

**THE DIGNITY FOR ALL STUDENTS ACT: A QUANTITATIVE STUDY OF ONE  
UPSTATE NEW YORK PUBLIC SCHOOL IMPLEMENTATION**

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### **Abstract**

This quantitative study uses a survey to determine how public school teachers perceive the efficacy of the intervention of the Dignity For All Student's Act on the climate of civility in the classroom at one specific public middle school located in Upstate New York. The intent is to explore the perceived efficacy of the intervention put into place in 2012 to address cyberharassment and to cultivate civility in the classroom. A total of 47 teachers participated in this study.

This study provides background on the prevalence of cyberharassment in schools. The results show that the cyberharassment behaviors of sexting, stalking, bullying, spreading rumors, and sending embarrassing pictures have occurred with some frequency over the 2017-2018 school year. Sexting was the most witnessed by teachers (38.3 percent) with 36.2 percent indicating a frequency of once a year. The sending of pictures to embarrass was observed by 23.4 percent of the teachers, 12.8 percent observed the frequency of once a month. The spreading sexual rumors was observed by 34.0 percent of the teachers with a frequency of 27.7 percent stating it occurs once a week.

The findings further suggest an inconsistency among teachers in addressing online behavior with their students. Some teachers (38 percent) indicated they discuss appropriate online behavior with their students "as needed," while 29 percent indicate they never do. Additionally, 55.3 percent view the Dignity For All Students Act as having an average effect on cultivating civility as a part of the school's culture. Additionally, 78.7 percent of the respondents believe DASA has had little impact on cyberharassment incidents.

*Keywords: dignity, cyberharassment, bullying, civility, culture.*

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## Chapter 1: Introduction and Background

People, as a whole, seem less concerned about the interaction among each other and more concerned toward the self and technology (Peck, 2002). As students continue to immerse themselves in online activities and social media, relationships become less important, and courtesies appear to have become non-existent (Wilkins, Caldarella, Crook-Lyon, & Young, 2010). The behaviors expressed online suggest that incivility has increased in schools (Feldman, 2001; Peck, 2002).

Cyberharassment is a term that includes an extensive range of disparaging online activities including cyberbullying, stalking, sexual solicitation, pornography, and sexting (Citron, 2014; Bryce, Franqueira, & Marrington, 2016; Nordahl, Beran, & Dittrick, 2013; Smith, 2009). It is the recurrent online behavior that intentionally targets a certain person and causes the individual substantial emotional or bodily harm (Citron, 2014; Hazelwood & Koon-Magnin, 2013). Although students partake in sexual solicitation and pornography, this research is limited to policies and laws related to the cyberharassment behaviors of cyberbullying, cyberstalking, and sexting.

School bullying became a national concern in 1999 after the Columbine High School shooting, which was perpetrated by vengeful victims of bullying (Cornell & Limber, 2015). Cornell & Limber (2015) and Beran & Lupart (2009) noted students should not perceive schools as having an unfriendly environment. However, to children who fall victim to bullying, the playground becomes hostile and unfriendly. The convenience with the prospect of secrecy that technology has can place children at a heightened risk for becoming a victim of cyberharassment (Farrukh, Sadwick, & Villasenor, 2014; Ybarra, 2004).

In one study, D'Antona, Kevorkian, and Russom (2010) found that of the 835 students in grades 3-5, 35 percent had cell phones, 11.4 percent received emails that were upsetting from peers, and half the students responded that they had been a victim of cyberharassment.

Moreover, only 12 percent of students stated they had someone to talk to about cyberharassment (D'Antona et al., 2010).

Cyberharassment occurs via web-based and other forms of modern technology (Mishna, McLuckie, & Saini, 2009). In a study by Hinduja & Patchin (2012) of 4,400 11 to 18-year-old students, they found more than 20 percent of the students indicated they had been a victim of cyberharassment at some point in their life. The Siena College Research Institute (SRI), AT&T, and the Tyler Clementi Foundation (2016) study showed similar findings. In their study of “1,255 Upstate New York students and 1,048 online interviews with parents, over one in four (26 percent) students in grades 6-12 reported they had been a victim of cyberbullying” (p. 3). Moreover, “57 percent of students and 53 percent of the parents observed cyberharassment in the form of insulting or threatening comments posted online, pictures meant to embarrass, revealing videos shared online, as well as posted rumors and allegations about sexual activity” (p.3).

Additionally, the Siena et al. (2016) study found that 88 percent of teens spend an hour or more a day on gaming sites, and 80 percent are online an hour or more “hanging-out” with their friends on social media. Earlier research conducted by Gross (2004) reflects similar results. In his survey of 261 students in grades 7-10, he found that students spend an average of 40 minutes texting per day.

Likewise, research by Kowalski and Limber (2007) reflected comparable results of 3,767 sixth, seventh, and eighth graders as follows: 11 percent reported that they were victims of cyberharassment, and 4 percent reported to have been the aggressor. Siena et al. (2016) found that over 30 percent of teens know a friend that has been cyberharassed and 41 percent know of other teens that have been victimized.

Bullying by any modality is a “subset of peer victimization” that is purposeful, server, and often maintains an imbalance of power between the victim and perpetrator (Felix, Sharkey, Green, Furlong, & Tanigawa, 2011, p. 234). Technology makes it possible to transcend the traditional physical forms of harassment into the virtually inescapable realm of cyberspace.

While cyberbullying receives much of the attention and has been the catalyst for several policies on civility, one cannot underestimate the impact that the other forms of risky online behaviors have on victims. Students need to become educated in the seriousness of sharing personal information online. According to Siena et al. (2016), 33 percent of students have shared personal information with someone they met only online, and 7 percent agreed to meet up with someone who they met only online. This type of behavior includes, but is not limited to, sexting or being bullied to meet in person.

Schools must ensure a culture that is free of crime and violence (Musu-Gillette et al., 2016). Bullying and harassment in schools are a nationwide concern. Musu-Gillette et al. (2016), noted that in 2015 approximately 15 percent of U.S. fourth-graders and 7 percent of eighth-graders reported being bullied at least once a month. Students who are harassed and humiliated by their peers are likely to experience a variety of behavioral problems such as feelings of hurt, embarrassment, loneliness, and depression (Beran & Lupart, 2009). They also reported “anxiety, insecurity, low self-esteem, self-blame and cautiousness” (Hawker & Boulton, 2000). Researchers associated many other negative indicators students experience with cyberharassment including lower academic accomplishment, lower school satisfaction, absenteeism, and lower levels of connectedness and commitment to school (Felix et al.; Schneider, O'Donnell, Stueve, & Coulter, 2012).

The fostering of a supportive and safe environment in and around the classroom should always be the educator's primary concern. A school climate that supports tolerance is essential to a student's learning. Cohen, McCabe, Michelli, & Pickeral (2009) define school climate as having norms, goals, values combined with a positive organizational and teaching environment all contributing to the schools climate.

The Dignity for All Students Act's (DASA) resource guide for school administrators and faculty (2013, p. 7) defined school climate as a part of the culture as, "the quality and character of school life. It may be based on patterns of student, parent, and school personnel experiences within the school and reflects norms, goals, values, interpersonal relationships, teaching and learning practices, and organizational structures."

One approach to achieving a positive school climate is to instill civility into the school culture. Civility is ambiguous and is most obvious when it is not present (Boyd, 2006). Civility is engrained in cultural norms and is defined as polite "behaviors, courtesies, or other formalities of face-to-face interactions in everyday life that maintains social harmony or demonstrates respect for individuals" (Boyd, 2006; Wilkins, Caldarella, Crook-Lyon, & Young, 2010). The Institute for Civility in Government (2017) stated that politeness is the first step. However, it also includes the ability to disagree without being disrespectful, to seek common ground.

Dignity is the ability to feel valued and respected in relation to others. Dignity is a subjective belief, however it is a belief shared by many in society (Haddock, 1996). Students should be respected and respectful of others. The goal of Education Law §10 of DASA is to bring civility into public schools thus creating a culture of acceptance.

DASA was the first piece of New York law introduced to improve school culture by addressing the issue of harassment and bringing awareness to the needs of students (Payne &

Smith, 2015). Its primary objective is to encourage a safe and supportive learning environment in all New York public schools, free from harassment and discrimination (New York State United Teachers, 2014). DASA is noteworthy because it requires public schools to (1) establish clear policies and procedures for addressing student-to-student harassment and (2) develop comprehensive plans for proactively developing a violence-free school culture (Payne & Smith, 2015).

The lessons in civility and intervention policies such as DASA need to be persistent and reinforced to be effective (Mishna, Cook, Saini, Wu, & MacFadden, 2011). “Laws to control bullying are no more effective than the implementation measures mandated to make them work” (Terry, 2010, p. 99). However, it is uncertain if laws and policies are effective in mitigating harassment in schools. The extent that harassment exists is relative to that individual school's climate (Gottfredson, Gottfredson, Payne, & Gottfredson, 2005; Kartal & Bilgin, 2009; Meyer-Adams & Conner, 2008). It is imperative that teachers address even the low-level acts of incivility in the classroom so as not to condone the behavior (Feldman, 2014).

The State Education Department Office of Curriculum, Instruction, and Field Services provided a template for integrating DASA principles into lesson plans. DASA is designed to embrace diversity through education and spirit. It is incumbent on teachers and administrators to create an environment that fosters civility in the classroom and dignity to students (Veenstra, Lindenberg, Huitsing, Sainio, & Salmivalli, 2014). Therefore, this study sought to understand how cyberharassment affects the culture of a school. Additionally, what measures are being taken to ensure civility in the classroom.

## Law and Policy Review

Determining the ‘Intent’ behind student behavior in harassment and/or cyberbullying cases can be a challenge for school officials. They must determine if the intent was to do harm or to simply “tease.” The New York State Department of Education Office of School Innovation in their *2013 Guidance for DASA Implementation Policy* stated that determining the intent of a student who demonstrates bullying behaviors might be difficult. In addition, during the school's investigation school officials must talk to the victim to ascertain the victim's perception of the incident.

From a legal perspective, the standard of intent was first defined in *Watts v. United States* (1969). The Supreme Court held that factual threats are not protected forms of speech under the First Amendment. Schools must be certain to differentiate between what is a true threat and what is simply immature behavior (McHenry, 2011; Turbert, 2009). When speech does not pose imminent harm, it does not rise to the level of cyberbullying. Speech that possesses no imminent intent of harm is perhaps just teasing. “You’re a fat ass” is harassing and disparaging but does not meet the standard in *Watts*.

Hazelwood and Koon-Magnin (2013) conducted a qualitative approach in examining cyberharassment laws in the 50 states. Their study revealed that intent and instilling alarm, fear, and distress were the overarching themes within state statutes occurring in 49 out of 50 occasions. Currently, Nebraska is the only state without cyberharassment or cyberstalking laws.

The convenience and secrecy of technology place children at a much greater risk for becoming a victim of cyberharassment (Farrukh et al., 2014; Ybarra, 2004). Currently, there are no federal laws that specifically address bullying. States are beginning to craft legislation to address the issue. Schools are mandated by state laws and policies to address bullying based on

“race, color, national origin, sex, disability, or religion” (Stopbullying.gov, 2015). As of Fall 2015, 46 states have anti-bullying laws (Payne & Smith, 2015).

As a response to the rise of violent acts in the schools, New York Governor George Pataki signed into law, the New York State Safe Schools Against Violence in Education Act of 2000 (SAVE) to improve school safety. These acts include, among others, “bullying, threats, discrimination, harassment or intimidation, disruptive behavior in class, carrying of weapons, fighting, physical assaults, and other behaviors that impede learning.” DASA builds upon SAVE by addressing discrimination and harassment by bringing dignity into public schools.

On February 10, 2009 New York State (NYS) Senators Duane, Adams, Breslin, Dilan, Foley, Hassell, Thompson, C. Johnson, Krueger, Little, Montgomery, Oppenheimer, Perkins, Savino, Scheiderman, Serrano, Squadron, Thompson, and Valesky sponsored NYS S1987.B legislation that would amend NYS education law to include language that would ensure students in public schools an environment free of discrimination and harassment by fostering civility. Additionally, Assemblyman O’Donnell introduced A03661 on January 28, 2009, to the chamber to address the same concerns. The Bill passed unanimously, and DASA was signed into law by Governor David Paterson on September 13, 2010, and took effect July 1, 2012.

In an official State Education Department memo, New York State Education Commissioner John King Jr. (2011) outlined that DASA amended the following provisions of New York State Education Law:

- Title 1- Article 2 Dignity for All Students (new)
- Title 1-Article 17 § 801-A Instruction in Civility, Citizenship, and Character Education (NYS Senate Amendment)
- Title 1- Article 55 § 2801 Codes of Conduct on School Property (Amendment)

Chapter 482 of the Laws of 2010 contains the Dignity for All Students Act (DASA). DASA was signed into law by Governor David Paterson on September 13, 2010.

Amendments to Title 1-Article 17 § 801 and Article 2 address the advances in technology and social media as a platform for cyberbullying and cyber-abuse.

Senate Bill S 7740, sponsored by Senator Saland, prohibits bullying and cyberbullying in public schools. Concurrently, Assemblymen O'Donnell sponsored A10712, also barring bullying and cyberharassment in public schools. The amendment to DASA was signed in to law on June of 2012.

### **Description and Opposition to DASA**

Six sections make up DASA; each section outlines the steps that will ensure its successful implementation (see Appendix A). It instructs each school district's board of education and the trustees to create policies that embrace civility. Despite this mandate, there is opposition from Superintendents. The New York State Council of School Superintendents (NYSCSS) in their 2012 Memorandum of Opposition on cyberbullying urged DASAs defeat. The council stated that communication about cyberbullying should be between the parents and the child, and the school should have no involvement (NYSCSS, 2012).

Central to their opposition is that districts will never know if cyberbullying is occurring outside of school grounds. Moreover, any reports of abusive behavior would be on a password-protected device making the investigation difficult. The NYSCSS made the argument that Facebook's policy stated that Federal law prevents Facebook from disseminating user content (such as messages, Wall (timelines) posts, photos, etc.) in response to a civil subpoena (2012). The NYSCSS contend that this barrier would also prevent a district administrator from gaining access to Facebook.

District administrators also maintained the view that by adopting the amendment to DASA, districts would be put at a greater risk of litigation for failure to monitor and investigate cyber incidents because they did not occur on school grounds or within the schools control (NYSCSS, 2012). It was their position that law enforcement is better equipped to investigate cyber-abuse than the school districts. From a cost perspective, NYSCSS stated the cost to investigate cyberbullying would be too burdensome for the school district, and the money should go to anti-bullying awareness campaigns instead.

### **Title IX and Landmark Cases**

The United States Department of Education (USDOE) instructs schools to create a state policy that instills civility into the halls. Additionally, they mandate that schools protect the rights of their students in providing an environment free from harassment. Title IX and the Civil Rights Act of 1964 are federal policies that work in together with state policies. The Act states that schools must “eliminate any hostile environment and its effects” as well as take steps to “prevent the harassment from recurring” (2010, pp. 2-3).

The precursors in shaping and defining the role of the school in addressing student-student and student-teacher harassment claims under Title IX can be found first in *Gebser v. Lago Vista Independent School District* (1998) and secondly in *Davis v. Monroe County Board of Education* (1999). Both cases hold the substantial disruption test stemming from the U.S. Supreme Court decision in *Tinker v. Des Moines Independent School District* (1969).

*Tinker* was the first case where the Supreme Court took up the issue of a student’s First Amendment rights. Justice Fortas wrote the majority opinion in *Tinker* and stated: “To prohibit the expression of opinion, without evidence that it substantially interferes with school discipline or the rights of others is not permissible under the First and Fourteenth Amendments.” The key

phrase in this opinion is “substantial interference” (Hinduja & Patchin, 2011, p.72). Because the school was unable to prove either of these factors, the suspensions were considered unconstitutional, and the court ruled for the students (Donegan, 2012).

The school, to satisfy the burden of substantial interference, must show more than just a desire to avoid the embarrassment and unpleasantness that always accompanies unpopular behavior. They must show that there was a disruption of learning due to an individual (s) behavior inflicted upon the class as a whole or on an individual (McHenry, 2011; *Tinker v. Des Moines*). The ruling in *Tinker* made it clear that school officials have the responsibility of determining what speech or behavior met the criteria for substantial interference (Hinduja & Patchin, 2015). To safeguard against civil liability both the Civil Rights Act 1964 and Title IX also play a significant role in the decision-making process within the school system.

Following *Tinker*, the Supreme Court addressed a student’s verbal expression of “pure speech” in *Bethel School District 403 v. Fraser* (1986). Whereas the Court in *Tinker* sided with the students, ruling that symbolic speech was protected, the Court in *Fraser* sided with the school district. Fraser, a high school senior, gave a lewd speech comprised of sexual overtones and innuendos during a scheduled on-campus assembly in which he was invited to speak. His speech did not include obscenities. The First Amendment does not protect obscenities. The ruling in *Bethel* is a turning point; school administrators can put some limits on expression and students can be disciplined for distasteful speech.

In *Gebser v. Lago Vista Independent School District* (1998) involving a student-teacher harassment, where Gebser was 13-years-old and in the eighth grade when a teacher during a private conversation with her used sexual overtones. Over a period of time, the teacher inappropriately fondled her. Gebser did not know the procedure to report the incident nor did the

school have any grievance policy in place. The United States District Court for the Western District of Texas granted summary judgment for the school district and remanded the claim against the teacher to state court. The plaintiff appealed the Title IX claim to the Fifth Circuit Court of Appeals, which affirmed the district court's decision (Titus, 1999). The court rejected the claim because there was little evidence to indicate the school knew or should have known of the abuse. The Fifth Circuit held that a school district is not liable unless someone in a supervisory capacity knew of the behavior and failed to take appropriate measures to report the behavior (Titus, 1999).

The Supreme Court affirmed, ruling that the student who had been in a sexual relationship with a teacher could sue the school district for sexual harassment because the district failed to provide her with an avenue for reporting the abuse. The Court ruled that school districts are liable for damages under Title IX if a supervisor knew of the abuse, had the power to end it, and failed to do so (Cornell & Limber, 2015).

