

## **Bullying Beyond the Schoolyard: What We Know and What We Can Do about Cyberbullying**

Remarks to Minnesota Governor Mark Dayton's Task Force on the Prevention of Bullying

May 21, 2012

Justin W. Patchin, Ph.D.  
Co-director, Cyberbullying Research Center  
Associate Professor of Criminal Justice  
Department of Political Science  
University of Wisconsin-Eau Claire  
105 Garfield Avenue  
Eau Claire, WI 54702-4004  
Phone: 715-836-4058  
patchinj@uwec.edu  
<http://www.cyberbullying.us/>

Good afternoon ladies and gentlemen. I am happy to be with you today to talk a little bit about my research and life's work over the last decade. I have to say that I am not accustomed to writing my comments ahead of time and reading them in this way, but for this particular event I thought it was necessary to make sure I was able to convey as much of the important information as concisely as possible in about 10 minutes to set the stage for our discussion. I am used to presenting a 6 hour workshop for educators and I don't think anyone here would like it if I went that long. In addition, I will make these remarks, with appropriate citations, available to you all for review following our discussion.

My name is Justin Patchin and I am an Associate Professor of criminal justice at the University of Wisconsin-Eau Claire. I have just finished my 8<sup>th</sup> year on campus. Prior to arriving in Eau Claire, I spent 5 years at Michigan State University, completing my graduate work, teaching classes, and conducting research. I did my undergraduate work at the University of Wisconsin-Superior. I grew up in Northern MN, on the Iron Range. My parents still live up there and I frequently visit and spend time in and around the Boundary Waters. Much of my extended family lives here in the metro area.

While I was in college I started working with delinquent youth in residential and then day treatment in Duluth. I was talked into applying for graduate school and when I got accepted to Michigan State, intended to get a Master's Degree in criminal justice with an emphasis on juvenile delinquency prevention and then come back to MN to be a juvenile probation officer. Well, I just enjoyed MSU so much I stuck around long enough for them to give me a PhD.

In my first days on campus, I met up with Sameer Hinduja, who came to Michigan State to study computer crime. We shared a very small office together and one day just started talking about our respective interests: mine in juvenile delinquency, school violence, and bullying; and his in computer crime, identity theft, and other emerging forms of high-tech crime. We started thinking about the ways that youth were using technology to cause harm to one another. We had heard of the term "cyberbullying" but didn't know what it really involved. This was around 2001 and no one else was really studying the problem either, so we started to. Since then we have conducted 7 formal surveys of over 12,000 students in over 80 schools from around the United States. We have also surveyed parents,

educators, and law enforcement officers on their perspectives of this problem. I want to spend a few brief minutes talking about what we have learned over the last 10 years through these studies, focusing specifically on 3 areas: 1) Research; 2) Legislation; and, 3) Prevention.

Now, we have also asked questions about traditional bullying that happens at school, but there are many other competent researchers who have addressed this problem, so I will focus my comments on cyberbullying. We define cyberbullying as “willful and repeated harm inflicted through the use of computers, cell phones, or other electronic devices” (Hinduja & Patchin, 2009). Admittedly, this is an imperfect definition, which is why when we survey others about this problem, we approach it from two perspectives. First, we instruct respondents that “cyberbullying is when someone repeatedly harasses, mistreats, or makes fun of another person online or while using cell phones or other electronic devices.” We then ask if they have experienced this or done this to others in their lifetime or the previous 30 days. Second, we ask them about particular behaviors they have experienced. Specifically, we ask them if they have experienced or done any of the following:

- posted mean or hurtful comments online
- posted a mean or hurtful picture online
- posted a mean or hurtful video online
- created a mean or hurtful web page
- spread rumors online
- threatened to hurt through a cell phone text message
- threatened to hurt online
- pretended to be someone else and acted in a way that was mean or hurtful

We also spend a great deal of time trying to keep up with the research that others are doing, both in the U.S., and abroad.

### **What We Know About Cyberbullying**

[slide 2]

Estimates of the number of teens who have experienced cyberbullying are all over the map. I can point you to a paper published in a peer-reviewed academic journal that says that 72% of students have been cyberbullied while another published study puts the number at less than 5%. The numbers are similarly varied when it comes to the number of students who have cyberbullied others. So how many teens have been involved? Last summer we reviewed all of the published papers on cyberbullying to try to get a handle on this question. These results were published last year in our book Cyberbullying Prevention and Response: Expert Perspectives, which included contributions from a number of knowledgeable sources from around the United States.

