MCHB/DCAFH

Cyberbullying:

Tools and Tips for Prevention and Intervention

April 22, 2009

STEPHANIE BRYN: Hello, everyone. This web cast addresses cyberbullying and will provide tools and tips for prevention and intervention. So we want to describe who are speakers are today. I'm Captain Stephanie Bryn at HRSA and we're really glad you joined us today. With me here in Rockville is Katie Reardon who helped facilitate the web cast.

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At the end of the broadcast, the interface will close automatically and you will have the opportunity to fill out an online evaluation. Please take a couple of minutes to do this. Your response will help us plan future broadcasts in this series and improve our technical support. This broadcast will be archived at mchcom.com in one week. We will answer questions if we don't get to them on the live broadcast. We will answer questions personally via email. We want to thank the center for advancement of distance education and their professional staff in Illinois who are help with this broadcast.

Next slide, please. This web cast, this is slide three, is being supported by HRSA which has had long viewed bullying and cyberbullies as issues of public health and safety. We're now in the fifth year. A major impetus for the campaign was seminal research and an article entitled bullying behavior among U.S. Youth. This is published in the 2001 issue of JAMA which was co-authored by HRSA colleague of mine, Dr. Mary Overpeck. This was the first major article to examine the prevalence of bullying among children and youth in the U.S. The nationally representative study of sixth to 10th graders found that 30% of these students reported moderate or frequent involvement in bullying. The report concluded that bullying needed serious attention. So then HRSA began planning the stop bullying now campaign in the year 2001 and throughout this campaign, we have promoted awareness of bullying, including the more traditional forms of bullying and cyberbullying and research based prevention and intervention strategies. Cyberbullying has been recognized as an important public health and safety issue by the C.D.C. which hosted a study group on the issue of bullying in the year 2006. A summary of findings from the

study and a series of research articles are published in a special issue of the journal of adolescent health. You can get that information from this slide.

Number four. So today let me tell you what we're going to do. We're going to discuss what cyberbullying is, what we know about it. We'll be talking about best practices for prevention, we'll be giving tips for educators, tips for people who work with youth, cyberbullying resources taken from the top bullying now website, cyberbullying resources offered by our campaign partners. We'll discuss legal issues for people in the education field and we'll also be taking questions from the audience. Now, Dr. Sue Limber in Clemson, South Carolina.

SUE LIMBER: Thank you, Stephanie. Before moving ahead to discuss what we know about this phenomenon of cyberbullying and what we can do about it, I want to be sure we're on the same page in defining bullying in general and cyberbullying in particular. Researchers and practitioners generally agree that bullying has the three defining characteristics that you see on slide number five. Aggressive behavior that's intentional, intended to cause harm or distress, repeated over time and it occurs in a relationship where there's a power imbalance. Cyberbullying shares the three characteristics. It's defined as aggressive, intentional act that is carried out by a group or individual using electronic formats of contact, repeatedly and over time against victims who cannot easily defend him or herself. There are numerous examples of different forms of cyberbullying and I'll describe some of the most common we see. One very common example is repeatedly sending offensive, rude or insulting messages to people. Increasingly common is children and youth gravitate to social networking sites is distributing or posting derogatory information about another person. What you see here is a brief excerpt from a posting on a middle school girl's account which included not only hateful messages such

as I wish you would get into a car accident and split your head in two. How does it feel to be so hated but also a great deal of profanity and physical threats. I'll be beating the blank out of you. Up joy living while you can. I'll make you die slowly. Pretty horrific and graphic. In this case, police were involved and with the cooperation of the posting, it was trained to a couple of middle school girls who barely knew their target and who attended another school altogether. They felt their target had dissed a friend of theirs and this was the impetus for their posting. Other examples include posting or sending digitally altered photos of someone, impersonating another person and sending offensive or embarrassing messages as if you were them. A recent form of cyberbullying which originated on the London underground is referred to as happy slapping. Happy slapping involves physically assaulting an individual, often a complete stranger, taking a picture or a video of the assault and then posting that video or picture online. Happy slapping, of course, is a misnomer. It's far from happy and typically is much more serious than slapping, often involves assault. A particularly painful example of cyberbullying involves tricking someone into revealing secrets or embarrassing information and then forwarding this information to others. To give you an example, Ryan was a 13-year-old middle school student who experienced a form of cyberbullying after hearing some personal embarrassing information with a young woman who presented herself online as his girlfriend. After learning that he had done this as a joke and had, in fact, forwarded his instant messages to a friend, he took his own life. His father, John, has spoken very passionately about cyberbullying and you see a quote from him on slide number 10.

He tells us that my son was an early casualty and his death an early warning to our society, that we'd better pay attention to how our children use technology. We need to study the new societal problem with a sense of urgency and great diligence. There are pneumonia with us technologies or communication modalities. You're probably familiar

with most of those technologies on this list and their potential for cyberbullying. With the possible exception of the last two, bash boards and Internet gaming, let me say just a few words about those. Bash boards are online bulletin boards where people can post any information they want to about any person or topic. Often it's derogatory information. Internet gaming, of course, we know that many kids today play online games, some of these games are single player, text based games. Others are complex, interactive, multiplayer games in a virtual world and there are seemingly unlimited numbers of ways to cyberbully when playing these games. One can verbally abuse other players, ruin their games for fun, gain access to others' game account and block players from participating.

Number 12, please. In our own research involving sixth through eighth graders, most common form of cyberbullying among middle school use was instant messaging and a number of other researchers found this as well. It's interesting and it may be there's something gratifying about the real time aspect of instant messaging with regard to bullying. Even if you can't see the target's response, you might be able to get an immediate reaction nonetheless. How prevalent is cyberbullying among children and youth? There's different answers to the question. The answer varies depending on the definition of cyberbullying that's used, the ages and characteristics of the children that are surveyed and also the time frame involved in the research. To give you a few examples, telephone surveys conducted by a group called fight crime investing kids found that 17% of the six to 11-year-olds had been cyberbullied within the previous year and a full 36% of the 12 to 17-year-olds had been cyberbullied within the previous year. Another survey talked to kids and lies had been told through instant messaging. Another example, middle schoolers were surveyed and found that 9% were cyberbullied in the last month, 17% in their lifetime, 8% admitted that they had cyberbullied others in the last month and 18% had others.

