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Cyberbullying Policy in Public Schools

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CYBERBULLYING POLICY IN PUBLIC SCHOOLS

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Abstract

Many schools and school districts have had direct experience with the negative psychological effects of cyberbullying in their schools, ranging from high profile suicides to lower profile incidents that affect the ability of students to receive an education. Federal, state, and local regulations, as well as mandates from state educational agencies, require schools and school districts to address cyberbullying. Experts advocate that schools play a major role in addressing cyberbullying with anti-bullying policies in general and anti-cyberbullying policies in particular. This study presents case study portraits of two exemplary school districts, with a comparison to similar school districts, suggesting that 1) developing a clear and concise policy that involves stakeholders; 2) providing education with a focus on bullying prevention for staff, students, and parents; and 3) developing action plans aimed at modifying behavior, with punishment as a last resort can help school districts achieve the goal of reducing the risk and threat of cyberbullying among children and adolescents in the public schools so that they can all attain the benefits of technology advances without the harmful effects and risks that can occur.
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Chapter 1: Introduction

Cyberbullying, both on school grounds and outside the school, is a pervasive problem being discussed in schools, homes, and government institutions throughout the United States. The story of Phoebe Prince, a 15-year old who hung herself after receiving nasty online messages and emails, was the subject of widespread media attention on popular news programs including ABC’s Good Morning America (Nies, James, & Netter, 2010) and CBS News (Miller, 2010). Tyler Clementi, an 18 year old freshman at Rutgers University, jumped to his death after fellow students placed hidden cameras in his dorm room and then streamed live video of his homosexual relations on the Internet (Friedman, 2010). While these are extreme and highly publicized cases, they help to illustrate the destruction and disruption caused by cyberbullying.

Bullying is generally associated with the schoolyard, but bullies in the 21st century have technology that they can use to inflict harm on their peers in what is commonly known as cyberbullying (Patchin & Hinduja, 2011). Hinduja and Patchin (2009, p. 5) define cyberbullying as “willful and repeated harm inflicted through the use of computers, cell phones, and other electronic devices.” This definition includes aspects of traditional bullying, such as intention, repetition, and harm, while emphasizing the role that technology plays in fostering adolescent communications and interaction that may be harmful. Wolnak, Mitchell, and Finkelhor (2007) suggest that the concept of cyberbullying should include the term “online harassment” as well as offline bullying. They recommend that the definition include aggressive acts that intend to inflict harm, emphasizing an imbalance of power between the bullier and victim. Cyberbullying may
be more simply defined as an indirect form of bullying where the bullier harasses through an interface such as computer screen or phone (Beran & Li, 2007).

Willard (2007b) describes cyberbullying as being cruel to others by sending or posting harmful material or being socially aggressive using the Internet or other digital technologies. Cyberbullying can take different forms, including:

- **Flaming.** Online fights using electronic messages with angry and vulgar language.
- **Harassment.** Repeatedly sending nasty, mean, and insulting messages.
- **Denigration.** “Dissing” someone online. Sending or posting gossip or rumors about a person to damage his or her reputation or friendships.
- **Impersonation.** Pretending to be someone else and sending or posting material to get that person in trouble or danger or to damage that person’s reputation or friendships.
- **Outing.** Sharing someone’s secrets or embarrassing information or images online.
- **Trickery.** Talking someone into revealing secrets or embarrassing information, and then sharing it online.
- **Exclusion.** Intentionally and cruelly excluding someone from an online group.
- **Cyberstalking.** Repeated, intense harassment and denigration that includes threats or creates significant fear.

While schoolyard bullying may be witnessed by peers, online harassment is often posted in a public domain that peers and strangers can view. Cyberbullies can hide behind a computer or cell phone, posting anonymously, without any physical contact.
with the victim (Patchin & Hinduja, 2009). Franek (2005) defines a cyberbully as “anyone who repeatedly misuses technology to harass, intimidate, bully, or terrorize another person.” The behavior can include inappropriate or hurtful rumors or threads disseminated through email, instant messages, text messages, and website posts, often anonymously or disguised as someone else. Cyberbullies often say things that they would not say to someone face to face, with rumors spreading more quickly than with traditional methods, that is, more “viral” than traditional schoolyard bullying (Patchin & Hinduja, 2011). For example, a cyberbully could write an email containing hurtful remarks and send it to a wide audience with the click of a mouse button, and the recipients could then forward that to an even wider audience. Social media sites such as Facebook and Myspace frequented by teens can include posts that potentially hundreds or thousands could read, making this form of bullying even crueler.

Cyberbullying is an indirect form of bullying compared to face-to-face bullying in the schoolyard. Bullying at school may or may not be witnessed by classmates, while online messages are available in a public domain and can be viewed by friends, acquaintances, and strangers. Thus, the cyberspace audience essentially acts in the same role as bystanders in the schoolyard (Beran & Li, 2007). The relationship between school bullying and cyberbullying is similar to social rank theory, where a peer group establishes a hierarchy in which some students aggressively dominate their peers for power and prestige (Espelage & Swearer, 2003). A child that is attacked at school may be at risk of cyberbullying inside and outside of school, and similarly, a child that is attacked at school may retaliate through their own cyberbullying. Cyberbullying may
invoke less anxiety than a face-to-face interaction, with the computer serving as a means of self-protection (Beran & Li, 2007).

The majority of cyberbullying is perpetrated by children who bully face-to-face, directed at the same victims through established social relationships (Ybarra & Mitchell, 2004). Previous research shows that children bullied at school through face-to-face interactions suffer a variety of psychological effects including anxiety, loneliness, sadness, and insecurity (Hawker & Boulton, 2000; Olweus, 1989). Cyberbullying studies from Beran and Li (2005) and Patchin and Hinduja (2006) showed that cyberbully victims experience frustration, anger, and sadness, with about one-third being negatively affected. A later study by Beran and Li (2007) showed that students who were bullied only in cyberspace and those bullied at school experienced low grades, poor concentration, and absenteeism, indicating that bullying in school or outside of school can impact learning. Similarly, Limber (2009) found that children who are either a bully or victim experience anxiety, depression, and school absenteeism, impacting their ability to perform optimally in school. Based on a national sample of American children ages 10 to 17 years, Finkelhor, Mitchell, and Wolak (2000) reported that 30% felt extremely upset and 24% were frightened after receiving harassing online messages. In a more recent study of 2,000 randomly-selected middle-schoolers from one of the most populous school districts in the United States, 20% of students reported seriously thinking about attempting suicide. All forms of bullying, both in the schoolyard and through cyberspace, were significantly associated with increases in suicidal ideation (Hinduja & Patchin, 2010). Cyberbullying victims were nearly twice as likely to attempt suicide versus their peers who had not experienced cyberbullying. Clearly, additional
research is needed to understand the psychological effects of cyberbullying on children and their ability to learn in school.

A 2007 study by the Pew Internet and American Research Project using a telephone survey of 935 teens and seven focus groups in the east and Midwest found that 32% of teens have experienced at least one form of online harassment (Lenhart, 2007). 15% of the participating teens reported that private material such as instant messages, text, and email were forwarded without their permission. 13% of teens received threatening messages and 13% reported that someone spread a rumor about them through online methods. A 2010 telephone study of 800 teens aged 12-to-17 years-old by the Pew Internet and American Research Project also found that 26% of teens had been harassed by text or voice on their cell phone (Lenhart, Ling, Campbell, & Purcell, 2010). In its 2010 report of student victimization in U.S. schools, reporting on the school year 2006-2007, the National Center for Educational Statistics reported that 11.6% of students who reported being the victim of any crime also reported that they were bullied by electronic means (DeVoe & Bauer, 2010).

The Second Youth Internet Safety Survey (YISS-2), conducted in 2005, surveyed 1,500 households of 10 to 17 year olds across the continental United States (Ybarra & Mitchell, 2007). The study found that nearly one in three teens reported harassing someone online and in 82% of those instances, the surveyed teen added their own comments when another teen commented first. The study also found that psychosocial and behavioral problems increased as the prevalence of Internet harassment increased. Psychosocial issues for frequent harassers included interpersonal victimization, high caregiver-child conflict, being a target of Internet harassment, and physical/sexual
victimization. Behavior problems included aggressive behavior, rule breaking, and depression. Reporting on the same study data, Wolnak, Mitchell, and Finkelhor (2007) found that 9% of respondents had been harassed in the prior year, and of these, 43% were harassed by known friends, while 57% were harassed by people they only knew only online.

In an effort to draw attention to the problems of bullying and cyberbullying, and to explore potential solutions, Barack and Michelle Obama hosted the first ever “White House Conference on Bullying Prevention” on March 10, 2011 (Lee, 2011). The goal of the conference was to dispel the myth that bullying is harmless and just a part of growing up. In his opening remarks, Obama told his own story of being victimized, tying bullying to absences and poor performance in school. In her opening, Michelle Obama drew attention to the fact that the solution is multifaceted, requiring involvement by parents, teachers, coaches, faith leaders, and government officials, essentially everyone that is involved in adolescents’ lives.

According to Beale and Hall (2007), combating cyberbullying requires administrators, teachers, counselors, parents, and students to work together to ensure that every child has a safe and effective learning. A multidisciplinary approach to combating cyberbullying should incorporate student education, parent education, and professional development seminars for educators. Combating bullying and cyberbullying requires an inter-disciplinary approach that relies on expertise in education, psychology, criminology, sociology, and the law as well as the involvement and dedication by people and organizations, working together for the welfare of students (Shariff & Hoff, 2007). While there is empirical evidence that effective prevention and intervention efforts can
combat cyberbullying, state and local governments, schools, parents, and students each can take a role.

Snakenborg, Acker, and Gable (2011) advocate three types of interventions: 1) laws, rules, and policies that regulate media use and control cyberbullying and other forms of abuse, 2) educational programs that educate children about safe Internet and electronic media use, including how to avoid and respond to cyberbullying when it occurs, and 3) technology solutions that prevent or minimize the potential for cyberbullying. Beale and Hall (2007) outline nine types of interventions: 1) student education, 2) anti-bullying disciplinary policy that addresses harassment by electronic and mobile technology, 3) acceptable use policy prohibiting the use of technology for bullying, both on school and off school grounds, 4) parent education, 5) establishment of a relationship with local police, 6) professional development for faculty and staff on issues related to cyberbullying, 7) creation of a school climate where students feel comfortable reporting cyberbullying incidents, 8) a coordinated program among all schools in a district so students have consistent cyberbullying prevention at all grades, and 9) establishment of a schoolwide cyberbullying task force.

Most cyberbullying programs and policies in use today are based on previous bullying policies and a logical approach rather than scientific evidence (Snakenborg, Acker, & Gable, 2011). Without research studies into the implementation and effectiveness of interventions, school officials and staff have little guidance about how to combat cyberbullying. This qualitative research study explores anti-cyberbullying policies, to understand the methods used to inform school staff, students, and parents about the policies and their administration, as well as their perceptions regarding the
effectiveness of the policies. Participants will include selected school districts that have
developed exemplary policies, as defined by cyberbullying policy experts and the U.S.
Department of Education, to describe patterns of implementation and to identify
perceptions of policy outcomes. Combined with other interventions, such as education
and program changes, the goal is reduce the risk and threat of cyberbullying among
children and adolescents in the public schools, so that they can all attain the benefits of
technology advances without the harmful effects and risks that can occur.
Chapter 2: Review of the Literature

Schools have legal responsibilities at national, state, and local levels to protect children and to provide a safe and effective learning environment. At the same time, the responses they can take are limited based on constitutional protections of free speech and against unreasonable search and seizure. School district officials need to understand their responsibilities and limitations as they draft policy, and then communicate and implement those policies in their schools and districts. Many experts in the field, including selected school district officials, legal experts, and anti-bullying experts, provide guidance to help school district officials develop and implement their own written policies but little concrete guidance is provided. This literature review provides a comprehensive view of the responsibilities, limitations, and recommendations from the field to help guide officials in the development and implementation of their own anti-cyberbullying policies.

Legal Questions Surrounding Cyberbullying

The primary legal questions surrounding cyberbullying are: (1) Are schools liable if they fail to address cyberbullying? (2) Under what circumstances can schools address cyberbullying without violating students’ First Amendment rights to freedom of speech? and (3) Under what circumstances can schools monitor or search student Internet records and devices without violating students’ Fourth Amendment rights against illegal search and seizure? School officials often don’t know what actions they can and should take. School officials have been held liable because they took action when they shouldn’t have or they didn’t take action when they should have. Therefore, schools officials need help
from experts and legal counsel to determine the appropriate actions and policy (Patchin, 2010).

**Federal law protections of students.** In its Dear Colleague letter of October 26, 2010, the U.S. Department of Education supported individual schools and districts rights to combat bullying, stating that the goal of efforts should be to eliminate environments that foster fear and disrespect such that student learning is negatively affected (Ali, 2010). School anti-bullying policies and administration of those policies trigger responsibilities for enforcement of federal antidiscrimination laws including:

- Title VI of the Civil Rights Act (1964), which prohibits discrimination on the basis of race, color, or national origin
- Title IX of the Education Amendments Act (1972), amended the Civil Rights Act to prohibit discrimination on the basis of sex or gender and protects lesbian, gay, bisexual, and transgender (LGBT) students
- Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act (1990), which prohibit discrimination on the basis of disability. Section 504 specifically prohibits discrimination based on disability in schools.
- Age Discrimination Act (1975), which prohibits discrimination on the basis of age
- Equal Protection Clause of the 14th Amendment to the Constitution (Amendment 14), which guarantees that any person is entitled to the equal protection of the laws of the United States

Based on these federal regulations, school officials cannot tolerate, encourage, inadequately address, or ignore any harassment based on race, color, national original,
sex, disability, or age that is so serious that it creates a hostile student environment. Harassment is defined as actions that result in a hostile environment that is severe, pervasive, or persistent so that it interferes with a student’s ability to participate in their own education or school services. Schools may adopt anti-bullying policies that go beyond the civil rights laws enforced by the Department’s Office of Civil Rights (OCR), which enforces regulation on approximately 51.7 million students that attend U.S. public schools (Shariff, 2004). For instance, school officials can include protections for harassment based on religion or sexual orientation (Ali, 2010).

Two important cases have considered harassment protected by civil rights legislation: Northern District of California, Doe v. Petaluma City School District (1996) and Davis v. Munroe (1997) (Shariff, 2004). In Doe, students called a victim names and engaged in physical abuse for over two years. The school counselor did not advise the victim’s parents of the process for filing grievances and school officials took no action against the perpetrators. In its decision, the District Court indicated that a school district must counter harassment through its policies, and failure to do so results in a hostile environment. In Davis, a male student harassed a female student for several months. The Supreme Court ruled that the harassed student was denied an equal learning opportunity and that the school’s indifference to the harassment created a hostile and abusive school environment that violated the Education Amendments Act of 1972. To assign liability to a school in a case of student-on-student harassment, the victim must demonstrate that the harassment was severe and pervasive, depriving the student of educational opportunities, and that the school had knowledge of the harassment and was indifferent to it (Willard, 2010).
The *Nabozny v. Podelsny* (1996) case involved a student who was physically and verbally abused in school from 7th to 11th grade because of his homosexual orientation. During that time, he attempted suicide on three occasions and underwent surgery for internal bleeding following another student’s attack. Nabozny sued the Ashland Public School District for violating his 14th Amendment rights. The court found that the school failed to protect him against the harassment and that the school had a responsibility to protect gay students in the same way they protect all other students (Shariff & Hoff, 2007).

Title IX of the Education Amendments includes guidelines regarding a school’s responsibility to respond when they know about harassment. The case of *Gebster v. Lago Vista Independent School District* (1998) tested the question of “actual knowledge” compared to “should have known,” resulting in the “actual known” standard (Shariff & Hoff, 2007). The case involved a high school student, the solitary student in a class, who suffered abuse from a teacher. The student argued that the school should have known about the abuse but the court ruled that since the student didn’t report the abuse, the school was not liable. The ruling made it clear that it would be considered “deliberate indifference” if the school had any information at all about the misconduct and did not take action.

The OCR encourages schools to take immediate steps to investigate reports of abuse in a prompt, complete, and impartial manner (Ali, 2010). Schools must 1) take prompt and effective measures to stop the harassment, 2) remove a hostile environment, which may include creation of new policies, and 3) prevent harassment from occurring again in the future through subsequent reporting, follow-up inquiries, and appropriate
response. Whether or not offending conduct is covered in school policy, each school has a legal responsibility to investigate and take appropriate action based on complaints, ensuring that the hostile environment resulting from the harassment does not recur. In addition, the OCR encourages schools to reevaluate their existing policies and practices to ensure that they adequately address bullying and comply with federal laws (Ali, 2010).

Schools may face civil liability because of a civil rights violation or for negligence. Schools officials have an obligation to exercise reasonable precautions and to respond to reports of cyberbullying. To help reduce a school district’s liability, Willard (2007b) advises that schools take reasonable precautions including 1) creating policies that prohibit the use of digital devices and personal devices for harassment or bullying, 2) educating students and staff about these policies, 3) careful monitoring of district-owned devices, and 4) implementing an easy system for students and school staff to report cyberbullying incidents confidentially or anonymously.

**Public school student rights to free speech.** School officials may be concerned that if they institute cyberbullying policies, they may encounter challenges to the First Amendment (Amendment I) to the Constitution, which protects the right to free speech. Similarly, they may be concerned that they can only regulate on-campus speech, not off-campus speech, where much cyberbullying takes place. Several cases related to on-campus and off-campus speech clarify the rights of schools. School officials are encouraged to consult with local counsel regarding their rights and the rights of students in the development of their policies related to the First Amendment (Willard, 2007b).
Four important U.S. Supreme Court cases deal with first amendment rights of public school students: *Tinker v. Des Moines Independent School District* (1969), *Bethel School District No. 403 v. Fraser* (1986), *Hazelwood School District v. Kuhlmeier* (1988), and *Morse v. Frederick* (2007). In *Tinker* (1969), high school students wore black armbands to school in an effort to protest the Vietnam War. The school principal ordered the students to remove their armbands and suspended them from school when they refused. The Supreme Court overturned the suspensions, ruling that public schools cannot restrict student speech unless they can prove that the speech will “materially and substantially interfere” with the school, cause a disruption, or violate the rights of other students. Based on *Tinker*, schools cannot silence student expression simply because they do not like it. Schools may only impose formal discipline when the speech causes or threatens to cause a disruption at school or the speech interferes with student rights to be secure at school (Willard, 2007a).

In *Fraser* (1986), a high school student was suspended after delivering a lewd, sexually suggestive speech at a school meeting. In its decision, the Supreme Court upheld the suspension, stating that a school can teach its students the “boundaries of acceptable behavior,” allowing schools to ban lewd, vulgar, or profane language on school grounds and at school events without proving a disruption to school operations. In essence, student speech is not protected if it is vulgar or indecent, regardless of whether it constitutes a disruption. The court set a distinction between political speech that is protected under *Tinker* and vulgar speech during a school sponsored event, which is not protected. In relation to cyberbullying, the court’s decision emphasized that schools must teach their students socially acceptable behavior. Since threatening or offensive speech
that infringes on the rights of others does not have value in a school setting, schools cannot ignore it (Shariff & Hoff, 2007).

