

**CYBERBULLYING FROM
CLASSROOM TO COURTROOM:
APPROACHES TO PROTECTING CHILDREN
IN A DIGITAL AGE***

*Panel 2—Cyberbullying In The Classroom:
Educators, Policy, and Protecting Students*

REMARKS OF BRITTON SCHNURR**

Thank you for having me. My name is Britton Schnurr. I'm the school psychologist for the Guilderland Central School District. I'm also an adjunct faculty member in the Graduate Department of School Psychology at the State University of New York at Albany. I am a board member of the New York State Association of School Psychologists. As such I am not an attorney, and so I will be talking about things from more of a holistic perspective including the human aspect of this issue. As a school psychologist, issues of cyberbullying and bullying obviously are near and dear to my heart, and it's something I could spend a

*On October 20, 2011 the Albany Law Journal of Science and Technology presented a symposium on the intersection of cyberbullying and the law. These are these remarks have been annotated by the author and edited by the Journal staff. The webcast of the event is available at <http://www.totalwebcasting.com/view/?id=albanylaw> (last visited Aug. 23, 2012).

**Dr. Britton Schnurr received her Bachelor of Science in psychology from Syracuse University and Master of Arts in school psychology from SUNY Oswego. She completed her Psy. D. in school psychology from the University at Albany in 2004 and is a Nationally Certified School Psychologist. Dr. Schnurr has worked as a school psychologist since 1999 and conducts evaluations for children with learning difficulties aimed at developing effective, practical, school-based interventions. She is particularly interested in developing effective alternatives to grade retention. Dr. Schnurr is also experienced in working with children and adolescents to address emotional and behavioral concerns in both group and individual sessions. Dr. Schnurr also credits her collaborator Amanda Nickerson, formerly a professor at the State University of New York at Albany, and now the Director of the Jean M. Alberti Center for the Prevention of Bullying, Abuse and School Violence at the University of Buffalo.

whole day talking about.

We touched on a little bit of prevention issues earlier today, so, I'm going to speak a little bit about a project that we are currently involved in Guilderland. If anyone wants to contact me for more information on this subject, please do. As I said, this could be a whole day presentation for me, so it's kind of hard to break it down into twenty minutes.

Just so that we are all on the same page, when I was speaking of cyberbullying, I'm talking about using technology to willfully harass, threaten, intimidate, or otherwise inflict harm on someone. In bullying in general we talk about an imbalance of power. And in dealing with the kids every day, we spend a lot of time trying to know the difference between conflict and bullying. Conflict is a normal part of human development. Bullying means something where there's an imbalance of power. So that's something I want to make a clear distinction at the onset.

Similar to other forms of bullying, cyberbullying can result in depression, anger, sadness, and fear of going to school, so there are some real negative impacts—this isn't something that just happens, this is something that does have a very negative impact on the victim.

I want to talk briefly about how cyberbullying is different from other forms of bullying. Cyberbullying can be anonymous. Cyberbullying can spread quickly. Others forms of more traditional bullying happens face-to-face, it happens in the moment, it happens to the person who's doing the bullying and the person who's the recipient including those around them.

Cyberbullying can spread to everyone. It can spread to an entire class or an entire clique almost instantly. It's easier to be cruel when the target's not in front of you. Even bullies, which we think of as these mythical, almost cartoonish entities—bullies are people as well. There is a sense that you are going to be crueler when someone's not right in front of you than you would be if they were.

Cyberbullying occurs 24/7. It's hard to turn this off. We're all connected all the time. I know I'm constantly connected to my phone, and connected to the Internet. But the more traditional forms of bullying, not to diminish the impact, you could get away from them. When you are outside, when you are away from the bullying, it stopped. With cyberbullying there's a pervasiveness to it that extends beyond just your interaction with the bully.

The piece that's interesting for me is that the vast majority of

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cyberbullying occurs at home, but the repercussions and the impacts are dealt with at school. So when everybody comes back together they talk about what was posted the night before, and said the night before, kids saying did you see the text that went out? So although that it may not happen in school, they may have really good policies about not having electronic media, we feel the effects of it.

Cyberbullying also makes it makes it more complicated for the school to address because it blurs the lines between home and school. This is why it's essential that we have partnerships between home and school in the community, because it's important—we can no longer say “it's not my problem,” because the lines seem blurred.