What is now a landmark decision in *Davis v. Monroe County Board of Education* (1999), the Supreme Court ruled for the plaintiff and held that schools could be made liable. Moreover, even though *Davis* involved student-student sexual harassment it fell under Title IX. The ruling further defined what behaviors and under what circumstances the school can be made liable. Justice Sandra Day O'Connor delivered the majority opinion and stated two conditions must exist to hold a school accountable. Firstly, school officials must be consciously uncaring to known incidents of sexual harassment. Secondly, the harassment is so severe, and offensive that the victim does not benefit from the educational opportunities provided by the school. The latter also rises to the level of substantial interference as held under *Tinker*.

School administrators are limited in their response to cyberharassment largely due to the First Amendment. It is clear that the courts have given some temperance to schools. However, with that latitude, some school districts may overreach in their interpretation of the phrase “substantial interference” (McHenry, 2011).

### **Second Circuit Cases and Title IX**

According to an article appearing in Public Justice entitled, *Jury Verdicts and Settlements in Bullying Cases* there have been six court cases between 2004 and 2013 involving Title IX (see Appendix B), and by extension, some of these cases after 2011 involve DASA. Aside from Title IX concerns, school administrators must be vastly aware of students’ First Amendment rights.

### **Wisniewski v. Board of Education of the Weedsport Central School District**

*Tinker* again sets the stage for *Wisniewski* (2007) and all cases like it. Moreover, Hinduja & Patchin (2015) stated that the substantial interference test is the standard that schools use today when assessing how to administer discipline to students. Wisniewski was an eighth grader who Instant Messaged (IM) an image of his teacher with a gun pointed at the teacher’s head, complete with crude blood splatter and with the caption “Kill Mr. VanderMolen.” Wisniewski’s parents filed a suit after their son was suspended, claiming the school violated his First Amendment rights.

*Martin Wisniewski and Annett Wisniewski, on behalf of their son Aaron Wisniewski v. Board of Education of the Weedsport Central School District and Richard Mabbett, Superintendent of Schools* (2007) filed suit in the District Court for the Northern District of New York for violation of Wisniewski’s First Amendment rights. The lower court ruled in favor of the school and Wisniewski subsequently filed an appeal with the United States Court of Appeals Second District. In rendering their opinion, the court relied mainly on Supreme Court ruling in

*Tinker*. The court chose to address the question of the protection of the icon as free speech and considered the school's authority to discipline Wisniewski.

The court held that graphic depictions that illustrate harm to school administrators or other students are not protected speech and students can be punished for off-campus speech. The out of school suspension for one semester was not the decision of the court. Rather, they expressed that the school administrators are much better at determining punitive action than the court.

### **People v. Marquan M**

Before the revisions to DASA addressing cyberbullying, the elected officials in Albany County, NY enacted a law criminalizing cyberbullying. They did so because the Albany County Legislature failed to address the aspects of "non-physical" bullying behaviors transmitted by electronic means. In 2010, the legislature passed a statute making cyberbullying a crime punishable as a misdemeanor and a \$1,000 fine. The law was directed toward "any minor or person" living in the county. Local Law No 11 [2010] of County of Albany §1 reads:

Any act of communicating or causing a communication to be sent by mechanical or electronic means, including posting statements on the internet or through a computer or email network, disseminating embarrassing or sexually explicit photographs; disseminating private, personal, false or sexual information, or sending hate mail, with no legitimate private, personal, or public purpose, with the intent to harass, annoy, threaten, abuse, taunt, intimidate, torment, humiliate, or otherwise inflict significant emotional harm on another person.

Shortly after the passage of the law, Marquan used Facebook to post photos of students describing their supposed sexual preferences, partners, and orientation. He was charged with

cyberbullying. *People v. Marquan M.* 994 N.Y.S.2d 554 (2014) is the first case in which a U.S. court, the State of New York Court of Appeals, considered the constitutionality of criminalizing cyberbullying.

The *Marquan* case challenged the cogency of the law arguing it infringed upon the defendant's First Amendment rights of protected free speech and was unconstitutionally vague and overbroad. Marquan's defense attorney argued that the law includes all electronic means of communicating one's dissatisfaction, criticism, anger, or gossip which severely limits the First Amendment rights of virtually all Albany County residents, thus, putting them all at risk of criminal prosecution.

The Cohoes City Court denied Marquan's motion to dismiss. Marquan pled guilty to one count of cyberbullying and was sentenced as a youthful offender to three years of probation. The Albany County Court affirmed this decision and stated that the County had a legitimate state interest to disallow constitutional protection where substantial privacy interests were being invaded intolerably. Additionally, the court ruled the law was not void for vagueness. The United States Court of Appeals Second District heard the case on June 5, 2014.

The State of New York Court of Appeals en banc in rendering the majority opinion noted that the prohibition of pure speech must be limited to communications that qualify as fighting words, true threats, incitement, obscenity, child pornography, fraud, defamation, or statements integral to criminal conduct. Furthermore, speech that is outside of this realm is protected and cannot be curtailed by the government. The court noted that the application of the First Amendment may apply to cyberbullying directed at children depending on how the harassing activity is defined. The court referred to *United States v. Elonis*, 703 F3d 321 [3d Cir 2013] which affirmed a conviction premised on threatening Facebook posts.

The court ruled, however, that in this case the statute as written “created a criminal prohibition of alarming breadth.” The application of the law in its broadest sense criminalizes any act of communication that is directed toward adults and not just to the intended purpose of cyberbullying among school-aged children. Additionally, the law imposes limitations on what is considered protected speech as well. The First Amendment protects irritating and uncomfortable speech, even if a child hears it.

The court acknowledged the outbursts of Marquan were crude, lewd, obnoxious, and created a risk of physical and emotional distress toward those targeted. Though the First Amendment may not give Marquan the right to engage in these activities, the text of the statute by criminalizing many constitutionally-protected methods of expression renders it facially invalid under the Free Speech Clause of the First Amendment, ordering the county court to reverse its decision and the statute dismissed.

### **J.G.S. v. Bellmore-Merrick Central High School District**

JGS is the first time that a court considered a case involving the reach and scope of DASA (Cook, 2014). The questions before the court were, first, does DASA give redress for a private right of action against a school district? Second, does the reach and obligation of the public-school district on matters of harassment under DASA extend toward private school students or non-district students?

JGS brought charges against Bellmore-Merrick Central High School District for failing to respond appropriately to prevent or stop the bullying as obligated to do so under DASA. JGS filed suit in New York State Supreme Court County of Nassau in May 2014. The court ruled that public schools have a responsibility to foster civility under DASA regardless of where the victim attends school. Reasoning that the district would “turn a blind eye” toward incidents of

harassment occurring off school grounds, regardless of any potential harmful acts enacted by their students toward others of a higher social class. The decision in JGS has made it clear the school's responsibility in fostering civility extends beyond their halls.

### **Problem Statement**

The behaviors expressed online suggest that incivility has increased in schools (Feldman, 2001; Peck, 2002). The Siena (2016) study found that of 1,255 Upstate New York students and 1,048 online interviews with parents, over one in four (26 percent) students in grades 6-12 reported they had been a victim of cyberbullying. Students who are harassed and humiliated by their peers are likely to experience a variety of behavioral problems such as feelings of hurt, embarrassment, loneliness, and depression (Beran & Lupart, 2009).

As students continue to immerse themselves in online activities and social media, relationships become less important, and courtesies appear to have become non-existent (Wilkins et al., 2010). Schools must provide a culture that is free of crime and violence (Musu-Gillette et al., 2016). DASA was the first piece of New York law introduced to improve school culture by addressing the issue of harassment and bringing awareness to the needs of students (Payne & Smith, 2015).

### **Purpose Statement**

The purpose of this quantitative study is to survey how public school teachers perceive the efficacy of the intervention of DASA on the climate of civility in the classroom at one specific public middle school located in Upstate New York. The intent is to explore the perceived efficacy of the intervention put into place in 2012 to address cyberharassment and to cultivate civility in the classroom. How do school teachers at one specific public school perceive the intervention measures of the Dignity for All Students Act in their classrooms?

Cyberharassment by students can occur via the Internet and other forms of modern technology (Mishna et al., 2009). Lessons in civility and intervention policies such as New York’s Dignity for All Students Act need to be persistent and reinforced to effectively address this harassment (Mishna et al., 2011). More information is needed to measure how teachers perceive the effectiveness of New York State’s intervention policy—The Dignity for All Students Act—enacted in 2012. The information gained from this study will provide the District Superintendent with information that could be used to effect changes in the administration of DASA if warranted.

### **Research Questions and Hypothesis**

Schools often find it difficult to categorize cyberharassment as bullying under the criterion some schools use (Patchin & Hinduja, 2015; Wolak, Finkelhor & Mitchell, 2007). Three possible reasons that this may exist is that: Firstly, scholars are inconsistent in defining cyberbullying and making it measurable. Secondly, lawmakers need to define it so that it is invulnerable in a court of law, and lastly, policymakers need to distribute the clarified policy to educators (Patchin & Hinduja, 2015).

In New York State’s Penal Code §240.30, someone can be found guilty of aggravated harassment in the second degree when the act contains the following elements: Intent to do harm, communication is anonymous, or otherwise, it instills alarm, fear, and distress, it is a threat and has had prior contact (e.g., previously convicted). And these elements, such as fear and alarm were reasonable. Monica Steiner (2017), a contributing author for *Criminal Defense Lawyer*, explained that aggravated harassment is a class A misdemeanor and the punishment is equivalent to a parking ticket. Whereas the more serious actions of a class B misdemeanor, first-degree harassment, carries a fine of up to \$500, up to three months in jail, or both.

Terry (2010) noted that many teachers may report awareness of the laws and policies in place. However, few report violations of these laws and policies to bring changes in the culture within their respective schools. The 2015 QuERI study of DASA also found that although New York State schools have complied with reporting and investigative components of DASA, they have not instituted proactive efforts to develop a positive school culture. The study concludes many educators, while enthusiastic to better the school culture, lacked the knowledge and the resources of effectively how to make a change (Payne & Smith, 2015).

The central question in this study is: How do Upstate New York public school teachers at a specific school perceive the intervention measures of the Dignity for All Students Act in their classrooms since its enactment in 2012? This doctoral dissertation had three hypothesis and three null hypothesis associated with the research questions:

Question 1: Is there an association between a teacher's experience in teaching and his/her view of cyberharassment being a serious problem.

Alternative hypothesis: There is an association between a teacher's experience in teaching and his/her view of cyberharassment being a serious problem.

Null hypothesis: There is not an association between a teacher's experience in teaching and his/her view of cyberharassment being a serious problem.

Question 2: How often do teachers talk to students about appropriate online behaviors?

Alternative hypothesis: Teachers talk to their students about appropriate online behavior

Null hypothesis: Teachers do not talk to their students about appropriate online behavior

Question 3: What are the teachers perception of DASA and its effectiveness in cultivating civility in the classroom and within the school?

Alternative hypothesis: Teachers perceive DASA as effective in cultivating civility in the classroom.

Null hypothesis: Teachers do not perceive DASA as effective in cultivating civility in the classroom.

Addressing these question will help determine the efficacy of DASA from the teachers' perspectives and will provide information to the school Superintendent. The Superintendent can then use the information to assess the school's implementation of DASA.

### **Theoretical Framework**

Society is a complex structure of social relationships and institutions (Mooney, Knox, & Schacht, 2017) and they play a vital role in the communal development of its people. The theoretical framework guiding this doctoral dissertation was the guided by the bioecological model theory put forth by Bronfenbrenner in 1979 and its reformulation in 1998 by Bronfenbrenner and Morris, specifically the concept of the proximal process. The rationale for selecting this framework is that children spend an inordinate amount of time in school and one of the roles of schools is socialization. In addition, the framework emphasizes the roles of institutions and the reciprocal interaction taking place between persons and symbols in one's immediate environment as being essential in human development (Bronfenbrenner & Morris, 1998). If this interaction occurs regularly and extends over a long period, it can make the effects of the interaction even more impactful on the child's development (Bronfenbrenner & Morris, 1998).

The proximal process includes activities such as group play, student-student activities, athletic activities, and complex tasks (e.g., learning) (Bronfenbrenner and Morris, 1989). The process has two developmental outcomes, *competence*, and *dysfunction*. The former lends itself

to growth in skills and the ability to direct one's behavior civilly across a myriad of situations fostered by a nurturing surrounding. The latter suggests a manifestation of difficulties maintaining control across a variety of situations brought on by a negative environment (Bronfenbrenner & Morris, 1998).

Central to the proximal process is the extent of contact between the developing person and the interaction taking place within their environment (Bronfenbrenner & Morris, 1998). From the lens of cyberharassment, the effects are often negative and can impede learning as well as bring feelings of anxiety, depression, insecurity, and low self-esteem (Beran & Lupart, 2009; Hawker & Boulton, 2000). The proximal process framework posits five exposure determinants that can affect the proximal process: duration, frequency, interruption, timing, and intensity.

Duration is the length of time the child spends in either a competence or dysfunctional environment. School-aged children are in school upwards of 40 hours a week. The culture of the school plays a vital role in their development and must be an environment that fosters civility. The environment becomes dysfunctional to the student when they are being cyberharassed.

Frequency is how often do the events or actions from within the environment take place. In this study, the frequency would refer to how often cyberharassment events take place (e.g., hourly, daily)? In addition to frequency is interruption, does cyberharassment occur on a predictable basis, or is it unpredictable? As the literature will bear out, there is virtually no escaping the effects of cyberharassment.

The timing of the interaction is critical. For example, the process relates the timing of one person response to the actions of another. If the response is timely, then a connection is made that behaviors have immediate consequences. However, if there is a delay in response, then the behavior continues without consequences. When dealing with the victims or perpetrators of

cyberharassment, the response from school officials must be expedient to stop such negative behaviors and bring remedy to the victim.

The last determinate is intensity, and it refers to the dominance of the exposure either in a competence or dysfunctional environment. The consistency or inconsistency of applying corrective measures will affect the behaviors of those involved. This consistency, or lack thereof, is relevant to this study because if harassing behaviors are allowed to take place frequently, then dysfunctional outcomes are more likely to develop. Whereas, when measures of instilling civility are prominent, competence outcomes will develop.

Additionally, the Bronfenbrenner (1979) model exhibit four bioecological systems that illustrate the influence each actor has on the social well-being of a child. They are the *microsystem* (immediate environment), *mesosyste* (connections), *exosystem* (*indirect environment*), and the *macrosystem* (social and cultural values). Since this study is examining the relationship between the student and the school only the microsystem is discussed.

One of the many roles of a school as an institution within our society is the socialization process of children. There must be a positive relationship between the student, the school, and peer-group to be effective. The microsystem is integral to this study because it looks at the interaction and the relationship between these actors and the influence they have on building school culture.

Although not the sole element in the development of a child, the climate or culture of the school plays a large part in the development of children and guides their interactions. For the theoretical framework to address the research questions in this study, it focused on how teachers perceive the efficacy of the intervention of DASA has on the climate of civility in the classroom. Schools, as an institution, have an essential role in the proximal process. Bronfenbrenner &

Evans (2000), suggested that the 21<sup>st</sup> century brings with it a growing threat of a major breakdown in social development.

### **Definitions**

**Cyberharassment.** Cyberharassment is a term that includes an extensive range of disparaging online activities including cyberbullying, stalking, sexual solicitation, pornography, and sexting (Bryce et al., 2016; Citron, 2014; Nordahl et al., 2013; Smith, 2009).

Cyberharassment is the recurrent online behavior that deliberately targets a certain person and causes that person significant emotional pain or the fear of being physically harmed (Citron, 2014; Hazelwood & Koon-Magnin, 2013).

**Cyberbullying.** Cyberbullying is defined as purposeful and recurring harm inflicted through computers, cell phones, and the use of other types of technology (Patchin & Hinduja, 2015; Patchin & Hinduja, 2006; Sabella & Hinduja, 2013; Stop Cyberbullying Organization, n.d.). Hazelwood and Koon-Magnin (2013) define cyberharassment as behavior that torments, annoys, terrorizes, offends, or threatens an individual via electronic means with the intent of harming. DASA defined in part "harassment" and "bullying" as the creation of a hostile environment by conduct or by [verbal] threats, intimidation, or abuse, including cyberbullying.

**Sexting.** Sexting is defined as the transfer or the furthering of sexually explicit messages, pictures or videos of the sender or someone known to the sender via cell phone or other device (Lorang, McNiel, & Binder, 2016; Mince-Didier, 2017; Rice et al., 2012; Strassberg, McKinnon, Sustaíta, & Rullo. 2013). To complicate matters further, Strohmaier, Murphy, and DeMatteo (2014) concluded there is no agreement on what constitutes sexually explicit messages or images.

**Cyberstalking.** At present, there is not a universally accepted definition of cyberstalking. However, there is an agreement in the literature that identified the behavior to include technology to stalk or harass someone aggressively over time (Bocij & McFarlane, 2003; Finn, 2004; Navarro, Marcum, Higgins, & Ricketts, 2016; Nobles, Reys, Fox, & Fisher, 2014).

### **Assumptions**

Creswell (2014) noted that the positivist/postpositivist worldview is best suited for quantitative research. The knowledge obtained is based on measurement of the objective reality that exists “out there” in the real world (Creswell, 2014). The absolute truth of knowledge in regards to human behavior may never be fully understood. It is essential to create an objective survey instrument that provides a numeric measure of observed behaviors of students by school administrators (Creswell, 2014). This deterministic philosophy will help identify how a culture of civility is being implemented and the effects or outcomes it has on students (Creswell, 2014).

One of the many assumptions made in this study is that the participants will provide truthful responses. The researcher assumes respondents will draw on their own lived experience with DASA. The researcher assumed the survey instrument would adequately measure the objective reality that is the school’s culture. Additionally, the researcher assumed the anonymous paper survey was the best method as opposed to face-to-face interviews.