Shariff and Hoff (2007) argue that Fraser, combined with Tinker, applies to student free speech in the context of cyberbullying, which may include sexual harassment, sexual solicitation, homophobia, and threats against women. This type of bullying disrupts learning in the school and limits students including female and LGBT students from receiving equal opportunities to learn, thereby infringing on their constitutional rights to education and creating a hostile school environment. School officials clearly have authority over school sponsored activities on-campus and are not required to promote or allow speech that is incompatible with the school’s educational goals (Shariff & Hoff, 2007). The Fraser decision directly allows school officials to discipline students for speech that is not consistent with the basic values of a public school education.

The Hazelwood case (1988) involved the Hazelwood School District, whose school principal censored school newspaper articles on divorce and pregnancy because they were deemed to be offensive and inappropriate. The Supreme Court stated that Tinker does not apply to “school sponsored” speech, and that schools can set high standards for student speech that is published within the context of the school that is “inconsistent with the shared values of a civilized social order.” The court stated that school administrators did not violate the students’ First Amendment rights since their actions were “reasonably related to legitimate pedagogical concerns.” Hazelwood allows educators to control the content of school publications, theater productions, and other expressive activities that students perform. When students use on campus computers as
well as personal digital devices, schools can impose educational restrictions on student speech under *Hazelwood* (Willard, 2007a). In states that have school free speech laws, local counsel is needed to determine if *Hazelwood* applies or not.

The more recent *Morse* case (2007) involved a high school student that displayed a sign that said, “Bong Hits 4 Jesus” at an off-campus, school-sponsored event, during school hours. The student was suspended from school and the Supreme Court found the suspension to be constitutional. Based on *Fraser* (1986), the court opinion stated that a school’s mission can include the teaching of socially acceptable behavior, which can include deterring illegal drug use and that speech that advocates illegal drug use undermines the school’s mission. Therefore, the school can prohibit such speech without proving that it is disruptive to on-campus activities. Like *Fraser, Morse* was limited to on-campus or school-related activities (Willard, 2010).

The majority of Federal Court decisions on school disciplinary policies rely on the *Tinker* standard and not the *Fraser* standard (Willard, 2010). The American Civil Liberties Union has argued that school officials have no right to limit or otherwise address off-campus speech (American Civil Liberties Union of Pennsylvania, 2008). Most court decisions have considered both *Tinker* and *Fraser*, and applied the *Tinker* standard when the involved student speech took place off-campus. In applying the *Tinker* standard, the courts look to determine if the speech resulted in a substantial disruption to school. Therefore, it is incumbent upon schools to prove a substantial disruption as the result of student speech on or off campus (Willard, 2010). In cases involving dress code violations, such as T-shirts or other clothing worn by students, the courts have applied
the *Fraser* standard when the clothing is considered lewd or indecent. In other cases, the courts have applied *Tinker*.

School officials should consider the *Tinker* standard when developing policies related to on- and off-campus speech. Since *Tinker* was decided in a federal court, its application should not depend on state or local regulations (Willard, 2010). School officials should consider two additional off-campus newspaper cases decided in the circuit courts: *Boucher v. School Board of the School District of Greenfield* (1998) and *Pangle v. Bend-Lapine School District* (2000). In *Boucher*, a high school student wrote instructions on “how to hack the school’s gay ass computers” in an off-campus publication. In its Seventh Circuit Court opinion, the court ruled that school officials could rightly assume that the writing might substantially disrupt school operations by affecting a school’s computer system. In *Pangle*, a student wrote advice about methods that would cause personal injury and property damage, which would likely disrupt school operations. The appellate court upheld the lower-court decision, deciding that the school district reasonably believed that the newspaper article would disrupt the school’s operations and infringe on the rights of other students. Courts in other cases, such as *Beussink v. Woodlands R-IV School District* (1998) and *J.S., a Minor v. Bethlehem Area School District* (2000), support school officials in taking action for off-campus speech that is derogatory, profane, threatening, or disruptive even when the speech is created using off-campus computers since the speech was directed at on-campus students (Shariff & Hoff, 2007).

*Layshock v. Hermitage School District* (2006) involved a student that posted a cartoon about the school principal on a social media site. The student was placed in an
alternative school and banned from school activities, including graduation. The court refused to lift the ban, indicating that the school had to shut down its own computer system since so many students were accessing it, resulting in lost instructional time and student access. The court initially upheld the school’s disciplinary policy and refused to lift the restraining order (Shariff & Hoff, 2007). However, in its final decision, the district court found in favor of the student, finding that the online profile he created in the principal’s name was protected by the First Amendment. The court based its decision on the fact that the student had created the profile off school grounds, and that the student’s writing had not substantially disrupted the school with his behavior.

Under all cases that apply the Tinker standard, including Saxe, Sypniewski, Morse, Boucher, and Pangle, school officials can limit and take disciplinary action for speech on- and off-campus, in writing or verbally, that has or could foreseeably interfere with a student’s ability to feel safe at school and to receive an education. In addition, school officials can respond to speech that could result in violence at school (Willard, 2010). The standard remains that educators can respond when the speech could cause a substantial disruption to school operations and, therefore, interfere with on-campus instruction, provided that school officials have evidence to predict actual interference. School officials have the right to respond to inappropriate, harmful speech on school computers and student-owned cell phones and digital devices while on campus. Based on Hazelwood, schools can also regulate school-sponsored, online publications.

Courts have repeatedly affirmed that schools may not restrict speech that does not materially and substantially disrupt educational operations (Shariff & Hoff, 2007). Thus, student speech must be truly threatening and not merely offensive in order to
regulate it. In *Beidler v. North Thurston School District Number 3* (2000), a student created a web page that ridiculed a high school assistant principal, displaying pictures that depicted the assistant principal as an alcoholic and a Nazi. The school expelled the student, sending him to an alternative school. *Beidler* filed a suit asserting that the website did not cause a substantial disruption at the school, and therefore, was protected by the First Amendment. The court agreed, finding that the school did not meet the *Tinker* standard.

Two important Third Circuit court cases provide additional insight into how schools may apply the *Tinker* standard to cyberbullying incidents (Willard, 2010). In *Saxe v. State College Area School District* (2001), the school district’s anti-harassment policy was challenged on the grounds that it was overly broad and could potentially apply to speech that was merely offensive, rather than speech that materially and substantially interferes with the school’s operation or student safety. The decision, written by current Supreme Court Justice Alito, upholds the *Tinker* standard because the policy prohibited speech that would “substantially interfere with a student’s educational performance.” By using the term “a” student, the decision applies to speech that interferes with the rights of any student, whether the speech takes place on-campus or off-campus, not exclusively to speech at school or school-related activities. Alito went further to indicate that any speech that substantially interferes with a student’s education results in a substantial disruption.

In *Sypniewski v. Warren Hills Regional Board of Education* (2002), the court addressed Warren Hill’s anti-harassment policy, approving the body of the language used in its definition of bullying, which limited any verbal, written, graphic, or physical
conduct that created a hostile or abusive environment that affects a student’s educational environment. The policy was clear that harassment did not apply to offensive or rude speech, upholding a student’s right to free speech, student opinions and beliefs, as long as the language does not infringe on the rights of others and does not disrupt school operations. The case emphasized the importance of subjective and objective language, and the totality of the situation. Based on Sypniewski, educators should consider anti-cyberbullying policy from both subjective and objective perspectives (Willard, 2010). Saxe and Sypniewski, as well as Morse, applied the Tinker standard. Thus, school officials can respond to student speech that has or could significantly interfere with a student’s ability to feel safe at school and receive an undisturbed education, and that could predictably result in violence at school.

In the Pennsylvania case Flaherty v. Keystone Oaks School Dist. (2003), a student posted three messages on an internet message board, both at school on school-owned computers and from the student’s home. The school’s policies outlined in the Student Handbook prohibited “inappropriate, harassing, offensive or abusive” behavior. Based on their policy, the school punished the student. The student challenged the Student Handbook’s guidelines as vague, and therefore, unconstitutional. The court held that the policy was overbroad because portions did not limit the school’s authority to discipline student expression to instances where the expression caused, or there existed a realistic potential threat of a substantial disruption to school operations. Since the policy could be interpreted to cover speech that occurs off school premises not related to school activity, the policies were ruled unconstitutional. Based on Flaherty, school officials must carefully consider the language in their policy to ensure that on-campus and off-
campus speech is prohibited when it “materially and substantially disrupts” school operations. Both Bedier and Flaherty involved posting of material about adults in the schools, without proving a disruption or direct threat (Shariff & Hoff, 2007). Based on Tinker, courts have essentially backed student free speech even when it is offensive, as long as the speech does not disrupt school operations. Similarly, speech that substantially or materially disrupts learning using school-owned devices to harass or threaten students or educators, are not protected by the First Amendment (Shariff & Hoff, 2007).

**Student rights related to search and seizure.** The Fourth Amendment (Amendment IV) to the United States Constitution protects citizens against unreasonable searches and seizures. Many cases involving student searches concerned lockers and backpacks, but more recently, cases have involved the search of computers, cell phones, and other digital devices. Courts have ruled that schools need a “reasonable suspicion” to search, balancing the school’s need to maintain order and protect the welfare of all students with a student’s rights under the Fourth Amendment (Alexander & Alexander as cited in Shariff & Hoff, 2007). If a student is suspected of sending harassing emails or posting on a social media site on school computers, the school has a right and responsibility to monitor such activity.

In *New Jersey v. T.L.O.* (1985), the U.S. Supreme Court ruled that the Fourth Amendment prohibition on unreasonable search and seizure applies to public school officials. Thus, student searches must provide a balance between student privacy rights and the need to maintain order in schools. To determine if a search is reasonable, a school official must answer two questions: 1) if the search is justified and 2) if the extent of the search is directly related to the circumstances that originally instigated the search.
(Willard, 2010). Thus, any student searches require reasonable grounds based on evidence that a student violated federal, state, or local laws or school policy. The TLO standard applies to physical searches as well as computer, cell phone, and personal digital device searches.

Since TLO was decided, courts have allowed school officials considerable latitude in searches when the school has a reasonable suspicion that a student is violating the law or school policy. The Veronia School District 47J v. Acton (1995) case upheld the constitutionality of random drug testing of student athletes. In Board of Education of Independent School District No. 92 of Pottawatomie County v. Earls (2002), the court ruled that students involved in any school-related extra-curricular activity, on-campus or off-campus, have a low expectation of privacy. Thus, for on-campus use of technology, schools have a right to search, especially when those devices are not used for academic purposes. Schools should inform students in advance that the equipment may be searched routinely during random searches or during routine maintenance (Shariff & Hoff, 2007). Similarly, school officials have the right to search an individual student’s computer if they have a reasonable suspicion that the student violated school policy or was involved in a criminal act.

In Klump v. Nazareth Area School District (2006), a federal court applied the TLO standard to a search of cell phone records. In that case, a teacher took possession of a cell phone since school policy prohibited the use of cell phones on campus. A school administrator then searched the student’s text messages, voice mail, and contacts. The student filed suit, claiming that the search was unreasonable. The court ruled that the confiscation of the cell phone was warranted as its use violated the school’s policy but
did not have a reasonable suspicion to warrant the search of the phone seeking out a further violation of school policy, and therefore, violated the student’s Fourth Amendment rights. The court further asserted that the school violated the Pennsylvania Wiretap Act by accessing the voice mail and text messages (Willard, 2010).

The issue of consent to search has additional considerations for adolescents. Officials need to consider the age, education, intelligence, and physical and mental condition of an individual that gives consent, even if the individual is advised that they have the right to refuse the search (Willard, 2010). For example, if a student is questioned by a police officer in the principal’s office and is asked to search their cell phone, would a student know that they can refuse to give consent? School policy and training should include clear guidelines on what an official can and cannot do given the TLO decision (Willard, 2010). Although a cell phone may be visible in violation of school policy, officials do not automatically have the right to search cell phone records. Statues vary from state and state and should be considered in the development of school disciplinary policy.

Anti-Cyberbullying Policy Guidelines and Recommendations

On January 8, 2002 President Bush signed into law the No Child Left Behind Act (NCLB) of 2001, which reauthorized the Elementary and Secondary Education Act of 1965 (ESEA). The Safe and Drug-Free Schools and Communities Act (SDFSCA) (Title IV, Part A of the ESEA) was a critical part of the national effort to ensure academic success for all students. The SDFSCA State Grants (Subpart 1) program authorized a variety of activities designed to prevent school violence and youth drug use, and to help schools and communities create safe, disciplined, and drug-free environments that
support student academic achievement. Written policies provide a key component of meeting the requirements for grants under NCLB (U.S. Department of Education, 2004).

**Policy development process.** School districts and individual schools play a large role in addressing cyberbullying with anti-bullying policies in general, and anti-cyberbullying policies in particular (Beale & Hall, 2007). An anti-bullying policy can be drafted or improved by engaging members of the school community and periodically evaluating and revising the policy based on new developments (Mahri, Chafouleas, & Sassu, 2004).

A first step in the development of school policy should be to determine the amount of cyberbullying that is occurring in the school and in the home through focus groups, class meetings, and student, teacher, and parent surveys. School officials need to understand the types of cyberbullying in order to adequately address the issue schoolwide (Beale & Hall, 2007). Esposito (2009) recommends that schools and districts begin their policy development work by working with a general one, and then tailoring it to the needs of the individual school or district. School officials should work with their legal counsel to ensure that the policy aligns with federal, state, and local regulations.

Several studies have found that children are afraid to report cyberbullying incidents for fear of escalation or the imposition of parental restrictions on Internet use. For instance, Juvonen and Gross (2008) reported that 90% of study participants who experienced cyberbullying failed to report it. A survey of 735 U.S. school teachers and school counselors, including at least one respondent from each of the 50 states, found that schools with written anti-bullying policies were more likely to enlist other adults and
less likely to ignore bullying incidents (Bauman, Rigby, & Hoppa, 2008), emphasizing the importance of written policy in combating cyberbullying.

**Anti-cyberbullying policy content.** Recent policy statements from the U.S. Department of Education (Duncan, 2010) and the U.S. Department of Justice (USDOJ, n.d.) provide guidelines to school districts and schools, helping them to draft their own anti-cyberbullying policies. Many state school boards have developed guidelines and recommendations for the schools in their state to help individual school districts and schools create their own policies. Experts from legal and academic communities have also provided extensive recommendations on the development and administration of policies (Beale & Hall, 2007; Shariff, 2004; Willard, 2007a, 2007b, 2009, 2010). The variety and specificity of these recommendations can be confusing and may or may not apply to a selected school or district, potentially making it difficult for policy makers to identify the right policies for their own schools and students.

In the *American School Board Journal*’s Advisor, Kitty Blumsack, Director of Board Development for the Maryland Association of Boards of Education, recommends that school boards create a general policy that sets broad guidelines for school officials and educators. Wording that is too specific may target a person or group and place the district at risk (Blumsack, Coyle, & Caruso, 2009). Nicholas D. Caruso, Jr., Senior Staff Associate for Field Service for the Connecticut Association of Boards of Education, recommends use of words like “such as, but not limited to” to ensure that the policy is created to foster a school climate where students feel safe (Blumsack et al, 2009). Odvar Egil Dyrli (2005), Emeritus Professor of education at the University of Connecticut, recommends that each district set clear cyberbullying policies for activities
in school and outside of school, which may include new guidelines or an extension of existing guidelines to include online bullying.

Willard (2010) recommends that school and district cyberbullying policies should specify that they apply to on- and off-campus speech that causes or threatens to cause disruption at school or that interferes with individual student rights to be secure based on the *Tinker* standard, supported by specific facts. Policy should connect the off-campus online speech to the school community, students, and staff, specifically stating that the purpose is to prevent an imminent and foreseeable substantial disruption, not simply an annoyance or controversial speech. The policy should also define the school to include school-sponsored field trips, activities, events, and transportation to and from such activities.

Some school leadership organizations have expressed concern that a policy requirement for school officials to address cyberbullying would create a responsibility for those officials to be *in loco parentis*, in the homes of all of their students. While this may be a concern, properly drafted and administered policy will ensure that this will not be a consequence (Willard, 2007b). Often, the imposition of formal discipline, such as suspension or expulsion, will not resolve particular incidents. Willard, therefore, recommends that school policy require removal of harmful information and specifically state that retaliation by the perpetrator or others at the perpetrator’s request is prohibited.

The U.S. Department of Education Key Policy Letter of December 16, 2010 (Duncan, 2010) contains specific content recommendations for anti-bullying policies. The goal was to provide technical assistance for stakeholders including state and local government officials, school officials, and policymakers to help them revise existing
policies or create new policies. The recommendations are divided into 11 categories including 1) purpose statement, 2) statement of scope, 3) specification of prohibited conduct that includes a clear definition of cyberbullying, 4) enumeration of specific characteristics that explain bullying, 5) development and implementation of local educational agency (LEA) policies, 6) components of LEA policies, 7) review of local policies, 8) communication plan for notifying students, families, and staff of bullying policies, 9) provision of training and preventative education, 10) provision for LEAs to report on bullying incidents and actions taken, and 11) statement of victim rights to access other legal resources. The Department recommends that state and local educational agencies consult legal counsel and local officials to ensure that policies comply with state and local laws, in addition to federal laws.

In their book, *Bullying Beyond the Schoolyard*, Hinduja and Patchin (2009) suggest that that schools include six components in their cyberbullying school policies and practices: 1) include clear definitions of harassment, intimidation, and bullying by electronic and traditional means, 2) a graduated series of consequences for bullying, 3) reporting procedures, 4) investigational procedures, 5) language that allows a school to respond to off-campus speech or behavior that results in a substantial disruption of the learning environment (per *Tinker*), and 6) activities that prevent cyberbullying. They state that the goal should be to balance one student’s right to free speech against another student’s right for a safe learning environment. The effectiveness of these policy recommendations has not been studied.

**AUP policy content.** The AUP is a written agreement, typically signed by students, parents, and teachers, that identifies the terms and conditions of the use of
school-owned computers and digital devices as well as acceptable online behavior and access privileges. An AUP that identifies and limits the use of on-premise school equipment is an important component of the anti-cyberbullying policy (Willard, 2007a). School officials should establish guidelines for the appropriate use of computer networks through an AUP (Mason, 2008). By defining the proper use of the Internet, an AUP can help keep students safer and make teachers more accountable for student safety (Esposito, 2009).

The AUP should include clear rules that govern the use of technology and contain consequences for offenders, and should be printed in student handbooks, literature to send to parents, and on the school’s website (Franek, 2005). Willard (2007b) recommends that AUPs address the use of both school-owned and student owned digital devices on campus, and the definition of devices should include mobile and networked Internet devices (Beale & Hall, 2007; Willard, 2007b). AUPs can and should limit student speech on school-owned computers and devices so any email, correspondence, or web or social media posting can be censored. Schools can also discipline students for bullying generated on school computers provided that the AUP regulates the type of content that can be sent, received, or posted on school computers (Brown, Jackson, & Cassidy, 2006).

The U.S. Department of Justice provides a model acceptable use policy, available to school officials (USDOJ, n.d.) at http://www.cybercrime.gov. In its Bullying/Cyberbullying Prevention Law Model Statute and Advocacy Toolkit, the Anti-Defamation League (2009) encourages the use of the Department of Justice model policy as a guideline to help school officials develop their own policies as well as the Education
World’s guidelines for an AUP. Education World recommends that the AUP contain six elements: 1) a preamble that explains the goals and process for developing the policy, 2) a definition section that describes key terms such as computer, Internet, and digital device, 3) a policy statement that describes the devices and services covered by the policy, 4) an acceptable uses section that defines appropriate and intended uses of digital devices, 5) an unacceptable uses section that provides a clear, unambiguous list of behaviors that are unacceptable including, but not limited to posting, sending, or forwarding of information as well as use of chat rooms and sexually explicit website, and 6) a violations or sanctions section that explains reporting and disciplinary procedures. The final section may refer to the cyberbullying or other student disciplinary policy (National Education Association, n.d.).

