

Controlling Sexual Harassment Executive Summary

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The law does NOT hold district(s) responsible for the student(s) who are doing the harassing, however, district(s) can be held liable for discrimination when failing to respond adequately and in a timely manner.

- **The School District(s) may find themselves in violation of Title IX when:**
 1. The harassing behavior is sufficiently serious enough to deny or limit a student's (victim's) ability to participate in or benefit from the educational program;
 2. The district knew or reasonably should have known about the harassment; and
 3. The school failed to take appropriate responsive action

- **Regardless of whether the student(s)/victim(s) lodge a complaint or request the district to take action, the district is still responsible to take action, investigate and respond according to its own policies and procedures.**

- **If the district(s), through an investigation, finds that harassment did take place, the district is responsible "to take reasonable, timely, age-appropriate and effective corrective action".**

- **The district(s) response must be designed to:**
 - Stop the Harassment
 - Eliminate the hostile environment
 - Remedy the effects
 - Prevent the recurrence of the harassment
 - Corrective action can include discipline of the accused harasser
 - Including other steps if necessary

Defining "Cyberbullying"

- **"Cyberbullying" is used in a variety of ways by Bullies:**
 - E-mail websites
 - Chat Rooms
 - Cell Phones to send threatening or aggressive e-mails or texts
 - Spread Rumors
 - Post Embarrassing pictures or videos on line
 - Set up derogatory websites targeting victims
 - Hack into a peer's e-mail account with the intent to damage the person's reputation
 - Exclude a victim from an on-line group
 - Disclose personal information or attack anonymously by using avatars, i.e. digital representations

- **Seven ways in which “Cyberbullying” can occur:**
 - **Flaming** – Angry or rude messages sent to a student/victim or an on-line group- most often taking place in “chat” rooms.
 - **Harassment** - Bullies send frequent offensive messages to a student/victim – most often through e-mails, instant messaging or texts.
 - **Cyberstalking** – Threats of harm – most often linked to the termination of a sexual relationship.
 - **Denigration** - Harmful or cruel statements made about a person and then passed to a large audience.
 - **Masquerading** - The bully pretends to be someone other than themselves, to try and make the student/victim look bad by sending or posting inflammatory information.
 - **Outing and trickery** - Refers to situations in which sensitive, private or possibly embarrassing information, is disclosed by forwarding e-mails or posting information on-line.
 - **Exclusion** – Refers to exclusion in an on-line group, such as a game, etc.

- **Four “Types” of “Cyberbullying” profiles:**
 - **Vengeful angel** – “Individuals who engage in ‘cyberbullying’ to protect friends and do not see themselves as bullies.”
 - **Power Hungry** – “Individuals who often were victims of traditional bullying, but could not exert power in real life situations.”
 - **Revenge of the Nerds** – “Individuals with high-technology skills who use them to frighten or embarrass others.”
 - **Mean Girls** – “Individuals who often are bored and thus engage in ‘cyberbullying’ as a form of entertainment.”

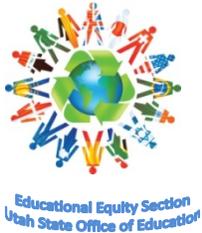
- **Indirect forms of the psychological bullying, such as “cyberbullying”, are more prevalent among females; while males most popular on-line activity is gaming.**

- **Most often males engage in Flaming and exclusion, while denigration, outing or trickery most often occurs among females.**

- **Schools play a key role in preventing cyber bullying by:**
 - Monitoring the Internet
 - Educate students on the proper use of computers and ethical and appropriate on-line behavior.
 - Teach proper social skills, such as anger control and dealing with stress
 - Encourage students to report “cyberbullying” to adults.
 - Incorporate a “cyberbullying” component in your current anti-bullying programs.

- Train all school staff that indirect non-physical bullying is **NOT** less harmful than direct physical bullying.
- Make educational information on “cyberbullying” also available to parents, through training, newsletters, guidance counselors, etc.
- Train parents to train students on home computer use.
- Train parents to avoid directly responding to “cyberbullies”.
- Rather parents should:
 1. Keep e-mails, instant messages, and text messages as evidence and block contacts as needed.

(Aoyama & Talbert, Controlling Sexual Harassment, 8/2010)



- Adapted and condensed from: Controlling Sexual Harassment, August 2010