### **Scope and Delimitations**

Delimitations help define what the researcher has control over while conducting a study. In this doctoral dissertation, an example of a delimitation was the decision to use a paper survey comprised of both quantitative and qualitative questions. That is to say, a choice in the design of the questionnaire to have both open-ended (qualitative) and closed-ended (quantitative)

questions. Although the survey questions had some open-ended questions, this research is primarily quantitative.

Another delimitation was purposely selecting the public city school district as opposed to surrounding districts. This choice was made because of the accessibility of potential participants within the researcher's relationship with the district. The school district selected is one of the largest in Upstate New York.

### **Limitations of This Study**

The researcher did not have control over the school chosen for this study. Instead, the District Superintendent selected the school. By having access to only one school, this research is not generalizable. This research is also restricted by the use of a paper survey. While the paper survey is a viable instrument, an e-survey placed on the district's network would reach all public school teachers in the school district. This would have allowed for a larger sampling population and a clearer picture as to how DASA is perceived.

One of the observations that can be made from a paper survey is the haste or thoughtfulness the respondents gave in filling out the survey. Even though it was clear that participation was optional, some responses were seen as hurried and random as evidenced by their responses appearing exaggerated and "messy" as if they had little interest in partaking in the survey. On the other hand, others appeared to have given the survey thought and deliberateness, their penmanship was neat and their responses calmly made. This perception may impact the results of this study.

### **Significance of This Research**

One only has to watch the news to learn about a young person, often of school age committing suicide due to being a victim of cyberharassment. The literature recounts the tragic

stories of several teen suicides. The 2013 suicide of 12-year-old Rebecca Sedwick, who was cyberbullied on Facebook and other social media platforms by two of her female classmates, jumped to her death from atop a cement silo (Almasy, Segal, & Couwels, 2013). And most recently, the police in Panama City Beach, Florida charged two 12-year-old middle school students with cyberstalking which lead 12-year-old Gabriella Green to commit suicide in her home (Lynch, 2018). The Children's Hospital of Philadelphia Research Institute (2013) noted that cyberharassment as well as traditional forms of harassment in schools increases in late childhood. They also found that these behaviors peak in early adolescence, specifically during middle school.

Cyberharassment is a nationwide problem. Policies such as DASA and others like it around the country are designed to educate the student on tolerance and civility, not for just pleasing bureaucrats. The lessons in civility and intervention policies such as DASA need to be continuous and reinforced to be effective (Mishna et al., 2011). This research will provide, at a minimum, conversation and hopefully a heightened awareness to effect change if warranted.

### **Summary**

This chapter provides the background, law and policy review, a detailed description of DASA, several second circuit court cases, as well as a theoretical framework as to how they relate to cyberharassment. Additionally, it provides the problem and purpose statement, as well as key definitions. School policies on civility are integral to learning. Schools must provide a culture that fosters civility and DASA is central to that goal.

Chapter 2 will include an exhaustive review of the literature as it relates to cyberharassment. Chapter 3 will be comprised of research design and methodology. Chapter 4

will provide data analysis and findings of this study. Finally, Chapter 5 will present recommendations and conclusions.

## **Chapter 2: Literature Review**

School bullying became a national concern in 1999 after the Columbine High School shooting, which was perpetrated by the alleged vengeful victims of bullying (Cornell & Limber, 2015). Cornell and Limber (2015), and Beran and Lupart (2009) noted students should not perceive schools as having an unfriendly environment. However, to children who fall victim to bullying, the playground becomes hostile and unfriendly. The availability of technology coupled with the ability to remain anonymous can place children at a greater risk for victimization (Farrukh et al., 2014; Ybarra, 2004).

The purpose of this quantitative study is to survey how public school teachers perceive the efficacy of the intervention of DASA on the climate of civility in the classroom at one specific public middle school located in Upstate New York. The intent is to explore the perceived efficacy of the intervention put into place in 2012 to address cyberharassment and to cultivate civility in the classroom. How do schoolteachers at one specific public school perceive the intervention measures of the Dignity for All Students Act in their classrooms?

### **Literature Search Strategy**

A search of the relevant literature was conducted from August 2016 to August 2017. The search method used was Google Scholar and the search engines of Northeastern University and Utica College. The following databases were used: Google Scholar, EBSCOhost, Law 360, LexisNexis, ProQuest, Dissertations and Theses @ Northeastern, ProQuest, and Sage Research Methods.

### **Literature Review Related to Key Concepts and Variables**

Schools have become one of the major settings of violence in the United States (Bronfenbrenner & Evans, 2000). Incidents such as Columbine (1999) highlighted the

importance of civility in schools and the effects bullying could have on students. Eric Harris and Dylan Klebold were victims of bullying and sought revenge against the bullies who made their life at school miserable. Additionally, the 2013 school shooting by a student at Taft Union High school in Southern California, who was bullied and sought revenge by wounding his two harassers.

While some may choose to act out, others internalize the bullying and to the extreme, take their own life. The use of technology as a medium to cause harm to others can be equally distressing as face-to-face confrontation and can cause the victim to take their own life. For example, Ryan Halligan (14) hanged himself because of an embarrassing cyber-rumor, Megan Meier (14) hanged herself because of a cruel cyber-prank, Jessica Logan (18) and Hope Witsell (13) both hanged themselves because of sexting (Beran & Lupart, 2009; Cornell & Limber, 2015). And Brandy Vela (18) who committed suicide in 2016 by shooting herself in the chest because of abusive text messages and a fake Facebook page advertising free sex (CBS News, 2016).

The USDOE further reaffirmed the school administrator's obligation to guarantee that the civil rights of the student are protected in a nationwide distributed *Dear Colleague Letter* (2010). The letter reiterates that harassment between student-student or student-adult based on national origin, race, sex, or disability can be a civil rights violation. Specifically, it noted that some student misconduct that falls under a school's anti-bullying policy may also be the genesis for action under federal anti-discrimination laws enforced by the USDOE's Office for Civil Rights.

Schools should project a positive environment (Beran & Lupart, 2009; Cornell & Limber, 2015). The nurturing of a safe environment by educating students on civility will, over time, bring a positive change in social behavior (Mishna et al., 2011). To this end, more information is

needed to measure how teachers perceive the effectiveness of New York State's intervention policy—The Dignity for All Students Act—enacted in 2012.

The literature review revealed an extensive examination of DASA, as well as a comprehensive look at the magnitude of cyberharassment. For this study, cyberbullying, sexting, and cyberstalking will be reviewed. Additionally, it addressed the complexity of the laws and the outcomes of Supreme Court cases and Second Circuit court cases. The central question guiding this research was; how do New York state public school teachers at one specific school perceive the intervention measures of DASA in their classrooms since it was enacted in 2012?

### **Cyberharassment**

There is some discussion as to whether cyberbullying is bullying. Many researchers agreed that there is a plethora of ways to define cyberbullying or just bullying (Gladden, Vivolo-Kantor, Hamburger, & Lumpkin, 2014; Hellström, 2015). DASA defined in part "harassment" and "bullying" "as the creation of a hostile environment by conduct or by [verbal] threats, intimidation, or abuse, including cyberbullying. Additionally, the harassment and bullying has or would have the effect of unreasonably and substantially interfering with a student's educational performance" (NYSED, 2013, p. 7). (see Appendix C).

Cyberbullying is defined as purposeful and recurring harm inflicted through computers, cell phones, and the use of other types of technology (Patchin & Hinduja, 2015; Patchin & Hinduja, 2006; Sabella & Hinduja, 2013; Stop Cyberbullying Organization, n.d.). Hazelwood and Koon-Magnin (2013) define cyberharassment as behavior that torments, annoys, terrorizes, offends, or threatens an individual via electronic means with the intent of harming. The use of a statement "I am going to kill you" "not JK LOL" often can rise to the level of harassment. Like

most things, problems originate at the extremes. It is only by the repeated, relentless attacks that incidents rise to the level of cyberharassment (Patchin & Hinduja, 2015).

Wolak et al. (2007) posited that cyberharassment does not rise to the level of cyberbullying unless it is an extension of traditional bullying. That is to say; there must be a face-to-face element as with traditional bullying added to the equation. In their study, approximately half of the students defused the harassment by blocking the harasser or simply ignoring the aggressor. By blocking or ignoring the harasser, the victim is in effect mitigating the imbalance of power, a requisite by some for cyberbullying. Single incidents such as not being invited to a party or being called a bad name are minor and occur by people the students do not know face-to-face does not constitute cyberbullying and are not considered overly distressing to the victim (Sabella & Patchin 2013; Wolak et al., 2007).

To illustrate the inconsistencies between bullying and cyberbullying, Wolak et al. (2007), suggested that bullying requires three elements: 1) Aggressive acts including verbal, 2) repetition, and 3) an imbalance of power between the victim and perpetrator. As previously stated, with cyberbullying, the victim can mitigate the imbalance of power by blocking the harasser. Patchin and Hinduja (2015), on the other hand, are of the view that four essential components distinguish the harm caused by cyberbullying from other personal harm, 1) reputation, 2) intent, 3) harm, and 4) imbalance of power. For this study, cyberbullying is a subset of behaviors that is overall cyberharassment. While the imbalance of power is a disputable factor, the ability to automatically delete reproachful comments off websites and tweets are far more complicated than scratching off words written on the bathroom wall (Guernsey, 2003).

Bullying by any modality is a subset of peer victimization. Hinduja and Patchin (2012) suggested bullying overall is waning which may be attributed to intervening behaviors by

bystanders. Wood, Smith, Varjas, and Meyers, (2017) and Kärnä et al., (2011) noted that when positive intervention by a bystander takes place, both the frequency and the negative impact of cyberharassment decrease. However, Espelage, Green, and Polanin, (2012), and Chisholm (2014) found that students are less willing to intervene in harassment incidents.

Adolescent friendships share similar attitudes and behaviors that make going against the majority difficult (Espelage et al., 2012). They found that bullying prevention programs that focus exclusively on empathy and do not address the issue of peer group behavior are ineffective. Espelage et al. (2012) suggested that normative peer pressure to defend a victim coupled with personal responsibility increased the likelihood of an intervention. DASA incorporated these attributes.

Musu-Gillette et al., (2016) noted that nationally among students ages 12-18 in the 2015 school year that 65 percent reported that the effects of being harassed had neither affected their schoolwork nor impacted their self-esteem. However, on average 17 percent of those harassed indicated the impact was hurtful. More still needs to be done to educate both the students and school administrators on civility (Sabella et al., 2013; Vahedi, Azar, & Golparvar, 2016).

Sabella, Patchin, and Hinduja (2013) and Musu-Gillette et al. (2016), suggested that incidents of bullying by any modality has decreased between 2005-2015. In that decade, incidents fell from 28 percent to 21 percent among students between the ages of 12-18. However, they noted that the incidents toward females increased from 19 percent to 23 percent during the 2015 school year. Interestingly, 41.7 percent of students between ages 12-18 reported being physically bullied, compared to 11.5 percent online in 2015 (Musu-Gillette et al., 2016).

The objective of bullying is to intimidate the victim. For the aggressor, it is power and control, causing, for the victim, embarrassment and emotional scarring (Felix et al., 2011;

Gladden et al., 2014). On the power side of the argument, being physically confronted by a bully there exists an option to at least, resist or to confront the known perpetrator (Turbert, 2009).

However, on the virtual playground, confrontation is not always practical, even though blocking or ignoring the aggressor is possible (Beran, Rinaldi, Bickham & Rich, 2012).

Some would suggest that power comes from anonymity (Bocij & McFarlane, 2003; Turbert, 2009). The ability to remain unknown and often undetected is empowering and liberating. The victim is left practically defenseless. Anonymity is a protected First Amendment right allowing for the freedom of expression. However, Turbert (2009) stated that even though anonymity may be protected; this liberty of anonymity is being abused by cyberbullies to inflict psychological harm on their victims. Often the use of technology can induce illicit behavior from someone that would not ordinarily engage in such behavior (Bocij & McFarland, 2003).

States are also consistent with the elements that define cyberharassment as being alarm, distress, and fear (Hazelwood & Koon-Magnin, 2013; Patchin & Hinduja, 2015). However, state statutes vary on the relevance of anonymity in cyberbullying. For example, New Hampshire and Oklahoma specify that a message communicated with anonymity constitutes a cybercrime, whereas Oregon and Utah do not address anonymity (Hazelwood & Koon-Magnin, 2013).

### **Sexting**

Teen sexting is another challenge facing New York schools. Bocij and McFarlane (2003) suggested the Internet can lower inhibitions and establish new norms. Sexting is defined as the transfer or the furthering of sexually explicit messages, pictures or videos of the sender or someone known to the sender via cell phone or other device (Lorang et al., 2016; Mince-Didier, 2017; Rice et al., 2012; Strassberg et al., 2013). Benotsch, Snipes, Martin, and Bull (2013) added sexting as an essential element to cyberharassment. To complicate matters further, Strohmaier et

al., (2014) concluded there is no agreement on what constitutes sexually explicit messages or images.

When school officials receive reports of sexting, they usually involve attendant circumstances. Primarily they are confronted with determining if the charges include malicious intent, bullying, intimidation, or harassment and, in some cases, whether the content is criminal. Additionally, officials must determine if the photographs were taken by a friend who then disseminates the images electronically with the intent to harm the other person's reputation (Lorang et al., 2016; McNiel, & Binder, 2016; Walsh, Wolak, & Finkelhor, 2013).

Bass (2016) suggested that teens engage in sexting for several reasons. While some do it as a joke to gain attention, others succumb to peer pressure or coercion. Many teens think they must join in without realizing the consequences that may follow. Teens will participate in sexting for three primary reasons; firstly, to initiate sexual activity; secondly, to experiment before beginning a sexual relationship; and thirdly, they see it as a means of excitement adding to their sexual relationship (Bass, 2016).

It is difficult to know firsthand the pervasiveness of sexting among teens (Bass, 2016). Wolak, Finkelhor, and Mitchell (2012) analyzed 3477 police cases involving “youth-produced sexual image” between 2008-2009. They found 67 percent of the sample were considered aggravated and 33 percent were experimental. Moreover, 57 percent of sexting was non-consensual. Wolak et al. (2012) defined aggravated as abusive and in some instances involving adults. The experimental classification, on the other hand, was among young adult peers.

*New York v. Ferber* (1982) gave states the right to create child pornography laws or by extension, teen sexting laws. The Supreme Court decision in *Ferber* held that child pornography

is a form of obscenity that can be constitutionally restricted even if the material is not obscene. New York state enacted its sexting statute HB-A-08170 in 2012 (see Appendix D).

In some circumstances, based on the gravity of the sexting, minors can be charged with a felony and in some cases, have to register as a sex offender (Mitchell, Finkelhor, Jones, & Wolak, 2012; Thomas & Cauffman, 2014). For example, California's Penal Code §288. (b)(1) states that teen sexting can be considered child pornography. It states in part:

Every person who, with the knowledge that a person is a minor, knowingly distributes, sends, causes to be sent, exhibits, or offers to distribute or exhibit by electronic mail, the Internet...Any harmful matter, as defined in section 313, to a minor, and with the intent, or for the purposes of seducing a minor, is guilty of a public offense and shall be punished by imprisonment in the state prison or in a county jail.

This law does not make a distinction between two minors that are sending nude or partially nude photos of themselves willingly or not. Thus, this law subjects them to a felony and to register as a sex offender. However, many state courts are disinclined to impose such egregious punishment on minors (Strohmaier et al., 2014). In most states, legislators pursue avenues that differentiate between sexting among minors and child pornography (Lorang et al.; Thomas & Cauffman, 2014).

Currently, 20 states do not have teen sexting laws (Hinduja & Patchin, 2015). Eleven states, including New York, offer informal adjudication, which includes counseling or other informal sanctions. Ten states, including New York, have diversion programs whereby both victim and offender attend an educational reform program (N.Y. Pen Law §60.37; N.Y. Soc. Serv Law § 458-1). Notably, Hinduja & Patchin (2015) identified that in Alabama and Nebraska sexting is a felony. Strassberg et al. (2013) are proponents of educational efforts to educate all

parties involved not only under mandate but also in the classroom. Strohmaier et al. (2014) concluded many students are unaware of the legal consequences of sexting.

School administrators from Smithtown School located in Long Island, New York are facing criticism for violating the Due Process Clause of the Fourteenth Amendment. In November of 2015, the police made two felony arrests involving two 14-year-old boys. *The Associated Press* (AP) reported that one boy knowingly recorded a video of the other boy engaged in a sex act with a girl off school grounds. The charges include disseminating indecent material to minors (Class D felony), and promoting a sexual performance by a child (Class D felony) and 3<sup>rd</sup> Degree misdemeanor sexual abuse. The video was disseminated to upwards of 20 other students, all of which were suspended for watching the video or forwarding it.

A key issue, in this case, is whether or not school officials acted in accordance with various laws. Many parents and New York States Civil Liberties Union (NYSCLU) are accusing the school of conducting illegal cell phone searches. Additionally, school officials are being accused of having been inconsistent in punishing the students involved (AP, 2015). It is doubtful that the felony charges will remain and the boys will most likely be sent to New York's diversion program.

In the absence of a federal law that addresses sexting directly, many states and school officials look at sexting as child pornography under 18 U.S.C. §§ 2252- 2252A (Didier-Mince, 2017; Strohmaier et al., 2014). Additionally, schools, as well as legislators, have to develop a policy to address this new phenomenon that only exists due to technology. Furthermore, they both need to be cognizant of the intent of the crime between two minors and a minor and an adult as to the seriousness of the crime under 18 U.S.C. §§ 2252- 2252A.

*In re CS, 2012 Pa. Dist. & Cnty. Dec. LEXIS 403 (Pa. Cnty Ct. 2012)* illustrated the point that state statutes are sometimes unconstitutionally vague. CS received a text message recording of a consensual sex act between two students aged 16 and 17 and disseminated them to her friends. Those that received the file then distributed it to others.

