



## Cyberbullying—Lesson Plan

### Student Objectives

- Discuss the role of school authority and freedom of expression in a democratic society.
- Appreciate the tension between the exercise of freedom of expression and the protection of individuals and minority or disfavored groups.
- Understand the implications of cyberbullying policies for schools, students, parents, and the larger society.
- Examine how democracies that share common principles and face similar problems can still develop very different solutions.
- Explore the influence of technology on the specific balance of values and legal protections in different democratic societies.
- Analyze the reasons supporting and opposing the government’s authorization of schools to limit off-campus student speech.
- Identify areas of agreement and disagreement with other students.
- Decide, individually and as a group, whether the government should permit schools to punish off-campus cyberbullying; support decisions based on evidence and sound reasoning.
- Reflect on the value of deliberation when deciding issues in a democracy.

### Question for Deliberation

*Should our democracy allow schools to punish students for off-campus cyberbullying?*

### Materials

- Lesson Procedures
- Handout 1—Deliberation Guide
- Handout 2—Deliberation Activities
- Handout 3—Student Reflection on Deliberation
- Reading
- Selected Resources
- Deliberation Question with Arguments  
*(optional—use if students have difficulty extracting the arguments or time is limited)*



## Cyberbullying—Reading

1       The frequent and public exchange of ideas is central to a thriving democracy. The Internet,  
2 mobile phones, and digital technologies allow people to send words, images, and sounds to a  
3 wide audience in a matter of seconds. However, some electronic messages are harmful.

4       Schools have long faced the problem of bullies. Today’s bullies can now use interactive and  
5 digital technologies to harass and intimidate other students. Although schools have a duty to  
6 protect the safety and well-being of their students, much of this “cyberbullying” takes place off-  
7 campus, outside of school hours. Therefore, schools must decide whether or not to punish bullies  
8 for actions taken beyond school walls.

### 9       **What Is Cyberbullying?**

10       According to Parry Aftab of the U.S. Wired Safety Group, cyberbullying occurs “when a child,  
11 preteen, or teen is tormented, harassed, humiliated, embarrassed or otherwise targeted by another  
12 child, preteen, or teen using the Internet, interactive and digital technologies or mobile phones.”  
13 Unlike traditional bullying, cyberbullying does not always involve a powerless victim. Because  
14 students can hide their identities electronically, bullied students can more easily strike back. Thus,  
15 weaker students can and do become cyberbullies.

16       In a European study on Internet safety that included the Czech Republic, Estonia, Lithuania, and  
17 Romania, students mentioned many forms of cyberbullying. Among them were “mockery, ‘leg  
18 pulling,’ insults, threats, disagreeable comments and slander, [which were] sent by e-mail, put

19 forward on discussion forums, left on blogs, telephoned anonymously or sent by text message.”  
20 Students have also created false e-mail accounts or social networking profiles (such as on  
21 MySpace or Xanga). While impersonating other students, these cyberbullies broadcast mean,  
22 offensive, or hateful things. In “happy slapping,” as it is called in the Czech Republic,  
23 cyberbullies record their assaults on children with camera phones. They then broadcast these  
24 attacks via video messaging or websites. Technically savvy students have also sent destructive  
25 viruses to or installed spyware on their victim’s computers. As Aftab argues, “The [cyberbullying]  
26 methods used are limited only by the child’s imagination and access to technology.”

## 27 **The Extent and Consequences of Cyberbullying**

28 A recent national survey conducted by the Pew Internet and American Life Project found that  
29 “one third (32%) of all U.S. teenagers who use the Internet say they have been targets of  
30 annoying and potentially menacing online activities.” The unauthorized forwarding or public  
31 posting of private communication was the most common form of cyberbullying.

32 The problem also appears to be common in several European countries. In the Czech  
33 Republic, for example, a 2005 survey of young people revealed that 1 in 5 had been bullied by  
34 mobile phone or the Internet. While many children perceive these activities as “jokes and making  
35 fun,” cyberbullying has resulted in some students refusing to go to school and/or experiencing  
36 anxiety, depression, and insomnia. Furthermore, a recent UNICEF report showed bullying to be  
37 a significant problem for children in the Russian Federation, Estonia, and Lithuania. As more  
38 students gain access to digital technologies, cyberbullying will likely become more common.

