who is important in your life, think? Is this action in violation of any agreements, rules, or laws? How would you feel if your acts were reported on the front page of the newspaper? What would happen if everybody did this? Would it be OK if you did this in the real world? How would this reflect on you and your values?

One of the most important steps to be taken to combat cyberbullying will be empowering student bystanders-who-are-part-of-the-problem to become student bystanders-who-are-part-of-the-solution.

Frequently, the only people who know that a student is being victimized are other students. Students who are being victimized often do not tell adults because they are too emotionally traumatized, they think it is their fault, or they fear even greater retribution if they tell. Students who report that such cyberbullying is occurring may literally be saving the life of another student.

Students need to understand the distinction between bystanders-who-are-part-of-the-problem and bystanders-who-are-part-of-the-solution. Some students will ask, "If I am just watching and am not part of the activity, then how could I be considered doing something wrong?" Good question. Easy answer: "Many bullies crave attention. Then crave an audience. By paying attention to their bullying, you are reinforcing their behavior. You are part of the problem."

To help empower students to become bystanders-who-are-part-of-the-solution, it would be helpful for schools to do the following:

• Emphasize the importance of speaking out against bullies, or, if this is not safe under the circumstances, reporting such actions to a responsible adult.

• Discuss effective cyberbullying intervention strategies with students so they are empowered to provide assistance to others.

• Establish an anonymous reporting box where students can place downloaded material or information that demonstrates concerns.

• Establish a student court to address issues of face-to-face bullying and cyberbullying incidents that occur in school. Students are far more likely to be receptive to thought of their peers on this issue than the thoughts of adults.

• Ask your students for other suggestions. As this is the student online world, it will be important to listen to these suggestions.

What are the legal concerns related to schools and cyberbullying?

This following section is written from the perspective of U.S. law. Educators in other countries will need to check with local counsel for guidance.

Depending on the manner in which cyberbullying is occurring, school administrators may be in trouble if they do, or in trouble if they do not, respond.

Schools have been held liable for damages to students for harm caused by harassment and bullying that occurred on campus that have resulted from educator negligence. However, the standards under which schools and educators can be held liable vary from state to state. Schools clearly have a duty to ensure that students are using school network or mobile devices in a manner that does not harm other students. The question that would be raised would be whether the school acted is a reasonable and prudent manner in light of the circumstances.

It is probable that if such a case came to trial, the factors that would be considered would include the district's policies, the communications of those

policies to students, the manner in which the district allowed use of the district network by students for communication activities, the degree of supervision and monitoring provided by the district, and the procedures established for reporting and addressing cyberbullying concerns.

In addressing complaints of cyberbullying concerns, school administrators should be attentive to free speech standards. Under these standards, school officials may impose educationally based restrictions on student speech and may impose discipline for violation of those restrictions, but they may not engage in viewpoint discrimination. It is also necessary to ensure that appropriate search and seizure procedures are followed.

Unfortunately, a significant amount of cyberbullying is occurring off-campus. A school administrator has much less authority to respond with a traditional disciplinary response in such instances. For totally off-campus speech – that is speech where the only school nexus is that it involves students from the school – school officials may intervene only when there is a substantial and material threat of disruption. This standard is likely only met in those cases that would justify contacting law enforcement officials. Therefore, the question of whether or not a school administrator can intervene may be moot.

There may be cases involving off-campus cyberbullying that school administrators may respond to. These are cases that also have some school "nexus." Examples include an instance where a student may take a picture of another student at school, then post it on the Internet in an unflattering manner from home or cyberbullying that is interrelated to face-to-face bullying. Administrators may not be able to intervene with respect to the cyberbullying materials per se, but may be able to become involved in the overall situation.

Additionally, as outlined below, even if it is not possible for a school administrator to respond directly to a case of off-campus cyberbullying by impsing discipline, there are many other ways an administrator may be able to provide support and assistance to the victim. Given the psychological harm suffered by victims of bullying, and the impact on the victim's well-being, as well as possible impact on the school, response is certainly justified.

What are the other legal considerations related to cyberbullying

Some cyberbullying reaches the level of a violation of criminal law. The laws on this vary from country to country and jurisdiction to jurisdiction. As a general guide, law enforcement officials should be contacted whenever an educator becomes aware of cyberbullying that involves:

• Death threats or threats of other forms of violence to a person or property;

• Excessive intimidation or extortion;

- Threats or intimidation that involve any form of bias or discrimination based on race, religion, gender, sexual orientation, and the like;

- Any evidence of sexual exploitation.