The trial court dismissed the case associated with the sexual abuse of children statute (18 Pa. C.S. §6312) levied against CS. The court reasoned that because Pennsylvania's child pornography laws as applied to minors' sexting fails to provide a teenager of ordinary intelligence fair notice of what is prohibited. In other words, a teenager of ordinary intelligence would know possession of child pornography is illegal.

The Third Circuit Court of Appeals affirmed, dismissing the charges because it found the statute was "void for vagueness" (Lorang et al., 2016; Pasqualini, 2013). However, in the same year 2012, the Sixth Circuit Court of Appeals in Ohio ruled that the statutes were not unconstitutionally vague when applied to juveniles. *In re JP, 2012-Ohio-1451, 2012 Ohio App. LEXIS 1298 (Ohio Ct. App., 2012)* the court reasoned that the statute applied equitably to adults and minors. In this case, a 13-year-old female sent a nude photo of herself to a juvenile male. She entered a no-contest plea. She received a 30-day suspended detention, 16 hours of community service, ordered to attend mandatory educational programs on the consequences of sexting, write an essay, and she could not use a cell phone for six months (Lorang et al., 2016).

The two cases mentioned above illustrate the court's hesitancy to impose harsh sentencing. They also point out the difficulty in either crafting policy or using statutes that were designed in a different era and applying them to the 21<sup>st</sup> century. Laws and policies in and of themselves as mentioned earlier can only do so much. Teachers, counselors, and administrators must be educated and made aware that teens can suffer significant psychological harm resulting

from sexting (Benotsch et al., 2013; Strassberg et al., 2013). For example, in 2008 Jessica Logan hanged herself after sending nude pictures of herself to her then-boyfriend who disseminated them to classmates after they broke up. Sycamore High School in Ohio failed to take adequate steps to prevent the bullying that ensued (Wells, 2012).

The students did not receive criminal charges. However, civil charges were brought forward against the school, the ex-boyfriend, the school resource officer, and the students involved in distributing the photos by Jessica's parents (Lorang et al., 2016). The students involved settled out of court. The court granted the resource officer qualified immunity. The Court for the Southern District of Ohio, Western Division, ruled that the school also had qualified immunity on the claim of negligent infliction of emotional distress. The case is moving forward against the school for violations of Title IX (Lorang et al., 2016).

### **Cyberstalking**

Another issue facing schools is cyberstalking. Students may not consider the legal consequences of their behavior and may not be fully cognizant of the punishment associated with their actions (Marcum et al., 2014). Policies such as DASA could be instrumental in teaching students that there are consequences for their actions. Marcum et al., (2014); Finn (2001), found that adolescents are prone to the behaviors of a cyberstalker as well as being victimized.

At present, there is not a universally accepted definition of cyberstalking. However, there is an agreement in the literature that identifies the behavior to include technology to stalk or harass someone aggressively over time (Bocij & McFarlane, 2003; Finn, 2004; Navarro, et al., 2016; Nobles et al., 2014).

Many behaviors define cyberstalking that do not encompass traditional stalking that students may not be aware. Physical stalking is characterized as the following of someone to the

point that the target gets “creeped out” and law enforcement can easily get involved to put a stop to the harassing behavior. However, as most activities on the Internet are largely anonymous, cyberstalkers are emboldened. Hazelwood and Koon-Magnin, (2013) noted that victims of cyberstalking experience fear, terror, anxiety, intimidation, and loss of a sense of control largely because they cannot identify the stalker.

Marcum et al., (2016) posited that cyberstalking consists of the stalker using personal information about the victim for the purpose of intimidation. The behavior also extends to sending vast amounts of unsolicited emails or instant messages that are antagonistic. The cyberstalker may also impersonate the victim in cyberspace on other social network forums. Additionally, the stalker may send misinformation or hostile material and trick other users into cyber harassing the victim (Finn, 2004; Goodno, 2007; Hazelwood & Koon-Magnin, 2013; Sheridan & Grant, 2007). Moreover, Mcgrath & Casey, (2002) observed that the possibility exists that the online cyberstalking may transcend into the physical world.

Empirical research on cyberstalking is sparse (Navarro et al., 2016; Nobles et al., 2012; Sheridan & Grant, 2007). Legal scholars have done much of the research in this area, and they publish them in law reviews (Hazelwood & Koon-Magnin, 2013). However, social scientists are beginning to look at aspects of cyberstalking. Navarro et al., (2016) in a study of 1,669 high school students with a 98.8 percent response rate is most impressive and current. They observed that those students who partake in cyberstalking have a higher IQ and are more knowledgeable in hacking and obfuscating their location. Additionally, Navarro et al., (2016) drew a relationship between Internet addiction (IA) and cyberstalking. IA is beyond the scope of this research; however, it is worth discussing to some degree to better understand the dynamics of cyberstalking.

The working definition of IA is the over engagement on the Internet or electronic devices to the detriment of family, work, relationships, and obligations leading to impairment and distress (Hazelwood & Koon-Magnin, 2013; Navarro et al., 2016; Shaw & Black, 2008). Additionally, Navarro et al., (2016), and Zepeda et al., (2016) agreed that students with low self-esteem are more likely to partake in cyberstalking. As a student's self-esteem declines they are more likely to associate with groups exhibiting antisocial behaviors (Bocij & McFarlane, 2003)

### **New York State Law**

New York State Penal Code §§120.45, 120.50, 120.55, and 120.60 defined the crime of cyberstalking. In New York State, the stalking law considers the state of mind of the stalking victim and the reasonable fear that the stalker's actions are likely to cause the victim. For example, the stalker does not have to have the intent to cause fear nor does the victim need to experience actual fear. What constitutes fear is measured by how a reasonable person would respond to the behaviors exhibited by the cyberstalker (NYS Office of The Prevention of Domestic Violence, 2016).

### **Summary**

Teen suicide brought on by cyberharassment is a tragedy and certainly brings to light the seriousness of cyberharassment. Chapter 2 discussed the three central components of cyberharassment, cyberstalking, and sexting. It also outlined several court cases that illustrate some of the difficulties both school officials and the courts face when adjudicating cyberharassment incidents. Although bullying is bullying, the virtual and often anonymous world of cyber space has presented significant challenges for these governing bodies.

Chapter 3 will outline the methodology for this research and will look at one central New York school to determine how teachers perceive DASA. Civility in schools has always been first

and foremost the goal of school administrators. Policies such as DASA are necessary to ensure the attainment of that goal.

### **Chapter 3: Research Methodology**

The purpose of this quantitative study was to survey teacher's perceptions at one public middle school located in upstate New York, of the intervention of Dignity for All Students Act (DASA) regarding the climate of civility in the classroom. Specifically, the intent of this dissertation was to explore the teachers perception of the efficacy of the intervention put into place in 2012 by Governor David Paterson to address cyberharassment and to cultivate civility in the classroom.

This chapter shows how this quantitative study was implemented, including a detailed account of the methodology used to gather results. It also contains the positionality statement, population selection, procedures for recruitment, and instrumentation. The data plan used in this study is explained and addresses the methods used in analysis. Issues specific to reliability and ethical concerns are also discussed.

#### **Research Methodology and Rationale**

This research involved non-experimental quantitative methodologies. A survey is a non-experimental, descriptive research method and is best suited to collect viewpoints of respondents (Babbie, 1990). The non-experimental design was utilized because the researcher had no intent to manipulate any of the variables or subjects, as that is the objective of experimental quantitative methods (Muijs, 2011). Quantitative methods used to study the relationship between variables express variable relationships through statistical analysis (Grand Canyon University [GCU], n.d.; Patten, 2014).

Creswell (2014) notes that the positivist worldview is best suited for quantitative research. The knowledge obtained is based on measurement of the objective reality that exists "out there" in the real world. The absolute truth of knowledge regarding human behavior may never be fully

understood. It is essential to create an objective survey instrument that provides a numeric measure of observed behaviors of students by school administrators (Creswell, 2014). This deterministic philosophy will help identify how a culture of civility is being implemented and the effects or outcomes it has on students (Creswell, 2014).

By quantitatively examining the association between the variables obtained from the survey, correlations can then be made as to the degree and direction of those variables. The correlation coefficient (degree) refers to the association between the variables, whereas the direction refers to a positive (+) or negative (-) relationship between variables. Correlations closer to -1 or to 1 will have the strongest relationship, while those approaching zero will indicate no relationship. Primarily the relationship between teachers perception of DASA, the behaviors they see in their day-to-day interaction with students, and their opinion on the impact of DASA.

While the correlational design is an appropriate method for interpreting quantitative data, it does have its limitations. One principal objective of quantitative research is determining what causes what, what is the cause, and what is the effect (Muijs, 2011). In applying correlational design, the researcher must be cognizant that while a relationship between variables can be established, results must be carefully interpreted. The fact that two variables are related to one another does not mean that one causes the other; “surveys do not allow the researcher to control the environment and are therefore less suited to answering questions of causality than experimental designs” (Muijs 2011, p. 39).

### **Positionality Statement**

As a 20 year veteran of the military I have come to realize, if I am not in charge, I have little influence over the day-to-day operation of the workplace. It is this cultural experience that I feel shapes my research decisions and my approach. For example, I was a ship's navigator, a

consultant if you will. All I could do is plot the best course for the ship and offer advice, but ultimately the decision was the captains. All I could do was counsel.

I grew up in the 1960s, and aside from a few name calling incidents, I was not aware of any bullying, and the classroom was well disciplined. The 1960's was culturally different, schools could punish a student, and for the teacher to call one's parents was a big deal. I understand and am aware of being youthful in those days, but I lack the understanding of what it is like to be a young student today and how the school environment has changed. I want to know more about how teachers see the classroom and the behaviors of young students today.

As an outsider, I try to strike a balance between my interests and my research participants. By this I mean to say, I want to know what harassing behaviors in which students partake. Teachers and administrators who witness disparaging behaviors among students may find themselves desensitized to the behavior and therefore may not fully understand what is happening. Additionally, I am not among the age demographic I am studying nor are my survey participants. What they label as disparaging behavior may not be a label a student would assign.

Most schools are anything but homogeneous. They have diversity not only in race, gender, and class, but religion, gender identity, and disability. Scholarship has brought these issues to the forefront as leading reasons students engage in harassing behaviors. I see institutions such as schools, as the last bastion of society's ethical core.

### **Population Selection**

The Upstate New York school district has 10 elementary schools, two middle schools and one high school. The school district Superintendent determined the public middle school used in this study based on factors unbeknownst to the researcher. It was agreed that no identifiable demographics would be asked of the teachers. Since the school's population was small it would

be easy to identify someone by age, race, gender, department, or a combination of these factors. The school accommodates grades 7-8 and has a student population of approximately 700. The school has a student-teacher ratio of 13 to 1. Additionally, the school receives an in-house “A” for diversity and for having a positive school culture based on prior survey data from parents. Of those students, 79 percent receive free or reduced lunch, and 1.6 percent of the teaching staff are in their first or second year of teaching (school official, personal communication, February 20, 2018).

### **Procedures for Recruitment and Participation**

Once approval from the Northeastern University Institutional Review Board (IRB) was granted, an email was sent to the middle school principal to coordinate the timing of the administration of the survey. The respondents for this study are public school teachers assigned to one school, and each received a consent letter (see Appendix E). Teachers and school officials who are constantly in a school environment and around students are fundamentally well suited for this research (Miles, Huberman, & Saladaña (2014).

The paper survey was distributed to 47 teachers at a specific school to ascertain their perception on the efficacy of DASA. The survey has long been an epidemiological mode of choice for collecting data (Hohwü et al., 2013). Survey research is effective for studying a myriad of social research inquiries (Bachman & Schutt, 2015; Colorado State University [CSU], 2016; Linner, 2014).

Teachers were invited to participate in the survey between February 27, 2018 and March 13, 2018. As part of the survey data analysis, the surveys were first coded and then entered into Excel and SPSS for descriptive analysis and Pearson product-moment correlation. The teachers’ open-ended responses provided qualitative context to the quantitative analysis response rate.

All data was either protected under lock and key or password protected on electronic devices. Only persons having official business regarding this study had access to the data. The data will be destroyed upon completion of the study.

### **Instrumentation**

Research that is solely reliant on surveys provides several economic and expedient benefits while still providing useful information. Specific to this study, a cross-sectional survey instrument was developed for this study (see Appendix F). The survey was organized in to three sections that explored the teachers perceptions of DASA, student behaviors, and DASA's impact. The survey was used to explore teachers' perceptions with DASA in their classroom providing only a "snapshot" of views and attitudes during that time frame only (Muijs, 2011). Surveys afford a quantitative description of attitudes or opinions of a population by studying a sample of that population and provides critical feedback about what changes DASA has brought about since its inception (Babbie, 1990; Creswell, 2014; Trochim. 2009).

In addition to the Likert scale and other closed-ended questions, the survey contained a few open-ended items. These questions provided the opportunity for the respondent to express their views further, if so desired. Common themes readily emerged from those responses, thus providing meaningful data for content analysis.

The survey was divided into three sections; the first section dealt with the teacher's perceptions, the second section addressed observed behaviors, and the third section looked at the impact of DASA within the school. For some questions, the 5-point Likert scale was assigned as follows: One (strongly disagree), two (disagree). Three (no opinion), four (agree), and five (strongly agree), (Fink, 2009). Additionally, to address questions on effectiveness, a 5 point

Likert scale was used; designated as one (very poor), two (poor), three (average), four (good), and five (excellent). The remaining questions were ordinal or check all that apply.

Despite the benefits of a survey for the collection of data, it has drawbacks. Muijs (2011) posits that a questionnaire limits the ability to gain a deeper understanding of processes and contextual differences because they are limited in their depth of response. Even though surveys are best used to ascertain opinions and perceptions, such as the objective of this study, collecting data on respondents' behavior can be challenging. Self-reports cannot always be reliable. For example, studies conducted by Muijs in 2006 have shown a large difference between teachers' reports of their classroom practice and their actual classroom practice as observed by an outsider.

### **Data Analysis**

There are approximately 12 departments within the school. Each department head holds a weekly meeting and it was during that time the survey was administered to the teachers in attendance. Once the respondent completed the survey, they placed it in a brown envelope and sealed it. The department head collected the sealed envelopes and brought them to the office for collection. The weekly meeting is an optimum time because when employees are asked to fill out a survey while at work the response rate is near 100 percent (Fowler, 2002).

Once the surveys were returned, the survey was coded. A numerical value of 1 was assigned to low frequency or low disagreement. For example, a numeric value of 1 was assigned to "never" or to "strongly disagree." A value of 5 was assigned to high frequency or high agreement. For example, a 5 was assigned to "always strongly agree." A zero (null) was assigned to "do not know."

The survey data was then entered into Excel and SPSS for descriptive and Pearson Correlation analysis. The data was cleaned by removing the null responses to enable correlation

calculations, Some questions such as those that asked for a short response, were entered into an Excel spreadsheet for content analysis.

### **Reliability and Threats to Validity**

Assessing the reliability of a measure is essential in establishing validity (Bachman & Schutt, 2015). The measure is reliable if the teachers are consistent in answering the questions for this study as they had done so in previous studies about DASA (Bachman & Schutt, 2015).

Perfect validity is not easily obtained (Patten, 2014). It can be difficult to measure civility and culture and capture the full essence of the behaviors (Patten, 2014). The survey instrument contains both closed-ended and open-ended questions that pertain to factors that impede a positive culture; this design helps to assure validity of the research.

Non-response bias is a potential threat in sample-based estimates of population characteristics (Heeringa, West, & Berglund, 2017). Heeringa et al. (2017) note that non-response to voluntary surveys is a major obstacle. To ensure a high response rate, the researcher has formed a relationship with the school's principal. Multiple follow-up communications kept the principal informed as to the progress of this research.

The potential threat to generalizability, or the external validity, exists in this quantitative study because of the selection of the population. The results of this research study are confined to the one specific school that was used to gather information. This is not a major factor for the researcher because the study was conducted to determine how teachers perceive the efficacy of the intervention of DASA on the climate of civility in the classroom. The results can be useful to the school and can generate discussion on civility district-wide and act as a case study for district leadership and other researchers.

### **Ethical Concerns**

The protection of human subjects in research should always be a concern. In keeping with the standards set by Northeastern University Institutional Review Board (IRB), this research does not involve greater than minimal risk to respondents as outlined in 45 CFR 46.102(i). The invitation to participate clearly states that participation is voluntary. Confidentiality refers to the safeguarding of information (Fink, 2009). To maintain confidentiality, the completed surveys will not leave the researchers home. Additionally, all raw and summarized survey data on an electronic device will be password protected. This research is in full compliance with National Institute of Health standards for conducting research that includes human subjects.

### **Conclusion**

Chapter 3 addressed the research methods used for this study. This doctoral dissertation involved non-experimental quantitative methodologies. Correlational design was the method proposed for interpreting the quantitative data. The population selection was determined by the district Superintendent with one public middle school located in Upstate New York with approximately 700 students and a student-teacher ratio of 13-1 being selected.

The chapter addressed the justification for choosing a survey and discussed the format of the instrumentation. The data analysis plan is also described as well as reliability, threats to validity, and ethical concerns, and is in full compliance with Northeastern University's IRB.

## **Chapter 4: Research Findings**

The purpose of this quantitative study was to survey teacher's perceptions of the intervention of Dignity for All Students Act (DASA) regarding the climate of civility in the classroom at one public middle school located in Upstate New York. This dissertation research explores the teachers perception of the efficacy of the intervention put into place in 2012 by Governor David Paterson to address cyberharassment and to cultivate civility in the classroom using the bioecological model theory put forth by Bronfenbrenner and Morris (1998), specifically, the concept of the proximal process.

This research had three hypothesis and three null hypothesis associated with the research questions:

1. Alternative hypothesis: There is an association between a teacher's experience in teaching and his/her view of cyberharassment being a serious problem.

Null hypothesis: There is not an association between a teacher's experience in teaching and his/her view of cyberharassment being a serious problem.