AUPs can be developed at both the district and individual school levels. Brown, Jackson, and Cassidy (2006) recommend both AUPs since cyberbullying may exist within one school more than another and children are likely to attend more than one school in a district.

Flowers and Rakes (2000) analyzed AUPs conducted of 24 purposively selected K-12 U.S. schools. Although the study was conducted before the widespread proliferation of the Internet in schools, and the use of cell phones and social media, it illustrated several key points of interest to school officials drafting AUPs, including the fact that few AUPs have been challenged, most are administered by school personnel but supervised by classroom teachers. E-mail was the most frequently used application and loss of computer system access was the most usual punishment for inappropriate behavior.
Communication and implementation of policy. Barbara Coyle, Deputy Executive Director of the Virginia School Boards Association, advises “Have Policy. Know Policy. Use Policy.” That is, the policy is the law of a school board and should take a holistic view that is sufficiently broad to cover all possible situations (Blumsack et al, 2009). School officials have a key role as educators who need to work closely with teachers, parents, students, and relevant stakeholders to communicate and implement effective anti-cyberbullying policies (Shariff & Hoff, 2007). By working with area schools, including private schools, districts can provide consistent information and discipline. However, district-level school officials need to strike a balance between prescribing strict school policy and allowing individual schools to respond to local initiatives (Smith, 2011).

A school- or district-wide task force that includes tech-savvy students, parents, educators, and community members, schools can help implement effective anti-cyberbullying policies and programs. Technology specialists should work with school administrators, teachers, library specialists, students, and parents to ensure that devices are used responsibly. Schools should also consider incorporating anti-cyberbullying strategies such as cooperative learning, peer medication, and social skills into their instruction (Mason, 2008). As an example, in 2010, the Seattle Public School District created a pilot curriculum designed to prevent cyberbullying in the middle and high schools (Holladay, 2011). The curriculum includes four prevention practices: 1) Correcting misperceptions about the use of digital devices, 2) creating empathy and understanding for peers, 3) teaching safe uses of digital devices and media, and 4) providing strategies for students to reject digital attacks.
A written anti-cyberbullying policy can provide an effective strategy to combat bullying when implemented with staff education and training and a positive behavior support plan (Sherer & Nickerson, 2010). Staff education and training, through initial or in-service teacher training or both, can involve teachers that are knowledgeable about the effects of school bullying and violence and ways to prevent and intervene (Smith, 2011). Olweus (2004) found that the most important predictor of school-wide attention to bullying problems was communication among teachers and the most important predictor of classroom-level attention was the perceived staff importance of bullying interventions, highlighting the importance of staff education and training as the front line in anti-bullying programs.

The recent attention on cyberbullying has resulted in a number of state laws that require school districts to prevent or address online harassment (Davis, 2011). All 50 states have enacted legislation addressing some aspect of cyberstalking, cyberharrassment, and/or cyberbullying, although the content of the laws varies significantly (National Conference of State Legislators, 2011). Because these state laws vary widely in the content, they provide little guidance to help school officials to draft and implement effective policies. Some state laws refer specifically to “cyberbullying” while others refer to “electronic harassment.” The Massachusetts anti-bullying law (S.B. 261) specifically refers to cyberbullying, requires prevention and intervention training for staff and students, and requires that state agencies create guidelines and sample policies for schools. The Colorado state legislature made a legislative declaration of policy on bullying and no reference to cyberbullying (SB 01-080). New Jersey enacted a new law in early 2011 that mandates student and adult training and prevention, and will
grade schools on their efforts to fight cyberbullying (S-993). Patchin (2010) objects to the format of most state laws, advocating that they should be more “prescriptive” and “proscriptive,” providing specific guidelines about how and when schools can and should react to cyberbullying.

School officials should be aware of all federal, state, and local regulations that may affect their implementation of policy. For instance, if they fail to respond adequately to cyberbullying that infringes on a student’s civil rights, they may be subject to civil litigation. Alternatively, if they respond too aggressively, they may infringe on an individual student’s free speech rights under the First Amendment and/or the right to reasonable search and seizure under the Fourth Amendment. Various court rulings provide general guidelines to schools to help in the implementation of policy. However, cases related directly to cyberbullying are rare, and until there is case law, schools should use the cases cited in the literature to guide their practices (Shariff & Hoff, 2007).

A school district’s safe schools committee should assume responsibility to address cyberbullying (Willard, 2007a). Safe schools committees may include administrators, counselors, and school resource officers as well as community representatives such as parents and mental health professionals. Ken Trump, President and CEO of National School Safety and Security Services, Inc. (2010) agrees, advocating that bullying prevention, intervention, and enforcement is a serious issue that should be addressed as part of a complete school safety program. The California Department of Education (2010) provides a safe schools planning checklist designed to help schools identify the resources that are needed to improve school safety and prevent violence. A key element on the checklist involves discipline policies and practices. The
Board encourages schools and districts to review their disciplinary rules and procedures to ensure that they address student behavior problems and consequences, and to ensure that cyberbullying and cyberthreats are adequately addressed.

Many schools require that students and parents sign anti-cyberbullying and acceptable use policies in an effort to ensure that parents are aware of their student’s Internet use. Schools may involve parents through family contracts with the goal to extend control of policies to home computers and digital devices (Brown et al, 2006). However, many parents are not very “tech savvy” and may not understand how their student uses technology, both in a positive and a negative manner. Any family agreement and parent education should detail acceptable and unacceptable online behavior as well as interventions and consequences for unacceptable behavior, with a goal to create a safe and suitable learning environment for all students (Beale & Hall, 2007).

School administrators, teachers, and counselors should establish a culture that does not tolerate bullying and emphasizes appropriate social norms (Snakenborg et al, 2011). Informally, a school climate should make students feel comfortable reporting incidents of cyberbullying. Schools can take informal actions and formal actions, developing a comprehensive approach that educates students on how to prevent or respond to victimization and to educate parents about how to prevent their child from being a bully or victim. School officials are not prevented from taking informal action and should be encouraged to resolve a cyberbullying matter informally, especially if there is a question under the Tinker standard (Willard, 2007b). An effective response may be to download a copy of the cyberbullying content such as the email or social media posting, and provide it to the bullier’s parents, advising the parents of their
potential personal liability if they don’t take action to prevent the action from recurring. Officials can and should respond informally, rather than waiting until the standard of “substantial disruption or threat” occurs.

**Effectiveness of School Policies**

No studies to date have evaluated the effectiveness of anti-cyberbullying school policies. However, comprehensive violence prevention programs have been evaluated and are proven effective (Edmondson & Zeman, 2011). Effective anti-violence programs combine education, intervention, and personal responsibility, with the goal to create a positive school environment. Effective anti-violence programs confirm that multifaceted, thoroughly implemented policies, combined with professional development for teachers, and sustained frequency and duration result in reduced violence among children and adolescents (Bickmore, 2011). Instruction that develops social awareness, respect, tolerance, inclusion of all students, and the building of strong relationships are effective.

While high quality programs are effective, the typical implementation in schools is of lower quality or not sustained, emphasizing the need for high quality programs.

Zero-tolerance policies refer to a range of policies that require predetermined, non-negotiable consequences for infractions, encompassing a broad set of hard disciplinary practices that exclude children from schools and learning (Browne-Dianis, 2011). Behaviors typically associated with zero-tolerance policies include defiance, drug use, and property offenses, as well as violence. An examination of the effectiveness of zero-tolerance policies by the American Psychological Association Zero Tolerance Task Force (2008) shows that they do not achieve the goals for school discipline. The study found that zero tolerance does not improve school climate or school safety, despite
intuitive ideas that severe punishment will improve the behavior of punished students and of those that witness the punishment. Alternatively, when standards for non-violent behavior are clearly communicated and enforced, strict punishment for the most serious violent offenders can form an important component of an anti-violence policy (Bickmore, 2011).

Studies exploring effectiveness of anti-drug and alcohol policies provide some helpful guidelines for school officials implementing anti-cyberbullying policies. In a longitudinal study of adolescent substance abuse, Evans-Whipp, Bond, Toumbourou, and Catalano (2007) found that policy messages that are delivered effectively are associated with reduced student drug use at school. Reductions in drug-related behavior were associated with student abstinence drug education and perceived penalties if caught using drugs at school. Stamm and Frick (2009) found that zero-tolerance drug and alcohol policies were not effective, but those that integrated counseling, considering the collective interests of children and parents were most effective.

Schools have different methods and capacity to implement policies based on their culture and values (Braun, Ball, Maguire, & Hoskins, 2011). Policy makers often assume the optimal environment for implementations but the context may materially affect the adoption and ultimately the effectiveness of a policy. The adoption of policy depends on whether it is mandated, strongly recommended, or suggested, and the extent to which policies fit within the culture of a school. The context of the school can shape teacher values, commitments, and experiences, and affect policy management. Contexts that affect the adoption of policy include: 1) situated contexts such as locale and setting, 2) professional contexts such as teacher commitments and policy management, 3) material
contexts such as staffing and budget, and 4) external contexts such as legal requirements and responsibilities. School officials need to consider the context of their schools and district as they implement anti-cyberbullying policy.

**Conclusion**

School officials must consider their legal requirements to protect children under federal, state, and local laws while being mindful of student rights regarding free speech and protections against unreasonable search and seizure. Under federal laws including the Civil Rights Act of 1964, the Education Amendments Act of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975), and the Equal Protection Clause of the Fourteenth Amendment to the Constitution (Amendment 14), school officials must protect students against any harassment based on race, color, national original, sex, disability, or age to ensure that students don’t face a hostile student environment, and have equal opportunity to receive instruction. Various cases litigated in federal court such as *Doe, Davis, Nabozyn*, and *Gebster* emphasize the need for school officials to be proactive in identifying and responding to bullying on school campus. The OCR of the U.S. Department of Education encourages schools to stop harassment, remove hostile environments, and prevent harassment in the future. An evaluation of existing policy or creation of new policy is key to meeting these guidelines and to help schools protect themselves from civil liabilities.

The First Amendment to the U.S. Constitution protects student rights to free speech. Cases litigated in the federal and district courts have clarified the role that school officials can take in regulating student speech. Based on the landmark *Tinker* case,
schools can impose formal discipline when the speech causes or threatens to cause a disruption at school or the speech interferes with student rights to be secure at school. Subsequent cases in the federal courts, including *Fraser, Hazelwood, and Morse* have further refined the *Tinker* ruling to provide additional guidance to school officials, allowing them to regulate on-campus speech as well as off-campus speech that results in a substantial disruption to school or that foreseeably could result in a substantial disruption at school. Schools also have a responsibility to teach to socially acceptable behavior and to protect themselves and students from lewd or indecent speech or speech that is inconsistent with the school’s values. School officials should consider the *Tinker* standard, as well as cases in the district and local courts such as *Boucher, Pangle, Beussink, Minor, and Layshock*, when developing policies that define on-campus and off-campus speech. District court cases including *Saxe* and *Sypniewski* specifically addressed school disciplinary policies, and relied on the *Tinker* standard to define the boundaries of school regulation to protect each student from a substantial disruption to their own education, based on a subjective and objective point of view. The courts in cases such as *Beidler* and *Flaherty* have repeatedly ruled that schools may not restrict speech that does not disrupt school operations, and that the policy must be clear and unambiguous. In all cases, school officials can limit and take disciplinary action for on-campus and off-campus speech, in writing or verbally, that interferes or could foreseeably interfere with any student’s ability to feel safe at school and receive a fair education, and that could cause a substantial disruption to school operations provided that officials have evidence to predict an actual interference.
The Fourth Amendment to the U.S. Constitution protects students from unreasonable search and seizure. The *TLO* case affirmed that unreasonable search and seizure applies to school officials and that a reasonable suspicion must exist that a student has violated the law or school policy. Schools have considerable latitude, however, in random searches related to on-campus activities as upheld in *Veronia* and *Board of Education*. Therefore, school officials have the right to search student data during routine maintenance and through random searches on-campus. Specific to searches of student cell phones, the *Klump* case applied the *TLO* standard to a search of cell phones on campus, allowing officials to seize a cell phone when used in violation of school policy but disallowing a search of cell phone or other digital media without a reasonable suspicion. School officials must also consider consent to search, ensuring that the age, education, intelligence, and physical and mental condition of an adolescent are considered.

Many states have recently enacted legislation that requires school districts to address cyberbullying but provide little guidance about the content of that policy. Students in schools with written policies are more likely to report incidents, highlighting the need for a written policy. Many experts in the field from educators to researchers provide high-level recommendations, such as advice to create broad guidelines and to have a written policy, without specific language and sample policies. The NCLB of 2001 requires that schools address cyberbullying through a safe schools committee, with guidance to address cyberbullying and cyberthreats, but again, with little specific guidance and advice. The U.S. Department of Education (Duncan, 2010) has provided the most concrete recommendations along with sample excerpts from school districts.
across the country to provide the most useful recommendations available along with a recommendation to consult legal counsel and local officials. Hinduja and Patchin (2009) identify six key components of a policy included in the U.S. Department of Education recommendations, including clear definitions of harassment, consequences for bullying, reporting and investigational procedures, and language that allows school officials to respond to off-campus speech. All of the recommendations are useful to school officials and can help guide policy, but it is still left up to school districts to navigate the various recommendations and decide what is right for them and their students. The implementation and effectiveness of these policy recommendations has not been studied.

An AUP is an important written policy that defines acceptable online behavior and access privileges for school-down computers and digital devices. An AUP typically includes clear rules that govern the use of computers with consequences for offending behaviors. The agreement is often signed by the student, parent, and teacher, with teachers ultimately responsible for their administration in a classroom. AUPs have been around since the proliferation of computers in schools, but many have not evolved to consider student-owned cell phones and digital devices. The AUP should detail the bounds of acceptable and unacceptable behavior of school-owned devices and student-owned devices that are used on campus, as well as consequences for unacceptable behavior. Similar to cyberbullying disciplinary policy, there is little guidance available to school officials to help them draft an AUP that adequately addresses cyberbullying. The Anti-Defamation League (2009) and the U.S. Department of Justice provide model AUPs. Similar to anti-cyberbullying policy, the implementation and effectiveness of policy recommendations has not been widely studied.
This literature review provides guidelines and recommendations, as well as legal considerations for school officials that are developing and implementing anti-cyberbullying policies and AUPs. However, school officials often still need more help in implementing and communicating the anti-cyberbullying policy and AUPs in the schools, thereby protecting the rights of each student to be free of harassment and to receive a fair and equal education.

**Purpose of the Study**

Many schools and school districts have had direct experience with the negative psychological effects of cyberbullying in their schools, ranging from high profile suicides to lower profile incidents that affect the ability of students to receive an education. Federal, state, and local regulations, as well as mandates from state educational agencies, require schools and school districts to address cyberbullying, often without providing concrete and specific guidance about how to develop and implement policies. The purpose of this qualitative case study is to understand the methods that school districts use to inform school staff, students, and parents about anti-cyberbullying policies and their administration, as well as their perceptions regarding the effectiveness of the policies.

**Significance and Potential Contributions**

Individual schools and school districts can learn from the methods employed by other school districts to guide them in their own communication and implementation of anti-cyberbullying policies, gaining “lessons learned” by other school officials. They will be able to use this research as a guide to institute effective methods, involve the right participants, and evaluate the effectiveness of their policies. Ultimately, the goal is
to help schools reduce the impact and incidence of cyberbullying in their schools and serve as a model for other schools and school districts that face similar issues.

**Conceptual Framework and General Research Questions**

School officials may develop and communicate new anti-cyberbullying policy or revise their bullying or harassment policy in response to many factors. A highly publicized suicide or other cyberbullying-related event in their district or a nearby district may prompt action. School officials may have noted an increase in cyberbullying in their districts or nationwide. State school boards or legislatures may have mandated that school officials create a policy in their districts. Regardless of the cause, school officials throughout the United States understand that they must respond to the problem in many ways, with a written anti-cyberbullying policy comprising a key component of their response. However, school officials are given little guidance to help them define and implement their policies. The goal of this study is to answer this question: What methods can school officials use to inform school staff, students, and parents about their anti-cyberbullying policies, and what are their perceptions regarding the effectiveness of the policies?

**Limitations of the Study**

This study is conducted with public school districts that have written a new cyberbullying policy or have revised existing policies to cover cyberbullying. These school districts, while appearing to be ahead of most school districts in terms of policy development, may not fully represent the issues that other school districts face.

The study relies on telephone interviews with school officials involved in the process, which may represent a significant time commitment from some individuals. The
time commitment may deter some districts and individuals from participating, making it
difficult to recruit districts that may be representative of other districts.
Chapter 3: Methods

Strategy and Rationale

This study uses a heuristic, multiple case study design, which provides insights into how policy is communicated and implemented within different school districts and to understand perceptions about the effectiveness of the policies (Merriam, 1998, p, 27-40). The multiple case study design provides an ideal method to focus on the implementation of programs within the individual school districts that have implemented anti-cyberbullying disciplinary and related policies within their school districts (Marshall & Rossman, 2011, p. 93).

The study presents case study portraits of two school districts, with a comparison to similar school districts, suggesting generalizations about effective methods that result in minimizing the risk and threat of cyberbullying among children and adolescents in the public schools. This design provides a rich and holistic account of the phenomenon under study (Merriam, 1998, p, 41).

Participants

In order to understand and gain insight into the methods used to inform school staff, students, and parents, and to understand their perceptions regarding the effectiveness of these policies, a purposeful sample was selected from school districts around the United States (Merriam, 1998, p. 61).

The researchers completed the following steps to identify potential participants:

1. In each geographical area, a goal was set to select one school district located in a City and one located in a Suburb/Town/Rural area in an effort to represent varied contexts as defined by Braun, et al (2011), and based on
regions and locales defined by the U.S. Department of Education (2009).

Thus, a goal was set to identify participating districts as follows: 2 from the Northeast, 2 from the South, 2 from the Midwest, and 2 from the West.

2. Using a yahoo.com search engine, public school districts in each state were identified. All state school boards and the U.S. Department of Education list the public school districts and provide links to their websites.

3. Through a random process, individual school district websites were accessed. The school board policies, posted and publicly available, were reviewed. If there was no anti-bullying policy, the school district was eliminated from the search. The majority of school districts, estimated at 100 or more, initially identified did not have a policy and were eliminated from the search. For school districts that had an anti-bullying or anti-cyberbullying policy posted or revised between 2007 and present (the last five years), the policy was further reviewed to determine if it met the policy criteria specified in Table 1. School districts that met the criteria identified in Table 1 were included in the study until one of each type of district (2 from the Northeast, 2 from the South, 2 from the Midwest, and 2 from the West, and one each from a City and one each from a Suburb/Town/Rural area) was identified.