Next slide, number 14. My own research here at Clemson university found that among nearly 4,000 middle school students, about 18% had been cyberbullied at least once in the last two months. 6% with some frequency, at least two or three times a month, and 11% admitted on an anonymous survey they had cyberbullied others at least once. Another way of looking at kids' involvement in cyberbullying is to group students into categories that you see on the bar graph here. Those who have been cyberbullied or labeled as victim, those who cyberbully others, those who have been involved in cyberbullying others and in being cyberbullying, here labeled bully victims and finally those not involved. This graph shows middle school involvement in cyberbullying the last couple of months. 78% haven't been involved. The bad news is that too many have. 11% were classified as victims, 4% as bullies and 7% as cyberbullied victims. What do we know about age differences in students' involvement in cyberbullying? Involvement seems to increase, particularly during the middle school years. From our study of these nearly 4,000 middle school youth, we see jumps here between sixth and seventh grade and the percentages of students involved in cyberbullying as victims as you can see between the light and the darker graphs, those jumps for victims and for bully victims and my suspicion is that as younger and younger children are engaged in online activity, we'll see increasingly younger children involved in cyberbullying.

Slide number 17, please. What do we know about overlap between people who are involved in cyberbullying and those involved in, for lack of a better word, for traditional forms of bullying? Children involved in cyberbullying are also very likely to be involved in traditional bullying. 60% had been bullied in traditional ways as well among the middle schoolers and most perpetrators of cyberbullying, 55%, had also bullied others in traditional ways. There isn't a perfect overlap between those involved in cyberbullying and

traditional bullying. We found that one third of middle school students who had not been involved in cyberbullying had been bullied in other ways. And a quarter who hadn't been involved in cyberbullying had bullied others in more traditional way. I think what these data tell us is that it seems we should look for but not necessarily expect involvement in different types of bullying, more traditional types of bullying. What else do we know about similarities and differences between cyberbullying and traditional forms of bullying? As I mentioned earlier, cyberbullying shares its three general characteristics with more traditional forms of bullying. Aggression, the repetition and the power imbalance. Interestingly, though, power and repetition look a little bit different online than in traditional bullying. Let's look at the power imbalance issue. A student willing to abuse technology can very easily wield great power just by their ability to reach a large audience and often by their ability to hide their identity online. They don't need to have physical power or other social power that is seen in face to face bullying, for example. What about the repetition? Cyber messages are easily repeated, simply by forwarding them to multiple individuals and posting websites for hundreds of classmates to view.

Slight number 20, please. Cyberbullying has some of the unique characteristics that I think are quite different than traditional bullying. One has to do with the anonymity involved. As bad as a bully in a school yard may be, at least he or she is a known entity. He or she can be fairly readily identified and potentially avoided. On the other hand, a child who cyberbullies is often anonymous. The victim is left wondering who the cyberbully is which can cause a great deal of stress to them. In fact, when we asked our middle school victims of cyberbullying, who it was who bullied them, we were really struck by the percentage of students represented here by the yellow bar. About 50% who said it was either a stranger or they didn't know who did it. The anonymity that the Internet provides can lead children, of course, to engage in behaviors they might not do face to face and this is often referred

to as disinhibition and it's dramatically illustrate bid a public service announcement from the National Crime Presentation Council that we'll see a little later in the web cast. What about accessibility? Most children who use traditional ways of bullying terrorize victims at schools, on the school bus or walking to and from school. Although bullying can happen elsewhere in the community, there's usually a standard period of time between which people who bully have access to victims. Those who cyberbully can wreak havoc any time of the day or night, whenever their victims are plugged in. Another difference between traditional bullying and cyberbullying has to do with children, like victims of traditional bullying, cyberbullying are often reluctant to report being cyberbullied. What's different is that in addition to fears of retributions by a bully, victims of cyberbullying don't often report it because they fear their computer or friend privileges will be taken away. Often adults' responses to cyberbullying are to remove the technology from the victim, to try to protect them. And the children's eyes, this can be seen as punishment so it's another reason they tell us they don't report it. What about bystanders? Most traditional bullying occurs in the presence of other people who assume the role of bystander or witness. The phenomenon of being a victim in the cyber world might be different than witnessing it first hand. We need to learn more about the feelings and the actions of these online bystanders. Finally I would like to say a word about what is known about the possible effects of cyberbullying on its victims. There have been to date very little research on this topic. Our own research among sixth through 12th graders confirms what others have found about traditional bullying on students and it suggests there's particular reason to worry about children who are cyberbully victims. Again, those who have been cyberbullied but who also cyberbully others. In our research, these students had the highest rates of anxiety, highest rates of depression and the most school absences among all of the students in our sample. By contrast, those children not at all involved in cyberbullying in the last couple of months in

our survey had the highest self-esteem, the highest grades and the fewest symptoms of health problems in the survey. Let's look at best practices for prevention. Patty?