2. Alternative hypothesis: Teachers talk to their students about appropriate online behavior

Null hypothesis: Teachers do not talk to their students about appropriate online behavior

3. Alternative hypothesis: Teachers perceive DASA as effective in cultivating civility in the classroom.

Null hypothesis: Teachers do not perceive DASA as effective in cultivating civility in the classroom.

The paper survey proved the best instrument for this study. A response rate of 100 percent resulted by those teachers who were in attendance at the weekly meeting who completed and returned a survey. As the literature notes, surveys delivered during work hours or at

meetings are likely to achieve a higher response rate than if delivered at other times or by other means. Overall, those in attendance at the meetings represent a sample size of  $n=47$ , with an overall population of teachers at the school of  $N=63$ . This study established a baseline confidence level of 95 percent.

### **Survey Respondents' Demographic Profile**

School officials and the researcher agreed that no identifiable demographics would be asked of the teachers. Since the schools population was small it would be easy to identify someone by age, race, gender, department, or a combination of these factors. The demographic data obtained by conducting a content analysis shows that 63.8 percent of survey respondents taught at the school longer than seven years while 25.5 percent of the teachers worked at the school for 2-4 years, and 10.6 percent have worked at the school between 5-7 years (see Table 1).

Table 1

#### *Descriptive Statistics of Teachers' Tenure at the School*

Variable	Category	<i>n</i>	Percent
Years of Teaching ( $n=47$ )	2-4 years	12	25.5%
	5-7 years	5	10.6%
	Longer than 7 years	30	63.8%

Tenure at the school is a proxy for experience. The amount of exposure to the school's environment may lead to certain expectations of acceptable behavior. Whereas, someone new to the school may react differently to the behavior of students.

In Table 2, the responses reflect a high degree of teaching experience with some 72.3 percent of the respondents who taught within New York state school's for seven years or longer. The experience of teachers is also represented as 12.8 percent also taught within New York state

for 5-7 years, while only a small group 10.6 percent have a limited experience of teaching at another school of 0-2 years.

Table 2

*Descriptive Statistics of Teachers' Total Teaching Tenure*

Variable	Category	<i>n</i>	Percent
Years of Teaching ( <i>n</i> =47)	0-2 years	5	10.6%
	2-4 years	2	4.3%
	5-7 years	6	12.8%
	More than 7 years	34	72.3%

### **Findings**

DASA training for teachers is a mandated annual seminar and they must also know who to report to if they become aware of disparaging behaviors by students. The DASA coordinator is a faculty member within the school who is responsible for investigating complaints of harassment. The analysis revealed that 72.3 percent of the teachers indicated they had received training and 76.6 percent of the respondents knew their DASA coordinator.

To analyze the overall climate of the school, the respondents were asked to give their opinion as to why some students may be targeted by a cyberharasser. A content analysis was conducted and found that approximately 61 percent of the responses indicated social awkwardness was the main reason a student was harassed. Other reasons were the clothes students wear (53.2 percent), physical appearance (50 percent), sexual orientation (29.8 percent), and being sexually active (27.7 percent). Body piercing (4.3 percent) was the least reason for victimization (see Figure 1).

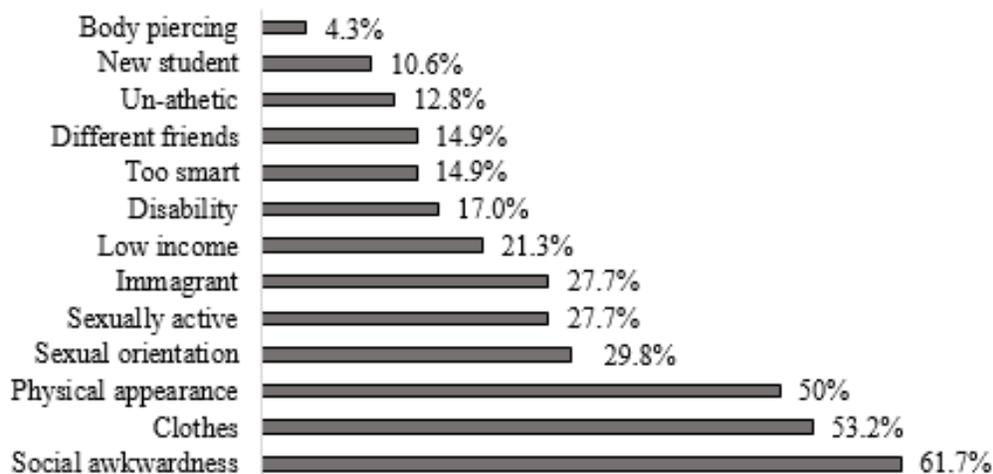


Figure 1. Reasons why students were cyberharassed.

The respondents were asked what types of cyberharassment activity they have observed among students and the frequency of the harassment. They were asked to select from five cyberharassment behaviors:

- 1) sexting,
- 2) the spreading of rumors about someone's sexual activity shared online,
- 3) sending pictures online with the intent to embarrass another student,
- 4) incidents of cyberstalking, and
- 5) cyberbullying.

To avoid confusion, each behavior was accompanied by a definition that provided the respondent with clarity as to what the behavior entailed.

Overall, 57.4 percent of the respondents reported they observed at least one form of cyberharassment within the 2017-2018 academic school year, while 42.6 percent indicated they had not observed any form of cyberharassment or did not know. Table 3 depicts the observed behavior and the frequency of occurrence of each of the behaviors. Sexting among students was witnessed by 38.3 percent of the respondents with 94.4 percent indicating the frequency of at least once a year with 5.6 percent of the faculty reporting the frequency as a monthly occurrence. The spreading of sexual rumors was observed by 34 percent of the teachers with a frequency of once a year while 18.7 percent indicated the frequency as monthly. Interestingly, while 14.9

percent of the respondents observed cyberstalking, 16.7 percent noted the frequency of once a week.

Table 3

*Descriptive Statistics of Cyberharassment Incidents Observed*

<b>Variable</b>	<b>Category</b>	<b><i>n</i></b>	<b>Percent</b>
<b>Sexting- sexually revealing pictures or videos shared online without the person's consent.</b>			
<b>(<i>n</i>=47)</b>			
	Not witnessed	29	61.7%
	Witnessed	18	38.3%
<b>Frequency</b>	At least once a year	17	94.4%
<b>(<i>n</i>=18)</b>	At least once a month	1	5.6%
	At least once a week	0	00.0%
<b>Spreading sexual rumors about someone's sexual activity shared online.</b>			
<b>(<i>n</i>=47)</b>			
	Not witnessed	31	66.0%
	Witnessed	16	34.0%
<b>Frequency</b>	At least once a year	13	81.3%
<b>(<i>n</i>=16)</b>	At least once a month	3	18.7%
	At least once a week	0	00.0%
<b>Sending pictures, video or comments meant to embarrass someone for their physical appearance online.</b>			
<b>(<i>n</i>=47)</b>			
	Not witnessed	36	76.6%
	Witnessed	11	23.4%
<b>Frequency</b>	At least once a year	5	45.5%
<b>(<i>n</i>=11)</b>	At least once a month	6	54.5%
	At least once a week	0	00.0%
<b>Cyberstalking- the use of technology to stalk or harass someone aggressively.</b>			
<b>(<i>n</i>=47)</b>			
	Not witnessed	40	85.1%
	Witnessed	7	14.9%
<b>Frequency</b>	At least once a year	2	33.3%
<b>(<i>n</i>=6)</b>	At least once a month	3	50.0%
	At least once a week	1	16.7%
<b>Cyberbullying-willful and repeated harm inflicted through computers, cell phones, and other types of electronic devices.</b>			
<b>(<i>n</i>=47)</b>			
	Not witnessed	33	70.2%
	Witnessed	14	29.8%
<b>Frequency</b>	At least once a year	6	40.0%
<b>(<i>n</i>=15)</b>	At least once a month	6	40.0%
	At least once a week	3	20.0%

One of the key elements of DASA is the reporting process of cyberharassment behavior occurring among students. Teachers reported that they responded to incidents of cyberharassment by taking one or more courses of action. Over 40 percent of respondents reported that they brought the incident to the DASA coordinator's attention as directed by DASA. Additionally, 36.2 percent of teachers personally tried to resolve the behavior by reaching out to the victim. Some teachers, 12.8 percent indicated they called the victim's parents and 17 percent called the harassers parents (see Figure 2).

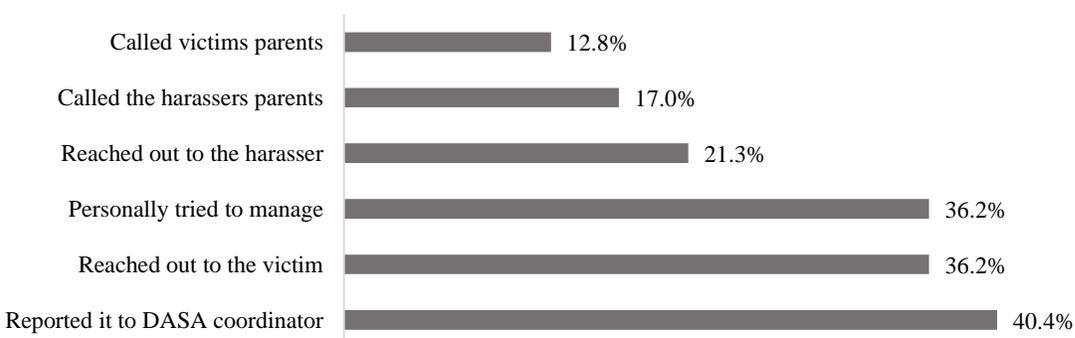


Figure 2. Actions taken by teachers after witnessing cyberharassment. Note. Respondents could choose more than one action.

A Pearson product-moment correlation coefficient was computed to assess the relationship between *Teachers View of Cyberharassment as Being Hurtful* (Teachers View) and *Sexting Frequency*. The results of this correlation analysis showed that there is a positive correlation between the two variables. The correlation analysis resulted in  $r=.334$ ,  $n=41$ ,  $p$ -value-.033. Although the  $r$  and the corresponding  $r^2$  were .334 and .111 respectively not showing a very strong relationship, considering the small sample size, it has been As teachers view increased, so did the frequency of sexting among teachers who witnessed the behavior. determined that there is enough evidence to argue for a correlation.

Table 4 also depicts the outcome of the analysis of teachers view on the spreading of sexually based rumors as being hurtful. Results of the Pearson correlation indicated that there

was a positive association between teachers view and the frequency of spreading of sexual based rumors. There was a positive correlation between the two variables,  $r = .317$ ,  $n = 40$ ,  $p = 0.046$ .

As teachers view increased, so did the frequency of spreading sexual based rumors among teachers who witnessed the behavior.

Table 4

*Correlation of Teachers View of Cyberharassment Behavior as Hurtful*

<b>Behavior</b>	<b>Pearson Correlation</b>	<b><math>r^2</math></b>	<b>Sig (2 tailed)</b>	<b><math>n</math></b>
Sexting frequency	.334*	.111	0.033	41
Spreading sexual rumors frequency	.317*	.100	0.046	40

*Note.* \*Correlation significant at the 0.05 level (2-tailed) \*\*Correlation significant at the 0.01 level (2 tailed)

Correlational analyses were used to examine the relationship between teachers viewing cyberharassment as a serious problem and the perceived effectiveness of DASA training. Results indicated a negative correlation between the effectiveness of DASA training on legal issues  $r = -0.613$ ,  $n = 18$ ,  $p = 0.007$  and cyberharassment viewed as a serious problem. This suggests the more effective teachers view DASA training focus on legal issues, the less likely they will report cyberharassment as a serious problem. There was no significant correlation on the effectiveness of DASA on procedural issues when compared to cyberharassment being seen as a serious problem. (see Table 5).

Additionally, Table 5 depicts a Pearson product-moment correlation coefficient computed to assess the teachers opinion of if cyberharassment was a serious problem and teachers years of experience in the school. There was a correlation between the two variables,  $r = 0.425$ ,  $n = 30$ ,  $p = 0.019$ . This suggests that the more experience and time spent at the school, the more teachers see cyberharassment as a serious problem. There was no significant correlation on how teachers view cyberharassment when compared to the teachers experience in New York state.

Table 5

*Correlation of Teachers Opinion of if Cyberharassment as A Serious Problem and Training*

<b>Cyberharassment A Serious Problem</b>	Pearson Correlation	r <sup>2</sup>	Sig (2 tailed)	n
Teachers experience in this school	0.425*	0.180	0.019	30
Teachers experience NYS	0.273	0.074	0.145	30
How effective was DASA training on legal issues	-0.613**	-0.375	0.007	18
How effective was DASA training on procedural issues	-0.397	-0.157	0.093	19
<b>Overall effectiveness of DASA</b>	<b>-0.516*</b>	<b>-0.266</b>	<b>0.017</b>	<b>21</b>

Note. \*Correlation significant at the 0.05 level (2-tailed) \*\* Correlation significant at the 0.01 level (2 tailed)

Educating students about appropriate online behavior is essential and is one of the objectives of DASA. Descriptive statistics were used to determine how often teachers talk to their students about appropriate online behavior. It was reported that 40.4 percent of the teachers talk to their students monthly, 6.4 percent indicated weekly while 23.4 percent indicated never.

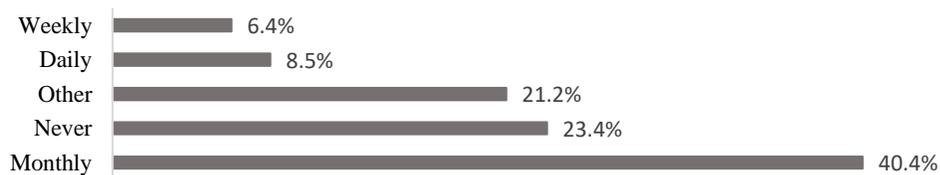


Figure 3. Frequency in which teachers talk to their students about online behavior. Note: (n =47)

A content analysis was conducted on the responses of those teachers who reported “other” and provided an explanation as to why. In this case 38 percent of the teachers reported they discuss online behavior as needed while 28.6 percent indicated it does not pertain to the subject matter. Interestingly, one teacher commented they do not understand the need for preventive measures (see Table 6).

Table 6

*Descriptive Statistics For Reasons Teachers Do Not Consistently Discuss Online Behaviors*

<u>Reasons</u>	<u>n=21</u>	<u>Percent</u>
As needed	8	38.0%
It does not pertain to the subject I teach	6	28.6%
Once or twice a year	5	23.8%
Throughout the year	1	4.8%
I do not know of any problem that I've run into with any of my students. I do not understand the need for preventive measures to be taken.	1	4.8%

Of the teachers ( $n=12$ ) that chose to explain why they do not implement DASA standards (e.g., honesty, respect, and dignity) into their lesson plans, a content analysis showed 33.3 percent stated they lead by example, while 25 percent stated it was not required. Additionally, 16.8 percent stated it does not align with their curriculum (see Table 7)

Table 7

*Descriptive Statistics Why DASA Standards Are Not Implemented Into Lesson Plans*

<u>Reasons</u>	<u>n=12</u>	<u>Percent</u>
Lead by example	4	33.3%
Not required	3	25.0%
Does not align with my curriculum	2	16.8%
Never thought to do so	1	8.3%
Time constraints	1	8.3%
Never saw DASA curriculum	1	8.3%

As another means to determine how teachers talk to students about civility, the respondents were asked to select from a list of 25 resources recommended by DASA to educate students on the impact of cyberharassment. Figure 4 depicts the most frequently used resources available to teachers. Fifty seven percent used NYS P-12 Common Core Standards, followed by Cyberbullying.org (47.6 percent). Of the remaining resources provided, fewer than 20% teachers reported using each resource. See Appendix G for the complete list of resources available.

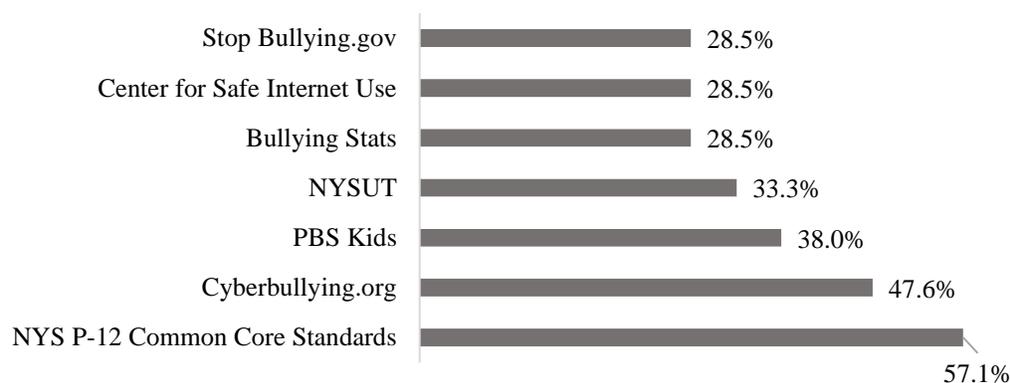


Figure 4. Teachers most commonly used instructional resources

Instilling civility in the classroom is the primary objective behind DASA. Descriptive analysis shows 53.3 percent of respondents reported that DASA's effectiveness has been average. Conversely, 23.4 percent of the respondents reported DASA's effectiveness as poor and 8.5 percent reported DASA's performance as very poor (see Figure 5).

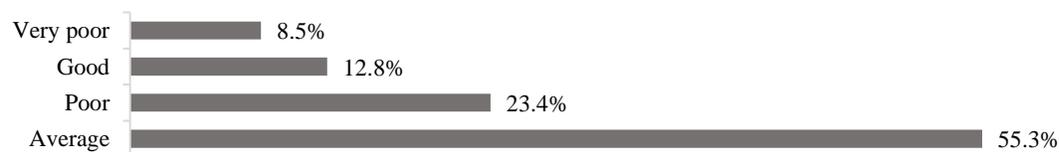


Figure 5. How effective DASA in cultivating civility

Overall, 78.7 percent of the respondents are of the opinion that the number of cyberharassment incidents occurring at the school has stayed the same and has had little impact on reducing victimization, while 14.9 percent responded DASA has decreased incidents slightly. (see Figure 6).