Table 1 identifies the criteria used to review anti-bullying policies and to select school districts that had exemplary policies. These criteria were selected based on criteria defined by the U.S. Department of Education (Duncan, 2010) and by policy and legal experts (Anti-Defamation League, 2009; Beale & Hall, 2007; Blumsack, 2009; Brown, et al, 2006; California Department of Education; 2010; Dyrli, 2005; Esposito,
Table 1
Policy Criteria

<table>
<thead>
<tr>
<th>Topic</th>
<th>Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Statement of Scope</td>
<td>• Policy has a statement of scope that addresses those covered by the policy</td>
</tr>
<tr>
<td>Cyberbullying Definition</td>
<td>• Policy defines cyberbullying and outlines the detrimental effects of bullying</td>
</tr>
<tr>
<td>Prohibited Conduct</td>
<td>• Policy clearly specifies prohibited conduct</td>
</tr>
<tr>
<td>Prohibited Retaliation</td>
<td>• Policy prohibits retaliation for asserting or alleging an act of cyberbullying</td>
</tr>
<tr>
<td>Reporting</td>
<td>• Policy includes a clear reporting procedure to report incidents of cyberbullying</td>
</tr>
<tr>
<td>Punishment</td>
<td>• Policy describes consequences and sanctions for bullying or refers to a disciplinary policy</td>
</tr>
<tr>
<td>Acceptable Use</td>
<td>• Policy defines appropriate student use of school-owned devices and student-owned devices such as cell phones or other digital devices</td>
</tr>
</tbody>
</table>

Table 2 identifies the school districts selected to participate in this study based on the content of their policies and their locale (U.S. Department of Education, 2011). For confidentiality purposes, pseudonyms are used for the primary schools districts, with the Western City school district referred to as Gold Country and the Western Town school district referred to as PacWest.

Table 2 Participating School Districts*

<table>
<thead>
<tr>
<th>School District/Pseudonym</th>
<th>No. of Students</th>
<th>No. of School Admins</th>
<th>No. of Teachers (FTE)**</th>
<th>No. of Counselors</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary School Districts</td>
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<tr>
<td>Western City/Gold Country</td>
<td>47,890</td>
<td>125</td>
<td>2,243</td>
<td>***</td>
</tr>
<tr>
<td>Western Town/PacWest</td>
<td>5,708</td>
<td>13</td>
<td>277</td>
<td>15</td>
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<tr>
<td>Comparison School Districts</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Southern City</td>
<td>10,304</td>
<td>41</td>
<td>664</td>
<td>29</td>
</tr>
</tbody>
</table>
Entry Procedure

Following approval of the study by the University of Nevada, Las Vegas (UNLV) Institutional Review Board (IRB) on March 5, 2012, an entry email (Figure 1) was sent to the superintendent, assistant superintendent, and dean of students for each identified school district. Each email was followed about three business days later with a telephone call. Upon further investigation, it was determined that all of the large school districts required a formal application to their IRB or other research board. Thus, the appropriate forms were completed by the researchers for each of the City school districts. One of the school districts denied the application, stating that they did not have a written policy. Further investigation showed the policy initially identified had been removed from the website. Subsequently, another school district was selected as a comparison subject using the process described in the “Participants” section of this report.

Hello,

My name is Alison Humphries and I am graduate student in Educational Psychology at the University of Las Vegas, Nevada (UNLV). I am working on my thesis on the topic of cyberbullying policy in public schools under the supervision of Lisa D. Bendixen, Ph.D., Associate Professor of Educational Psychology at UNLV.

Specifically, I would like to identify one school district official that is familiar with your anti-cyberbullying and acceptable use policy, and who can describe the methods used to
inform school staff about the policy and who can describe the effects that the policies have had on reducing the risk of cyberbullying in your district. In addition, I would like to send a brief survey to school administrators, teachers, and counselors within the district to learn about their perceptions.

We are hoping to publish the final study and I'll share the findings with you, helping to showcase your district as a leader in the development and implementation of policy. No individuals involved will be able to be identified when we present and publish the findings.

Please let me know if you have questions and if you would be willing to participate. I will provide a study description and informed consent forms. However, no student data will be included in this study.

Would you or a colleague be willing to participate?

Figure 1. Entry Email

Officials from the Gold Country and PacWest school districts were the first to agree to participate in the study by scheduling telephone interviews, and were selected as the primary case study subjects. Each participating school district official completed and returned the informed consent approved by the UNLV IRB, which is attached to this study. The school district officials from these school districts were familiar with the district’s policies and were able to describe the methods used to inform staff, students, and parents about the policies and their implementation, as well as their perceptions regarding the effectiveness of the policies at that time.

The interviews with school district officials revealed additional interview participants for the study. Thus, the researcher asked officials from a community agency and the state’s office of public instruction to participate in telephone interviews. After receiving the signed informed consent approved by the UNLV IRB, additional telephone interviews were conducted.
Data Collection Procedure

A semi-structured telephone interview was conducted with the identified subjects in each school district who described the methods used to inform school staff, students, and parents about anti-cyberbullying and acceptable use policy and their administration, as well as their perceptions regarding the effectiveness of the policies. The semi-structured interview was selected to provide data quickly with breadth and depth to provide a rich and detailed description of processes and perceptions (Marshall & Rossman, 2011, p. 144-145). The procedure used to develop interview questions were as follows:

1. A list of topics were defined based on the interview of the literature and expert recommendations regarding the content and development of anti-cyberbullying policy and the goal to meet the research question (Beale & Hall, 2007; Patchin, 2010; Shariff, 2004; Shariff & Hoff, 2007; Willard, 2007a, 2007b, 2009, 2010). Thus, the following topics were identified: methods used to inform school staff about the policies; methods used to inform students about the policies; methods used to inform parents about the policies; methods used to educate school staff about the administration of the policies; perceived effectiveness of the education process; awareness of state and local legal requirements; disciplinary procedures; and reporting procedures.

2. A list questions applying to each topic with the goal to cover a broad range of topics using open-ended questions without a strict structure, providing a non-threatening method of gaining individual participant feedback and input
(Glesne, 2011, p. 107-113). For instance, experience questions, opinion and values questions, and knowledge questions were posed (Glesne, 2011, pp. 106).

3. The student researcher reviewed the questions with the supervising researcher. The questions were then revised based on input.

4. The first interview was used to pilot the topics and questions.

5. The topics and questions were modified minimally based on the interview experience. For example, the following topics were added: methods used to develop policy; cyberbullying definition; and punishment and consequences. Additional open-ended questions were added for each topics to help the researcher better guide the interviews.

Table 3 lists the final topics and questions selected.

Table 3
Semi-structured Interview Topics

<table>
<thead>
<tr>
<th>Topic</th>
<th>Questions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Methods used to develop policy</td>
<td>How did you develop your policies? Did your state provide useful resources, and if so, what were they? Given your experience, what would you have done differently?</td>
</tr>
<tr>
<td>Cyberbullying definition</td>
<td>Is the definition of cyberbullying in your policy sufficient for all audiences and ages? What are your biggest challenges in identifying cyberbullying? How are you communicating your definition of cyberbullying to your audiences?</td>
</tr>
<tr>
<td>Methods used to inform school staff about the policies</td>
<td>How did you inform school staff about the policy? Was there formal training or communications? If so, can you share the content with me?</td>
</tr>
<tr>
<td>Methods used to inform students about the policies</td>
<td>How did you inform students about the policy? Was there formal training or communications? If so, can you share the content with me?</td>
</tr>
<tr>
<td>Methods used to inform parents about the policies</td>
<td>How did you inform parents about the policy? Was there formal training or communications? If so, can you share the content with me?</td>
</tr>
</tbody>
</table>
To prepare for each telephone interview, the researchers reviewed each school district’s policies to familiarize them with the content as well as any information about their anti-bullying programs posted on the district’s website. Then, the following interviews were conducted:

- PacWest District Assistant Superintendent and Compliance Officer: A 75 minute semi-structured telephone interview was conducted on March 23, 2012. The official provided contact information for a Community Agency.
Managing Director and the OSPI Program Director for the School Safety Cent, encouraging the researchers to contact them for additional information about programs in the district and information about legislation and resources in the state of Washington.

- Gold Country Bullying Prevention Expert: A 90-minute semi-structured telephone interview was conducted on May 11, 2012. The Bullying Prevention Expert provided links to information on the district’s website as well as links to third-party websites. In addition, the official provided a PowerPoint presentation used to train teachers in the school district.

- PacWest Community Agency Managing Director: A 90 minute semi-structured telephone interview was conducted on April 12, 2012 with the managing director of the community organization that provides student and parent education and prevention for the elementary, middle, and high schools in the PacWest school district. During interview, the managing director provided website links to additional information about the programs they offer.

- Washington State Office of Public Instruction Program Director of the School Safety Center: A 60-minute semi-structured interview was conducted on April 17, 2012. The School Safety Center Program Director also provided links to additional information about the programs they offer through a publicly-available website.

Detailed field notes were recorded on a computer during the interviews. Analytical notes and memos were added at the completion of each interview to
summarize thoughts, to draw conclusions, and to gather impressions gleaned from the interviews. The final notes were then logged and printed double-spaced for later analysis and coding.

Documents and artifacts were collected and analyzed for all participant school districts. The documents and artifacts used in this study were publicly-available through governmental, school district, and association websites. The following document types were located and printed, and then filed by school district and document type for later analysis and coding:

- **School board policies**: All policies were reviewed to identify their specific content areas, language, and to identify each district’s definition of cyberbullying. The SCUSD had developed a Strategic Plan on Bullying Prevention and Intervention, which was further analyzed to identify the methodology used to develop policy and implement bullying and cyberbullying prevention programs in the district.

- **School board procedures**: All school boards published their procedures on their websites. The procedures were reviewed to identify their specific content areas, language, and to identify the rigor required of school staff in reporting and responding to incidents of cyberbullying.

- **State education association model policies for states that provided model policies to their school districts (Washington, Wisconsin, Delaware, Florida)**: The model policies were compared to the school district policies to identify the extent to which the school district policies aligned with the model policy.
• State education association policy guidance provided in states that did not provide a model policy or did not require school district’s to use a model policy to identify the extent of guidance provided to their school districts.

• State education association bullying, cyberbullying, and school safety training materials and information provided for school staff, students, and parents: The information and documents collected were analyzed to determine the extent and type of content and guidance provided to their school districts to help them to educate their staff, students, and parents about cyberbullying policy and prevention.

• School district website documents used to educate school staff, students, and parents about the district’s policies, procedures, and bullying and cyberbullying prevention programs: A variety of documents including announcements, PowerPoint presentations, and lesson plans were analyzed to identify the method used to educate staff, students, and parents as well as the content of the education in each district.

• Association documents: In cases where a district worked with an association or private company as the source of educational materials and/or delivery of educational materials for staff, students, or parents, documents describing the content were analyzed to identify the methods used and to determine the type of content provided.

The documents were logged and placed into binders based on the school district and state in which the district was located. Individual documents were grouped with similar documents. For example, all school district polices were grouped together, all
state model policies and resources provided to school districts were grouped together, and so on. Data that was not relevant or did not contribute to answering the research question, such as detailed descriptions of how legislation was enacted, were eliminated.

**Data Analysis**

Figure 2 describes the theory-generated taxonomy that was developed based on the expert recommendations offered in the “Anti-Cyberbullying Policy Guidelines and Recommendations” in Chapter 2: Review of the Literature (Marshall & Rossman, 2011, p. 210-212).

<table>
<thead>
<tr>
<th>1. Policy development</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Motivation for policy development (legislation, identification of a problem)</td>
</tr>
<tr>
<td>b) Process (task force, use of model policies, by school boards)</td>
</tr>
<tr>
<td>c) Cyberbullying definition</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2. Education and prevention</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) School staff (policy requirements, resources, customization)</td>
</tr>
<tr>
<td>b) Students (distribution of policy, elementary school, middle school and high school)</td>
</tr>
<tr>
<td>c) Parents (methods, attendance)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3. Incident handling</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Counseling</td>
</tr>
<tr>
<td>b) Punishment</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>4. Effectiveness of policy and bullying prevention programs</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) District official perceptions</td>
</tr>
<tr>
<td>b) Reported data</td>
</tr>
</tbody>
</table>

*Figure 2. Theory-Generated Taxonomy Used to Guide Data Analysis*
Data Validity and Reliability

Data triangulation, that is, the use of different sources of information, was used to increase the validity of the study (Guion, Diehl, & McDonald, 2011). Multiple data sources including school board policy documents produced by school districts; school board procedures produced by school districts; model policies provided by state education associations; policy guidance documents provided by state education associations; educational and school safety training materials provided on state education association websites; staff, student, and parent educational materials provided on school district websites; and community agency or association documents available on public websites. To validate the data provided by interviewees, the subjects provided additional documents for data including materials used to educate staff, students, and parents; and procedures when they were not published on the school district’s website.

Reliability for this qualitative study is defined by the methods used to conduct the research (Bapir, 2012). All interviews were transcribed in the same manner using a computer to record field notes. All collected documents were printed and catalogued using the same methods. The research process was overseen by the supervisory investigator to ensure that the methodology has coherence and openness. All data was coded and analyzed by the student researcher. A second rater was not used.
Chapter 4: Results

This chapter describes the process used to analyze the data, revealing the themes of this research, as well as the findings that resulted from the data analysis based on each theme identified. This chapter concludes with a summary of the findings.

Thematic Data Analysis

Using a thematic analysis of the data based on the methodology used by Braun and Clarke (2006), the researchers completed the following steps:

1. The researchers looked for themes in the data, working from the specific topics to the more general concepts or themes. Codes were developed based on a review of the data, using the taxonomy as a guide. Thus, some codes were a priori and some codes emerged in vivo. The themes developed from grouping individual codes. Figure 3 describes codes, indicated by circles, as well as the initial themes identified, indicating by boxes.
2. The researchers reviewed the themes and considered multiple options. Then the themes were consolidated in an effort to gain a more holistic view of the data and to draw conclusions.

3. The researchers defined and named themes. The final three themes identified for the analysis are shown in Figure 4.
The three themes that emerged from the analysis are: 1) Policy development is key to combating cyberbullying. Every school district can develop good policy; 2) Teacher, student, and parent education is a key component of policy implementation; and 3) Student action plans and counseling are preferred to punishment. These themes were used to compare and contrast the methods that the subject school districts are taking to achieve the goal of reducing the risk and threat of cyberbullying among children and adolescents in the public schools, so that they can all attain the benefits of technology advances without the harmful effects and risks that can occur.

Developing a Clear and Concise Policy

When the California legislature enacted Assembly Bill No. 746 (2011), amending the California Education Code Section 32261, they encouraged school districts as well as other agencies to develop and implement strategies, in-service training programs, and
activities that would improve bullying, including bullying committed by an individual or by an electronic act, defined as “the transmission of a communication, including, but not limited to, a message, text, sound, or image by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager.” A large Gold Country school district serving approximately 48,000 students (U.S. Department of Education, 2011) was already prepared for the passage of the legislation through their work to develop a Strategic Plan for Bullying Prevention and Intervention: Creating Caring Schools (Shweky, Scott, & Stires, 2011). With 90 schools and over 2,200 school teachers, they serve a large and diverse population of Caucasian, Hispanic, African American, and Asian students. In the Strategic Plan for Bullying Prevention and Intervention (2011), the district Superintendent states, “Contrary to what many believe, bullying is not something we have to tolerate and is not a rite of passage. Quite the opposite: bullying is something we know how to stop and have a responsibility to address both as educators and citizens” (Shweky et al., 2011). Using the strategic plan as a guide, the district immediately set about to create policies, programs, and training, education, and awareness to help them meet their goal that children receive a quality education, in safe and caring schools that are free from discrimination, harassment, and aggression.

Like small school districts in the 48 states that require districts to develop and implement a cyberbullying policy (Hinduja & Patchin, 2012), a PacWest school district in Washington state, serving approximately 5,600 students (U.S. Department of Education, 2011), was challenged to meet and exceed the regulations in the RCW 28A.300.285 amendment to Washington State Substitute House Bill 2801, passed by the
RCW 28A.300.285 strengthened earlier legislation, required public schools to prevent harassment, intimidation, and bullying (HIB) through the mandated creation of policies, procedures, programs, partnerships, and instructional and training materials. The key changes specified in RCW 28A.300.285 include the requirements: 1) to adopt or amend a policy based on a model policy that prohibits the harassment, intimidation, or bullying of any student; 2) to post the policy so it is available to parents and guardians, students, volunteers, and school employees; and 3) to designate a compliance officer that is responsible for the policies’ implementation. School districts are required to post these materials on a safety center website and provide a link to the Office of the Superintendent of Public Instruction (OSPI).

While the PacWest school district did not perceive cyberbullying as a significant problem in their district, they immediately set about to ensure that they could meet the new regulations. “The state has ratcheted it up,” says the district’s Assistant Superintendent during a telephone interview. “Most cyberbullying takes place outside of school but the legislature expects schools to deal with the problem, and the district is committed to solving the problem.” While lacking the fiscal, legal, and personnel resources needed to meet the requirements set forth in the new regulations, the district has been able to meet and exceed the lawful requirements by creating ideal policies, communicating and administering those policies successfully in their schools, and serving as a model for other districts faced with similar challenges.

Policy development is key to combating cyberbullying and every public school district in the United States can develop good policy by using a model policy or by creating their own school board policy. Table 4 lists the methods that each participating
district employed to develop their policy, with the smaller town/rural/suburban districts relying on a model policy provided by their state education association and the larger, city districts developing their own policy in response to local needs.

Table 4
Methods Used to Develop Policy

<table>
<thead>
<tr>
<th>Districts that Used a Model Policy</th>
<th>Districts that Developed Their Own Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>PacWest</td>
<td>Gold Country (developed task force followed by policy)</td>
</tr>
<tr>
<td>Southern Town</td>
<td>Southern City (developed task force to improve response to bullying)</td>
</tr>
<tr>
<td>Northeastern Suburb</td>
<td>Northeastern City</td>
</tr>
<tr>
<td>Midwestern Rural</td>
<td>Midwestern City</td>
</tr>
</tbody>
</table>

**Development of cyberbullying policies and procedures using model policies.**

Many school districts rely on state education or teacher’s associations to develop model policies that they can use to create and implement their own policies. As of December 31, 2011, only Virginia and Washington state legislation required the development of a model policy and further required school districts to use the model policy provided or to enhance it (Hinduja & Patchin, 2012). Other states, such as West Virginia and Wisconsin require the state to develop a model policy but do not require school districts to use it.

For example, the California Department of Education provides a model policy as required by Assembly Bill 79 (Chapter 646, Statutes of 2001) but the legislation states that “a school district may adopt” the policy without mandating its use. Still other states, such as Florida and Delaware, provide model policies without a legislative mandate but do not require school districts to use them.

In states that provide model policies, school districts that lack financial and legal resources can still create and implement policies as required by their state legislation or by local requirements. Table 5 describes the model policies that subject school districts
used to develop their district’s anti-bullying policy and procedures, and the content of those policies. While the specific content of each policy is somewhat different, all are clear and concise, providing guidelines for school staff, students, and parents.