>> Thanks, sue. We're on slide 24 now and while cyberbullying is a relatively new phenomenon, we've been able to focus on key areas to focus on for prevention programs. One of the first key findings that we have is that it's important to incorporate the topic of cyberbullying into comprehensive bullying programs. Many schools have begun implementing the programs as really a result of the research that indicates that bullying presention takes the whole school approach. What we've learned is that we really need to define cyberbullying as a form of bullying since many of the students in our focus groups did not make that connection initially. Educators and parents need to provide clear messages that cyberbullying is a form of bullying. It is unacceptable and it should be part of the bullying prevention messages that we're sharing schoolwide and the good news is that there are whole school programs that are effective in reducing bullying and many of you are implementing them now. However, we immediate to make sure that our efforts do include attention to cyberbullying even if it doesn't occur at school. As we know, it can, as one of our focus group participants mentioned so clearly, it leads into the school environment. And the second key finding was that we need to spend time on assessing cyberbullying in our schools. As with traditional forms of bullying, adults can't always assume we have a good grasp on the nature and frequency of cyberbullying, that is occurring among our students. I can think about some of the groups I've done with student leaders where they've surprised their staff by indicating that, you know, it really is a problem at our school. It's part of our schoolwide surveys on bullying, students can be surveyed by behavior that's occurred and that's helpful in looking for age and gender trends and the data for your schools. And we can also get more detailed information just by holding informal discussion groups with students as we did to learn about cyberbullying

in the schools. Another key finding we had is that it is important to provide staff training in this area because many students are still new to the social technologies that youth are using to communicate with one another so it's important to have a general staff training on cyberbullying where all staff can become familiar with the basics and then perhaps have a more in-depth training regarding intervention for key faculty members such as administrators, school counselors, perhaps technology specialists and these trainings can also identify the appropriate person for staff members to contact if they are concerned about a cyberbullying situation and want to know who to go to for additional assistance. We need to develop clear rules and policies about cyberbullying. And such policies can be incorporated into the existing bullying policies that schools may already have. It may be covered through acceptable use of technology policies or it could be through a separate policy specific to cyberbullying. I've listed a website for the model policies distributed by the department of justice. If you go to the website, you can locate this through a search and the information about the policy that we developed really needs to be shared with staff, parents and students so that everyone is on the same page. Our next key finding is that we need to spend class time on cyberbullying. And the topic of cyberbullying should be included on class meetings of bullying and peer relationships. When we have class discussions on topics such as defining cyberbullying that's helpful, we need to talk about the school rules and policies regarding cyberbullying, having discussions about online neticate and safety, one's online reputation that can fit into career guidance these days and how to best respond to cyberbullying and the roles of bystanders who witness the cyberbullying behavior is an important topic for class discussion. In fact, I would like to share an example of, you know, how important that role of bystanders can be. I had the opportunity to interview a parent of a girl who was targeted on a social networking site that included a lot of derogatory comments about her and while this middle school was helping, her friends went on to the site and also posted many positive comments about

her. And her mother indicated that the positive comments posted by the bystanders really helped her survive this digital attack in the absence of the positive comments, it would be easy to assume everyone was against her. So these types of, you know, discussions can be helpful to kids to know they can all play a role when cyberbullying occurs. The next key finding we have is that it's important to use students as experts in this area. Although youth may look the maturity of adults to understand the implications of their online actions, on the other hand, they're often more knowledgable about the digital world than adults and this can be a great way to empower them to use their skills as helpful role models for teaching digital citizenship to other youths. When we engage youth in developing our strategies, it sends an important message to them that they value their expertise, feelings and ideas.

Slide 31, please. I wanted to give you examples of posters developed by the high school students in my own district. We have a few examples for you to see.

Next slide is one that talks about cyberbullying and if you look in the top right-hand corner, you can see the message that points out watching it is just as bad as clicking send. This was an example of a poster developed by students. They entitled it cyberbullying, the anonymous threat. It gave helpful information about cyberbullying and statistics and then tips how to respond if you're targeted or what to do if someone you know is. And then finally, this particular example, the poster was entitled if you wouldn't say it in front of your mom, don't say it online. We really liked this one. It was to the point and message so we printed a lot of copies and distributed it at the students' suggestion with other middle school and elementary schools in the area. So this has really been distributed throughout the district and the best part is that the poster was developed by students. Another key finding is that it's important to work together with the schools and parents building strong

parent/school partnerships. Currently right now many parents feel at a loss in addressing cyberbullying due to the digital divide that often exists between adults and children. And so the school can really assist in bridging this divide by hosting parent information night, sending literature to your home, a person at school who can contact parents concerned and in my own district we included cyberbullying information in the student handbooks that go home that parents are encouraged to review with their children. All right. So we've talked a lot about the key findings for prevention. Now we want to spend a little time talking about intervening in cases of cyberbullying. We have tips for educators. Obviously we want to encourage schools to emphasize prevention strategies to minimize the incidents of cyberbullying that occur. However, there are still going to be times when we need to intervene and so let's talk about some ways to do this. One of the first things we need to do is be aware of any warning signs that would let us know that a child may be targeted by cyberbullying behavior. And of course, many of these warning signs could be indicative of other problems but I guess sometimes the most obvious sign may be that the child is upset or angry after being on a computer or mobile phone. At that point we may want to check in with them and see what happened and these are important warning signs we can share with parents as well. It's also important to have evidence available when we're trying to determine what has happened so while a parent or caregiver and child may be able to address off campus cyberbullying on their own, particularly if it involves schoolmates, they may need help from a representative of the school. So in such cases, school personnel should request evidence of the cyberbullying such as printed out messages or printed copy of a social networking site that the school representative can use and assist the parties involved. And of course, sometimes that evidence is going to provide clear information about who is involved in the cyberbullying but sometimes a little more investigation is going to be necessary to understand the context of the cyberbullying. And whether it's a form of retaliation for traditional bullying. It could be -- you know, we

may need more information, particularly if impersonation is involved or if it's anonymous so all of these things are things that the school personnel would need to look at and particularly look for the possibility of on campus bullying or if it has the potential for on campus disruption. Now, I wanted to share -- and I know sue touched on this a little bit but it's important for educators to understand that students don't often view us as helpful resources. To them when cyberbullying is occuring, so this was something during our focus groups we discussed with students and they said, you know, there were a variety of reasons. First of all, they weren't clear how school personnel could help if it was happening off campus so it may be important to talk to students about, you know, ways that we can be helpful to them and in addition, they feared retaliation. If their peers learned they had contacted a teacher or faculty member so it's important to protect the reporting students' identity and reassure students that will do so. And then finally as sue mentioned before, they were afraid of losing their access to technology if they let a parent or guardian know if they were targeted by cyberbullying. One said if my mom knows that is going on, they'll shut my MySpace down. I did want to point out, by the way, if our response to students as educators is along the lines of, well, there's nothing we can do since it's happening off campus, we've just confirmed to them what they've suspected all along, that they're not helpful resources at all. I wanted everyone to keep in mind even if we're not able to engage in formal discipline, we can always be a supportive resource to students.