39 In some cases, cyberbullying has tragic outcomes. In the Czech Republic, two twelve-year-  
40 old female students attempted suicide because of class bullying. Luckily, their parents found

41 them in time to save them. In the United States, the case of Ryan Halligan was more  
42 catastrophic. In 2003, a boy spread a rumor that Ryan was gay. He was repeatedly taunted on-  
43 and offline. According to Nancy Willard of the Center for Safe and Responsible Internet Use,  
44 “Cyberbullying based on sexual orientation appears to be quite frequent and has been  
45 implicated/suggested in most of the cases that have resulted in suicide.”

46 The taunting continued into the summer, when Ryan engaged in several online exchanges  
47 with a girl. As his father said, approaching a popular girl from school was “a surefire way to  
48 squash the ‘gay’ rumor before everyone returned to school.” When Ryan approached this student  
49 in the fall, she called him a loser and said she had only pretended to like him. She also extracted  
50 personal, embarrassing information from him during their supposedly private instant messaging  
51 exchanges and shared it with her friends. Ryan hung himself on October 7, 2003.

## 52 **The Legality of School Responses to Cyberbullying**

53 The First Amendment to the U.S. Constitution states, “Congress shall make no  
54 law...abridging the freedom of speech.” However, the Supreme Court has ruled in several cases  
55 that schools can limit student speech. In the 1969 *Tinker* decision, for example, the Court  
56 decided that schools could prohibit student speech if it “materially and substantially interfere[d]  
57 with the requirements of appropriate discipline in the operation of the school.” In subsequent  
58 cases, courts have used *Tinker* to determine if student speech about other students, teachers, or  
59 the school caused substantial disruption to the school community. Most of these cases involve  
60 student offenses against teachers and administrators rather than other students. Recent lower  
61 court decisions have addressed harassment via Internet technologies, such as a student website  
62 that made insulting comments about and threatened a teacher (*J.S. v. Bethlehem Area School*  
63 *District*). In the majority of decisions, the courts ruled against school districts that punished

64 students for off-campus Internet postings. In *Killion v. Franklin Regional School District*, for  
65 example, the court ruled that a school could not discipline a student for inappropriate off-campus  
66 e-mail unless that student brought the speech to school.

67 Given the courts' reluctance to limit off-campus student speech, U.S. school officials,  
68 parents, and legislators have addressed cyberbullying in other ways. For example, in Vermont,  
69 where Ryan Halligan lived, a new state law requires that public schools establish bullying  
70 prevention procedures. Some schools have added a provision to their acceptable use policies that  
71 students must sign. These policies authorize schools to "discipline the student for actions taken  
72 off-campus if they are intended to have an effect on a student or they adversely affect the safety  
73 and well-being of a student while in school" (Willard, 2003). Additionally, some parents and  
74 students have successfully argued that cyberbullies violated civil or criminal laws by, for  
75 example, intentionally inflicting emotional distress or committing a hate crime.

76 The 48-nation Council of Europe's Convention on Human Rights also protects freedom of  
77 expression and states that public authority should not interfere with it. Additionally, the United  
78 Nations' International Covenant on Civil and Political Rights states that the right to freedom of  
79 expression "shall include freedom to seek, receive, and impart information and ideas of all kinds,  
80 regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other  
81 media of his choice." However, this document also declares that the exercise of free expression  
82 "carries with it special duties and responsibilities" and thus can be restricted for "the rights and  
83 reputations of others" and "the protection of...public order."

84 In 2004, schools from Lithuania, Russia, Serbia, and Ukraine contributed to the *European*  
85 *Charter for a Democratic School without Violence*. This document announces, "All members of  
86 the school community have the right to a safe and peaceful school. Everyone has the

87 responsibility to contribute to creating a positive and inspiring environment for learning and  
88 personal development.” In response, organizations like Childline Lithuania and UNICEF Serbia  
89 have promoted comprehensive anti-bullying school policies. Additionally, the Serbian Ministry of  
90 Education has issued rules for the prevention of bullying in schools. In the Czech town of Usti nad  
91 Labem, police officers have begun patrolling schools where cyberbullying is a major issue. To enable  
92 Usti students to report incidents anonymously, police have placed special letter-boxes in schools.