As of the summer of 2011, there had been at least forty-two articles on the topic of cyberbullying published in peer-reviewed journals across a wide variety of academic disciplines. Although there are additional articles being published quite regularly and it is likely that we have missed some published works, this review represents the most comprehensive summary of available research findings at the time of its writing.

[slide 3]

Among the thirty-five papers published in peer-reviewed journals prior to the summer of 2011 that included cyberbullying victimization rates, figures ranged from 5.5% to 72% with an average of 24.4%. Most of studies (n=22) estimate that anywhere from 6% to 30% of teens have experienced some form of cyberbullying. These findings are consistent with our own research over the last ten years.

[slide 4]

As illustrated in this chart, the percent of youth who responded to our surveys who have experienced cyberbullying at some point in their lifetime ranged from 18.8% to 40.6% in our studies, with an average of 27.3%. Our most recent study based on data collected in the spring of 2010 found that about 21% of youth had been the target of cyberbullying.

Moreover, the number of youth who admit to cyberbullying others at some point in their lives is a bit lower, though quite comparable.

[slide 5]

Among twenty-seven papers published in peer-reviewed journals that included cyberbullying offending rates, 3% to 44.1% of teens reported cyberbullying others (average of 18%).

[slide 6]

Across all of our studies, the rates ranged from about 11% to as high as 20% in our most recent study (average 16.8%).

[slide 7]

A couple of other broad generalizations can be made about cyberbullying, based on the extant literature:

- Adolescent girls are just as likely, if not more likely than boys to experience cyberbullying (as a victim and offender) (Kowalski et al., 2008; Hinduja & Patchin, 2009)
- Cyberbullying is related to low self-esteem, suicidal ideation, anger, frustration, and a variety of other emotional and psychological problems (Hinduja & Patchin, 2010; Patchin & Hinduja, 2010; Patchin & Hinduja, 2011)
- Cyberbullying is related to other issues in the 'real world' including school problems, antisocial behavior, substance use, and delinquency (Hinduja & Patchin, 2007; Hinduja & Patchin, 2008)
- Traditional bullying is still more common than cyberbullying (Lenhart, 2007; Smith et al., 2008)
- Traditional bullying and cyberbullying are closely related: those who are bullied at school are bullied online and those who bully at school bully online (Hinduja & Patchin, 2009; Ybarra, Diener-West, & Leaf, 2007)

Of course more research is necessary. We do not have any good longitudinal research on cyberbullying. We also do not have any good evaluations of programs that target online safety or cyberbullying. The Olweus Prevention program has demonstrated some success with respect to bullying at school, especially internationally, but even that program could benefit from more sophisticated process and outcome evaluations. Such endeavors are costly and take time, but would be well worth the money in the long run.

[slide 8]

### Legislative Issues

Forty-nine states now have bullying laws in place or scheduled to be implemented in 2012. Minnesota law requires schools to have a bullying policy that seemingly includes “electronic forms and forms involving Internet use” but does not explicitly refer to cyberbullying or include guidance for responding to off-campus incidents of bullying. Educators are particularly challenged by this last issue; that is, knowing whether or not they can discipline students for cyberbullying when the behaviors largely occur away from school. Thankfully, caselaw provides much guidance on this question.

[slide 9]

In the landmark case *Tinker v. Des Moines* (1969) the Supreme Court stated: “it can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate...” and that only speech or behavior which “materially and substantially interfere(s) with the requirements of appropriate discipline in the operation of the school” are subject to discipline. *Barr v. Lafon* (2007) clarified that schools need not wait for a disruption to occur before intervening and that if they can articulate a clear and imminent threat to the order of the school then appropriate action can be taken.