Cyberbullying may also meet legal standards for what are called intentional torts (wrong doings). While a school would have no standing to sue a cyberbully under these standards, victims may be able to. School administrators may be able to use their understanding of these legal standards to either provide assistance to the victim or to strongly encourage a cyberbully to promptly remove material and/or cease his or her cyberbullying actions.

The following are the commonly accepted legal elements for intentional torts committed in the U.S. Individuals in other countries will need to seek local legal guidance.

Defamation
- Publication of a false damaging statement.
- The statement was published.
- The statement identified the victim.
- The statement harmed the victim's reputation in the community. (And, yes, young people have the right to protect their reputation.)
- The person committing the defamation did something they should not have done.
- Truth is a defense.

Material that Constitutes an Invasion of Privacy
- Public Disclosure of Private Facts.
  A person publicly discloses a non-public detail of another person's private life when the effect would be highly offensive to a reasonable person.
- False Light in the Public Eye.
  When a person is placed before the public in a false light and this false light would be highly offensive to a reasonable person.
- Defenses to actions based on invasion of privacy include:
  That the facts are "newsworthy" (First Amendment).
  That the victim gave consent. But minors are not capable of giving legal consent.

Intentional infliction of emotional distress
- When a person's intentional or reckless actions are outrageous and intolerable and have caused extreme distress.
- The actions must be very outrageous and regarded as utterly intolerable in a civilized community.

In most states in the U.S., parents can be held financially liable for intentional torts committed by their children. This knowledge may be helpful for a school administrator seeking parental cooperation in removing cyberbullying material or ensuring that their child will cease engaging in cyberbullying activities.

How can schools develop a comprehensive approach to address cyberbullying?

A comprehensive approach to addressing cyberbullying will contain the following elements:

- Create "sunlight" – increased awareness of cyberbullying concerns.
- Empower educators, parents, students, and community members with knowledge of how to prevent and respond to cyberbullying.
- Provide warning to cyberbullies and their parents of possible negative consequences.
- Proactively address concerns of cyberbullying on campus with policies and effective supervision/monitoring.
- Develop a plan of action to engage in effective threat analysis for any reports of cyberbullying that raises concerns of violence or suicide.
- Develop an effective community-based approach to address concerns of cyberbullying that occurs off-campus.

Step 1. Engage in participatory planning
- Incorporate cyberbullying concerns into safe schools planning.
- Include district technology staff on the school safety committee.
- Include non-school participants—parent organizations, community social service agencies, and law enforcement.

Step 2. Conduct needs assessment
- Conduct a survey of students to identify incident rates, locations of incidents (on or off campus), and factors that may be preventing reporting of incidents.
- A needs assessment survey is available from Center for Safe and Responsible Internet Use.

Step 3. Ensure that an effective anti-bullying program is in place
- Core values, not authoritarian rules.
- Predictive empathy.
- Peer norms against bullying.
- Peer intervention skills.
- Effective administrative responses when students report bullying – to encourage reporting, adults have to respond effectively to such reports.

Step 4. Review policies and procedures
- Policies related to Internet and mobile communication devices should prohibit use of district network or use of personal mobile communication devices in

school to engage in offensive or harmful communication and prohibit use of digital image device to capture potentially embarrassing images of students.
- Some form of technical monitoring of Internet use advisable.
- Establish an anonymous report box where students can submit reports of bullying and cyberbullying concerns.

Step 5. Conduct professional development
- Key individual(s) in district require in-depth understanding of cyberbullying issues, resources, and responses.
- All administrators, counselors, librarians, and technology educators need to have a basic understanding of cyberbullying.
- All other staff should be alerted to issues related to cyberbullying, especially related to detection.

Step 6. Provide parent education
- Strategies to prevent cyberbullying and detect and intervene if their child is victim of cyberbullying.
- Potential consequences if their child is engaged in cyberbullying, including school discipline, loss of family account, civil litigation, and criminal prosecution.

Step 7. Provide student education
- Incorporated lessons on cyberbullying into life skills/bullying prevention classes.

Step 8. Evaluate
- Evaluate cyberbullying prevention and intervention program periodically to determine effectiveness.