### 93 **Prohibiting Off-Campus Cyberbullying: Supporters and Opponents**

94 Some people believe that schools can most effectively prevent cyberbullying by punishing  
95 harmful off-campus student actions. If students know cyberbullying has consequences, they will  
96 be less likely to participate in electronic activities aimed at tormenting other students.

97 Others argue that protecting the personal safety of bullied youth requires well-defined anti-  
98 bullying school policies and laws. “Suggestions” or “recommendations” for confronting  
99 cyberbullying often do not result in concrete actions. However, when school districts are  
100 required by law to stop cyberbullying, they are more likely to work with schools, parents, and  
101 students to implement anti-bullying programs that work.

102 Opponents do not endorse cyberbullying. They just do not believe punishment by school  
103 authorities can effectively stop it. Some people argue that anti-bullying policies are often not  
104 enforced. This is particularly true if no funding is available to monitor schools’ progress or to  
105 develop successful programs. A more useful way to address cyberbullying is a grassroots  
106 approach. Individual schools can create comprehensive strategies for combating bullying and  
107 violence based on the administrators, staff members, and students’ understanding of the problem.

108 Other opponents argue that cyberbullying is an ambiguous term. Many youth view disputes  
109 and teasing as a normal part of growing up. So-called “cyberbullying” just uses modern  
110 resources to do so. When teasing becomes harmful, youth know it but often do not seek the help  
111 of teachers or other adults. We should therefore focus our energy on empowering youth to  
112 challenge destructive forms of cyberbullying. This strategy will work better than top-down  
113 policies. Moreover, when students violate civil or criminal laws, the courts should discipline  
114 them, not schools.

115 People who support school intervention in off-campus cyberbullying argue that it causes  
116 significant school disruptions. Because digital technologies often leave evidence behind, school  
117 officials should take the time to investigate cyberbullying. Most of the time they will find plenty  
118 of reasons to justify formal discipline.

119 People who do not support school intervention in cyberbullying argue that we should educate  
120 rather than punish students. Teens are still developing their values. They will work to limit  
121 cyberbullying if they understand it is at odds with their personal code of ethics.

122 Will schools that punish off-campus cyberbullying improve school safety and protect the  
123 dignity of individual students? Or will they exceed their authority and violate students’ right to  
124 freedom of expression? Citizens must consider which policies best balance their rights to safety,  
125 respect, and free speech.



## Cyberbullying—Selected Resources

- Aftab, Parry, “Stop Cyberbullying,” WiredKids, Inc., <http://www.stopcyberbullying.org>.
- “Bullies Taking Phone Pictures,” *Czech Republic News* (July 6, 2005), <http://www.czech-republic-prague.com/article-73114-en.html>.
- “European Convention on Human Rights: Article 10, Freedom of Expression” (Strasbourg: Council of Europe, 1950), <http://conventions.coe.int/treaty/en/Treaties/Html/005.htm>.
- Halligan, John P., “In Memory of Ryan Patrick Halligan” (2007), <http://www.ryanpatrickhalligan.org>.
- “International Covenant on Civil and Political Rights” (Geneva: Office of the United Nations High Commissioner for Human Rights, 1966), <http://www.ohchr.org/english/law/ccpr.htm>.
- J.S. v. Bethlehem Area School District*, 757 A.2d 412 (Pa. Commw. 2000), <http://www2.bc.edu/~herbeck/cyberlaw.bethlehem.html>.
- Killion v. Franklin Regional Area School District*, 136 F.Supp.2d 446 (W.D. Pa. 2001).
- Lazarova, Daniela, “Violence among the Young: A Growing Problem in Czech Society,” *Radio Praha* (May 5, 2007), <http://www.radio.cz/en/article/90068>.
- Lenhart, Amanda. “Cyberbullying and online teens,” *Pew Internet & American Life Project* (Washington, DC: Pew Trust, 2007), <http://www.pewinternet.org/pdfs/PIP%20Cyberbullying%20Memo.pdf>
- Safer Internet for Children: Qualitative Studies in 29 European Countries Summary Report* (Gambais: Eurobarometer, 2007), [http://ec.europa.eu/public\\_opinion/quali/ql\\_safer\\_internet\\_summary.pdf](http://ec.europa.eu/public_opinion/quali/ql_safer_internet_summary.pdf)
- Tinker v. Des Moines School District*, 393 U.S. 503 (1969), <http://caselaw.lp.findlaw.com/scripts/getcase.pl?navby=case&court=us&vol=393&page=503>.
- UNICEF, “Child Poverty in Perspective: An Overview of Child Well-Being in Rich Countries,” *Innocenti Report Card 7* (Florence: UNICEF Innocenti Research Centre, 2007), [www.unicef.org/media/files/ChildPovertyReport.pdf](http://www.unicef.org/media/files/ChildPovertyReport.pdf).
- Valiukevičiūtė, Jurgita, “Workshop 4: International Child’s Expert Projects: An Illustration from Romania, Turkey, Lithuania, India, and Nigeria” (Vilnius, Lithuania: Childline Lithuania, 2006), <http://web.uvic.ca/iicrd/graphics/fullpapervaliukevicitute.pdf>.
- Willard, Nancy E., “Student Speech,” *Safe and Responsible Use of the Internet: A Guide for Educators* (2003), <http://www.csriu.org/onlinedocs/pdf/srui/chapters/part3/chapterIII7.pdf>.
- Willard, Nancy E., “Cyberbullying, Cyberthreats, and Dangerous Online Communities” (2006), <http://www.tiecolorado.org/2006/cbctpresentation.pdf>.