Table 5

<table>
<thead>
<tr>
<th>Anti-Bullying Policies Based on a Model Policy</th>
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<tbody>
<tr>
<td>School Districts that Used a Model Policy</td>
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<tr>
<td>PacWest</td>
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<tr>
<td>Midwestern Rural</td>
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</table>
Northeastern Suburb Delaware’s Model Bully Prevention Policy (Delaware Department of Education, 2007)

1) Prohibits bullying
2) Defines bullying and cyberbullying
3) Requires school-wide bully-prevention programs
4) Requires each school to establish a site-based committee to coordinate a bully prevention program
5) Defines reporting requirements
6) Defines investigation procedures
7) Requires staff supervision of non-classroom areas
8) Defines consequences for bullying
9) Specifies staff training requirements
10) Defines reporting procedures
11) Prohibits anonymous reports
12) Specifies parent notification procedures
13) Prohibits retaliation
14) Specifies a procedure for communicating with health professionals
15) Requires bullying prevention programs
16) Requires schools to report progress to the district office

Model policies are typically available on the state education department website. For example, the OSPI model policy and procedures are available to the public through the OSPI School Safety Center website in PDF and Microsoft Word format so districts can easily modify the documents and customize them for their own needs (State of Washington Office of Superintendent of Public Instruction, 2012a). As of April, 2012, 35 of the 295 school districts in Washington State have not yet created and posted their policy. The OSPI offers additional services to member school districts with guidance, legal help, and education through a policy service, offering a full-time policy attorney for its member districts and a significant source of help to districts. Using the available resources, the PacWest school district has developed and implemented other cyberbullying-related policies using OSPI model policies and procedures including the following:
• Electronic Resources (Policy No. 2022) defines the Acceptable Use Policy for district-owned electronic devices as well as student-owned computers used on school campuses (Oak Harbor School Board, 2011a).

• Students and Telecommunication Devices (Policy No. 3245) defines the acceptable use of student-owned telecommunications devices including pagers, beepers, and cell phones on school property and at school-sponsored event (Oak Harbor School Board, 2011e).

• Student Privacy and Searches (Policy No. 3230) policy complements the Students and Telecommunications policy to define student rights for different ages ranges including those under age 13, over age 14 and under age 18, and those over age 18 (Oak Harbor School Board, 2011d).

Development of cyberbullying policies and procedures by school boards. In October 2009, recognizing a need, the Gold Country school district formed a district-wide Bullying Prevention Task Force whose goal was to develop a strategic plan to help reduce bullying across the district by addressing critical policy, program, training, and funding issues. The district invited students, parents, community partners, and school staff to participate, as well as local police, the county office of education, local mental health agencies, the local university, several neighboring schools districts, and numerous community agencies. The task force gathered data from focus groups and surveys throughout the district, and used the data to create the strategic plan.

The Gold Country school district’s Strategic Plan on Bullying Prevention and Intervention (Shweky et al., 2011) identifies the problem of cyberbullying as “one of the most widespread and challenging forms of bullying to address among children. Because
of its concealed nature, its ability to spread rapidly, and its availability round the-clock, cyberbullying can cause extreme harm to vulnerable children in a very short amount of time.” Children can be cyberbullied through email, text and photo messaging, through exclusion from social media, as well as the posting of real or false information on social networking sites, such as Facebook, and in chat rooms. District officials believe that breadth, complexity, and hidden nature of bullying called for a comprehensive approach to prevention and intervention.

A number of themes emerged from the task force’s research including: 1) bullying is difficult to separate from harassment; 2) the school climate directly affects the impact of bullying on individual students such that schools with a positive school climate have lower levels of bullying; 3) most schools do not have a systemic approach for bullying prevention and intervention, but those that do have lower levels of bullying; 4) students, parents, and staff need improve education to prevent and address bullying; 5) lesbian, gay, bisexual, transgendered, and questioning (LGBTQ) students experience higher levels of bullying and harassment than other students; 6) bullying outside of schools is problematic; 7) cyberbullying occurs frequently, is often undetected, and is an extension of bullying at school; and 8) school activities such as sports and after school activities help students feel more connected at school and protect against bullying.

The strategic plan defines comprehensive programs that target the entire school community, including teachers, non-teaching school staff, parents, administrators, and students, focusing on populations at high risk for bullying including LGBTQ, students with disabilities, students with mental health issues, students who are English language learners, and obese students. The plan calls for formal mechanisms to disseminate
information to all sectors of the school community, and encompasses three distinct components: 1) a school-wide component centered on training, awareness, monitoring and assessment of bullying; 2) a classroom component focused on reinforcing school wide rules and building social and emotional skills; 3) an intervention component for students who are frequent targets or perpetrators of bullying. The importance of educating the entire school community, from students and parents to high-level administrators and school board members, is emphasized repeatedly throughout the planning process and is consistent with research.

Table 6 describes the content of the Gold Country school district resulting anti-cyberbullying policy as well as the content of comparison subject school districts, whose policies were developed by their school boards without the use of a model policy. While the specific content of each policy is somewhat different, all are clear and concise, providing guidelines for school staff, students, and parents.

<table>
<thead>
<tr>
<th>School Districts Whose Board Developed Policy</th>
<th>Policy Contents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gold Country</td>
<td>1) Prohibits harassment and bullying</td>
</tr>
<tr>
<td></td>
<td>2) Defines the location of harassment or bullying “on or off school property, at any school-sponsored function, in a school vehicle, or by students, family members or staff”</td>
</tr>
<tr>
<td></td>
<td>3) Defines the type of bullying that is prohibited including electronic or cyberbullying</td>
</tr>
<tr>
<td></td>
<td>4) Prohibits bystander support of bullying</td>
</tr>
<tr>
<td></td>
<td>5) Requires school administrators to develop and implement procedures at their schools to prevent bullying</td>
</tr>
<tr>
<td></td>
<td>6) Requires a designated staff member to receive and investigate complaints</td>
</tr>
<tr>
<td></td>
<td>7) Prohibits reprisal or retaliation for anyone that reports bullying</td>
</tr>
<tr>
<td></td>
<td>8) Requires that school officials annually distribute the policy to school staff, students, and parents.</td>
</tr>
</tbody>
</table>
| Southern City | 1) Defines the purpose of the policy  
2) Identifies expected behavior  
3) Specifies prohibited conduct  
4) Defines bullying, cyberbullying, and cyberstalking  
5) Lists procedures for reporting, investigating, and resolving complaints  
6) Defines consequences for violation of the policy  
7) Prohibits retaliation  
8) Provides references to related procedures and forms |
| --------------|--------------------------------------------------|
| Northeastern City | 1) Prohibits bullying, harassment, and discrimination, at school activities or “through the use of an electronic device or an electronic mobile device”  
2) Prohibits bullying outside of school that infringes on the rights of students or substantially disrupts the education program (per Tinker)  
3) Defines bullying and cyberbullying  
4) Requires a Safe School Climate Plan  
5) Specifies notification requirements  
6) Requires publication of the policy on public websites |
| Midwestern City | 1) States that all students have the right to participate fully in the educational process, free from bullying and harassment  
2) Defines bullying, harassment, and cyberbullying  
3) Defines the scope of prohibited conduct, prohibiting bullying behavior  
4) Identifies district, school, educator and staff, and student responsibilities  
5) Provides a complaint procedure  
6) Specifies parent and guardian notification procedures  
7) Offers discipline and counseling guidelines  
8) Specifies requirements for professional development  
9) Requires student training and prevention |

The Gold Country school district has additional student policies that work in conjunction with their anti-bullying policy, which include:

- **Student Use of Technology** states that the Superintendent will establish regulations governing student access to technology that are age appropriate (Sacramento City Unified School District, 2002). The policy prohibits access to harmful matter on the Internet that may be obscene or pornographic and preclude other misuses of the system, including cyberbullying.
• Use of Electronic Signaling Devices allows the use of cell phones and similar
devices on campus only for health purposes and emergencies, and is
implemented in accordance with the district’s disciplinary policy
(Sacramento City Unified School District, 2007).

Similar to the Gold Country school district Bullying Prevention Task Force, the
Southern City school district formed an anti-bullying task force in 2012 (Smith, 2012).
The district has already implemented an anti-bullying policy but wants to strengthen the
policy and address bullying more consistently and systematically throughout the school
system. The task force includes administrators, teachers, counselors, parents, and
community members who will develop a system that treats bullying the same at every
school in the district for discipline and teacher and administrator response to incidents.
“A proactive and preventive is the approach we want to use in the district,” says the
Southern City school district’s director of student services in an interview with a online
local newspaper (Smith, 2012). “We know that bullying is an issue in every school, not
only in our district but across the nation. We as a school district want to develop a school
climate where all students feel safe. We want to make sure that if a student is bullied we
address it systematically.” The action plan for the task force includes: 1) development
and implementation of anti-bullying programs; 2) enforcement of existing anti-bullying
policies; 3) behavior modification programs for aggressors using positive behavior
support programs; 4) building partnerships with agencies that share student emotional
health and safety and help in interventions; 5) a help line or help agency that will provide
immediate support for bullying victims; and 6) professional development to help
understand the definition of bullying and the role of intervening with the victim, aggressor, and bystanders.

The formation of a task force helps ensure representation of all stakeholders in the school district and community. The result is a comprehensive approach to combating bullying, resulting in safer schools.

**Cyberbullying definitions.** Cyberbullying definitions in school policies vary widely, sometimes challenging staff, students, and parents to clearly recognize infractions. The policy definitions described in Table 7 contain a clear and concise definition cyberbullying as well as a statement of intent, which helps staff, students, and parents to identify incidents that harm a child and provide a substantial disruption to the school. Note that many of the cyberbullying definitions use general words such as “electronically” and “technology,” and only the Southern City policy mentions social media, which is a key method used to propagate cyberbullying.

<table>
<thead>
<tr>
<th>School District</th>
<th>Cyberbullying Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gold Country</td>
<td>Electronic bullying or cyber bullying is the use of electronic communication technology such as, but not limited to, e-mail, instant messages, text messages, mobile phones, and web sites, to send or post messages or images to embarrass, humiliate, spread rumors, threaten or intimidate. Sending sexually explicit images electronically, even consensually, may be considered as distribution of child pornography, and is to be referred to district security and/or law enforcement.</td>
</tr>
<tr>
<td>Location</td>
<td>Definition</td>
</tr>
<tr>
<td>--------------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>PacWest</td>
<td>“Harassment, intimidation or bullying” includes any intentionally written message or image (including those that are electronically transmitted) or verbal or physical act (including but not limited to one shown to be motivated by race, color, religion, ancestry, national origin, gender, sexual orientation including gender expression or identity, mental or physical disability, or other distinguishing characteristics) that: ● Physically harms a student or damages the student’s property; ● Has the effect of substantially interfering with a student’s education; ● Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or ● Has the effect of substantially disrupting the orderly operation of the school.</td>
</tr>
<tr>
<td>Southern City</td>
<td>An act of harassment, intimidation, discrimination, or bullying committed through the use of a digital technology, including but not limited to, email, blogs, cell phone, social websites (e.g., My Space, Facebook), chat rooms, instant messaging, or the use of data or computer software that is accessed through a computer, computer system or computer network, regardless of whether the electronic act originated on school property or with school equipment. Cyberstalking is defined as engaging “in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at or about a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.”</td>
</tr>
<tr>
<td>Southern Town</td>
<td>Cyberstalking is defined as a “means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.”</td>
</tr>
<tr>
<td>Midwestern City</td>
<td>The “use of any electronic communication technology i.e. internet, personal digital assistant (pda), or wireless hand held device, to bully or harass, as defined above, one or more students. Such behavior is prohibited whether it takes place on or off school property, at any school-sponsored function, or in a school related vehicle.”</td>
</tr>
</tbody>
</table>
“Bullying by using information and communication technologies. Cyberbullying may include but is not limited to: 1) Denigration: spreading information or pictures to embarrass; 2) Flaming: heated unequal argument online that includes making rude, insulting, or vulgar remarks; 3) Exclusion: isolating an individual from his or her peer group; 4) Impersonation: Using someone else’s screen name and pretending to be them; 5) Outing or Trickery: forwarding information or pictures meant to be private (Caesar Rodney School Board School Bully Prevention, 2010).”

In contrast, while the policy definitions shown in Table 8 include a clear and concise definition of cyberbullying, they fail to describe the intent of the perpetrator.

Table 8

<table>
<thead>
<tr>
<th>School District</th>
<th>Cyberbullying Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northeastern City</td>
<td>“The repeated use by one or more students of a written, verbal or electronic communication, such as cyberbullying, directed at or referring to another student attending school in the same school district, or a physical act or gesture by one or more students repeatedly directed at another student attending school in the same school district.” It then defines cyberbullying as “any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications (Hartford Board of Education, 2011).”</td>
</tr>
<tr>
<td>Midwestern Rural</td>
<td>“Cyber-bullying includes, but is not limited to the use of e-mail, instant messages, text messages, digital pictures or images, cell phones, or website postings to threaten, harass or intimidate the victim (Baraboo School Board Policy on Bullying, 2010a).”</td>
</tr>
</tbody>
</table>

A major issue that school districts face is the definition in the community of what constitutes cyberbullying, despite an attempt by school officials to define it in their policy. “Students or parents may report an incident as cyberbullying that may not be,” says the Assistant Superintendent of the Gold Country school district in a telephone interview. “Due to media attention, there is a cry wolf syndrome among students and parents.” The challenge that school staff face is determining what constitutes normal,
unintentional behavior from behavior that is intended to cause harm. For instance, if someone posts on Facebook that they don’t like your shirt, is that cyberbullying? If a student uses an obscenity in an email or text, is that cyberbullying? Parents may report issues such as these, making up their mind based on what they see on the news, but officials agree that these types of incidents hardly rise to the level of cyberbullying.

According to the Western School district’s Cyberbullying Prevention Expert in a separate telephone interview, “separating bullying from other behavior can be solved by requiring that an infraction meet four characteristics to be considered cyberbullying, that is: 1) the incident involves a specific type of aggression, either verbal or psychological; 2) the behavior is intended to do harm, intimidate, exclude, or disturb its victim; 3) the behavior is carried out repeatedly over time; and 4) the behavior involves an imbalance of power.” The Gold Country district informs school staff that a cyberbullying incident must meet all four criteria in order to file a report. Other districts may want to consider such a definition to help communicate to staff, students, and parents to avoid confusion and misunderstanding.

**Providing Education with a Focus on Bullying Prevention for Administrators, Teachers, and Counselors**

School districts recognize that school administrators, teachers, and counselors need education and guidelines in order to implement policy and programs. Most policies require staff training but the requirements are not specific. Table 9 describes the portions of the anti-cyberbullying polices that mandate staff education (5 of the 8 school districts reviewed). None of the policies described here are specific as to content and timing of the education.
Table 9

Anti-Bullying Policies Require Staff Education

<table>
<thead>
<tr>
<th>School District</th>
<th>Policy Requirement for Staff Education</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gold Country</td>
<td>The Board requires school officials to annually disseminate the policy to all school staff, students, and parents, along with a statement explaining that it applies to all applicable acts of harassment and bullying whether it takes place on or off school property, electronically, at any school-sponsored function, in a school vehicle, or by students, family members or staff. The chief school administrator shall develop an annual process for discussing the school district policy on harassment and bullying with students and staff. The school district shall incorporate information regarding the policy against harassment or bullying into each school employee training program and handbook.</td>
</tr>
<tr>
<td>PacWest</td>
<td>Staff will receive annual training on the school district’s policy and procedure, including staff roles and responsibilities, how to monitor common areas, and the use of the district’s Incident Reporting Form.</td>
</tr>
<tr>
<td>Southern Town</td>
<td>Teachers, school administrators, counseling staff, and school volunteers shall be given instruction at a minimum on an annual basis on the District’s policy and regulations against bullying and harassment. The instruction shall include evidence-based methods of preventing bullying and harassment as well as how to effectively identify and respond to bullying in schools.</td>
</tr>
<tr>
<td>Northeastern City</td>
<td>Require that all school employees annually complete the training described” in the state legislation.</td>
</tr>
<tr>
<td>Midwestern City</td>
<td>On an annual basis the school district shall offer ongoing professional development to build the skills of all staff members, including, but not limited to educators, school and district staff, agents and volunteers to prevent, identify and respond to bullying, harassment, and cyber-bullying. District staff and designated school administrators will be required to complete professional development trainings with content that may include, but is not limited to: (i) developmentally appropriate strategies to prevent bullying, harassment, and cyber-bullying incidents; (ii) developmentally appropriate strategies for immediate, effective interventions to stop bullying, harassment, and cyber-bullying incidents; (iii) information regarding the complex interaction and power differential that can take place between and among a perpetrator, victim and witnesses to the bullying, harassment, and cyber-bullying; (iv) research findings on bullying, harassment, and cyber-bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying, harassment, and cyber-bullying in the school environment; (v) information on the incidence and nature of cyber-bullying; and (vi) internet safety issues as they relate to cyber-bullying. The district shall identify and offer information on alternative methods for fulfilling the professional development requirements of this section.</td>
</tr>
<tr>
<td>---</td>
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</tr>
<tr>
<td>Midwestern Rural</td>
<td>In support of this policy, the Board promotes preventative educational measures to create greater awareness of aggressive behavior, including bullying. The District Administrator, and or his/her designee, shall provide appropriate training to all members of the School District staff related to the implementation of this policy and its accompanying administrative guidelines. All trainings regarding the Board’s policy and administrative guidelines on bullying will be age and content appropriate.</td>
</tr>
</tbody>
</table>

The Southern City and Northeastern Suburban districts do not require staff education:

While Gold Country school district policy defines the need for staff education at a high level, the district’s Strategic Plan on Bullying Prevention and Intervention (Shweky et al., 2011) provides content requirements for training, which includes a three-hour training for all staff that defines bullying, provides strategies to prevent bullying,
and increases awareness. The training is now offered at schools throughout the district at least six times a year and is customized for the unique needs of elementary, middle, and high school staff. Each staff member, classified, credentialed, or administrative, as well as community partners such as after school recreation staff, are encouraged to attend training at least once every three years.

**Resources available to school districts.** Many state school boards and teacher’s associations provide staff anti-bullying educational resources and content but individual districts are still left to create their own content and deliver it to their staff. Table 10 describes some of the resources available through state websites that provide content that school districts can easily adapt to the needs of their district. Table 11 identifies state websites that provide limited staff education resources to its school districts, primarily providing links to other websites, without providing materials that are easily adaptable. While this research presents just eight school districts and the websites in their state, state education association websites in the United States are publicly-available, so school districts can leverage resources from other states, assuming that they meet their needs.
Table 10
*Educational Resources Available through State Education or Teacher’s Associations That are Easily Adaptable*

<table>
<thead>
<tr>
<th>State Educational Association/Website Link</th>
<th>Staff Education Resources on Cyberbullying</th>
</tr>
</thead>
</table>
| **Washington State Office of Superintendent of Public Instruction School Safety Center**  
(http://www.k12.wa.us/SafetyCenter/BullyingHarassment/default.aspx) | • HIB FAQ – 2011” explains the background a reporting requirements of the legislation.  
• “Bullying Intro FAQ – 2011” provides an overview of bullying and harassment, including prevention and intervention methods.  
• “Cyberbullying Intro FAQ – 2011” provides a cyberbullying background and overview.  
• “HIB FAQ (LEA Adaptable) – 2011” is a presentation that local school districts can adapt with their own district-specific information (State of Washington Office of Superintendent of Public Instruction, 2011d).  
• “Best Practices in the Prevention of Bullying,” a presentation delivered by Susan P. Limber, PhD, MLS, identifying 10 elements of best practices in bullying prevention and intervention. |

| **California Department of Education Bullying Publications & Resources**  
(http://www.cde.ca.gov/ls/ss/se/bullyres.asp) | • “Addressing the Problem of Juvenile Bullying” is a fact sheet that defines bullying, and explains the long- and short-term effects of bullying.  
• “Bullying and the Child with Special Needs” provides information for parents and educators on the issue of bullying of students with special needs.  
• “Girls Study Group: Understanding and Responding to Girls' Delinquency” examines the involvement of girls in violent activity and the contexts in which girls engage in violent behavior.”  
• “Preventing and Countering School-Based Harassment: A Resource Guide for K-12 Educators” is intended to help school staff, families, students, and communities create a safe and bias-free learning environment.  
• “Preventing Bullying: A Manual for Schools and Communities” defines bullying, discusses the seriousness of this behavior and the effectiveness of a comprehensive approach, and presents strategies for administrators, teachers, students, and parents to use when dealing with bullying situations.  
• Links government-sponsored websites and community organizations |
Wisconsin Department of Public Instruction Website titled Resources for Safe and Respectful Schools (http://www.dpi.wi.gov/ssp w/safeschool.html)

- Cyberbullying webcast that schools can use to educate teachers about cyberbullying and define what to do about it
- “Bully Awareness and Curriculum Training” includes a cyberbullying quiz for teachers and students, impact of bullying on victims, interventions for dealing with different types of bullies, and bullying prevention. The session includes instructions for teachers to deliver a bullying curriculum in elementary school grades 3 to 5, and middle school grades 6 to 8.