I'm going to talk a little bit more a little later on about issues of school climate, but as it has been alluded to earlier, school climate really is an essential feature of dealing and addressing school cyberbullying and all forms of bullying. We can talk about what's going to happen after it's happened, but what we really need to do is talk about what happens before to stop it from happening.

Cyberbullying has real effects on kids. It causes social and emotional distress. It puts children at an increased risk of mental health problems such as anxiety and depression, and we've talked about some of the examples of where it's lead to suicide.

Here's a group that I don't think actually gets enough attention. Children who engage in the bullying behavior are our most at-risk kids because they're more at risk for substance abuse, academic problems and later violence. This isn't an issue of just bullying, it's a symptom of a larger problem both for the bully and the child who is the victim of the bullying.

So as educators what can we do? And this is what the panel was talking about a little bit earlier, the idea of risk management in hostile environments. So this is what you can do to mitigate risk. As I said earlier, we have to have a coordinated effort of all stakeholders including parents, teachers, administrators and students. No one group is going to solve this problem or address this problem. There has to be a consistent expectation of appropriate behavior. You need a clear code of conduct, and we need to know what the expectations are.

Related to that there needs to be consequences for the behavior that is in violation of these expectations. I'm going to talk a lot about the prevention aspect of this, but it goes without saying

that when bullying happens it needs to be addressed, there needs to be consequences, and most importantly these consequences need to be applied consistently across all students.

What we've seen a lot is the midset of "well, he's really a good kid, he didn't mean it," versus "this one causes trouble." So there's almost some favoritism that goes on. Consequences have to be consistently applied.

Typically zero tolerance policies have not been very effective when we look at from school psychology and the education research. A lot of times what happens is we spend a lot of time implementing policy and not addressing issues. So we can spend a lot time adhering to a policy of zero tolerance and getting ourselves stuck in some really ridiculous examples.

We can all think of the examples where the kindergartener brings a butter knife to school and is suspended and it just doesn't make a lot of sense. So we want to make sure that not only do we have policies, but we have policies that are effective and make sense.

Social-emotional learning needs to be part of the curriculum and needs to be part of education. We'd like to say that it's something the parents can do at home, but unfortunately either it's not happening at home or it's not happening in a way that's being effective. So schools being places where social-emotional learning takes place, and I'm not talking about pushing social agendas, I'm talking about basic social-emotional learning around respect, dignity and civility.

Direct efforts to create a climate that does not support bullying, that enhances acceptance of all students and then an issue too that's again near and dear to my heart, the evaluation of present needs as well as the effectiveness of programs.

There are a lot of programs that are marketed out there that are very good. But you need to know what is it in your specific school, or what is it in your specific community that needs to be addressed? Pick a program that matches that or develop a program that matches that and then ask yourself, is it working? It's not enough to just get a bunch of adults around in a room and say, we're all going to get together and we're going to implement this program, this program sounds great, pat each other on the back and say, "wow, we did a good job." You really have to be in touch with the kids to see if it's really working with them, and you have evaluate the effectiveness of the program.

So this leads me to the Guilderland example. I am a member of

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our Safe and Respectful Schools Committee, and a bunch of us were in a room together and we were thinking, “wow, we do some great things here in Guilderland; we have the Olweus Program,¹ we have classroom meetings, we have taken a serious stand against bullying, we’ve done some really proactive measures against bullying.

With my training as a school psychologist and my role as a professor, one of the things I like to talk about is program evaluation and effectiveness. So, it was one of those moments where you have a thought in your head and you think, “I probably shouldn’t say this out loud,” but you do anyways, and then you realize two years later that you’re in the middle of a giant project. One of the things that I asked before we adopted a wholesale program was shouldn’t we know what our school climate is? Shouldn’t we know how our children in Guilderland are feeling on issues of safety and bullying?

We did a comprehensive survey, and when I say comprehensive I mean comprehensive, we surveyed all of the students, K–12, we surveyed all the faculty members, teachers, bus drivers, cafeteria workers and we made the survey available to all parents. Not all parents responded, but we certainly invited all of the parents. So we have a ton of information not just on issues of bullying, but on issues related to school climate.

As I said earlier, this is an ongoing project. We did the survey, we’ve analyzed the results, we’re looking at implementing some of the programs now and the next phase is going to analyze where we are in Guilderland. We looked at both bullying and issues of school climate, and as I said, Guilderland had previously had a serious commitment to anti-bullying initiatives. What we found, much to my dismay, was reports of bullying and victimization that were consistent with national averages. So despite a real true authentic effort to reduce bullying, our kids were reporting that they were being bullied the same as school districts who hadn’t addressed this.