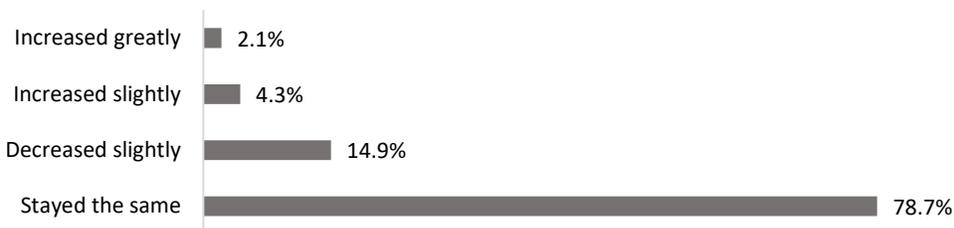


Figure 6 Has DASA impacted the number of cyberharassment incidents

A Pearson product-moment correlation coefficient was computed to assess the relationship between the perceptions of the effectiveness of DASA in cultivating civility and cyberharassment being a serious problem. There was a negative correlation between the two variables,  $r = -0.426$ ,  $n = 29$ ,  $p = 0.021$ . Overall, there was a strong, negative correlation between DASA cultivating civility and teachers view of cyberharassment as being a serious problem. How teachers view DASA in cultivating civility were correlated with how teachers view cyberharassment (see Table 8).

Additionally, Table 8 depicts a Pearson product-moment correlation coefficient which indicated that there was a significant positive association between the effectiveness of DASA in cultivating civility and how often teachers discuss online behavior,  $r = 0.324$ ,  $n = 41$ ,  $p = 0.324$ . This suggests the more teachers discuss online behavior the more they perceive DASA as effective in cultivating civility. However, when a Pearson product-moment correlation coefficient was computed to assess the relationship between the effectiveness of DASA and teachers experience at this school, there was a negative correlation between the two variables,  $r = -0.345$ ,  $n = 44$ ,  $p = 0.022$ . This suggests the more experience teachers have at this school the less they feel DASA is effective in cultivating civility.

Table 8

*How Effective DASA In Cultivating Civility***Has DASA been effective in cultivating civility in the classroom.**

	Pearson Correlation	$r^2$	Sig (2 tailed)	<i>n</i>
Cyberharassment a serious problem	-0.426*	-0.181	0.021	29
Teachers experience at this school	-0.345*	-.119	0.022	44
How often online behavior discussed	0.324*	.104	0.324	41
Teachers experience in NYS	-0.226	.051	0.140	44

*Note.* \*\* Correlation is significant at the 0.01 level (2 tailed) \*Correlation significant at the 0.05 level (2-tailed)

The respondents had the opportunity to provide a short answer as to why DASA has not been effective in cultivating civility. A content analysis was performed ( $n = 25$ ), 36 percent of the teachers reported students are not aware of DASA, 20 percent indicated that there is not enough training to educate students, and 16 percent reported DASA is mandate and is not a tool to educate (see Table 9).

Table 9

*Reasons DASA is Ineffective*

Reasons	<i>n</i> =25	Percent
Students are not aware of what DASA is	9	36.0%
Not enough training to educate students	5	20.0%
DASA is a mandate and not a tool to educate	4	16.0%
Inappropriate behavior is not taken seriously enough	3	12.0%
Hard to tell if working	3	12.0%
Being able to monitor online behavior keeps them safer	1	4.0%

## Summary

This survey-based research study was conducted at one public middle school in Upstate New York during the 2017-2018 school year. The results of this study are based on 47 public school teachers from that school (out of a total of 63). Participation in the survey was voluntary, and the administration of the survey was anonymous and confidential. This chapter detailed the descriptive statistics used in the study as well as correlation coefficients to measure how two variables were related. The null hypothesis is not rejected.

Overall, 57 percent of the respondents indicated they observed some form of cyberharassment. The strongest response (61 percent) as to why a student may be a victim of cyberharassment was for being socially awkward. Of the cyberharassment behaviors that students exhibit, sexting was the most witnessed by teachers (38.3 percent) with 94.4 percent indicating a frequency of once a year. The sending of pictures to embarrass was observed by 23.4 percent of the teachers, 54.5 percent observed the frequency of once a month.

Additionally, the cyberharassment behavior of cyberstalking was observed by 14.9 percent of the teachers, 50 percent reporting it occurs once a month. The findings also show that 55.3 percent of the respondents stated that DASA has had average results in cultivating civility in the classroom. Moreover, 40.4 percent of the teachers talk to their students about appropriate online behavior once a month, while 23.4 percent never do.

A Pearson correlation which indicated that there was a significant positive association between teachers perceptions of the effectiveness of DASA in cultivating civility and how often teachers discuss online behavior,  $r = 0.324$ ,  $n = 41$ ,  $p = 0.324$ . This suggests the more teachers discuss online behavior the more effective they view DASA is in cultivating civility. However, when a Pearson product-moment correlation coefficient was computed to assess the relationship

between the effectiveness of DASA and teachers experience at this school, there was a negative correlation between the two variables,  $r = -0.345$ ,  $n = 44$ ,  $p = 0.022$ . This suggests the more experience teachers have at this school the less they feel DASA is effective in cultivating civility. Additionally, the findings show that three quarters (78.7 percent) of the respondents are of the view that the number of cyberharassment incidents occurring during the 2017-2018 school year has stayed the same.

Chapter 5 will discuss these findings in greater detail and their relationship with the literature. Additionally, it will make several recommendations that support the literature, as well as providing insight for future research.

## **Chapter 5: Discussion of the Research Findings**

Children of this decade are faced with the phenomenon of cyberharassment. Unlike traditional forms of bullying where victims often are able to escape their perpetrator, victims of cyberharassment have a more difficult time doing so. This phenomenon has led to the need for intervention policies in schools, such as the Dignity for All Students Act (DASA). This research focused on public school teachers at one specific Upstate New York public middle school and their lived experience with DASA.

The study used the bioecological model theory put forth by Bronfenbrenner and Morris (1998), specifically the concept of the proximal process, as its theoretical framework to examine the relationship between the school's environment and civility. Other variables such as tenure, the use of key resources, and frequency of discussion teachers had with their students about appropriate online behavior were also explored to further understand teacher's experience with DASA.

This chapter presents the research results garnered from this study and discussed in Chapter 4. The chapter contains eight sections that include summary of research results, discussion of the results in relation to the theoretical framework, discussion of the findings in relation to the literature, limitations, and implications for future research for practice, implications for future research, recommendations, and conclusion.

### **Summary of the Research Results**

Researchers began to see a shift in adolescent social interaction as early as 2002. Peck (2002) noted that society, as a whole, seems less concerned about the interaction among each other and more concerned toward the self and technology. Additionally, Wilkins et al., (2010) observed that the pervasiveness of technology and the constant need for students to be online,

their relationships have become less important, and courtesies are virtually non-existent. This shift in human interaction has become even more prevalent in 2018. As K-12 students continue to utilize social media to communicate, relationships become less about personal feelings, and pleasantries and more about impersonal emoticons. Cyberspace has become their new playground and an extension to display disparaging behaviors with the option of remaining anonymous. This study looked at the cyberharassment behaviors of cyberbullying, cyberstalking, and sexting.

The purpose of this quantitative study was to survey how public school teachers perceive the efficacy of the intervention of DASA on the climate of civility in the classroom at one specific public middle school located in Upstate New York. The intent was to explore the efficacy of the intervention put into place in 2012 by Governor David Paterson to address cyberharassment and to cultivate civility in the classroom. Three research questions guided this study, 1) How seriously do teachers view cyberharassment? 2) How often do teachers talk to students about appropriate online behaviors? And, 3) Has DASA been effective in cultivating civility in the classroom and within the school?

A Pearson product-moment correlation coefficient was computed to assess the relationship between the effectiveness of DASA and teachers' experience shows that the more experience teachers have at this school the less they feel DASA is effective in cultivating civility. The lessons in civility and intervention policies such as DASA need to be continuous and reinforced to be effective (Mishna et al., 2011). The findings of this study suggest an inconsistency among teachers in addressing online behavior with their students. Some teachers (38 percent) indicated they discuss appropriate online behavior with their students "as needed," while 29 percent indicate they never do. Additionally, 55.3 percent view DASA as having an

average effect on cultivating civility as a part of the school's culture. Moreover, 78.7 percent of the respondents believe DASA has had little impact on cyberharassment incidents.

This study found that sexting, the spreading of sexual rumors, and cyberbullying occur with some frequency. Approximately 61 percent of the responses indicated social awkwardness was the main reason a student was harassed, followed by the clothes students wear (53.2 percent), physical appearance (50 percent), sexual orientation (29.8 percent), and being sexually active (27.7 percent). When looking at the frequency in which cyberharassment was observed, sexting among students was witnessed by 38.3 percent of the respondents with the majority (36.2 percent) indicating the frequency of at least once a year with 2.1 percent of the faculty reporting the frequency as a monthly occurrence. The spreading of sexual rumors was observed by 34.0 percent of the participants with a frequency of once a year while 6.4 percent indicated the frequency as monthly.

### **Discussion of the Research Results**

The discussion of the findings will be first addressed in a relationship to the theoretical framework followed by its relationship to the literature, limitations, implications for practice and further research. The findings in this study are similar to the literature and well suited for the theoretical framework. Schools play a vital role in teaching civility to their students as suggested by Bronfenbrenner and Morris (1998).

#### **In Relation to the Theoretical Framework**

The Children's Hospital of Philadelphia Research Institute (2013) found that cyberharassment behaviors peak in early adolescence, specifically during middle school. Therefore, the climate or culture of the school has a significant impact on the development of children. The teachers at the middle school used in this study reported that the cyberharassment

behaviors of cyberbullying, cyberstalking, sexting, and spreading rumors online occurred with some frequency throughout the 2017-2018 school year. At least one teacher reported observing each of the cyberharassment behaviors monthly, and some were reported weekly. They also reported that being socially awkward was among the primary reasons someone would be targeted.

This study explored the association between a teacher's experience in teaching and his/her view of the seriousness of cyberharassment. The teachers reported that the more experience in teaching they had, the more they saw cyberharassment as a serious problem. The Bronfenbrenner and Morris (1998) proximal model exhibits four ecological systems that illustrated the influence each actor has on the social well-being of a child. These systems are the microsystem, mesosystem, exosystem, and the macrosystem. Since this study only examined the relationship between the student and the school, the microsystem was discussed. However, that was not to minimize the impact or importance of the other three ecological systems.

A teacher's tenure is a proxy for experience and one of their roles is to help the student socialize. Children spend a lot of time in school with these teachers who play a vital role in recognizing disparaging behavior as well as the effects of victimization that lead to competence outcomes. The Bronfenbrenner and Morris (1998) proximal process, specifically the micro-level, emphasized the role of the home, schools, peer-group, and the reciprocal interaction taking place between persons and symbols in one's immediate environment as being essential in human development and socialization.

If the interaction occurs regularly and extends over a long period of time such as a typical school day and subsequently a school year, then it makes the effects of the interaction even more impactful on the child's development (Bronfenbrenner & Morris, 1998). If disparaging behaviors

are left unchecked by an inexperienced teacher, then the effects are often negative and can impede learning as well as bring feelings of anxiety, depression, insecurity, and low self-esteem (Beran & Lupart, 2009; Hawker & Boulton, 2000).

Additionally, this study explored how often teachers talk to their students about appropriate online behaviors. The results suggest that some teachers may speak to their students “as needed” when it comes to talking to them about appropriate online behavior. This may suggest that as disruptive behaviors become known, an action is taken with some consistency, which is essential to the proximal process. However, others reported “it does not pertain to the subject matter,” which suggests that they never speak to their students, and others reported they hold discussions once or twice a year. This inconsistency can manifest dysfunctional outcomes.

Bronfenbrenner and Morris, (1998) help further explain how the five exposure determinants of duration, frequency, interruption, timing, and intensity have an effect on the proximal process. A reactive response is central to the proximal process, the timing of a teacher’s response to the actions of a student is critical, such as those teachers who responded “as needed.” If the response is timely, then the student makes the connection that behaviors have immediate consequences. However, if there is a delay in response, then the behavior continues without consequences. This inconsistency could affect the behavior of those involved by interpreting the non-response, as the teacher condoning the behavior. The student may then continue to display disparaging behaviors.

The teacher’s intervention has a direct effect on the duration or the length of time the child may experience victimization. Furthermore, the more teachers talk to their students, the more educated the students become and the more likely they will exhibit positive behaviors. This

intervention strategy will curtail the frequency of the cyberharassment events taking place, the timing, and its intensity or the dominance of the exposure the student experiences.

This study further explored the teachers' perception of DASA and its effectiveness in cultivating civility. Teachers reported their perception of DASA's effectiveness as "average" or poor in response to a survey question because the number of cyberharassment incidents had stayed the same since DASA's enactment in 2012. The theoretical framework used in this study underscores the importance of the interaction taking place between symbols and human interaction within one's environment. The interaction taken at the micro level, if not consistent, will foster behaviors inconsistent with competence outcomes. Students receive mixed signals because the message of civility is not uniformly being administered. Anything less than consistent lessens the perceived effectiveness of DASA.

### **In Relation to the Literature**

The literature review for this study provided background on the prevalence of cyberharassment in schools. Bronfenbrenner and Evans (2000) posit that schools have become the major setting of violence in the United States. This is evidenced by the victims of cyberharassment leading to the school shootings at Columbine and Taft Union High school as well as others. The literature also depicts many teen suicides that have been attributed to cyberharassment. The role of schools in addressing civility while projecting a positive environment has been scrutinized in much of the research literature.

Sabella et al. (2013) and Musu-Gillette et al. (2016), suggested that incidents of bullying by any modality among students ages 12-18 has decreased between 2005-2015. However, they noted that the incidents toward females increased from 19 percent to 23 percent during the 2015

school year. Policies such as DASA and those similar could be a contributory factor in the decline of such behaviors.

Mishna et al. (2011) noted that the nurturing effect of a safe environment by educating students on civility would result in a positive change in social behavior over time. DASA is one such intervention policy directed to improve school culture. Some studies, such as Espelage et al. (2012) encouraged intervention policies to focus on both empathy and personal responsibility. Teachers in this study reached out to the victim and the harasser enforcing both empathy toward the victim and accountability toward the harasser. The teachers also called the student's parents as further reinforcement of empathy and accountability.

In contrast to the QuERI (2015) study which reported that many educators while enthusiastic to better the school culture, lacked the knowledge and the resources to effectively make a change (Payne & Smith, 2015). This study found 57 percent of the teachers used NYS P-12 Common Core Standards as a resource. Additionally, 47 percent reported they used Cyberbullying.org and 38 percent used PBS kids. Teachers that utilize the resources provided by DASA improved the school's culture and effectively made a change. In addition, the resources provide a means by which teachers can talk to their students about appropriate online behavior.

In order for intervention programs to be effective, they must be reinforced (Mishna et al., 2011). The resources such as PBS Kids, Cyberbullying.org, NYSUT, and NYS P-12 Common Core Standards are resources that reinforce the tenets of DASA while educating the student and making the policy more effective. However, there was no survey question directed at the frequency of the use of those resources, but rather the finding only indicates that some teachers are aware of additional material available.

This study further explored the teachers' perception of DASA and its effectiveness in cultivating civility. More than half (55 percent) of the teachers reported that DASA's performance was only average in response to a survey question and 79 percent reported the number of cyberharassment incidents had stayed the same. This suggests that although some teachers utilize the resources provided and talk to their students, other teachers do not. The finding also illustrates that the need to enforce DASA must be uniformly applied by all teachers.

The behaviors expressed online suggest that incivility has increased in schools (Feldman, 2001; Peck, 2002). This study explored the association of a teacher's experience in teaching and if they view cyberharassment as hurtful. Research by Musu-Gillette et al. (2016) noted that in 2015, the majority (65 percent) of students, ages 12-18 did not feel that being a victim of harassment affected their schoolwork nor did it impact their self-esteem. However, 17 percent of those harassed indicated the impact was hurtful. Hawker and Boulton (2000) found that students who are victims of cyberharassment experience anxiety, insecurity, low self-esteem, self-blame, and cautiousness.

The teachers in this study reported that some of the reasons students are cyberharassed were because of their physical appearance, social awkwardness, sexual orientation, and for being sexually active. Technology (e.g., social media) makes these normal adolescent growth traits that were once verbal teasing known only by a few, now known seemingly to the whole world. Additionally, this study found that the more experience the teacher has, the more they saw cyberharassment as hurtful. As students continue to immerse themselves in online activities and social media, relationships become less important, and courtesies appear to have become non-existent (Wilkins, Caldarella, Crook-Lyon, & Young, 2010).

Cyberharassment as well as other forms of harassment, increases during the middle school years when the students are most vulnerable. Wolak et al. (2007) suggested that bullying requires three elements: 1) aggressive acts including verbal 2) repetition and 3) an imbalance of power between the victim and perpetrator. Benotsch et al. (2013) posit that sexting is an essential element to cyberharassment and meets the three elements suggested by Wolak et al. The teachers in this study reported that sexting and the spreading of sexually based rumors were among the behaviors exhibited by students.

When school officials become aware of sexting and the spreading of sexually based rumors they have to determine if there was malicious intent and if the act was criminal and not just teenage behavior. The officials must determine if the photographs were taken by a friend who then disseminates the images electronically with the intent to harm the other person's reputation (Lorang et al., 2016; McNeil, & Binder, 2016; Walsh et al., 2013). Many times sexting is experimental and exciting for the student and a way to begin a sexual relationship.

The New York State Department of Education Office of School Innovation in their *2013 Guidance for DASA Implementation Policy* stated that determining the intent of a student who demonstrates bullying behaviors may be difficult. Also, during the school's investigation school officials must talk to the victim to ascertain the victim's perception of the incident. From a legal perspective, the standard of intent was first defined in *Watts v. United States* (1969).