Next slide, please. We want to encourage educators to take time to train their peer leaders on the topic of cyberbullying. Most schools have peer leadership groups such as helpers, student ambassadors or student council members, peer mediators and it's helpful to train student leadership groups in recognize that go cyberbullying is a form of bullying and that these groups can assist by discouraging cyberbullying behavior. And we can also work

with these groups to train them on the importance of reporting destructive online behavior to trusted adults. And when educators do have evidence of cyberbullying that's occurring among students and there may be different tips or strategies we need to follow. First of all, it may be helpful to -- they're going to want to contact the parents or guardians of the involved children and sometimes just contacting these children and sharing evidence will be enough to resolve the situation. Sometimes parents or students may need to be advised of simple response options such as ignoring a one time new message but still keeping it as a record and then blocking senders or using privacy settings to help block certain users. These are all different strategies that, again, even the technology specialists can be helpful in addressing with students. And then also the importance that sometimes we just need to remove it and perhaps get a fake or offensive profile shut down. We'll talk about that in a minute. While formal school discipline may be appropriate if the cyberbullying occurs on campus or meets the other criteria that I have listed, we need to recognize that suspension alone is not the solution and in fact, in some case it may even increase the risk of retaliation. So we need to make sure that we're continuing to follow up with those involved in cyberbullying behavior and ensure that the cyberbullying is not continuing, and I know mike is going to talk about, you know, this criteria later.

Slide 44, please. I mentioned previously that sometimes parents and students just need help in getting offensive websites removed. Just recently I had a fake profile shut down within 24 hours on FaceBook and I did this just by emailing FaceBook using abuse at facebook.com which is something that they share on their site and they were very responsive and removed it and YouTube has a new health center, and we also have quick links to report abuse on our website, cyberbully help.com. Sometimes that's a quick, easy way to access the sites if we need to report offensive content or get an imposter profile

shut down and educators sometimes get these shut down as well when they're targeted as well.

Next slide, please. Now, while formal discipline may sometimes be appropriate, other options that school administrators may find helpful include individually conferencing with the students involved and their parents. And again, in most cases that is going to address a lot of the cyberbullying behavior. Particularly if we have printed evidence of the cyberbullying that we can show the parents and, you know, it just has an impact when they see the printed out evidence. It's harder to deny it. But I've also used a method of intervention called an accountability circle that is similar to the methods used in restorative justice. It's more about having the responsible party acknowledge the harm he or she has caused. And this works well when everyone is in agreement to meet and the party who engaged in the cyberbullying behavior is remorseful. And then what we focus on, we try to find actions that he or she can undertake to repair the harm that's been caused. Those are just other options to more formal discipline. And regardless of whether we're using formal or informal resolution, students involved in a cyberbullying incident may benefit from referral to a mental health resource. This could include the person doing the bullying or the victim or both of them. Have the resources available for parents and students who may need them and in addition, we want to be sure to refer a student to a mental health resource if he or she has mentioned hurting himself or someone else. I'll going to turn it back over to Stephanie who will speak to us about additional resources available throughout the stop bullying now campaign.

>> Thank you. The slide you're seeing now, we're going to talk about the resources available from the stop bullying now campaign. And we hope that this site looks a little

different to you. It's a new, upgraded website and it's stop bullying now.HRSA.gov. Newly launched, new look and on this website, there are quite a few resources for you on the topic of cyberbullying. There are webpages for adults and for youth and they describe issues about cyberbullying, what it is and what can be done to prevent it and to address it. There's a Webisode, a cartoon focused at children that features cyberbullying and it can be used as a discussion primer or trigger tape so you can discuss cyberbullying with students. Also older students can use this cartoon vehicle to address the topic with younger students. So kind of reaching down and doing some peer education. There are 12 Webisodes, cartoons involved. I'll be discussing each of them. We also wanted to make it clear that we have a Spanish parallel website, a Spanish parallel website to take a look at when you go to stop bullying now.HRSA.gov and on the adult pages of the stop bullying now website, there's a good deal of information including what cyberbullying is and what online venues are used, much like sue and Patty described. How common is it? What are the most common ways of cyberbullying? Do children and youth tell each other or tell parents or adults if they are cyberbullied? And how does cyberbullying differ from other traditional forms of bullying? It also discusses what adults can do to prevent and address cyberbullying. So you'll find specific discussions for parents, families and for educators and those of you who work with youth to prevent it and to deal with cyberbullying. And this is a look at one of the screen graphs of our new website.

Next slide, please. So similarly, youth who come to the stop bullying now website will see a new look and they'll find wepages where they can easily find information about cyberbullying and what it is and what to do about it. Again, on our website.

Next slide, please. One of the important tools of the campaign are webisodes. I mentioned there are 12 cartoons involving middle school youth who address and who confront

bullying situations. The webisodes follow two students, kb, a girl, and a boy as they, with the help of their friends and with the help of adults in their lives, successfully deal with bullying. A webisode that includes an example of cyberbullying we'll show you now. Kb's day. (music)

>> K.B., sweetie, I've just been dying to know how was your first day?

>> Let's see. How was my first day? Sorry. What are you apologizing for? Your clumsiness or sorry outfit?

>> all of the empty seats here are taken. Now, that's what I call accessorizing.

>> Girls, what's going on here?

>> Nothing, Mr. Bitner.