So we had to take a new approach. So now we’re looking at bullying, including cyberbullying, which was absolutely an issue for our kids as a symptom of a larger problem. What we’re looking at is an issue related to school climate. I could spend all

¹ See *Olweus Bullying Prevention Program*, VIOLENCE PREVENTION WORKS!, http://www.violencepreventionworks.org/public/olweus_bullying_prevention_program.page (last visiting Aug. 1, 2012).

day talking about the mountains and mountains of information that we got from the study and where we are, but one of the things that is most important for this conversation are the students who self-identified as being bullies, engaging in bullying behaviors. Keep in mind that these are not the students that other students reported, but these are kids who said themselves, yes, I do this. They were also the students who ranked themselves lowest on indicators of school climate. So they were the students who were least connected, least engaged, who had the least appreciation for diversity and respect. They were the kids who identified themselves as being the bullies.

So what we said when we got together, we said, well what does this information mean to us? That maybe what we need to do instead of addressing bullying as the problem, bullying is actually the symptom of a larger problem of school engagement and school climate. We are addressing those issues along with our bullying initiatives, and we're still having consequences for our incidents of bullying, but we're also addressing issues related to school climate.

The kids that are the most challenging to reach are the kids that are in need of the greatest level of intervention. All of us, our hearts go out to the kids who are the victims of bullying, we get that, but it is easy to intervene with those kids. The kids and families that are more challenging to intervene with are the kids who are doing the bullying behavior. So these are the kids that are the most at risk, but the most challenging to reach. So we put a lot of different programs in place, and we're not adopting any wholesale programs, but we're doing it on a school base level because our schools have different needs.

One of the things that I do want to mention is the power of the intervener. As adults, we build up kids' sense of self, we tell them it's a safe place, we honor their differences, but where it's really the most powerful is when kids intervene. So, what we're doing, one of our initiatives is taking the kids who are identified as the kids who do intervene, and encourage them to do that more. Ideally, and it's a very idealistic place to be, we want to create a climate where bullying is incompatible with how children treat each other and how staff treat each other and staff treat children.

We're really working to encourage children who are the interveners to continue doing that, and one of the things that we've had to let go of wanting kids to intervene in a certain way. Kids are going to intervene in the ways that are most effective.

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So sometimes that intervention comes on the actual forum such as Facebook, Formspring, text messages. When they intervene, they intervene in ways that are most effective for them and we, as adults, have to be okay with that.

I want to talk about some very general recommendations for parents, teachers and students, just to go through that quickly. Parents and the school can be doing parent nights, talking and providing literature, having classroom meetings. But parents need to model appropriate behavior and treat each other with dignity and respect. We need to educate parents; parents need to educate their children on the responsible uses of technology. We need to supervise activities. Have computers in common areas, know the passwords, et cetera.

A colleague of mine that's on the school psychology board with me shared a story recently where he went on vacation with a family friend who had a twelve-year-old daughter. And throughout the entire evening one evening she was horribly upset because she kept getting these text messages that were harassing her, that were so upsetting and she was completely beside herself. After this the children went to bed, my colleague asked the father, why didn't you take the phone away from her? And he said, "well, she would have been upset." Parents have to be able to parent too. She already was upset, so take the phone away, monitor that behavior, know who your kids are friends with on Facebook.

A lot of parents I know when the Facebook issue comes up say, "you're not going onto Facebook unless I'm your friend and you can't block me and you can't block the content." A lot of times parents don't know, but it's their job to know, and you have to encourage them to and empower them to know, and let them know that kids can be upset and we can put limits on kids that can be upset, it's okay if your kid gets upset, it's more important for your kids to be safe. But have open communication, know what's going on with their group of friends, and know what's being said online with them.

Contracts. Consider contracts about appropriate use. Cyberbullying.us has some good examples.² And then not letting it be 24/7. Parents should say that the computer has to be off, the phone isn't in your room, that there are some limitations on

² Cyberbullying Research Center, <http://www.cyberbullying.us/> (last visited May 27, 2012) (search "contract").

technology. As a school, one of the things that we like to do is encourage parents to take an active role and give them the resources, the tools and sometimes even the permission to parent and to take things away when it's necessary.