Often, when these behaviors “go online” teens are unaware of the legal consequences of their actions and the magnitude of harm it has on the victim. School officials must be careful interpreting the teens’ intent. Officials must discern that a teenager of ordinary intelligence would know the difference between sexting and that the possession of child pornography is illegal.

Cyberstalking presents a challenge for schools because there is no universal definition. However, there is an agreement in the literature that identifies the behavior to include technology to stalk or harass someone aggressively over time (Bocij & McFarlane, 2003; Finn, 2004; Navarro et al., 2016; Nobles et al., 2014). This study revealed that nearly 15 percent of the respondents had observed cyberstalking occurring during the 2017-2018 school year. Marcum et al. (2014) and Finn (2001) found that adolescents are prone to the behaviors of a cyberstalker as well as being victimized. Victims can experience fear, terror, anxiety, intimidation, and loss of a sense of control primarily because they cannot identify the stalker (Hazelwood & Koon-Magnin, 2013).

The fostering of a supportive and safe environment in and around the classroom should always be the educator's primary concern. This positive school climate is essential to a student's learning. Schools must provide an environment that is free of crime and violence (Musu-Gillette et al., 2016). The extent that harassment exists is relative to that individual school's climate (Gottfredson, Gottfredson, Payne, & Gottfredson, 2005; Kartal & Bilgin, 2009; Meyer-Adams & Conner, 2008). It is imperative that teachers address even the low-level acts of incivility in the classroom so as not to condone the behavior (Feldman, 2014).

### **Limitations of the Study and Impact on Results**

The findings of this study are derived from one school and are not generalizable to the entire district or to other schools outside the district. Other studies, such as Siena College Research Institute (2016), had a much larger sampling spanning many New York state schools. Having access to more than one public school in a district of 12 public schools would have made the results more generalizable to other populations. This one school provided 47 responses from

a paper survey with a faculty size of approximately 60. Additionally, this study did not have a methodology in place to capture participation from the absent teachers at a later date.

### **Implications of the Research Findings for Practice**

If Bronfenbrenner & Evans' (2000) prediction hypothesis that the 21<sup>st</sup> century will bring a growing threat of a major breakdown in social development is true, then lessons in civility need to be pervasive and consistent. The dramatic increase in school shootings, teen suicides, and emotional distress of students brought on by cyberharassment could very well support this prediction. The new age of bullying has placed a tremendous burden on schools. Proactive measures by administrators and the involvement of the student in the process are essential.

This research sought to address the climate of civility as perceived by the teachers governed by DASA and to contribute to the current knowledge of the relationship between DASA and instilling civility in the classroom. This study involved a relatively small number of 47 participants from one Upstate New York public middle school. However, that is not to diminish the importance of these findings. The quantitative findings of this study indicate a negative relationship exists between DASA and its effectiveness in creating a positive school culture. A policy, in and of its self, is meaningless if not embraced by all. There must be consistency and continuity in its enforcement. This study also found that teachers were inconsistent in the application of DASA. Inconsistencies in the use of resources, talking to students, and in reporting. And because of these inconsistencies, the full benefits of DASA is not realized.

The data from this study would support that practitioners and school officials need to develop lessons on cyber hygiene as a separate academic course. This would ensure that lesson plans and course material would be consistently applied in the same manner as a math course for

example. And like a math course, the lessons would be age appropriate and serve as building blocks as the student moves through the K-12 education system.

Until such standardization occurs, it would behoove the school used in this study to standardize and enforce the lessons found within DASA. The data identified that teachers perception of DASA was “average,” and in spite of the required annual training, localized training could be developed to address concerns specific to that school’s culture. Moreover, the data from this study would support student-to-student contracts be developed in which students agree not to harass one another. This measure would further improve the school’s climate.

DASA’s resource guide for school administrators and faculty (2013, p. 7) defined school climate as a part of the culture as, “the quality and character of school life. It may be based on patterns of student, parent, and school personnel experiences within the school and reflects norms, goals, values, interpersonal relationships, teaching and learning practices, and organizational structures.”

The data from this study further supports the measures the school is taking now, for example, they take steps to interact with families and implement various programs that other schools and practitioners should model. For example:

- Parent teacher conferences.
- Best Buddies Group- pairing a special need student with a “buddy.”
- Please Stand-up Anti-Violence program.
- Character Coupon- students are awarded school memorabilia when they exhibit good character.

These programs encourage positive social interaction and educate the student on how to demonstrate positive behaviors. Specifically, programs such as Best Buddies where a special

needs student is paired with a peer. This student-student program breaks down the barriers and the stigma often associated with those with a learning disability and lessens the chances of becoming a victim of cyberharassment.

The literature noted that the lessons in civility and intervention policies such as DASA need to be continuous and reinforced to be effective (Mishna et al., 2011). The results of this study found that teachers talk to their students “as needed,” which is a reactive measure and addresses incivility only after it occurs. The data from this study supports the more proactive measure to reinforce lessons in civility by promoting articles and cartoons in their school newspaper.

For example, a student illustrated and composed a cartoon that was published in the school’s newspaper. The message in the student's voice is clear to report bullying to school officials and not to turn a blind eye (see Appendix H). Another example of student participation to bring awareness of how to cope when faced with drama can be found in a student-written article. The article speaks to the behavior of spreading rumors and how rumors can ruin someone’s life. The article gives advice not to spread rumors and to seek a trusted adult for help if needed (see Appendix I). In the same school newspaper, it addressed a question of bullying presented by a parent on how to prevent their daughter from becoming a victim of bullying. Again the message is clear and gives advice for the daughter to join a club, make friends, and if she is bullied to seek help from an adult (see Appendix J).

On the practical side, it appears that articles such as these send a positive message from a student’s perspective and this practice should be a model for other schools. When combined with the message from adults, students are more apt to listen. The strategy of combining voices gives DASA a better chance of mitigating cyberharassment.

### **Implications of the Research Findings for Future Research**

This study looked at how DASA has changed the culture of the school through the lens of the teacher. To add to the research, students should be surveyed and interviewed. Information obtained by the students could provide data on what is working and what is not as far as actions taken by the school to instill civility. It would be interesting to also look deeper into the impact of Bronfenbrenner and Morris other bioecological systems of the mesosystem, exosystem, and the macrosystem and their impact on student development. Each of these *systems* expands outward and interaction among other societal forces become more complex and impacts the child's socialization skills.

Further research on the effectiveness of parent-teacher conferences would be an extension into understanding the mesosystem and its connection to the microsystem in the overall interaction with the school's climate. Understanding the role of the parents/guardians is vital to the development of a positive school environment. Extending further outward, a study to understand the influences of the exosystem (e.g., parents workplace) even though the child is not directly involved would provide knowledge in understanding the relationship between parents, child, and school.

Additionally, schools have become diverse and the classrooms are filled with students from various cultures bringing with them different customs. Further research is needed to understand if the international students' needs are being met and gauge their sense of belongingness. This examination of the macrosystem would provide information to school officials to address any deficiencies, thus mitigating incidents of cyberharassment.

In addition to reporting to DASA, the Upstate New York middle school used in this study also reports criminal behavior under the federal Unsafe School Choice Option (USCO).

The USCO requires each state to determine annually which public schools are “persistently dangerous.” New York State does so through the Violent and Disruptive Incident Reporting (VADIR) system. VADIR collects data in 20 different categories including arson, homicide, robbery, and larceny and other criminal offenses contained in the New York State penal code.

The New York State Education Department collects the VADIR data. New York State has revised VADIR, which took effect in July of 2017. Most notably, it reduced the current 20 categories to nine (Harris, 2016; Zimmerman, 2016). VADIR and DASA should be studied closer as to why behaviors are mapped to one system over the other.

Table 10 shows a disparity between reported incidents of bullying between DASA and VADIR. The data includes all reporting public schools situated in New York. The table reflects the data from the district used in this study. Disparity more than doubled in some cases. For example, the 2014-2015 school year where the number of bullying incidents reported to DASA was 23, yet under VADIR the number is 169, resulting in a 635 percent difference. In all instances, the number of bullying incidents reported under DASA is significantly less than VADIR. The district has not reported an incident of cyberbullying to date. The key question reserved for future research is why does the disparity exist? Also, why are there no reports of cyberbullying? Appendix K defines the criterion used for the three VADIR categories listed in (see Table 10). The concern is that some schools may exaggerate incidents labeled as dangerous to obtain additional funds, while others may under report to retain teachers and students.

Table 10

*Comparison of Reported Incidents Between DASA and VADIR*

School Year	Reported DASA Cyberbullying	Reported DASA Bullying	Intimidation Harassment Menacing Bullying Reported VADIR	Other Sex Offenses Reported VADIR	Other Disruptive Behaviors Reported VADIR
2015-2016	0	70	135	6	394
2014-2015	0	23	169	10	540
2013-2014	0	57	163	20	484
2012-2013	Not enacted	117	232	12	550
2011-2012		Pre DASA	165	12	582
2010-2011			162	19	443
2009-2010			176	10	367
2008-2009			147	11	518

Note: NYSED Information and reporting services

There are many online dangers in which children can fall prey. Further research of the dangers of being a victim of online sextortion also needs to be examined. Students need to become educated in the seriousness of sharing personal information online. According to Siena et al. (2016), 33 percent of students have shared personal information with someone they met only online, and 7 percent agreed to meet up with someone whom they met only online. Moreover, the National Center for Education Statistics (NCES) found that 57 percent of the children between the ages of 13 and 17 created online accounts without the knowledge of their parents (2017).

The National Center for Missing and Exploited Children defines sextortion as:

A relatively new form of sexual exploitation that occurs primarily online and in which non-physical forms of coercion are utilized, such as blackmail, to acquire sexual content (photos/videos) of the child, obtain money from the child or engage in sex with the child. (2018, para. 1)

Girls make up 78 percent of the sextortion victims, and boys make up 15 percent of the victims; the gender of the remainder of the victims could not be identified (NCMEC, 2018). Even though

females have a higher chance of being a victim, predators will pursue anyone that they can manipulate (NCMEC, 2018).

Further education and awareness of the online dangers must be incorporated both at home and in the schools. One method to accomplish this is public service announcements (PSA) to inform parents and children to think before they click. While some PSA announcements may exist, they are not done with sufficient frequency. Additionally, cyber hygiene classes need to be implemented into the K-12 curriculum to teach children netetiquette.

### **Conclusion**

Social media has given children the empowerment to attack other students, often with anonymity. This study set out to examine teacher's lived experience with DASA. Teacher's response to a survey question on DASA effectiveness in cultivating civility reported an average performance in cultivating civility in the classroom and having little to no effect in minimizing cyberharassment. Additionally, some teachers never speak to their students about online behavior while others stated that they do only on an as-needed basis. One reason that teachers cited for not talking with their students about civil online behavior is that they believe it is not a part of their curriculum or subject matter.

A possible reason for the apathetic view of DASA is that the teachers are not unified in their administration of DASA. While incidents may or may not be occurring, they do not view DASA as a change agent. Teachers believe in the spirit of DASA, but perhaps not so much the mechanics of the policy. Teachers may also feel that exhibiting and expecting respect is within their normal day-to-day interaction with students and cyberharassment while a relatively new term, is affixed to an old problem.

Schools acknowledge their role as an institution that insists on positive behaviors, but they are just one of many institutions. Bronfenbrenner & Evans (2000) ecological model suggests that childhood behavior is learned first from family and school, extending outward to society as a whole, each having a role in childhood development. Therefore, to put the sole ownership of socialization on the school is unfair.

If all humanity needed were policies and laws that state “thou shall not,” our prisons would be empty, there would be no school shootings by victims of cyberharassment, and there would be no tragic teen suicides. But, the reality is humanity does need policies and laws to govern civil behaviors. In the words of Thomas Hobbs, “It is not wisdom but authority that makes a law.” The conundrum remains if you were to ask Plato “Good people do not need laws to tell them to act responsibly, while bad people will find a way around the laws.”

It may never be known just how many incidents of cyberharassment DASA intervention, and other programs like it, has prevented in New York because schools count only incidents that have occurred and not the ones that have not. A further complication is that civility is ambiguous and is most obvious when it is not present (Boyd, 2007). The value of the spirit of DASA cannot be underestimated. It was designed to embrace diversity through education and spirit.

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## Appendix A

### Six Sections of DASA

**Section one.** “Gives the reasoning and the intent for DASA’s enactment. It discusses the importance of a safe and secure learning environment for students and staff. The legislature acknowledges the harm of “twenty-four-hour connectivity” and understands that a victim of cyber abuse has no reprieve. They also know that most cyberharassment can be initiated off-campus, but still, affects the school culture.

**Section two.** This section is intended to give school districts the tools to address the harmful effects of bullying, harassment, and discrimination regardless of its modality. Such as, teachers receive training in recognizing the symptoms of students who are experiencing harassment and web-based instructional resources to teach children civility. Additionally, it defines the terms harassment, bullying, and cyberbullying. The definitions are parallel those in the literature.

**Section three.** Section three states that the school must appoint a school employee to act as the DASA Coordinator. The designee will be responsible for receiving reports of harassment, bullying, and discrimination. Additionally, the school must provide a pathway for students and parents to report incidents either orally or in writing to the DASA Coordinator. This section also mandates the reporting and investigatory procedures. And, if the incident constitutes criminal conduct, school officials are to notify local law enforcement.

**Section four.** Schools are directed to conduct training programs for both students and school officials to raise awareness, sensitivity, and the social patterns of bullying, harassment, and discrimination. Moreover, the school must select and provide training for a staff member to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and expression), and sex at each school.

**Section five.** The Commissioner of Education has the responsibility to provide guidance and educational materials on cyberbullying to the school district. Moreover, they must work with families while fostering a relationship with the community in addressing cyberbullying whether on or off school grounds. Section Five mandates the Commissioner is to receive annual incident reports from the school.

**Section six.** Gives the Regents the responsibility to implement the curriculum on civility. Instruction for kindergarten through grade twelve is to include a component on civility, citizenship, and character education. Education is to address both character trait building (e.g. honesty, tolerance, responsibility) and technological skills (e.g. responsible use of the Internet and social media)” (Riddell, 2015. p. 10).

## Appendix B

### Second Circuit Title IX Cases

*Bari v. New York City Department of Education* (N.Y. Sup. Ct. 2004)

- Jury verdict: \$195,000
- Harassment/Injuries: Physical and verbal harassment over a three-year period in grade school. The school neglected the parents request to keep the two boys separated. The school place the boys in the same classroom. The victim withdrew from school. The school took no action to protect the victim.

*Mohawk Central School District, No. 09-cv -00943-DNH-DEP* (N.D.N.Y. 2009).

- Settlement: \$75,000.
- Harassment/Injuries: Harassment involving gender-based stereotyping. Plaintiff was a victim of student-student harassment because he did not conform to gender stereotypes. He exhibited feminine mannerisms and adorned nail polish and wore makeup.
- Causes of action: Claim 42 U.S.C. §1983 alleging equal protection violation and Title IX claim for deliberate indifference to sex discrimination.

*Premi v. The City of New York, No. 09-cv-2348-FB-VVP* (E.D.N.Y. 2010)

- Settlement: \$30,000 and injunctive relief.
- Harassment/Injuries: Physical and verbal harassment-ethnicity.
- Causes of action: Title IX, total indifference to student-student harassment.

*Zeno v. Pine Plains Central School District, 702 F.3d 655* (2d Cir. 2012)

- Jury verdict: \$1.25 million, reduced by a judge to \$1 million.
- Harassment/Injuries: Racial harassment, including assault. Zeno was a bi-racial student who experienced severe and relentless taunts and racist bullying. Even though the school

district took action in Zeno's behalf against the aggressors the appeals court held that there was sufficient evidence for the jury to conclude that the school district should have done more to stop the harassment. Second Circuit affirmed \$1 million judgment.

- Cause of action: Title VI claim for deliberate indifference to racial harassment.

*Kahn v. Onteora Central School District, No. 12-CV-206-TJM* (N.D. N.Y. 2013)

- Settlement: Undisclosed amount.
- Harassment/Injuries: Plaintiff was subjected to five years of verbal and physical anti-gay comments. He subsequently dropped out of school.
- Cause of action: Title IX, deliberate indifference to student-student harassment.

*Pratt v. Indian River Central School District, No. 09-cv -411-GTS GHL* (N.D.N.Y. 2013)

- Settlement: Unknown amount and injunctive relief.
- Harassment/Injuries: Plaintiff endured anti-gay harassment for over ten years as a student. Suffered verbal taunts such as "faggot," "sissy," and "fudge packer." The high school's response was the principal told the aggressors to "tone it down."

Causes of action: Claims under 20 U.S.C. §4071 for violations of the Equal Access Act; claims under 42 U.S.C. §1983 for denial of rights to free speech and association, and denial of equal protection and state law claims, including violations of the New York State Constitution, the New York Human Rights Act, and the New York Civil Rights Act. (Jury Verdicts and Settlements in Bullying Cases, 2017, p. 30)

## Appendix C

### DASA Definition:

"Harassment" and bullying" shall mean the creation of a hostile environment by conduct or by [verbal] threats, intimidation or abuse, including cyberbullying, that (A) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being; or [conduct, verbal threats, intimidation or abuse that] (B) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; [such conduct, verbal threats, intimidation or abuse includes but is not limited to conduct, verbal threats, intimidation] or [abuse] (C) REASONABLY CAUSES OR WOULD REASONABLY BE EXPECTED TO CAUSE PHYSICAL INJURY OR EMOTIONAL HARM TO A STUDENT; OR (D) OCCURS OFF SCHOOL PROPERTY AND CREATES OR WOULD FORESEEABLY CREATE A RISK OF SUBSTANTIAL DISRUPTION WITHIN THE SCHOOL ENVIRONMENT, WHERE IT IS FORESEEABLE THAT THE CONDUCT, THREATS, INTIMIDATION OR ABUSE MIGHT REACH SCHOOL PROPERTY. ACTS OF HARASSMENT AND BULLYING SHALL INCLUDE, BUT NOT BE LIMITED TO, THOSE ACTS based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex. FOR THE PURPOSES OF THIS DEFINITION THE TERM "THREATS, INTIMIDATION OR ABUSE" SHALL INCLUDE VERBAL AND NON-VERBAL ACTIONS. (NYS Assembly Bill A10712, p 1-6)

## Appendix D

### New York State Sexting Statute

Pursuant to Assembly Bill A08170 (same as S05253-B).