>> How was my first day? My first day was great. Just great.

>> OK. So that's an example of a webisode and after each of the webisodes on the web, there are a series of questions, kind of a quiz, that students may take to kind of relive and help describe what just went on in the webisode. It's an excellent vehicle for those of you who work with students in an educational system or setting or if you work with youth in a community setting. And so as I mentioned before, high school students could show this cartoon and it would be a trigger discussion tape for discussion about bullying, what really happened just now. And we've seen examples of that. So the questions help the youth

process what went on and what they've seen and for each of the 12 webisodes, you'll see that kind of discussion available to you.

Next slide, please. Another feature of the website is a cat dog of resources and we worked pretty hard on that in our Clemson university partner has worked hard on getting resources about bullying, they're searchable by catalogs, there are books, multimedia, campaigns and others. And a number of these listings are specific resources to cyberbullying. Our stop bullying now campaign partners have produced many instructional materials, either for their own organization or their coalition and at times for the public at large. And information on cyberbullying is available from two partners and we're going to showcase them here for you.

Next slide, please. In a minute we're going to play a P.S.A. put together by the national crime prevention council and the stop cyberbullying before it starts awareness campaign was prepared by NCPC. It's free, downloadable and for parents and families and for youth and it's also found right on their website. We're going to show you a powerful P.S.A. from this campaign in just a minute. Now, the national crime prevention council also recently conducted a national contest for a teen produced P.S.A. and it was in partnership with Sony creative software and with the ad council. The two winning P.S.A.s are available on the mcpc website. Here is another example of ncpc seeing the value of youth leadership and youth input in producing some really important and communicatie skills.

>> who wants to talk about Patty? She's stupid. Stupid and ugly. Everything she does is ugly. Watch her eat. Watch her stuff her face. Look at her. Greasy hair and dirty fingernails. It makes me want to vomit. Get a life, Patty. Thank you.

>> You can see how powerful that would be, not only to graphically and to describe cyberbullying but to get the conversation started, to get the conversation about prevention started. So we're really pleased that we could bring that to you today.

Next slide, please. Another partner, the anti-defamation league, a world of difference institute responding to cyberbullying. They're a campaign partner and their institute is a division within the anti-defamation league that focuses on schools. Responding to cyberbullying is a new series of interactive programs and workshops designed to inform educators, families, parents and to help schools and organizations who work with youth to develop a comprehensive approach to confront harassment and bullying through the electronic media in particular.

Next slide, please. A recent issue of ABL'S online curriculum connection is on cyberbullying, understanding and addressing online cruelty. It contains lessons and resources for elementary, middle and high school students that introduce young people to information and skills about Internet communications. How to respond constructively to cyberbullying and how to interact safely on the Internet. And we're really proud to have them as a stop bullying now partner. Now attorney Mike Tully from Tucson, an attorney and an expert in cyberbullying will be our next speaker. Mike?

SUE LIMBER: Thank you. We should now be on slide number 58 which shows the three topics I'm going to talk about briefly today. These are, I believe, the three hottest topics for educators. This is whether they can impose discipline for off campus settings and finally, whether school staff can search student cell phones. That comes up a lot. First issue is whether a school can discipline students for off campus compression. Perhaps the most troubling area is in the popular social websites like MySpace and FaceBook. It's not

unusual to see groups called I hate so and so on these sites targeting a particular student. In many groups the participants are from the same school or otherwise have a social connection so they're all ganging up on somebody. Another area, of course, is blogs, especially ones that are either not moderated or poorly moderated. And finally while not as common anymore, some students obtain domain names and put on their own websites. They're not really that difficult and they're not very expensive. All a student needs is a domain name, hosting service and software and bang, you have a website. Issue is not the fact that the students participate in social networking sites but what they say when they do. And what they say might be protected by the first amendment. Educators must figure out what speech is not protected and what speech is. Not an easy task. Sometimes judges and attorneys aren't sure where the line is drawn. Some examples, discipline has been imposed, for example, on vulgarity on sites and blogs and so on. Except out of a case in Connecticut, that's usually not enough to justify discipline and perhaps avoid a lawsuit. Another area is disparagement. There are cases where a student many times in a privately created website made fun of a faculty member or a school administrator. Now, the victims of these attacks being human tend to react fairly vigorously and they want to impose discipline and many times they do. However, anger as we'll repeat, is not enough. Many times when they do impose discipline for off campus expression, they get sued under first amendment and they lose. Finally there is a possibility of defamation. Now, understand that defamation or libel and slander as it's sometimes called might not be enough to justify discipline if it takes away from the school and outside of the school network. However, it might get the student and his parents sued. A few years ago a teacher in Pennsylvania who was horribly miscast by a student online on a student's website filed a lawsuit against the student and his parents. The jury awarded $400,000. The case is still on appeal. And who are the targets of this creative use of the Internet by students with apparently too much time on their hands. FAs we mentioned, teachers and

administrators. They are frequently victims of students' wrath. They need to know when to act and when not to act. Most of it comes from personal websites created by students. When I say cases, I mean reported cases. It's known as legal precedent. Other targets are fellow students. These situations tend to arise from social networking sites as mentioned like MySpace, FaceBook. The audience usually consists of fellow classmates and others of the students' social circle and frequently wanted just one student beating up on the target. As mentioned earlier it's common to see I hate so and so groups on the websites that invite others to join in the bashing of the target. Here is the situation that educators need to take a look at and it's a situation all of these elements combined might cause problems for schools. All of these things must be taken into account before a school imposes a discipline for cyberbullying if it's away from home. Employment number one, the student is using a remote computer, maybe at home, maybe at a friend's house. Commonly one of the two. Next one, the confident is created away from the school setting and the message is not intended to be viewed at school. It's meant to be viewed by other students, friends of the student on other computers but not on the school campus itself. Now, administrators and teachers must remember that students have first amendment rights. Their expression, while it might be vulgar or outrageous might be protected. There's a limit how far discipline can work on campus. Reality is what? There is usually some impact at the school and that is certainly the case when it comes to social networking sites where students gather and it's when students go to trouble of putting together a personal website. Make sure that others see their handiwork so word gets around. One of the impacts is that the target of the aggression finds out about it and gets angry. No one likes to be made fun of and teachers and administrators are aware that disrespect of their authority can undermine discipline. However, and I can't underscore this strongly enough, anger is not a good basis for discipline. Students are victims as well. Students tend to be victimized in social networking sites like MySpace and FaceBook, maybe YouTube.