For schools, some very general recommendations—again, this could be a whole hour in itself, but create a safe and respectful school climate. A climate that doesn't encourage bullying. I'm not saying that we have to be in some kind of artificial world where everybody loves everybody, because you're going to have friends, you're going to have groups of kids, but everybody has to be safe and everybody has to feel respected. Educate kids about the responsible use of technology, by not necessarily having something like a responsible computer use class, but weaving that in through the lessons that already exist.

Schools must have policies that are clear and enforce against bullying and harassment, including cyberbullying that occurs off-campus. Have logical, meaningful responses to incidents so that there are opportunities for education and to repair the situation. If this were solved simply through punishment we wouldn't be having this discussion. So you need to be doing as much as you possibly can to be preventative, but these incidents are going to happen and when it happens it's not just about handing out a punishment, there has to be consequences. But it also has to be meaningful and not just, well, you did this bullying now you're out.

And create a climate, as that is referred to in our Guilderland project that we have going on, where peers find this behavior unacceptable. So changing the culture of the school, changing the climate of the school where bullying, and climbing the social ladder doesn't occur through bringing other people down, but it occurs through building other people up and being those interveners.

Again, as I said, punishment alone doesn't solve the problem. Using positive peer pressure, having those kids that you know are the targets and you know who these kids are, if you're in education or if you spend any time around kids, not just to blame the victim in any way, shape or form, but to realize that some kids do engage in certain actions that make them more likely to be a target. Pairing those kids with kids who are your interveners becomes the first line of defense, almost a buddy program where those kids can intervene when adults aren't around.

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Kids are smart, kids do not bully in the middle of math class, they don't bully when everybody's watching them. They do it quickly, they do it in the hallway, they do it in the cafeteria, and they do it in the less supervised area. We do a great job when kids are tightly supervised, but it's those three minutes in between classes, it's those times in the line at the cafeteria. But those are the times that their peers are around and those are the times that the peers can serve on a protective role.

Quickly, some recommendations for kids. Have them identify a trusted adult to talk to about the experience, and encourage them that if the first person doesn't listen or doesn't acknowledge the seriousness of it, to tell someone else. There's a study out of, I don't know if it's New York State or Texas, I can't remember the exact university, but it talked about one of the most protective factors for kids is that they know they have one adult at school that cares. So we can talk about all of these grand programs and all these great initiatives, but if the child knows that one adult cares about them, that that's a protective factor.

We must remind kids that having a cell phone, e-mail, and Facebook, those things, are privileges, and if they're going to get those privileges and have those responsibilities they have to be responsible in using them. So if their behavior is not appropriate on those, they lose those privileges. That again is linking it back to what's happening with the parents. A general rule we talk about with kids all the time is do not send anything online, in a text, on Facebook that you wouldn't be okay with your parents reading. If you're okay with your parents reading it, then you're probably okay with that.

Reminding them that everything is evidence. That you think you're going to delete it, but you're not necessarily going to delete it. And if they are being bullied online there are certain concrete steps that they can take. One is not to respond, another is to save a copy of the text, and three is to tell an adult. Make sure that they know that we do care about what's happening to them and don't just think that this is all part of life, that, "oh this is normal kid stuff." If kids coming to you, acknowledge that.

Just to wrap up a couple of resources. Education Week Teacher Book Club, from October 25th through the 28th is doing a featured book: "*Bullying Beyond the Schoolyard, Preventing and Responding to Cyberbullying*."³ The Cyberbullying Research

³ *Education Week Teach Book Club*, EDUCATION WEEK, <http://>

Center, which has been mentioned several times.⁴ And the final one is a reference that is a great resource for parents about chatting with kids about being safe online. It's a phenomenal program called Stories of Us.⁵ The University of Santa Barbara has done some extensive studies on this program. And you know those afterschool specials that do not seem genuine, they don't seem real? The Stories of Us actually is a really great program that depicts the true nature of what bullying really looks like in schools.

www.edweek.org/tm/section/bookclub/index.html (last visited Aug. 1, 2012) (archived discussion available). *See also* SAMEER HIDUJA, BULLYING BEYOND THE SCHOOLYARD: PREVENTING AND RESPONDING TO CYBERBULLYING (2009).

⁴ CYBERBULLYING RESEACH CENTER, <http://www.cyberbullying.us/> (last visited Aug. 1, 2012).

⁵ STORIES OF US, <http://www.storiesofus.com/home.html> (last visited Aug. 1, 2012).