The two persons involved in sending and receiving the message must both be under twenty and must be within five years of age from each other. They will have to participate in an educational reform program that involves a maximum of eight hours of instruction that provides information regarding the legal consequences and non-legal consequences of sexting, and the problems associated with technology and bullying.

(HB-A-08170, 2012, p.1)

## Appendix E

### Consent Form

Northeastern University, Department of: Law and Policy

**Name of Investigator (s):** Principal Investigator-Dr. Monica Savoy: Student Researcher-Chris Riddell

### Request to Participate in Research

I would like to invite you to take part in a research project. The purpose of this research is to examine how teachers perceive the efficacy of the intervention of The Dignity for All Students on the climate of civility in the classroom in one Upstate New York public school. The intent is to explore the efficacy of the intervention put into place in 2012 to address cyberharassment and cultivating civility in the classroom.

This study survey is for public school teachers working in a public school

**You must be at least 18 years old** to be in this research project

**There are no foreseeable risks in this study you are simply asked to complete a survey.**

**There is no payment or reward for taking this survey.**

**There are no direct benefits to you for participating in the study.** However, by participating in the study, others may benefit by learning how the Dignity for All Students Act is being implemented at the school. Thus, benefiting by the results.

**Your part in this study is anonymous.** No one, including the researcher, will be able to link your responses to you. Any reports or publications based on this research will use only group data and will not identify you or any individual as being of this project

**The decision to participate in this research project is up to you.** You do not have to participate and you can refuse to answer any question. Even if you begin the study, you may withdraw at any time.

**You will not be paid for your participation in this study.**

**If you have any questions about the study,** you may contact Chris Riddell at Riddell.c@husky.neu.edu. Or at (315) 525-8978. Or my committee chair Dr. Savoy at (301) 244-8557, Principal Investigator. Please do not email the student researcher at any other email address as those must be deleted without response per Northeastern University IRB.

**If you have any questions about your rights in this research,** you may contact Nan C. Regina, Director, Human Subject Research Protection, Mail Stop: 560-177, 260 Huntington Avenue, Northeastern University, Boston, MA 02115. Tel: 617.373. 4588, Email: [n.regina@northeastern.edu](mailto:n.regina@northeastern.edu). You may call anonymously if you wish.

You may keep this form for yourself.

Thank you.

Chris Riddell

## Appendix F

### Survey Instrument

Thank you for taking the time to take this survey, it should take you approximately 5-10 minutes to complete. It is organized into three sections. Section I: Perceptions, Section II: Behaviors, and Section III: The Impact of DASA.

#### Section I: Perceptions

1. Since the start of the school year, have you *witnessed* some form of cyberharassment (e.g. sexting, bullying, stalking) among your students?
  - a. Everyday
  - b. A few times per week
  - c. A few times per month
  - d. A few times per school year
  - e. Never
  - f. Don't know

2. Indicate your level of agreement with the following statement: Over the last school year, cyberharassment among my students was a *serious problem*.

Strongly Disagree    Disagree    No Opinion or Uncertain    Agree    Strongly Agree

3. I think cyberharassment is \_\_\_\_\_ hurtful to the victim than face-to-face verbal harassment.

Less	Equally	More	Don't Know
------	---------	------	------------

4. During a typical school month, how many times do your *lesson plans include* a standard found in the DASA curriculum (e.g., honesty, respect for others, dignity)?
  - a. Every school day
  - b. 3-4 days
  - c. 1-2 days
  - d. Never
  - e. Don't know

If never please explain why. \_\_\_\_\_

5. Since the start of the school year, how many *training programs were offered* to the students by the school to raise awareness on the importance of civility?
  - a. None
  - b. 1-2

c. 3-5

6. Do parents/guardians receive information from your school that informs them of the purpose of the Dignity for All Students Act?

Yes \_\_\_\_\_ No \_\_\_ Don't know \_\_\_\_\_

7. To the best of your knowledge, has your school worked with families to foster a relationship with the community in addressing cyberharassment whether on or off school grounds.

Yes \_\_\_\_\_ No \_\_\_ Don't know \_\_\_\_\_

8. Do you feel teachers should be doing more to educate students on Internet safety?

Strongly Disagree Disagree No Opinion or Uncertain Agree Strongly Agree

9. If you observe incidents of cyberharassment which reporting system are you likely to use?

DASA \_\_\_\_\_ VADIR \_\_\_\_\_ Don't know \_\_\_\_\_

## Section II: Behaviors

10. In your experience, which of the following, if any, are reasons that your students have been targeted by a cyberharasser? (select all that apply)

- The clothes they wear
- Social awkwardness
- Being thought of as gay, lesbian, bisexual or transgender
- Being the new kid in school
- Being un-athletic
- Studying hard/being too smart
- Coming from a low-income family
- Being foreign-born/immigrant
- Having a different group of friends
- Being sexually active
- Physical appearance
- Having a disability
- Body piercings, tattoos, hair dyed
- None of these
- Don't know

11. Which of the following, if any, have you done after witnessing a student being cyberharassed (select all that apply)?

- Personally tried to manage the situation between the harasser and the victim
- Reached out to the victim
- Reached out to the harasser
- Reported it to the principal or DASA coordinator
- Called the victim's parents/guardian
- Called the harasser's parents/guardian
- None of these
- Don't know
- Other \_\_\_\_\_

12. How often do you discuss what is appropriate online behavior with your students?

- a. Daily
- b. Weekly
- c. Monthly
- d. Other \_\_\_\_\_
- e. Never

If never please explain why. \_\_\_\_\_

---

13. Since the start of the school year which of the following types of cyberharassment have you witnessed among students?

	Yes	No	I Don't Know	If Yes Frequency
Sexting-Sexually revealing pictures or videos shared online without the person's consent.				At least once a week _____ At least once a month _____ At least once a year _____ Other _____
Rumors and allegations about someone's sexual activity shared online.				At least once a week _____ At least once a month _____ At least once a year _____ Other _____
Pictures, video or comments meant to embarrass someone for their physical appearance online				At least once a week _____ At least once a month _____ At least once a year _____ Other _____
Cyberstalking-the use of technology to stalk or harass someone aggressively				At least once a week _____ At least once a month _____ At least once a year _____ Other _____
Cyberbullying- willful and repeated harm inflicted through computers,				At least once a week _____ At least once a month _____ At least once a year _____

cell phones, and other types of electronic devices				Other _____
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### Section III: The Impact of Dignity for All Students Act

14. In your opinion, how has the Dignity for All Students Act impacted the number of cyberharassment incidents in your school?

Decrease Greatly	Decrease Slightly	Stay the Same	Increase Slightly	Increase Greatly
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15. In your opinion, has Dignity for All Students Act been effective in cultivating civility in the classroom?

Very Poor   Poor   Average   Good   Excellent

In a few short sentences explain why or why not.

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16. Over the course of the school year, which of these instructional resources have you used to teach civility (e.g. politeness, respect, courtesies)?

	Yes	No	N/A
AbilityPath.org			
American Federation of Teachers			
American Psychological Association			
Anti-Defamation League			
Bridging Refugee Youth and Children Services			
Bully Police			
Bullying Statistics			
Center for Safe and Responsible Internet Use			
Collaborative for Academic, Social, and Emotional Learning			
Cyberbullying Research Center			
Cyberbullying.org			
CyberSmart			
Dignity for All Students Facebook Page			
GLSEN			
Ground Spark's Respect for All Project			
Guidance on Bullying and Cyberbullying Prevention Provided by NY DOE			
International Bullying Prevention Association			
I-Safe Inc			
National Association of School Psychologists			
National Crime Prevention Council			
National Cyber Security Alliance			
National School Climate Center			

NEA bNet@vvy			
NEA's Bully Free: It Starts With Me			
NYS Center for School Safety			
NYS DOE Dignity Act Web Page			
NYS P-12 Common Core Learning Standards			
NYSUT Education and Learning Trust			
NYSUT Social Justice Center			
NYSUT			
Pacer's National Bullying Prevention Center			
PBS Kids			
Social and Emotional Development and Learning			
StopBullying.gov			
Teaching Standards for Teacher Practice			
Wired Kids Inc			
Other			

17. How long have you been teaching at this school

- a. 2-4 years
- b. 5-7 years
- c. Longer\_\_\_\_\_

18. How long have you been teaching in New York State?

- a. 0-2 years
- b. 2-4 years
- c. 5-7 years
- d. Longer\_\_\_\_\_

19. Have you received DASA professional development training within the last year?

Yes \_\_\_\_\_ No \_\_\_\_\_ (If no, skip to question 23. Thank you.)

20. In your opinion, how effective was the DASA training you received in addressing the legal concerns facing schools?

Very poor	Poor	Average	Good	Excellent
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21. In your opinion, how effective was the DASA training you received in informing you on the procedural steps to report harassment?

Very poor	Poor	Average	Good	Excellent
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22. In your opinion, overall how effective was the DASA professional development training you received?

Very poor	Poor	Average	Good	Excellent
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23. Do you know who your DASA coordinator is?

Yes \_\_\_\_\_ No \_\_\_\_\_

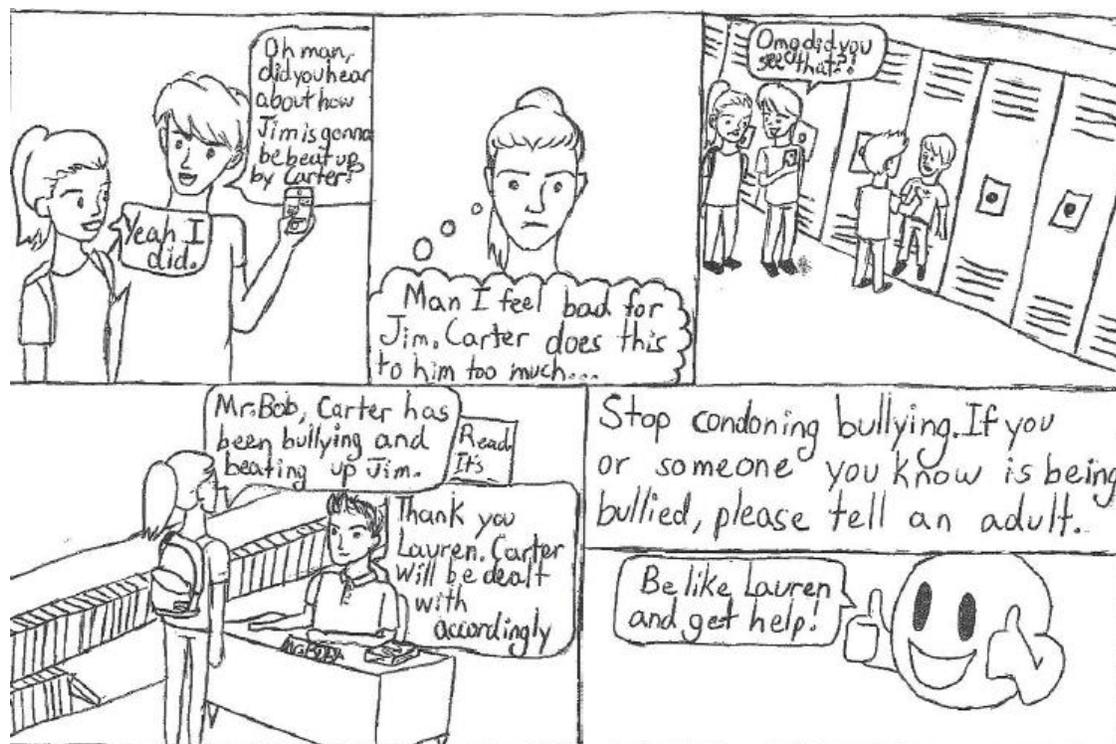
## Appendix G

### Complete List of DASA Instructional Resources

- American Federation of Teachers
- American Psychological Association
- Anti-Defamation League
- Bully Police
- Bullying Stats
- Center for Missing and Exploited Children
- Center for Safe and Responsible Internet Use
- Collaborative for Academic, Social,  
and Emotional Learning
- Cyberbullying.org
- CyberSmart
- Guidance on Bullying and Cyberbullying  
Prevention Provided by NY DOE
- National Crime Prevention Council
- National Cyber Security Alliance
- NEA's Bully Free: It Starts With Me
- NetSmart
- NYS Center for School Safety
- NYS DOE Dignity Act Web Page
- NYS P-12 Common Core Learning  
Standards
- NYSUT
- PBS Kids Social and Emotional  
Development and Learning
- Probation Officers of NYS
- Stopbullying.gov
- Teaching Standards for Teacher Practice
- Teaching Standards for Teacher  
Practice
- Wired Kids Inc

## Appendix H

## Cartoon Illustrated By Student



Note: Reprinted with school's permission.

## Appendix I

### Article Written By Student

Drama is EVERYWHERE you go, in elementary school, in middle school, and high school, even out of school. You can never escape it!

Drama is a problem caused by rumors. Rumors are things people spread and say about other people. Rumors spread quicker than the flu. Rumors are just like telephone, things switch and change as it spreads to different people. Each person who hears and spreads the rumor makes it become bigger and bigger than it needs to be.

People who spread rumors and start drama are people who like to start trouble. Drama and rumors can ruin someone's life. Drama and rumors start problems, fights, disagreements, etc...

It's hard to avoid drama because it's EVERYWHERE and it follows you wherever you go. One thing you could do to try to avoid it: Let the drama go through one ear and out the other, but never let it exit your mouth. Once it escapes your mouth, you have now entered a bad path to drama. So, be the bigger person and don't listen and don't talk about it, then you don't have to worry about drama coming your way.

If you hear something and it's hard for you not to say something, talk to a trusted adult such as a teacher, custodian, lunch monitor, security monitor, guidance counselor, or an administrator. You can even tell your parent/guardian, or aunt, uncle, cousin, or any other mature adult who will listen.

If you do these things and let it go in one ear and out the other, you are preventing drama one by one. Moral of the story:  
**Stay Out Of Drama!!**

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## Appendix J

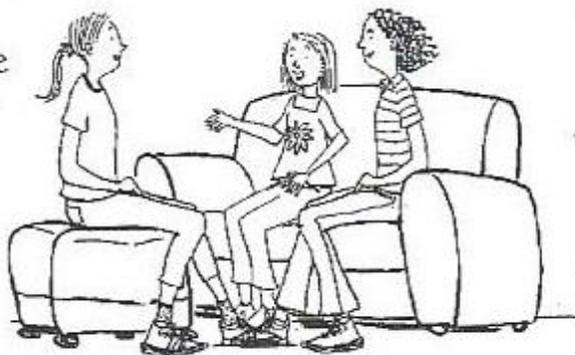
## Question Presented By Parent On Bullying

## Q & A Bully-proof your child

**Q** I've heard bullying peaks in middle school. How can I make sure my daughter isn't a target?

**A** There is no way to guarantee a child will never be bullied. But there are things you can do to help.

Since bullies are less likely to pick on someone who has friends, encourage her to get to know other students. Suggest that she join a club, and have her invite classmates over. Not only is there safety in



numbers, but having friends will build her self-esteem, which in turn can discourage bullies from targeting her.

Also, talk to your daughter about bullying. Tell her that if she is bullied or sees someone else being bullied, she should seek help immediately from an adult, whether it's you, a teacher, an administrator, or a coach. Let her know that she's not expected to handle this problem alone. 👍

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## Appendix K

### The Determinates for The Three VADIR Categories

#### **Intimidation, Harassment, Menacing, or Bullying Behavior and No Physical Contact.**

Threatening, stalking, or seeking to coerce or compel a person to do something; intentionally placing or attempting to place another person in fear of imminent physical injury; or engaging in verbal or physical conduct that threatens another with harm, including intimidation through the use of epithets or slurs involving race, ethnicity, national origin, religion, religious practices, gender, sexual orientation, age, or disability that substantially disrupts the educational process, with or without a weapon. Incidents not resulting in a disciplinary or referral action are reported in Item 2 of the Summary of Violent and Disruptive Incidents Form. Incidents of harassment involving physical contact are reported in the Category 9 (Minor Altercations).

Verbal sexual harassment is also reported in category 10. Self-exposure or "mooning," depending on the circumstances, are reported in either category 10 (Intimidation, Harassment, Menacing or Bullying) or category 20 (Other Disruptive Incident).

**Other Sex Offenses:** involving inappropriate sexual contact but no forcible compulsion, with or without a weapon. Other sex offenses, includes, but is not limited to, conduct that may be consensual or involve a child who is incapable of consent because of disability or because he or she is under 17 years of age. However, it does not include consensual conduct involving students and/or non-students 18 years of age or under, unless at least one of the individuals participating in the conduct is at least four years older than the youngest participant. Inappropriate sexual contact requires physical contact with another

person but no forcible compulsion. It includes, but is not limited to, the following conduct:

- a. touching or grabbing another student on a part of the body that is generally regarded as private, such as buttocks, breast, genitalia, etc.
- b. removing another student's clothing to reveal underwear or private body parts
- c. brushing or rubbing against another person in a sexual or provocative manner
- d. a student first rubbing his/her own genitalia and then touching another person's body

*Note:* Verbal sexual harassment is reported in category 10 (Intimidation, Harassment, Menacing or Bullying).

**Other Disruptive Incidents:** Other incidents involving disruption of the educational process and that rise to the level of a consequence listed in the Summary of Violent and Disruptive Incidents Form (columns j-o). Reportable incidents are limited to those resulting in disciplinary action or referral.

Self-exposure or "mooning," depending on the circumstances, are reported in either category 10 (Intimidation, Harassment, Menacing or Bullying) or category 20 (Other Disruptive Incident). (NYSED Information and Reporting Services, 2017, p. 1)