## **Cyberbullying—Deliberation Question with Arguments**

### **Deliberation Question**

*Should our democracy allow schools to punish students for off-campus cyberbullying?*

### **YES—Arguments to Support the Deliberation Question**

1. Respect and safety are just as important as free speech. Schools that punish cyberbullies send the right message about our democratic principles. The Supreme Court has ruled that students' First Amendment rights have limits. Punishing cyberbullying is an appropriate limit on First Amendment rights.
2. If students know cyberbullying has consequences, they will be less likely to engage in electronic activities that are harmful to other students. Establishing consequences for harmful acts is one of the ways that society teaches young people right from wrong.
3. We need to protect the victims of cyberbullying, not the perpetrators. Anti-bullying policies send a clear message that cyberbullying is not acceptable in our democracy. Sending this message is doubly important because victims of traditional bullying may become bullies in the anonymous world of cyberspace.
4. Policies and laws result in changed behavior. "Suggestions" or "recommendations" don't have the authority that actual policies or laws do. Thus, they don't result in any effective action. If mandated to prevent cyberbullying, schools will develop effective anti-bullying policies.
5. Cyberbullying causes significant school disruptions. If administrators investigate cyberbullying incidents, they will usually find the evidence they need to justify formal discipline for such acts. It is their responsibility as school leaders to ensure that the school is a safe place to learn for all students.



## **Cyberbullying—Deliberation Question with Arguments**

### **Deliberation Question**

*Should our democracy allow schools to punish student for off-campus cyberbullying?*

### **NO—Arguments to Oppose the Deliberation Question**

1. Schools have enough authority. Students are required by law to attend school and follow its rules while there, but a school should not be allowed to extend its authority into the private, off-campus lives of students. The First Amendment protects free speech. Giving schools authority over speech that occurs outside school infringes on First Amendment rights.
2. Anti-bullying policies are another example of unfunded, unenforced mandates. Given schools' tight budgets, they will not be able to monitor their progress or develop effective anti-bullying programs. A better solution is a grassroots one. Each school should address the problem as they see fit.
3. Cyberbullying is an ambiguous term. We should not discipline students who are simply having fun and engaging in normal teenage behaviors. When cyberbullying becomes something more than playful teasing, the juvenile justice system should become involved, not school officials.
4. Students, not adults, can best address cyberbullying. Adults are often out of touch with student language and viewpoints. Thus, they may identify a legitimate joke as cyberbullying. Because students understand better than adults when their actions become harmful, adults should help students develop skills to address cyberbullying on their own.
5. Education is a more effective tool for change than punishment. Teens are still developing their values and will work to limit cyberbullying if they understand how it is at odds with their personal code of ethics.