Delaware Department of Education DDOE School Climate and Discipline Website (http://www.doe.k12.de.us/infosuites/students_family/climate/default.shtml)

- “Dealing with Cyberbullies” provides a definition of cyberbullies called “griefers,” also referred to as snerts, cheese players, or twinks, which are the Internet equivalent of playground bullies that harass their peers while playing multiplayer video games online.
- “Every Child Should Love the School Experience” presentation defines bullying and cyberbullying and identifies actions that that districts, schools, and teachers must take to remain in compliance with state laws.

Table 11
Resources Available through State Education or Teacher’s Associations That Require Significant Customization

<table>
<thead>
<tr>
<th>State Educational Association</th>
<th>Staff Education Resources on Cyberbullying</th>
</tr>
</thead>
</table>
| Florida Department of Education Safe Schools Website (http://www.fldoe.org/safeschools/bullying.asp) | • Guidelines for creating a bully-free environment  
• Tip sheets with suggestions to stop bullying  
• Links to third-party resources  
• Access to tools available from the Centers for Disease Control |
| Alabama Department of Education Stop Bullying in Alabama website (http://alex.state.al.us/stopbullying/) | • Information about related state and federal laws and legislation  
• Alabama bullying prevention videos  
• Access to assessment tools used to measure bullying victimization, perpetration, and bystander experiences |
| Connecticut State Department of Education Bullying and Harassment website (http://www.sde.ct.gov/sde/ cwp/view.asp?a=2700&Q=322402) | • Bullying question and answer  
• Principal’s bullying survey report  
• Information about bullying in schools from the U.S. Department of Justice  
• Access to the “Names Can Really Hurt” program from the Anti-Defamation League |
In a telephone interview, the OSPI Program Director of the State School Safety Center acknowledges that “the resources provided to districts are evolving through an iterative process and we don’t yet know how effective these resources are, highlighting the need for future research. The digital safety information is good but how do we get it out there and make sure it’s used? We need to figure out what’s good and what isn’t.” He cautions school districts to be wary of companies that are selling their own proprietary programs. While the information they provide may be of high quality, the implication that a school district may be out of compliance if they do not purchase a program is misleading.

**Custom education programs for administrators, teachers, and counselors.**

Although many states offer anti-bullying educational resources, school districts still need to determine the content and method of their own education based on local needs. The PacWest school district conducts a one-week staff training the week prior to each school year. Given the large number of topics and limited time available, however, bullying education typically receives about 30 minutes of “refresher training” during the week where staff is reminded of their responsibilities.

The Gold Country school district is the only participant in this study to create a specific, timely, and measurable plan that includes an organized set of activities that are designed to effect changes in attitudes, beliefs, and behaviors around bullying. Bullying
prevention programs delivered to school staff emphasize the importance of addressing the entire school community, which includes all school staff, site, and district administrators. For school administrators, the district provides a two-hour training covering the protocol to address bullying at school sites and legal issues related to bullying and prevention strategies. The training is offered once each calendar year and is mandatory for all district and site administrators. To accompany training, the district offers consultation and support to administrators to help them address specific bullying situations that they encounter at individual school sites.

For teachers in training, the Gold Country school district hosted a pilot bully prevention and intervention training session in the 2011-2012 school year. Attended by more than 200 teachers in person and additional teachers dialed in through web conferencing, the session provided information that teachers couldn’t obtain anywhere else from new definitions of bullying to best practices in combating bullying, and methods to create a positive school climate. Based on attendee feedback to the district’s Bullying Prevent Expert that the “event was fabulous and fun,” the district plans to offer this session annually.

School districts can bring in industry experts in bullying and cyberbullying. For example, safe schools expert Rick Phillips leads a presentation for school site, district office staff, and other stakeholders, titled “Whole School Climate: A Framework for Stopping Bullying and Creating Safer Schools” (Sacramento City Unified School District, 2011b). Phillips co-developed the Safe School Ambassadors (SSA) program, which encourages student bystanders to intervene in bullying-related incidents. The program is designed to transform school safety using a top-down, disciplinary issue for
staff, and a bottom-up, proactive approach that the whole school has a stake in. Since 2000, Phillips’ model has been implemented in nearly 900 schools in 28 states.

A key challenge for many school districts is to define the role of administrators, teachers, and counselors to ensure that staff knows their own role. The PacWest school district wants their teachers to focus on teaching and to refer problems or suspicions to administrators for handling. “We don’t want our staff to be searching Facebook during the day, or trying to figure it out on their own. We want our teachers teaching,” says the district’s Assistant Superintendent in a telephone interview. District officials meet frequently with school principals and staff to brainstorm ideas and to think through procedures as they apply to different scenarios. School principals are encouraged to quickly contact a district official if there are any questions. “We don’t want them to go it alone when dealing with complicated cyberbullying and bullying issues to help make informed or appropriate decisions,” the Assistant Superintendent emphasizes in the telephone interview. “I advise teachers to work with an administrator if there is a question and not to brush it under the rug. It isn’t about having a rigid formal policy or process or structure, but rather it’s about having a range of resources and solutions to address problems.”

**Providing Education With a Focus on Bullying Prevention for Students**

Cyberbullying policies, as well as state legislation, often require schools and school districts to educate students and institute anti-bullying prevention and intervention programs. Student education typically has two parts: 1) requiring the distribution of the policy to students, and 2) programs centered on education and prevention. Table 12 describes the requirement to distribute the policy to students, as
specified in each school district’s anti-bullying policy. Table 13 describes the policy requirements for each school district whose anti-bullying policy requires student-centered education and prevention.

Table 12  
Requirements for Distribution of Policy to Students

<table>
<thead>
<tr>
<th>School District</th>
<th>Requirement to Distribute Policy to Students</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gold Country</td>
<td>The Board requires school officials to annually disseminate the policy to all school staff, students, and parents, along with a statement explaining that it applies to all applicable acts of harassment and bullying whether it takes place on or off school property, electronically, at any school-sponsored function, in a school vehicle, or by students, family members or staff. The chief school administrator shall develop an annual process for discussing the school district policy on harassment and bullying with students and staff.</td>
</tr>
<tr>
<td>PacWest</td>
<td>In each school and on the district’s website, links to this procedure and policy will be posted along with any other relevant information in regard to harassment, intimidation and bullying. Additional information should include the name and contact information for making a report to a school administrator and the name and contact information for the district compliance officer. The superintendent will ensure that a statement summarizing the policy and procedure is included in student, staff, volunteer, and parent handbooks, is available in school and district offices, or is posted on the district’s website.</td>
</tr>
<tr>
<td>Southern City</td>
<td>This policy and any procedures, rules, and forms developed and approved to implement the policy will be published, disseminated, and made available to students, parents and legal guardians and employees by publication on the Tuscaloosa City School’s website and inclusion in the Board policy and procedure manual and the Student Code of Conduct. Copies of the Student Code of Conduct will be provided to each student at the beginning of each school year and from time to time as amended. Copies of both the Student Code of Conduct and the Board Policy and Procedure Manual will be available in the principal’s office and library of each local school, the office of the Director of Student Services, and the Superintendent’s office.</td>
</tr>
<tr>
<td>Southern Town</td>
<td>Each District school shall provide notice to students and staff of this policy through appropriate references in the Student Code of Conduct and employee handbooks and through other reasonable means such as the district website.</td>
</tr>
</tbody>
</table>
Northeastern City

Not later than thirty (30) calendar days after approval by the Board, the Board shall make such plan available on the Board’s and each individual school in the school district’s web site and ensure that the Safe School Climate Plan is included in the school district's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.

Northeastern Suburban

Each school shall notify the District in writing of its compliance with this policy and submit a copy of the procedures adopted under this policy by December 1 of each school year. Each school shall verify for the District the method and date the policy has been distributed to all students, parents, faculty, and staff.

Midwestern City

This policy will be distributed annually, and will also be included in any district-wide student codes of conduct, disciplinary policies, student handbooks, and websites.

Midwestern Rural

This policy will be annually distributed to all students enrolled in the school district, their parents and/or guardians and employees. The school district will also provide a copy of the policy to any person who requests it.

Table 13

<table>
<thead>
<tr>
<th>School District</th>
<th>Requirement for Education and Prevention</th>
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</thead>
<tbody>
<tr>
<td>Gold Country</td>
<td>The Gold Country Strategic Plan on Bullying Prevention and Intervention (Shweky et al., 2011) calls for education as follows: All schools will implement with fidelity a recommended evidence-based, comprehensive program designed to improve school climate and prevent bullying. Programs will be researched to determine which are the best fit with the district’s needs, and may include the Olweus Bullying Prevention Program, Caring School Community, Steps to Respect and others. …It is recommended that over the next three years, cohorts of 20-25 schools will begin implementation with the goal that all schools within the district will actively utilize an evidence-based bullying prevention strategy by fall 2014.”</td>
</tr>
<tr>
<td>PacWest</td>
<td>Annually, students will receive age-appropriate information on the recognition and prevention of harassment, intimidation or bullying at student orientation sessions and on other appropriate occasions. The information will include a copy of a reporting form (or age-appropriate equivalent) or a link to a web-based form.</td>
</tr>
<tr>
<td>Northeastern City</td>
<td>No requirement, specifies bullying prevention and intervention but no student education requirement</td>
</tr>
</tbody>
</table>
### Northeastern Suburban

The District is committed to support each school in their adoption of a school-wide bully prevention program that prohibits harassment and bullying on the basis of sex, race, color, national origin, or disability. The school bullying prevention program must be implemented throughout the year.

### Midwestern City

Each school shall present in age-appropriate language the District’s policy on bullying, harassment, and cyber-bullying as part of any orientation program conducted for students at the beginning of each academic term. This will also include instruction on how to prevent bullying, harassment, and cyber-bullying; the process for filing complaints; and the process/consequences that will result from the complaint.

The Southern City, Southern Town, and Midwestern Rural school districts do not require student education.

**Elementary school bullying prevention.** The Gold Country and PacWest school districts identified the goal of bullying prevention programs in elementary schools to prevent bullying at younger ages from progressing into cyberbullying in adolescence. Children learn self-respect and to respect others. Pledges against bullying are commonly used at the elementary school level in an effort to change attitudes early, before the peak years of cyberbullying in middle and high school.

The Gold Country school district has developed resources for teachers and schools to educate students on the issue of bullying including books, videos and other materials appropriate for a variety of grade levels. Trainings have been offered at schools throughout the district with curriculum tailored to address the unique needs of the elementary, middle, and secondary grade levels. At the elementary school level, they have done a pilot implementation of the “Steps to Respect” program, developed by the Committee for Children, a non-profit organization that works to promote social and academic success among children (Committee for Children, 2012). The “Steps to
“Steps to Respect” program begins with administrators reviewing their bullying policies and procedures, developing a baseline using surveys and existing data. Next, all adults in the school, including teachers and staff from bus drivers to cafeteria workers, are trained to recognize and deal with bullying. Once this groundwork is laid, classroom lessons can begin so that children learn how to make friends; recognize others’ feelings; and recognize, refuse, and report bullying. The district provides a list of novels that topically address the bystander targeted student to be used as supplementary material. A successful pilot was conducted in the 2011-2012 school year in two district elementary schools. A debrief of the pilot revealed overwhelming that teachers and thought the program should have been started sooner, it was great for kids, and it resulted in a decrease in incidents on campus. According the district’s Bullying Prevention Expert in a telephone interview, “Steps to Respect has been a “game changer for us on campus and the program will be implemented in other elementary schools that have shown interest in the 2012-2013 school year. It has offered an overwhelmingly positive experience for the students and staff, directly resulting in a decrease in incidents.” Now other elementary schools are showing interest and are expected to begin implementation in the 2012-2013 school year.

The Gold Country school district is working with a local community-based organization, the city, and the Boys & Girls Clubs on a newer program titled “Enough is Enough – No to Bullying.” The “Enough is Enough” program is a nine-week leadership and anti-bullying/life skills program for fourth-, fifth- and sixth-grade students. It takes place on school campuses during lunch time, for about an hour once a week, and is available to 30 students on a first come, first served, basis.
The Gold Country school district has also developed their own elementary student education programs, focusing on the concept of respect, and has found that community partnerships with local agencies and law enforcement has helped them to deliver a variety of student education needs at different levels. The district works closely with a community agency that works to prevent abuse and to support victims of domestic violence and sexual assault. They provide a 24-hour hotline, free confidential assistance for abuse victims, and an emergency shelter for women and children. As part of their goal to change abusive behaviors early in children, they run regular puppet theaters for children to emphasize the need for healthy relationships, without offending parents.

Realizing the bullying behaviors typically begin at a young age, the agency developed the “Hands and Words Should Not Hurt” program. Based on the Hands & Words Are Not For Hurting Project, founded by Ann S. Kelly (http://handsproject.org), the agency developed their own program that is better suited to the needs of the local community. The mission for the program is to educate each person in every community about their right to live free of abuse and violence. After a 30-minute presentation, each child reads the pledge, “I will keep my hands and words from hurting others” and then traces his or her hand and signs the statement, “this symbol and promise are my goal of helping, not hurting others” (CADA, 2010). Funding provided by other community organizations contributed to the development and delivery of the program in the PacWest schools, as well as the trademarking of the Hands and Words image (Figure 5).
For reinforcement, teachers repeat the pledges in their classrooms with students and display posters throughout the schools. Students receive logo-marked erasers, bookmarks, and other items to remind them of their pledges. Initially, the program was piloted in one elementary school, and all of the district’s elementary schools participated in the 2011-2012 school year based on positive feedback from school administrators, teachers, and counselors. The other local school districts are also piloting the program through the 2012-2013 school year, and the agency hopes that the program will become a regular part of the curriculum. While the effectiveness of the Hands and Words program is not entirely clear, in a telephone interview, the PacWest Community Agency Managing Director says “referrals to the principal’s office are decreasing in schools with the program. During the pilot in 2008, one school principal had four notebooks full of referrals for bullying, and after the third year, the principal had only one notebook with referrals,” pointing to the effectiveness of the program.

To get started with student education in schools where it does not yet exist, the Community Agency Managing Director recommends in a telephone interview that

Figure 5. “Hands and Words Should Not Hurt” image, trademarked and used throughout the schools in the PacWest school district
schools “start with a pilot, start at the superintendent level, get buy-in, and then pass the program down to school principals, teachers, and counselors. While there may be some initial resistance among staff, a pilot can help overcome that resistance and demonstrate the effectiveness of a particular program.” After beginning the Hands and Words program in one elementary school, after the first year, the principal indicated that the teachers and students all responded positively to the logo with the purple hand in front. “The kids stop and understand what the hand means,” says the Community Agency Managing Director during the telephone interview. Since then, based on the success of the pilot, the Hands and Words program is now delivered in all six elementary schools in the district with ice cream feeds to foster participation. The Managing Director further emphasizes in the interview the “need to be diplomatic, building relationships, and finding district staff that have a passion for it since teachers often just don’t have the time.”

Middle school and high school bullying prevention. Education of middle and high school students is still in its infancy and educators need more direction in order to create programs that are effective for this age group. There are a multitude of student education and prevention programs available through state school boards and teacher’s associations, or through private industry. Each school district needs to evaluate these programs and decide which program is ideal for their student body or develop their own.

The Gold Country school district developed their own student presentation focused on bullying prevention and intervention in a format suitable for school assemblies at the middle and high school level. Middle and high school presentations are delivered by both student and adult speakers that have had direct experiences with
bullying, theatrical enactments of fictional bullying situations, and other high interest presentations. Curriculum is aligned to enable teachers to facilitate discussions and provide more specific information to students about bullying incidents. These presentations are developed in coordination with the district’s youth advisory council, to ensure that they are effective in addressing issues from a student perspective.

In 2012, the Gold Country school district sponsored the first LGBTQ youth conference (Sacramento City Unified School District, 2012) for students and staff. Nationally recognized bullying expert Dr. Elizabeth J. Meyer, author of “Gender, Bullying and Harassment,” gave the keynote address at the conference, which was a key component of the district’s comprehensive approach to combating bullying in schools and in cyberspace. A professor at California Polytechnic State University in San Luis Obispo, Dr. Meyer has been a guest on National Public Radio’s “Talk of the Nation.”

“We cannot pretend that bullying is an acceptable part of a boy or girl’s childhood experience – that it’s simply something that everyone goes through,” states the district’s Superintendent in the Strategic Plan on Bullying Prevention and Intervention (2011). “Bullying is destructive and dangerous for students who are targets (such as LGBTQ youth), and students engaged in bullying behavior.”

The district has participated with the LegiSchool Project, a Student Legislative Summit on Bullying in California High Schools. This annual essay contest features the top ten student essayists at the state capital. The event is a collaboration between a local university and the state legislature. The district’s Bullying Prevention Expert has also participated as a panelist of experts on bullying prevention at the event.
In the PacWest school district, the community agency that offers the “Hands and Words Should Not Hurt” program also offers the “Healthy Relationships & Dating Violence Prevention” program to high school students, typically around prom time because, as the agency’s Managing Director says in a telephone interview, “it’s a good time to talk about dating safety.” This three-day program is typically taught to high school students in their health or science class, with an agency facilitator and the health teacher. On the third day, the cyber-expert from the local sheriff’s department talks about cyberbullying and describes actions that can get students into trouble. For instance, he tells them that he can download messages from a cell phone even if they have been deleted, providing a warning to students who think they can delete harassing messages. To appeal to more students and at different times of the year, the community agency is researching innovative ways to present to high school students, perhaps with lessons posted on YouTube, and with the addition of role-playing exercises.

The PacWest school district has developed their own anti-bullying videos for use in the middle and high schools in a once-a-week advisory class, where topics of current interest are discussed. The program creates a common vocabulary and understanding of what constitutes bullying, tells students and staff what they can do about it, and provides a forum to discuss student and staff concerns.

At the PacWest school district’s only high school, a Career Academic Technical Skills (CATS) session on cyberbullying is delivered to students yearly, with teachers, administrators, and staff attending. The objective is to make students” more aware of cyberbullying and how they can practice responsible Internet use” (Oak Harbor School District, n.d.). Students receive a Cyberbullying Survey and a Cyberbullying Fact Sheet.
After completing the survey, teachers review the answers and then facilitate a discussion about how staff and students can work together to prevent bullying. In a telephone interview, the PacWest Assistant Superintendent says “the CATs program has been highly effective, offering a way to stimulate dialog, address specific problems, and raise awareness of each individual’s role.”