Intervention Strategies for Cyberbullying Directed at Student

Step 1. Save the evidence
- Evidence is vitally important to justify any intervention, especially a legal response.
- Instruct parents/student/staff how to preserve evidence on home computer/ device and on importance of doing so.
- Offer technical assistance to parents, if necessary.

Step 2. Conduct a threat assessment
- If cyberbullying report raises concerns of substantial disruption, violence or suicide, conduct a threat assessment.
- Contact law enforcement officials if speech appears to present a dangerous situation or if there are any threats of violence.

Step 3. Assess your response options
• Determine whether there is any direct school "nexus." Did any related act occur on-campus? If so, a disciplinary response may be justified.
• If speech is off-campus and does not constitutes a substantial threat of disruption on-campus, a disciplinary response is likely not justified. If so, provide assistance to the victim as may be helpful or welcome under the circumstances.

Step 4. Identify the perpetrator(s)
• Obtain assistance of technical services personnel to identify perpetrator.
• Take care, even on a school network the perpetrator may be unknown or may be masquerading as someone else.
• Offer technical assistance to parents to identify unknown perpetrator if communication is coming to home computer/device.

Step 5. Support the victim
• Even if you cannot impose a disciplinary response, ensure student and parents that you will do what you can to provide assistance and support.
• Offer counseling, mediation, and technical assistance.
• Direct to other resources – community mediation services, legal assistance, law enforcement.

Step 6. Provide guidance on hor to remove or stop speech
• If student is receiving speech on home computer/device, advise parents how to remove or stop speech. Offer technical assistance if necessary.

Techniques to remove or stop speech
• Send one message stating clearly "Do not communicate with me again or I will contact the appropriate authorities."
• `Contact ISP, forward messages, and request account be terminated. <abuse@ <domain name of provider>
• If speech is on web site, notify site and request removal.
• If speech is coming through mobile phone, trace number and contact phone company.
• Use filtering or block function—e-mail, IM, mobile phones.
• Best to use filter function for e-mail to preserve additional evidence.
• Change e-mail address.
• Change phone number.

Step 7. Seek to use informal resolution strategies
• Contact the parents of the student perpetrator and request their assistance.
• Assume will be willing to assist, if not suggest they consult legal counsel.
• Offer to facilitate counseling or mediation within the school environment.
• Recognize the cyberbully is also a hurt kid. Seek to get to the root of the matter for both the victim and the perpetrator.

Intervention Strategies for Speech Directed at Staff or School

Step 1. Assess type of speech
- Speech that constitutes a material or substantial threat of disruption at school.
- Speech that is truly harmful to school or staff member – either defamation, invasion of privacy, or intentional infliction of emotional distress.
- Legitimate, yet discomfort-provoking, protest speech that is challenging school authority. Students have a constitutional right to publish speech, including speech that is rude and critical of the school or staff members

Step 2. Take action based on assessment
- If possible threat, conduct threat assessment. Contact legal authorities if justified.
- If speech is harmful to school or a staff member, safe the evidence and seek to have the speech removed. Seek to address the psychological needs of the student. A student who places harmful speech directed at school or a staff member online is a victim of the "system" – parental abuse or neglect, bullying, failed school response, learning needs not being met, etc. Advise staff member of possible civil litigation options.
- If speech is protest speech, take the time to look at quality of school environment or staff instruction through a student's eyes. What does this speech say about the school climate and degree to which this student feels supported and has important needs met? Ignore or, if the concerns are legitimate, establish a task force with student representation to address the concerns.

Key Points to Remember

Cyberbullying is already impacting each and every school community. The situation is likely to get worse, before it gets better. Cyberbullying can lead to significant emotional harm of students, which could result in suicide and school violence.

Because cyberbullying is occurring in the hidden online world of youth, it is imperative that responsible adults create "sunlight" to begin to address these concerns. Schools already address sex, drugs, and alcohol safety – all activities that occur off-campus but can cause harm to young people – cyberbullying should be added to this list. Schools are key to providing the community leadership necessary to bring educators, parents, students, and other community members together to address these concerns.

The Internet holds tremendous promise for creating a better world – a more peaceful and respectful world. But this world cannot be created through laws or through technology protection measures. We have to focus on empowering young people with the values, skills, and motivation to make safe and responsible choices in their online world.