We know from *Thomas v. Board of Education, Granville Central School District* (1979) that student speech that occurs away from school is generally more protected than the speech that occurs at school,

[slide 10]

but several recent cases have demonstrated that off campus behaviors and speech are subject to school discipline, if the behavior or speech: (1) substantially or materially disrupts the learning environment at school; (2) interferes with the educational process or school discipline; or (3) threatens or otherwise infringes on the rights of other students (see *J.S. v. Bethlehem Area School District*, 2000; *Wisniewski v. Board of Education of the Weedsport Central School District*, 2007; and especially *Kowalski v. Berkeley County Schools*, 2011).

The key issue that has been addressed in many cases is that the behavior that occurs away from school results in (or has a likelihood of resulting in) a substantial disruption *at school* (see *Layshock v. Hermitage School District* and *Blue Mountain School District v. J.S.* which were both recently reviewed by the Third Circuit Court of Appeals [2011]). In short, if one student is being harassed or threatened repeatedly by another student, whether online or at school, there is little question that the ability of that student to learn is being disrupted. Moreover, a target’s right “to be secure and to be let alone” (also from *Tinker*) is being violated. As such, it is important that any state bullying law includes this information so that schools know that they do in fact have the authority to respond. It is also important

that schools include this information in their policies because students need to be notified that their off campus conduct is subject to school sanction, within the above-discussed parameters.

[slide 11]

Specifically, I urge the legislature to adopt a modified version of New Hampshire's recently-passed bullying law (HB 1523):

“Schools have the authority and responsibility to apply reasonable and educationally-based discipline, consistent with a pupil’s constitutionally granted privileges, to bullying that: (a) Occurs on, or is delivered to, school property or a school-sponsored activity or event on or off school property; or (b) Occurs off of school property or outside of a school-sponsored activity or event, if the conduct interferes with a pupil’s educational opportunities, creates a hostile environment for that pupil or others, or substantially disrupts the orderly operations of the school or school-sponsored activity or event.”

Similar language has also been adopted in New Jersey and Connecticut law recently. I have modified it minimally to ensure that a student’s constitutionally protected speech is not infringed upon by threatening to discipline a student who is exercising protected speech. As *Tinker* clearly stated, students have free speech rights, but they are not free to disrupt the learning environment at school (create a disruption, threaten or infringe on the rights of others, etc.).

I also encourage the legislature to provide resources to schools so that they can effectively implement the recommendations and/or requirements included in the law. Schools want to prevent and adequately respond to all forms of bullying and harassment and are simply looking for resources that they can use to assist in such efforts. For instance, legislation should provide staff development and training resources to the Department of Education or other state educational training service providers in order for school officials to learn about the law and about how to prevent and respond to cyberbullying more effectively.

[slide 12]

### **The Importance of School Climate**

The benefits of a positive school climate have been identified through much research over the last thirty years. It contributes to more consistent attendance, higher student achievement, and other desirable student outcomes. Though limited, the research done on school climate and traditional bullying also underscores its importance in preventing peer conflict. Existing research has consistently identified an inverse relationship between specific components of school climate and bullying among students (e.g., Gottfredson & Gottfredson, 1985; Malecki & Demaray, 2004; Rigby, 1996; Whitney & Smith, 1993). Our recently published book: [School Climate 2.0: Preventing Cyberbullying and Sexting One Classroom at a Time](#) argues that the impact of a positive climate extend beyond the classroom walls.

[slide 13]

For example, our research has shown that students who experienced cyberbullying (both those who were victims and those who admitted to cyberbullying others) perceived a poorer climate at their school than those who had not experienced cyberbullying. Youth were asked whether they “enjoy going to school,” “feel safe at school,” “feel that teachers at their school really try to help them succeed,” and “feel that teachers at their school care about them.” Those who admitted to cyberbullying others or who were the target of cyberbullying were less likely to report feeling safe and cared about at school. The better the climate, the fewer problematic online behaviors were reported by students (cyberbullying and sexting).

[slide 14]

We also found that teachers who talk about these issues with their students are making a difference. Even though almost half (46 percent) of students said their teacher never talked to them about being safe on the computer and 69 percent of students said their teacher never talked to them about using a cell phone responsibly, when these conversations happen, they seem to have a positive impact. Students who told us that a teacher had talked to them about being safe on the computer were significantly less likely to report that they had cyberbullied others in the previous 30 days.