Generally, student education is somewhat lacking, without an integrated and comprehensive program at any of the school districts reviewed, revealing an issue at the age when cyberbullying typically begins. Cybersafety programs, like the CATS program, are needed since the pledges used in the earlier grades are not likely to be effective in adolescence. Although individual high schools within selected districts have implemented anti-bullying educational programs among their students, they generally lack the district-wide approach.

**Providing Education With a Focus on Bullying Prevention for Parents**

District officials and cyberbullying experts agree that parent education is key to combating cyberbullying (Beale and Hall, 2007). Many school districts are proactive in offering parent education but attendance is typically low, presenting a challenge.

Parent education may cover the following topics:

- Technology that students are using including email, texting, social media, blogging, and microblogging
- Cybersafety including the risks to student in an online world such as predators, cyberbullying, and sexting
- Actions that parents can take so they know what their student is doing online such as knowing their child’s passwords,
• Actions that parents can take to protect their children such as checking the their student’s email and browser history; “friending” their student on Facebook so they can view their social media posts
• Use of monitoring programs, such as Netnanny, to view their student’s Internet activity and obtain reports on their email usage

Parent education remains a challenge as evidenced by low parent turnout at educational events. The Gold Country school district conducted numerous parent education sessions in the 2011-2012 school year. Attended by an average of 25 parents each, ranging from as few as three parents to more than 100, the district’s Bullying Prevention Expert delivered training and support programs for parents with participation by several students who shared information from a youth perspective. Similarly, the PacWest school district has offered several parent educational events with as few as three parents and about two dozen, at most, attending. The PacWest Assistant Superintendent remarks in a telephone interview that “parent education is one of the biggest challenges we face. We’ve offered a couple of special evening events for parents and we send regular email communications, but still attendance is low.”

Given that most parents grew up with computers and/or use them in their work, some district officials are surprised that parents are not more educated about their child’s online habits and usage. As the Gold Country Bullying Prevention Expert remarked in a telephone interview, “I’m surprised that parents don’t know more. They don’t understand the risks so they don’t learn about it,” highlighting the need for parent education as well as the challenge. School officials fear that parents are concerned about invading their child’s privacy. Says the PacWest Assistant Superintendent in a separate
telephone interview, “It’s not an invasion of your kid’s privacy. It’s the parent’s responsibility.” The Assistant Superintendent is concerned that “parents don’t attend sessions but are often alarmist, worrying that their child will be hurt based on the hype of extreme cyberbullying cases in the media.”

**Developing Action Plans Aimed at Modifying Behavior**

School districts recognize that education aimed at bullying prevention is most effective in addressing the problem of cyberbullying, attempting to stop bullying before it begins. Policies may provide a range of consequences, allowing school staff to attempt to modify the behaviors, with punishments used as a final consequence. Table 14 describes the policy requirements for intervention and punishment. While the policies allow for suspension or expulsion, counseling and education are typically the first response. None of the policies have a zero tolerance clause and all provide a range of consequences at the discretion of school administrators. Note the use of the word *may* or *should* or *in its discretion* throughout the policies, allowing teachers and administrators to use judgment in making punishment decisions. The Northeastern City school district policy is the most rigid, stating that students “shall be subject to school discipline” without recommending counseling or education as a first step, but still providing discretion for school administrators.
Table 14
Policy Requirements for Intervention and Punishment

<table>
<thead>
<tr>
<th>School District</th>
<th>Requirement for Education and Prevention</th>
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<tbody>
<tr>
<td>Gold Country</td>
<td>The Board requires school administrators to develop and implement procedures that ensure both the appropriate consequences and remedial responses to a student or staff member who commits acts of harassment or bullying. Staff should provide services or supports to students who engage in acts of bullying and/or harassment to educate them on the impact of these behaviors on others. Administrators should ensure that appropriate services or supports are provided to students who report being victims of bullying or harassment.</td>
</tr>
<tr>
<td>PacWest</td>
<td>Interventions are designed to remediate the impact on the targeted student(s) and others impacted by the violation, to change the behavior of the perpetrator, and to restore a positive school climate. Interventions may be used in lieu of or in conjunction with disciplinary action. The district will consider the frequency of incidents, developmental age of the student, and severity of the conduct in determining intervention strategies. Interventions will range from counseling, correcting behavior, and discipline to law enforcement referrals.</td>
</tr>
<tr>
<td>Southern City</td>
<td>Any student in violation of this policy will be subject to appropriate disciplinary action which may include any sanction, penalty or consequence that is available to school officials under the Student Code of Conduct. In determining the appropriate disciplinary action, consideration will be given to the record of the incident as a whole and to the totality of the circumstances, including the age, maturity level, and prior disciplinary history of the alleged offender. If circumstances warrant, the school system, in its discretion, may report violations of this policy to law enforcement or Juvenile Court. Punishment shall conform with applicable federal and state laws as well as school discipline policies as set forth in the Student Code of Conduct. Students found to have violated this policy based on one or more of the personal characteristics of the victim as set forth in the anti-harassment policy will be subject to additional, or more severe, disciplinary action. Other measures, reasonably calculated to prevent a recurrence of the violation(s) may also be imposed by the school system.</td>
</tr>
</tbody>
</table>
**Southern Town**

When bullying or harassment is suspected or when a bullying incident is reported, counseling services *may* be made available to the victim(s) and perpetrator(s).

A. The teacher or parent/legal guardian *may* request informal consultation with school staff, e.g., school counselor, school psychologist, to determine the severity of concern and appropriate steps to address the concern. The teacher *may* request that the involved student’s parents or legal guardian are included.

B. School personnel or the parent/legal guardian *may* refer a student to the school intervention team for consideration of appropriate services. Parent or legal guardian involvement shall be required when the student is referred to the intervention team.

C. If a discipline report or written complaint is made, the principal or designee must refer the student(s) to the school intervention team for determination of counseling support and interventions. Parent or legal guardian involvement shall be required.

D. The intervention team *may* recommend a school based component to address intervention and assistance as deemed appropriate to include:

1. Counseling and support to address the needs of the victims of bullying or harassment;

2. Counseling or interventions to address the behavior of the students who bully and harass others, e.g., empathy training, anger management.

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**Northeastern City**

Students who engage in bullying behavior shall be subject to school discipline, up to and including expulsion, in accordance with the Board's policies on student discipline, suspension and expulsion, and consistent with state and federal law.

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**Northeastern Suburban**

The following, including a combination of the following, *may* be considered by administrators to be the appropriate range of consequences for bullying:

- Conference with parent/guardian
- Detention/extended day
- In-school suspension
- Out of school suspension
- Referral to Superintendent for expulsion
- Report to law enforcement officials
Midwestern City

All discipline is governed by the Student Code of Conduct. Disciplinary actions for bullying, harassment, and cyber-bullying may also include, but is not limited to: warnings; counseling; loss of opportunity to participate in extracurricular activities, school social events or graduation exercises; loss of school bus transportation; community service; in-school suspension; short term suspension; or transfer to another school among others. The specific consequences should be consistent, reasonable, fair, age appropriate and match the severity of the incident. The District takes ALL reported cases of bullying, harassment, and cyber-bullying seriously. Counseling may be provided for the target and/or the student perpetrating the bullying, harassment, or cyber-bullying.

Midwestern Rural

If it is determined that students participated in bullying behavior in violation of the policy, the principal or appointed designee may take disciplinary action up to and including suspension, expulsion and/or referral to law enforcement officials for possible legal action as appropriate.

Beyond the policy, the Gold Country school district requires school administrators to develop and implement procedures that ensure appropriate consequences and remedial responses to harassment or bullying through a student action plan. The goal is for staff to provide services or support to students who commit acts of bullying and/or harassment to educate them about the impact that these behaviors have on others. Administrators are also required to ensure that appropriate services or support is provided to students who are victims of bullying or harassment. If behavior continues despite the student action plan and referrals aren’t helpful, the district looks at more serious disciplinary practices including suspension or expulsion. The district acknowledges that the investigation of cyberbullying may present technical challenges, stating in their Strategic Plan on Bullying Prevention and Intervention (2011) that “cyberbullying can be difficult to trace and even more difficult to prosecute, even when law enforcement is involved. Social networking sites may be slow to respond to
complaints, citing privacy and first amendment concerns. Even when they do respond, the damage to a student’s reputation may already be severe.”

Unlike the other school districts in this study, the PacWest school district anti-bullying policy specifically states that interventions for cyberbullying are “…designed to remediate the impact on the targeted student(s) and others impacted by the violation, to change the behavior of the perpetrator, and to restore a positive school climate.” The district attempts to avoid suspensions or expulsions because, as the Assistant Superintendent says in a telephone interview, “the perpetrator is typically at home with too much time on their hands, providing more opportunity to engage in cyberbullying. Let’s bring the parents in, bring the kids in, let’s inform everyone, let’s monitor and support and educate the kid.” Parents may present a challenge to school district officials, as they often insist perpetrators be suspended or expelled while the school district prefers to avoid this type of punishment. The Assistant Superintendent believes that most incidents are resolved through education and counseling for both the bully and victim, and adds in the interview that “involving the police or an attorney can intensify the problem, requiring all interactions to be done in writing and requiring additional time and meetings. The bottom line, from our perspective, is that we want to solve the problem, to modify the behavior and not just punish.” In any questionable situation, however, administrators are encouraged to consult the local sheriff department’s “cyberspecialist,” who can capture evidence. If teachers, counselors, or administrators suspect criminal activity, they are encouraged to immediately refer the incident to local police.
In all cases, administrators have the discretion to intervene by facilitating conferences and counseling, with suspension or expulsion considered only in extreme circumstances. None of the school districts reviewed for this study have a zero tolerance policy. School districts have a range of interventions, allowing them to use their discretion on a day to day basis.

**Perceived Effectiveness of Anti-Cyberbullying Policy**

While anti-cyberbullying policies and education and prevention programs for school administrators, teachers, and counselors, students, and parents are relatively new, school district officials perceive that they are effective when used fairly and comprehensively throughout the schools and the community. While most school district officials and community experts agree that they cannot yet quantitatively identify the effectiveness of their anti-cyberbullying programs, given the lack of data available and the short history of these programs, they perceive that they are making progress.

The Community Agency Managing Director, working in the PacWest school district, has noted a decrease in referrals to the principal’s office in schools with the “Hands and Words Are Not for Hurting” program, based on feedback from school principals. Admitting that they did not quantitatively measure the effectiveness during the Hands and Words pilot, the Managing Director says in a telephone interview, “You have to keep going in. You have to go in three times before it makes a difference.” The agency providing funding for the “Hands and Words” program is asking for more quantitative evidence of success in order to provide continued funding, and the agency has a plan in place to meet this request, creating a schedule at the beginning of each school year and ensuring that each student is touched three times. In addition, they plan
to survey school principals, teachers, and counselors at the beginning of each year to assess the problem, and then again at the end of each school year to determine progress by measuring referrals, making necessary corrections in their programs along the way.

When asked, in a telephone interview, if anti-cyberbullying legislation is making a difference in Washington State, the OSPI Program Director of the School Safety Center commented that “bullying is bullying. But we have laws that say we have to use these words. Looking at the data, cyberbullying is no worse than anything else. The numbers aren’t that much different.” From an adult perspective, he added in the telephone interview that “parents don’t know how to intervene. Schools can make an impact by raising awareness of what’s going on and how parents can become the trusted adult, helping children to live safely online.” For younger children, raising awareness is important so they understand that when they post something online, it’s there forever. He adds, “We have to get awareness and training out so they can be used effectively in schools.” Even with extensive help for school districts, the OSPI Program Director commented in the telephone interview that a “model policy combined with procedures and resources should be effective but this is an unfunded mandate leaving it up to school districts to decide what to do.”

The Gold Country Bullying Prevention Expert acknowledges that their cyberbullying reporting capabilities are lacking but points to perceptions that prove the effectiveness of their work. She says in a telephone interview, “Steps to Respect has been a “game changer for us on campus. … It has offered an overwhelmingly positive experience for the students and staff, directly resulting in a decrease in incidents.” To meet the need of gathering quantitative data, the Gold Country district is implementing a
bullying and harassment reporting system for teachers and principals that will allow them to track incidents and responses. The new system creates a paper overlay that walks staff through the definition of bullying that the school board has adopted. Because administrators and teachers may be challenged to identify bullying, the district is helping them to identify incidents by placing the definition and requirements right up front. Once an incident is identified and a report is created, a site administrator is required to investigate the report and develop a student action plan to resolve the issue.

**Summary of Findings**

Public school districts across the United States are tackling the problem of cyberbullying with a comprehensive approach to the development of clear and concise policy that involves stakeholders, and education with a focus on bullying prevention for staff, students, and parents. When combined with student action plans aimed at modifying behavior, these factors can lead to a reduced risk of cyberbullying in the public schools.

While school districts may use a model policy or develop their own policies, both school districts that participated in this study are leaders as evidenced by their clear and concise policies and procedures that offer a clear definition of cyberbullying. The school districts recognize the important role of education with a focus on prevention for staff, students, and parents. While the Gold Country school district has a highly-structured staff curriculum and the PacWest school district has a less formal curriculum, both are addressing the bullying educational issues as appropriate for their staff. Both districts are taking on student education at all levels, from elementary school, middle school, and high school with a focus on prevention. Parent education, while presenting challenges, is
a key focus. Finally, both districts have an escalation process for incidents that are designed to help remediate incidents and keep children and adolescents in school.

Together, comprehensive policy combined with education for staff, students, and parents and an appropriate response to incidents aimed at modifying behavior can result in ideal policy and a remediation of the harmful effects of cyberbullying. Table 15 summarizes the findings from this study, providing a comparison of the similarities and differences between school districts participating in the study.

Table 15

<table>
<thead>
<tr>
<th>School District</th>
<th>Theme 1: Policy development is key to combating cyberbullying. Every school district can develop good policy</th>
<th>Theme 2. Teacher, student, and parent education is a key component of policy implementation.</th>
<th>Theme 3. Student action plans and counseling are preferred to punishment.</th>
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<tbody>
<tr>
<td>Western City/Gold Country</td>
<td>Policy developed by school board with task force</td>
<td>Staff education required in policy</td>
<td>Counseling and education are first steps, with suspension or expulsion used when intervention is ineffective</td>
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<td></td>
<td>Distribution of policy required for students</td>
<td>Student education provided for elementary, middle, and high school students</td>
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<td>Student education provided</td>
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<td>Parent education provided</td>
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<td>Location</td>
<td>Origin of Policy</td>
<td>Staff Education Required</td>
<td>Distribution of Policy Required</td>
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<tr>
<td>Western Town/PacWest</td>
<td>Model Policy</td>
<td>Required in policy</td>
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<td>Southern City</td>
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<td>Midwestern Rural</td>
<td>Policy developed using model policy</td>
<td>Staff education required in policy</td>
<td>Distribution of policy required for students</td>
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Chapter 5: Discussion

Bullying in and out of school is not a new issue for schools, students, and parents to address. With the advent of technology, including cell phones and social media, and media and legislator attention, there is renewed interest and awareness of bullying in general, and in cyberbullying in particular. Federal laws including the Civil Rights Act of 1964, the Education Amendments Act of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution (Amendment 14), require school officials to protect students against any harassment to ensure that students do not face a hostile student environment, and have equal opportunity to receive instruction. Legislation at the state level is forcing school districts to develop policies and programs to combat bullying and cyberbullying in schools.

This chapter identifies how the subject school districts have developed a clear and concise policy that involves stakeholders; provided education with a focus on bullying prevention for staff, students, and parents; and developed action plans aimed at modifying behavior as they relate to the expert recommendations in Chapter 2: Review of the Literature. The educational implications of these findings are presented as well as suggestions for future research related to the topic of cyberbullying policy in public school. Figure 6 describes the school district activities that contribute to reducing the threat of cyberbullying in the public schools.
Figure 6. Actions to Reduce the Risk and Threat of Cyberbullying

As can be seen in Figure 6, the first step for a school district is to develop a policy involving stakeholders, typically through a task force, using a model policy, or through the school board. The resulting policy needs to be clear and concise, offering a clear definition of cyberbullying. Once the policy is complete, the next step is to provide education programs, delivered on a regular basis, with a focus on bullying prevention for school staff, students, and parents. When education and prevention are insufficient, action plans aimed at modifying behaviors are effective in remediating incidents. All of these activities result in a reduced risk of cyberbullying in the public schools so that they can all attain the benefits of technology advances without the harmful effects and risks that can occur. This chapter discusses implications of the research as well as suggestions for future research on the topic of cyberbullying policy in the public schools.

Developing a Clear and Concise Policy

Whether prompted by legislation, new awareness, or media attention over an event within a school district, Beale and Hall (2007) advocate that schools play a major role in addressing cyberbullying with anti-bullying policies in general and anti-
cyberbullying policies in particular. A survey of 735 U.S. school teachers and school counselors further found that schools with written anti-bullying policies were less likely to ignore bullying incidents (Bauman et al, 2008), emphasizing the importance of written policy in combating cyberbullying. The subject public school districts in this study all have an anti-cyberbullying policy in place that is comprehensive based on the criteria set for this study, which were developed based on recommendations by the U.S. Department of Education (Duncan, 2010) and by policy and legal experts (Anti-Defamation League, 2009; Beale & Hall, 2007; Blumsack, 2009; Brown, et al, 2006; California Department of Education; 2010; Dyrli, 2005; Esposito, 2009; Flowers, et al, 2000; Franek, 2005; Hinduja & Patchin, 2009; Mahri, et al, 2004; Mason, 2008; National Education Association, n.d.); Shariff & Hoff, 2007; Sherer & Nickerson, 2010; Trump, 2010; Willard, 2007a, 2007b, 2009, 2010). However, in preparation for this study, the researchers reviewed hundreds of public school district websites across the United States seeking those that had exemplar policies. The majority of school districts either had no anti-cyberbullying policy or had a brief policy that did not meet the base criteria. The lack of eligible participants indicates that many school districts still are not addressing the problem. Even in a state like Washington that requires school districts to adopt or amend a policy based on a model policy and offering guidance, legal help, and education through the OSPI, 35 of the 295 school districts still have not posted a policy. In states that do not require a policy or that do not provide a model policy, many school districts have not addressed the problem at all. School districts that have anti-bullying policy that addresses cyberbullying are at the forefront.
According to Beale and Hall (2007), the first step in the development of school policy should be to determine the amount of cyberbullying that is occurring in the school and in the home through focus groups, class meetings, and student, teacher, and parent surveys in order to understand the types of cyberbullying to adequately address the issue schoolwide. The process that school districts such as the Gold Country school district used to develop policy provide a methodology that other districts can adopt. By establishing a district-wide Bullying Prevention Task Force that includes tech-savvy students, parents, educators, and community members, as recommended by Mason (2008), the district was able to gather the data they needed to create a strategic plan, which guides their activities today. The district was one of the first to create the position of a bullying prevention specialist who oversees their bullying prevention and intervention and creates best practices and mandatory actions for school staff and administrators.