Students take that kind of thing quite seriously. This really impacts on them. And we know that victims of bullying, including cyberbullying, frequently see their grades and attendance suffer. There's an impact on the student's school performance. The question remains, is there a basis for lawful discipline? One case we go on 40 years after it was handed down is the famous tinker case and so-called substantial impact test. It was a case that addressed political speech on campus. In that case, wearing black arm bands to protest the Vietnam War. The Supreme Court said that was protected expression unless it disrupted the school. So that prong, disruption, is one part of the tinker test. When students are the victims, the second prong of the tinker case may kick in. The invasion of the rights of others prong. Now, unlike the substantial disruption prong, there are not many cases that explain or apply to this one. There's not much to go on. However, this aspect of tinker is available and many states that are writing laws that address cyberbullying right now are using language based on the section of Tinker. Here is the language from the tinker case. You can see the difference, reference to material disruption and substantial disorder as well as invasion of the rights of others. In class or out of it, at the present time this box of red type is basically the test educators should follow and apply when looking at disciplining cyberbullying by students even when it takes place off campus.

Next slide, please. Our next issue, whether a teacher can safely participate in social networking sites with students. This is a fairly new issue. This issue does not have much of anything in the way of law to provide guidance, which means statutes or cases. It's that new. Whether it's advisable or inadvisable for teachers to participate in southerly networking is a brand new issue but an important policy issue for schools. A recent school district policy decision prohibits teachers from joining students in social networking sites. It's a district in Wisconsin. I'll let you read number 67 and see an excerpt of the article

describing what a Wisconsin school district is trying to do so keep students away from social networking sites.

Next slide, please. After I placed the story about this policy on my blog, two friends of mine promptly weighed in. One is Nancy, the director of the center for safe and responsible Internet use in Oregon and the author of cyberbullying and cyber threats. Nancy, I think, is a Pioneer in the exploration of cyberbullying and cyber threats in school and probably has spoken a great deal about it. Nancy sees potential dangers when teachers participate in social networking sites with students. I'll give you a moment to read what she has to say.

Next slide, please. The distributor weighed in on this is Justin. He was mentioned earlier. He's the co-author of bullying beyond the classroom. Now, Justin takes a different position and he has a very salient question. He says since this is how students interact and communicate these days, why not take advantage of it? Justin says this may be the only way to reach some students. And again, I'll pause for a moment to let you read what Justin had to say about this. All right.

Next slide, please. So this kind of sums up the two issues here, the two perspectives on this issue of a policy prohibiting teachers from joining in students' social networking sites. Again, it's such a new area that I can't show you case opinions that provide any guidance arising out of websites by another as we talked about in the first session but I wanted to present this issue because it's out there, it's current and it's real and for educators it's a bit of a trip into the unknown. These are things that educators, schools, school districts should consider before they adopt a policy similar to the one in Wisconsin. Number one is it worth the risk of the teacher to participate even though it may provide a way to talk to

students they might not otherwise? If there's such a policy, is it impactful? Can the schools really control their teachers' behavior to that extent? The honest answer from a legal standpoint, we don't know. There are no cases. And finally, assume the teacher is involving himself or herself in the social networking site, what about vulgarity or implied threats? What if a moderator or a contributor seems to be provoking the fight? What is the teacher's obligation? Does he or she report what's going on and try to prevent some injuries from taking place? Even though that might undermine his or her credibility and admissibility to the site? The bottom line here is really if teachers are looking at participating in social networking sites with students to reach them that way, tread carefully because you're wading into the unknown.

One last issue, whether it's legal to seize and search a student's cell phone on campus. And I put this in because when I make presentations, I get more questions about this issue than anything else when I speak at workshops or conferences and so on and invariably, at least one administrator will stand up and brag will seizing and searching a student's cell phone and I admonish them and say that's not a good idea and I'll explain why. They will take the student's cell phone if they suspect the student of misbehavior, dealing drugs and they'll search the incoming telephone calls. They'll search for and read incoming text messages. They hope to track the perpetrator using text messaging or I.M's and what I try to explain is which is not a good idea. They frequently won't disagree with me but there are legal issues educators should take into account that they might not consider.

Here is one problem. It can get you sued. There are state and federal wiretap laws that protect the use of cell phones in the privacy of the cell phone users. Fourth amendment prohibition against illegal search and seizure may trigger a lawsuit as well as the first

amendment. If we call somebody on a cell phone, we expect our incoming call to them to be kept private. This violates their policy as well. This is just one part of the problem. The potential for a lawsuit. Another consideration, we have to take into account.

From a legal standpoint, when teachers and administrators decide they want to play detective and remember, they might be held to the same standard as detectives. This kind of seizure may lead to suppression of evidence if a crime has been committed such as drug dealing. Remember, public school teachers and administrators are state actors and while the search and seizure rules for students are different for the general public, the fourth amendment applies to school based searches. And evidence seized by an you will legal search can be suppressed by the court. Now, teachers and administrators know there might be evidence of drug dealing or gang violence on the cell phone, for example. So if you have that situation, and you want to make sure that evidence does somehow get before the authorities, what you do to make sure the law protects the school and other students without attracting a lawsuit or suppression of evidence. Here is what I recommend. Informed consent weighs fourth amendment right. They can give consent to a search. That gets around the fourth amendment problem. The younger the student, the less likely this can be informed. Thus the parents have to give informed consent. You can seize the phone and save it for the police. Be sure to maintain a chain of custody to show who handled the phone from the time it was taken from the student until it was given to the police. Write down the date and time the phone was seized, seal the phone with that when the phone is closed so it can't be opened without rupturing the seal. Should there be an emergency or threat that you have to address and you may have to violate the students' rights, that evidence for the criminal case may be suppressed but that's a good, safe way to probably avoid a lawsuit and that, in short, is the new world of cell phone realities on campus. And now back to Stephanie.