[slide 15]

Finally students from schools with a better climate were more likely to report that they felt as though their school was likely to respond to incidents of cyberbullying when it was reported to a teacher or other educator at school. In short, educators who do establish a nurturing and caring classroom and school climate will make great strides in preventing a whole host of problematic behaviors, both at school and online.

[slide 16]

## **Conclusion**

In conclusion, I would like to advocate for three specific areas of focus as you move forward with your work. First, more research is necessary. We need to know more about all forms of bullying, and especially what works in the areas of prevention and response. Second, we need legislation that is prescriptive, thoughtful, evidence-based, and supported with adequate resources. If legislators are serious about doing something to stop bullying, they must move beyond the rhetoric and provide appropriate resources for schools, parents, law enforcement, and other community institutions to tackle this problem. Third, focusing on improving the climate at school can have a significant impact on a host of problematic behaviors. If students believe that they are cared about at school, and they value those relationships with their teachers, counselors, and administrators, they will in turn refrain from engaging in behaviors that would risk damaging those relationships. That said, bullying and cyberbullying are not just school problems, they are societal problems. Everyone has a role and responsibility to do something, and it can start right here with us today.

[slide 17]

Thank you.

For more information, please visit the Cyberbullying Research Center website at [www.cyberbullying.us](http://www.cyberbullying.us).

## Works Cited

- Gottfredson, G. D., & Gottfredson, D. G. (1985). *Victimization in schools*. New York: Plenum Press.
- Hinduja, S. & Patchin, J. W. (2007). Offline consequences of online victimization: School violence and delinquency. *Journal of School Violence*, 6(3), 89-112.
- Hinduja, S. & Patchin, J. W. (2008). *Cyberbullying: An exploratory analysis of factors related to offending and victimization*. *Deviant Behavior*, 29(2), 129-156.
- Hinduja, S. & Patchin, J. W. (2009). *Bullying beyond the Schoolyard: Preventing and Responding to Cyberbullying*. Thousand Oaks, CA: Sage Publications (ISBN: 9781412966894).
- Hinduja, S., & Patchin, J. W. (2010). Bullying, Cyberbullying, and Suicide. *Archives of Suicide Research*, 14(3).
- Hinduja, S. & Patchin, J. W. (2012). *School Climate 2.0: Preventing Cyberbullying and Sexting One Classroom at a Time*. Thousand Oaks, CA: Sage.
- Kowalski, R. M., Limber, S. P., & Agatston, P. W. (2008). *Cyber bullying: Bullying in the digital age*. Malden, MA: Blackwell Publishing.
- Lenhart, A. (2007). *Cyberbullying and Online Teens*. Retrieved June 27, 2007, from <http://www.pewinternet.org/pdfs/PIP%20Cyberbullying%20Memo.pdf>
- Malecki, C. K., & Demaray, M. K. (2004). The role of social support in the lives of bullies, victims, and bully-victims. In D. L. Espelage & S. M. Swearer (Eds.), *Bullying in American schools* (pp. 211-225). Mahwah, NJ: Lawrence Erlbaum.
- Patchin, J. W. & Hinduja, S. (2010). Cyberbullying and self-esteem. *Journal of School Health*, 80(12), 614-621.
- Patchin, J. W. & Hinduja, S. (2011). Traditional and nontraditional bullying among youth: A test of general strain theory. *Youth and Society*, 43(2), 727-751.
- Patchin, J. W. & Hinduja, S. (2012). *Cyberbullying Prevention and Response: Expert Perspectives*. New York: Routledge (ISBN: 978-0415892377).
- Rigby, K. (1996). *Bullying in schools: And what to do about it*. London: Jessica Kingsley Publishers.
- Smith, P. K., Mahdavi, J., Carvalho, M., Fisher, S., Russell, S., & Tippett, N. (2008). Cyberbullying: its nature and impact in secondary school pupils. *Journal of Child Psychology and Psychiatry*, 49(4), 376-385.
- Whitney, I., & Smith, P. K. (1993). A survey of the nature and extent of bullying in junior/middle and secondary schools. *Educational Research*, 31(1), 3-25.
- Ybarra, M. L., Diener-West, M., & Leaf, P. J. (2007). Examining the Overlap in Internet Harassment and School Bullying: Implications for School Intervention. *Journal of Adolescent Health*, 41, S42-S50.