Esposito (2009) recommends that schools and districts develop their policy based on a general one, and then tailoring it to the needs of the individual school or district, as the schools that used a model policy did. By using a model policy, schools are assured that their policy aligns with federal, state, and local regulations. Mahri, Chafouleas, and Sassu (2004) recommend that model policies and procedures be created with input from organizations such as the ACLU, stakeholder groups, and participating school districts, similar to the process used by the Washington State OSPI. In states that take a proactive role in developing a model policy and procedures, including Washington, Wisconsin, Florida, and Delaware, school districts have the tools and resources they need to develop their own policy. Smaller school districts, such as the PacWest, Southern Town,
Northeastern Suburban, and Midwestern Rural school districts described in this study, that lack legal and financial resources, can create comprehensive policies by easily customizing the model policy provided by their state department of education or teacher’s organization. Using model polices, the PacWest Assistant Superintendent, who is also the district’s compliance officer, expressed that that the district has had very good support. We are “not all alone, we aren’t winging it,” said the Assistant Superintendent in a telephone interview. “There are best practices out there in Washington.”

**Challenges in defining cyberbullying.** The U.S. Department of Education Key Policy Letter of December 16, 2010 (Duncan, 2010) recommends that policies contain a clear definition of cyberbullying and details about the specific characteristics that explain bullying. In their book, *Bullying Beyond the Schoolyard*, Hinduja and Patchin (2009) suggest that cyberbullying policies include clear definitions of harassment, intimidation, and bullying by electronic and traditional means. The PacWest policy uses a simple definition as follows: “Harassment, intimidation or bullying” includes any intentionally written message or image (including those that are electronically transmitted) or verbal or physical act” while the Northeastern Suburban district provides a comprehensive definition of cyberbullying as: “Bullying by using information and communication technologies. Cyberbullying may include but is not limited to: 1) Denigration: spreading information or pictures to embarrass; 2) Flaming: heated unequal argument online that includes making rude, insulting, or vulgar remarks; 3) Exclusion: isolating an individual from his or her peer group; 4) Impersonation: Using someone else’s screen name and pretending to be them; 5) Outing or Trickery: forwarding information or pictures meant to be private,” similar to the Willard (2007b) definition.
Among the larger school districts included in this study, the cyberbullying definitions are comprehensive and explicit. For instance, the Gold Country policy defines electronic bullying or cyber bullying as “the use of electronic communication technology such as, but not limited to, e-mail, instant messages, text messages, mobile phones, and web sites, to send or post messages or images to embarrass, humiliate, spread rumors, threaten or intimidate. Sending sexually explicit images electronically, even consensually, may be considered as distribution of child pornography, and is to be referred to district security and/or law enforcement.” It includes not only the use of electronic technology but also the intent of the bullier, and the inclusion of sexually explicit images.

Most school policies reviewed in this study, including those from the Southern City, Northeastern City, and Midwestern City school districts, focus on the method of harassment and bullying without the intent on which the Gold Country policy focuses. However, the Midwestern Rural school district includes the focus on the intent as “to threaten, harass or intimidate the victim” and the Southern Town school district describes the result of the bullying to include “substantial emotional distress to that person and serving no legitimate purpose.” Both of these policies focus on intent, not just a definition, providing more guidance to school staff.

**Anti-Bullying Education for School Administrators, Teachers, and Counselors**

Shariff and Hoff (2007) indicate that school officials play a key role as educators who need to work closely with teachers, parents, students, and relevant stakeholders to communicate and implement effective anti-cyberbullying policies. Sherer and Nickerson (2010) relate written anti-cyberbullying policy as an effective strategy to combat
bullying when implemented with staff education and training, as well as a positive behavior support plan. Olweus (2004) found that the most important predictor of school-wide attention to bullying problems was communication among teachers and the most important predictor of classroom-level attention was the perceived staff importance of bullying interventions, highlighting the importance of staff education and training as the front line in anti-bullying programs. To meet this need, most policies reviewed for this study require staff education for administrators, teachers, and counselors, typically through in-service training prior to a new school year. The PacWest school district has found that an ideal way to educate their administrators, teachers, and counselors is to teach them together with students. When staff and students complete education together, they create a consistent terminology, understanding, and view of cyberbullying.

Many school districts have teaching resources available to them through their state departments of education. Washington, California, Wisconsin, and Delaware provide resources, such as PowerPoint presentations, that a district can customize for their own needs and then deliver as needed. Florida, Alabama, Connecticut, and Michigan provide information on bullying and cyberbullying, but leave it up to each school district to create their own staff educational materials.

School districts have effectively partnered with experts to help with their education and to provide best practices. For instance, safe schools expert Rick Phillips presented a framework for stopping bullying and creating safer schools to the Gold Country school district’s site and district staff, and nationally recognized bullying expert Elizabeth Meyer presented the keynote address at the district’s “No Time to Lose” conference. Through participation in bullying conferences, such as the International
Bullying Prevention Association's annual conference, educators can learn best practices in order to achieve a safe school climate from experts and can serve on panels themselves, as did the PacWest Assistant Superintendent.

With the rapidly changing nature of technology and increasing computer-savvy among students, staying current is a constant challenge for school staff, highlighting the need for continuing education. Students may mockup a Facebook page to look real or create an email message with genuine-looking headers. Thus, administrators continue face a challenge in verifying that any evidence of cyberbullying is genuine. The PacWest Assistant Superintendent advises in a telephone interview, “Don’t go it alone when dealing with complicated cyberbullying and bullying issues. Get help to make informed decisions.” He tells teachers, “if there’s a question, don’t brush it under the rug or tell an administrator if it makes sense.”

Anti-Bullying Education and Prevention for Students

Bullying is a problem at all ages and grades. Chapell, Hasselman, Kitchin, Lomon, MacIver, and Sarullo (2006) investigated the continuity in being a bully, victim, or bully-victim from elementary school through college in 119 undergraduates. Of 25 who were bullied in college, 18 (72%) had been bullied in high school and elementary school. Of 26 bullies in college, 14 (53.8%) had been bullies in high school and elementary school. They found significant positive correlations between being a bully in college, high school, and elementary school, and being bullied in college and high school, and between being both a bully and victim in elementary school, a bully and victim in high school, and a bully and victim in college. Trump (2010) tells school districts that bullying prevention, intervention, and enforcement is a serious issue that
should be addressed as part of a complete school safety program. Going further, school administrators, teachers, and counselors should establish a culture that does not tolerate bullying and emphasizes appropriate social norms (Snakenborg et al, 2011).

School districts are appropriately addressing bullying at all grades, beginning in elementary school and continuing through middle and high school in an effort to change attitudes and stop bullying before it progresses into adolescence. While cyberbullying typically begins in middle and high school, many schools acknowledge the need to teach respect and prosocial behaviors at an early age. Pledges against bullying are often used in the elementary school grades, similar to the pledges for the “Hands and Words Should Not Hurt” program used in the PacWest school district and the “Steps to Respect” program used in the Gold Country school district. These programs lay the groundwork and encourage children to recognize other people’s feelings and to recognize bullying, teaching respect for others.

At the middle and high school levels, student education is somewhat lacking, without an integrated and comprehensive program at any of the school districts reviewed, revealing an issue at the age when cyberbullying typically begins. Cybersafety programs, like the PacWest CATS program, and education similar programs like the LegiSchool project and the “No Time to Lose” LGBTQ youth conference, focusing on populations most at risk for bullying, to the “Healthy Relationships & Dating Violence Prevention” program provide novel solutions.

To educate students and establish a culture that does not tolerate bullying, school districts are successfully working with community organizations. The PacWest school district has forged unique and effective partnerships with local agencies and the sheriff’s
department. Their partnering Community Agency developed and delivers the “Hands and Words Should Not Hurt” program used in the PacWest elementary schools, providing materials and staffing. The partnership between the district and the agency began with a district official who was excited to pilot the program in the elementary schools. From there, the Community Agency Managing Director met with the forward-thinking principal in one elementary school to create a pilot. The organization is truly committed to fighting bullying and cyberbullying in the local schools and is piloting the program in two other local school districts in the 2012-2013 school year. The community agency is working with children early to change their behaviors, teaching them how to treat others well and to build self-esteem.

The community partnerships that school districts are forging with government and private institutions offer expertise, funding, and multiple perspectives and approaches to help prevent bullying in the schools. Other school districts can use these types of partnerships to further their goal of preventing bullying in their schools.

**Anti-Bullying Education and Prevention for Parents**

Just as school officials play a key role as educators who need to work closely with teachers and students to communicate and implement effective anti-cyberbullying policies, they also need to work closely with parents (Shariff & Hoff, 2007). Recognizing the need, school districts have been proactive but parent education is a continual challenge, with generally poor turnout at school-sponsored County educational events.

The PacWest school district, Community Agency, and the local sheriff’s department have worked closely to create parent education events and to deliver
education in the high schools on cybersafety. The sheriff’s department is one of a select few that has a forensic cybersafety expert on staff, whose training was funded by the Community Agency. Says the Community Agency Managing Director in a telephone interview, “We’re not just checking a box to say we did it and then moving on. We want to make a difference.”

In contrast, the Gold Country school district has hosted 13 separate events for parents with average attendance of approximately 25 parents, ranging from 6 at the low end and more than 100 at one event. According to the Gold Country Bullying Prevention Expert, responding to an inquiry in a telephone interview to discover a cause for the lowest-attended event, “the weather was good and it was advertised well. I’m not sure why.” However, the district is satisfied with 25 parents on average attending a session, with plans to repeat parent education in the 2012-2013 school year.

**Action Plans Aimed at Modifying Behavior**

In their book, *Bullying Beyond the Schoolyard*, Hinduja and Patchin (2009) propose a graduated series of consequences for bullying with a goal to balance one student’s right to free speech against another student’s right for a safe learning environment. Schools should also consider incorporating anti-cyberbullying strategies such as cooperative learning, peer medication, and social skills into their instruction (Mason, 2008). Schools can take informal actions and formal actions, developing a comprehensive approach that shows students on how to prevent or respond to victimization and to help parents prevent their student from being a bully or victim (Willard, 2007b). In essence, Willard recommends an approach similar to the Gold
Country school district student action plan and the less formal intervention used in the PacWest school district.

According to Willard (2007b), the school climate should make students feel comfortable reporting incidents of cyberbullying, placing the emphasis on the teacher or other administrator to address the incident. To meet this need, the Gold Country staff education succinctly identifies the role of school staff in responding to bullying (Self, 2012). School staff has little or no discretion and must generate a referral form to the principal or other school designee, while the principal has the discretion to determine if the alleged act violates the district’s policy.

Recognizing that formal discipline, such as suspension or expulsion, will not resolve particular incidents, Willard (2007b) recommends that school policy require removal of harmful information and specifically state that retaliation by the perpetrator or others at the perpetrator’s request is prohibited. All of the school policies reviewed for this study prohibit retaliation but do not address the removal of harmful information.

School district policies provide significant latitude in the handling of cyberbullying incidents. Similar to anti-violence programs, effective anti-bullying programs combine education, intervention, and personal responsibility, with the goal to create a positive school environment. Thus, school district policies typically begin with prevention education, with counseling and education as the first response to reported incidents. Punishment is generally considered as a last step.

**Implications**

The public school districts that participated in this study recognize the need to become involved and proactive by addressing the problem of bullying and
cyberbullying. The first step is to institute a policy. While school districts need to consider *Tinker* (1969), *Frazer* (1986), *Hazelwood* (1988), and *Morse* (2007) as they develop their policies, they understand that they can limit and take disciplinary action for speech on- and off-campus that has or could foreseeably interfere with a student’s ability to feel safe and receive a fair education.

School district officials should assign a compliance officer, like the PacWest school district, or hire a bullying prevention expert, like the Gold Country school district, providing a steward to guide the anti-bullying program across the district to all staff, students of all ages, and parents. School district that have the resources and commitment should form a bullying prevention task force with school and community members, similar to Gold Country and Southern City school districts to determine the size and extent of the problem, to design programs and interventions, and then track the success of those programs, correcting as necessary (Mahri et al, 2004).

Teachers and counselors need to know the district’s definition of cyberbullying and learn to recognize incidents through formal education and by learning along with their students. Teachers need to know their role clearly in reporting and investigating incidents, as well as teaching respect. Educating students, teachers, and counselors together, like the PacWest schools have done, helps ensure a common definition. School districts should offer frequent education and events like the Gold Country district has offered, aimed at new and existing teachers, and by bringing in experts, such as Rick Phillips. Resources are available through the state education associations, private industry, and community organizations, so school districts should evaluate the offerings available, test them, and use the most effective methods.
Getting involvement and commitment from forward-thinking school principals involved at the elementary, middle, and high school level is important to ensure that students get a consistent and comprehensive message at all ages. Like “Steps to Respect” program in the Gold Country school district and “Hands and Words Should Not Hurt” in the PacWest school district, a pilot is key to proving the effectiveness of programs and gaining commitment. Elementary schools can institute a pledge or other program that teaches respect. In middle and high schools, school administrators, teachers, and counselors should focus on bullying education, cyber-safety, and the right to be free of bullying and harassment. Staff needs to make adolescents aware of the risks while continuing to emphasize respect, as is done in the “Healthy Relationships & Dating Violence Prevention” and CATS programs in the PacWest school district. The Gold Country school district innovation with the “No Time to Lose” LGBTQ youth conference and the LegiSchool Project set a standard for other districts to follow.

Parents need education but new and innovative methods are needed. Evening events can be successful but schools need more ways to reach parents. Cybersafety is a particular concern because parents often do not understand the risks their children face or parents of bulliers may not realize the harm that their students can do. Parents need to stay involved, knowing their child’s passwords and friending them on Facebook, for example. More work is definitely needed to determine the best methods and messages for parents.

To combat cyberbullying, the community including district officials, school administrators, teachers, counselors, students, and parents need to work together to address incidents. Real solutions are not easy.
Table 16
*Recommended Stages in the Creation of Anti-Cyberbullying Policy*

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<th>Stage</th>
<th>Recommendation</th>
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<td>1</td>
<td>Form an anti-bullying task force with relevant stakeholders from the school district and community.</td>
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<td>2</td>
<td>Assess the extent of bullying in the school district.</td>
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<td>3</td>
<td>Determine if a model policy exists, and if so, determine if it meets the school district’s needs. If so, customize the policy. If not, create a policy that meets local needs. Ensure that the incident handling process meets the needs of your district.</td>
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<td>4</td>
<td>Create staff, teacher, and counselor education covering bullying, cyberbullying, recognition of incidents, and reporting requirements.</td>
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<td>5</td>
<td>Create or adopt student education for elementary, middle, and high school students with age-appropriate content. Look for novel methods to engage students.</td>
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<td>6</td>
<td>Create or adopt parent education, looking for novel ways to communicate with parents.</td>
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<td>7</td>
<td>Assess success through quantitative and qualitative methods, making corrections as necessary.</td>
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**Future Research**

Cyberbullying policies in public schools are relatively new with little quantitative data to prove the effectiveness of the policies and associated programs. At the time of this study, the subjects agreed that they believe that their policy and intervention programs are effective based on feedback from stakeholders but they did not have sufficient time and repeatability to know exactly the extent to which the policy and programs reduce the incidence and risk of cyberbullying in their schools. Thus, this study should be repeated in two to three years’ time, after the school districts have been able to repeat the programs over a period of time with the same purpose, that is, to understand the methods that school districts use to inform school staff, students, and parents about anti-cyberbullying disciplinary policies and their administration, as well as their perceptions regarding the effectiveness of the policies.
A quantitative study is needed to measure bullier and victim perceptions to determine if the risk of cyberbullying is truly reduced through policy and education. The Centers for Disease Control and Prevention publish the Measuring Bullying Victimization, Perpetration, and Bystander Experiences: A Compendium of Assessment Tools (Hamburger, Basile, & Vivolo, 2011), which contains bully-only; victim-only; bully and victim; and bystander, bully, and/or victim scales that school districts can use to track bullying behavior and consequences in their schools. This guide provides a set of psychometrically-sound measures for assessing the incidence and prevalence of different types of bullying experiences based on self-reports. Using the measures, a future research study should measure bullier and victim perceptions before the enactment of policy and intervention programs at one, two, and three year intervals. The purpose is to determine the correlation between these programs and the incident and prevalence of bullying experiences on bulliers and victims.

Given the plethora of anti-bullying resources available through state education associations as well as private companies and community organization, school districts need more evidence-based data to help them choose the best program for their community. A follow-up qualitative study is needed to assess administrator, teacher, and counselor perceptions to understand the effectiveness of these resources on their ability to combat cyberbullying in their schools. This study would use semi-structured, open-ended interviews of a sampling of administrators, teachers, and counselors to understand what techniques and information are most useful to them.
Conclusion

The study of cyberbullying policy in public schools is recent, given the legislative and media attention. Many public school district officials have achieved significant progress in the development of their policies, in their education and communication with school staff, students, and parents, and in their response to individual incidents with a goal to modify the behavior rather than to punish. School districts can learn from the best practices implemented by school districts that have taken a leadership role in addressing the problem.

The development of anti-cyberbullying policy can be relatively easy for a school district in states that provide a model policy. In states without a model policy or those that leave the issue up to the school districts, task forces can help. An important part of the policy is clear definition of cyberbullying that creates a common understanding and language so schools can separate low-level activity from that intended to do harm. With growing financial stresses and pressure for academic achievement, a commitment from a superintendent, a principal, or from the community can make a difference.

Schools districts that address all aspects of the solution including staff, student, and parent education, and look for unique ways to communicate their message set a standard for other schools. More evidence is required beyond the perception that a program is effective, such as a decrease in the number of referrals or incidents. Using resources like the Measuring Bullying Victimization, Perpetration, and Bystander Experiences: A Compendium of Assessment Tools (Hamburger et al, 2011) may prove valuable in validating the effectiveness of different programs.
When prevention is ineffective, most school districts are deploying a range of solutions to deal with incidents, not zero tolerance policies. Solutions such as working with teachers, students, and parents, and the creation of student action plans provide an alternative to suspensions and expulsions. These solutions require cooperation of administrators, students, and parents.
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**Federal and State Regulations**


U.S. Const. amend. I.

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U.S. Const. amend. XIV.

**Court Cases**


Boucher v. School Board of the School District of Greenfield, 134 F.3d 821 (7th Cir. 1998).


Morse v. Frederick, 551 U.S. 393 (2007).


Education

**University of Nevada, Las Vegas, Las Vegas, NV**
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**May 1982**  
Cumulative G.P.A. 3.34

Professional Experience

Garnett Group Consulting, Henderson, NV and Saratoga, CA  
August 1993-Present  
**Educational Consultant**

Responsibilities:
- Perform front end assessments and job task analyses through interviews, written surveys, and so on
- Design and develop comprehensive educational and curriculum plans and programs
- Develop worldwide education and certification programs
- Measure the effectiveness of educational programs
- Deliver courses and train-the-trainer programs

Tech-Ease, Mountain View, CA  
1988-1993  
**Vice President and Educational Consultant**

Responsibilities:
- Perform front-end assessments
- Develop educational plans
- Manage course development teams for leader-led and self-paced training for print and online media

DAB Computer Services, Chester, PA  
1985-1988  
**Educational Consultant**

Responsibilities:
- Developed technical documentation and training courseware
- Managed small teams of writers and course developers on large projects
Prime Computer, Framingham, MA
1983-1985
Technical Program Analyst

Responsibilities:
• Worked within a software engineering group to coordinate all interaction with other departments including marketing, the field sales force, and systems engineers
• Trained systems engineers in the field on how to use, demonstrate, and support new computer aided design products

Arrigoni Computer Graphics, Santa Clara, CA
1981-1983
Marketing Communications Coordinator

Responsibilities:
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