>> Whoa. Thank you, Michael. We have a lot of questions so I would ask my speakers to unmute. I'm going to handle a few quick ones and then we'll go to Patty, sue and mike for answers. Can we order the webisodes on DVD? And the answer is yes. You can call 888-ask-HRSA. Please also know the DVD tool kit that you would be ordering has been sent to every elementary school, every middle school, public school, in the U.S. so if you're in a school setting, you have the tool kit. Also the libraries have the tool kit as well, as well as 4h and extension services in the U.S. You can also order it from the website, stop bullying now.HRSA.gov.

When will the archive slides be available? We believe it will be about one week and at mchcom.com, this web cast will be archived. And we hope you'll use it for education and training of staff, education and training with students, with your student leaders that we've been talking about. When did the new stop bullying now website launch? We actually launched it April 21, yesterday. So we are quite proud of the new look and we're continuing to refresh it every 60 days and that's thanks to our wonderful partnership with Widmar communications and with Clemson university and our over 80 partners who make it happen and help us with materials. Are the webisodes closed captioned? The answer is yes. On the website they are closed captioned and on the DVD tool kit. Patty, this one is for you, I believe. And Sue, also weigh in if you wish. What age group would you recommend doing classroom presentations on cyberbullying? Where would you start working with youth and talking with youth? Patty?

>> I see a big jump in elementary schools now with kids having access to cell phones at younger and younger ages so I -- you know, a couple of years ago I started getting calls to come out to our elementary schools because the problems were starting there. While I

think we need it in middle school as well, I actually would start in elementary school so you're doing some primary prevention as kids have greater access to technology. If they have some basic guidelines ahead of time, they'll be much better served. As we know, parents are putting pretty strong tools of technology in kids' hands at young ages without a lot of guideline. Third, fourth and fifth grade is a prime age to start prevention.

>> I agree 100%. It's earlier than most of us think is the bottom line.

>> Right.

>> and sue and Patty, sue this one, are the prevention recommendation for reaching out to bullies, children who bully or to the bully victims? Are there recommendations?

>> So the question is who are the interventions targeted at? Is that the question?

>> Well, are there some reaching out to the bullies or to the bully victims?

>> Yes. The emphasis has really been on prevention, especially at these young ages. But just as with bullying prevention in general, with cyberbullying intervention as well, you've got to target multiple groups which include is it general population at the school which includes all of the bystanders we were talking about, you also need to target the kids who are being targeted, the victims of cyberbullying but as well, lots of education and discussion with kids who are doing the cyberbullying. All of those groups need to be targeted with prevention and intervention messages if we're going to be effective.

>> The journal of adolescent health supplement that you referenced had some research articles that pointed out that kids who victimize others are at greater risk for being victimized so I think, again, you know, that's that bully/victim message so when you have these class meetings or discussions, I think you can point that out to kids that when they're using social networking sites, they're going to protect themselves, too. It's important to be kind to others and it also reduces their risk of victimization. Those are some messages we need to share with kids.

>> Patty alluded to this but the other key audience with any work that's done in school with students is also the parents. So we really hope to see in any interventions and prevention work targeting schools take-home materials that perhaps kids and parents can work on together because parents really often, as Patty alluded to, need to be brought up to speed on the new technologies and hopefully any work that the school is doing on cyberbullying awareness is something that's going to involve parents as well.

>> Mike, I have three questions for you. Who, if anyone, has the authority to track the bullying to get information about who is actually doing the bullying? So who has the authority?

>> Probably anybody would, Stephanie, and that assumes that by tracking you mean keeping track of messages coming in. As we all know, I think, the text messages can be saved. If we're talking about messages being on the Internet for anybody to see, there's no expectation of privacy on behalf of the person sending the messages and anybody legally who can access messages can track them and save them. Now, on the other hand, if we're talking about trying to track through Internet protocols, get into computer forensics and the answer is not quite so clear. I don't think that we're at a point whether there would

be a search warrant involved because it's public knowledge, if you know how to get to it, the key really is that not. Of us have the technical capability to track all of the various circuitries that the messages going through, all of the various I.T. addresss to see who sent it and where the person is. That information is not confidential. It's out there, just hard to get. So I think the answer is anybody, number one, can track messages and save them. Number two, anybody with the expertise can trace messages back to their inception. On another hand, there is only issues whether certain hosting services have the right to disclose their membership and respond to, say, a search warrant or an inquiry that way, that's not quite as clear. But as far as either saving a text messages and tracking the content or tracking back the I.Ps, anybody with the ability can do it.

>> OK. Here is another one for you, mike. If cyberbullying incidents occur at home or outside of school, how responsible is the school to address the issue? Are there consequences for the school and they do not take action?

>> Yes. There's most likely not. In fact, if you look at many of the issues, they tend to water the language down quite a bit and in many cases such as the case in Oregon and Washington, they restrict the schools' authority to cyberbullying taking place on campus with use of the school computers. Part of the reason is because schools that want to face liability for something that may take place outside of jurisdiction and their ability to address it. That's a real concern. On one hand we don't want schools reaching to people's houses and invading the privacy. On the other hand, we don't want schools being sued because they didn't reach in from privacy. It's kind of a very difficult choice for many schools. It actually comes down to this. If there's a reason to believe that harm may occur and they know about that, they've got a duty to stop it. If they believe the threat is a legitimate threat, the student might be a danger to himself or herself, the court tends to cut schools

some slack there. There's a ninth circuit case out of Washington where a school really overreacted to a situation with a student, while squirrely, was not a danger to helpless or others. They said you acted in good faith. No liability. So if you think that you have evidence of drug dealing, call the place. If you believe you have a potential serious threat to harm the student or others, it's OK to act on that. I would get the school's attorney involved. The law is not that clear. But if you have a severe, serious threat and you think you've got one, I would act on that.

>> OK. Question for sue and Patty. Are there any examples of curriculum for teachers to use that address issues of cyberbullying in the context of violence prevention?

>> This is sue chiming in. There are and I would refer folks to the wonderful page that Stephanie highlighted earlier from the stop bullying now catalog of resources. If you go there, you will find a number of examples of curricula that address cyberbullying and the ones that I'm aware of really do try to address cyberbullying in the broader context of violence prevention more generally.

>> I think that's really important that it's not taken out and isolated away from the whole topic of bullying because it all fits in together and Sue’s research shows there's such a connection between traditional bullying and cyberbullying so I think it really fits there with your comprehensive bullying programming and prevention bullying activities.

>> Mike, one more for you. What liabilities exist for school based organizations such as peer leadership organizations that have a page on social networking sites?

>> That's a very good question and again, as emphasized in my presentation, it's not a clearance because the law really has not addressed it. Normally it depends on whether

the site is hosted or not and the degree to which a host of a site has control of the content. Some of the huge sites are pretty much common carriers much like the telephone system and simply cannot track the contents of every user. So as kind of a too big to fail situation, MySpace and FaceBook are pretty much exempt right now because they don't have the capacity and they know that and the courts know that. As we get to a point where you have a moderator on a small site such as we're probably describing with this question who might be able to track the comments and know who the users are. Then there is a potential for liability. The more control you have, the more liability you're potentially risking so I would say to anybody who has that kind of a site, via a moderator with a filter. Do not allow people to simply post ad hoc. Most list their for examples, have a gatekeeper for an incoming message must be approved before it goes online. My blog is the same way, although I tend to let most of them come on in. But it's marked with these groups to have that gate deeper where messages are held in advance. It might be a threat, it might be defamatory. That may chill some expression and that may stop some messages from getting online but that's the only way you can be safe from liable.

>> OK. Thank you. Could I ask to advance the slide? We have a question about Twitter and it says is the stop bully now campaign on Twitter? And the answer is yes. We're very with it at stop bullying now and there's the address. And please follow the campaign on Twitter. I want each of the speakers to be thinking as I ask this next question and then we'll go to a final. If you had to boil it all down, what is the one take away message you want people to take away from this web cast? And so don't answer quite yet, speakers, because I had one more question. This is probably for Patty and Sue. Have you seen cyberbullying being used in dating and relationship violence situations? Have you seen that going on?

>> Yeah. I would say, yes, it is. The issue that's become a concern is that the mobile phone is really a way to -- if someone wants to be obsessively controlling in a relationship, that mobile phone can be a way they do that. And so, you know, whether it's checking who they're texting, calling and wanting to reach that person at all times so that is a concern that's come up in some dating relationships. So for High Schoolers, that could be an important topic to discuss as well. Sue, anything you want to add there?

>> No. That's great, Patty. Thanks.

>> One more quick question before we go to our final boil it down, take away message. Where do you think that someone could get access to a survey to use to assess cyberbullying in their schools?

>> This is Sue. I'll refer folks back to the stop bullying now website. Have a number of examples of either free or for purchase surveys about bullying. And a number of those include questions about cyberbullying. As Patty alluded to earlier, I would encourage schools to talk about the broader context, ask them about prevalence and nature about more traditional forms of bullying as well. You will find some surveys listed there on the stop bowling now website.

>> Thank you. I'll go first in the boil it down question. And you're going to think I'm going to say visit the stop bullying now website but I'm not. Of course, we wish you all will. I will say it's critical and important to involve youth in meaningful ways to address the issues of bullying. Very meaningful ways starting at kindergarten and up. Sue, do you want to go next?

>> Well, in my mind it's all -- not all about but mostly about prevention in my mind and it's never too soon to address these issues with students. And related to think, I think all of us as adults, educators, parents, anyone who works with youth, have a responsibility to take cyberbullying issues seriously and help to prepare students for what they may encounter online.

>> Patty?

>> Gosh. I have two points. I really think it's important we make sure we're reaching the bystanders, so that fits with the prevention. I love the story of Olivia Gardner on our website. We do have information about her situation where she was targeted by bullying and cyberbullying and some bystanders stepped in and did something to help. And so I think it's real important to share those positive messages with kids. But secondly, for educators. I want to remind them that, you know, there's always something we can do to help address cyberbullying so let's make sure we're reaching that divide and being seen as a resource to students, a helpful resource and a helpful resource to the parents.

>> Thanks, Patty. And mike?

>> I will make one comment. That is to respect the role of the parents. That's one way to demystify all of the scary legal stuffy threw at you. It may not be quite as bad as I might have presented because it was showing you what can go wrong, the worst case scenario. The parent is an educator's ally and the parent may be protection against a lawsuit. For example, if you're not sure whether to search a cell phone, bring in the parent and talk to them. If you're not sure you can discipline off campus expression because it's a student's personal website, bring the parent in and discuss with the parent what the student was

seeing or doing and ask the student, is this what you want your child to be doing and saying online? Are you aware of this? 90% of the time I think parents are not aware of what's going on, online. If you have a situation where you feel you're wandering into the Briar patch of law as I've laid it out, the parents may be their way out of the Briar patch. When there's a questionable legal issue and it gets scary, the parent might be your salvation.

>> Well, let me thank the speakers for their tremendous job today and of course, the viewers and if we could go to the last slide, please, here is some more information and thanks again for joining us. Be sure to use this web cast in its archived quality as teaching and as discussion resources for you. Thanks again for joining us at the mchcom.com.