

Tyler Clementi Higher Education Anti-Harassment Act of 2015

POPULATIONS AFFECTED

Cyberbullying transcends race, age, gender, sexual orientation, and socioeconomic status. It is mostly seen among adolescent and youth-aged individuals. However, the issue of cyberbullying is disproportionately represented within adolescent minority groups, such as the LGBTQIA community.

STATISTICS ON THE AFFECTED POPULATIONS

- Over half of adolescents and teens have been bullied online, and about the same number have engaged in cyber bullying.
- More than 1 in 3 young people have experienced cyberthreats online.
- 1 in 10 adolescents or teens have had embarrassing or damaging pictures taken of themselves without their permission, often using cell phone cameras.



THE POLICY

Why should cyberbullying be included in Title IV as a form of harassment?

H.R. 1421 would amend Title IV (Student Assistance) to include cyberbullying as a form of harassment and require all non-foreign schools to have the following four aspects included in their harassment policies:

- 1) *Prohibition of harassment of students by other students, faculty, and staff*
- 2) *A description of its programs to prevent harassment*
- 3) *A description of the procedures that students should follow if harassment occurs*
- 4) *A description of the procedures it will follow once an incident has been reported*

H.R. 1421 would also allow competitive grant funds to be put toward expanding programs that:

- 1) *Prevent the harassment of students*
- 2) *Provide counseling or redress services to students who have been harassed or accused of subjecting other students to harassment*
- 3) *Train student, faculty, and staff to prevent or address harassment if it occurs.*

STRENGTHS

The Tyler Clementi Anti-Harassment Act focuses on the issue of cyberbullying by ensuring students and school alike have the tools and resources to not only assist victims of this form of harassment, but to also prevent it. A strength of this act is that it would create a competitive grant program that would award winning schools federal funds for three years to initiate and improve programs that prevent harassment, provide counseling services to victims, and educate about ways to prevent and address harassment.

LIMITATIONS

Many feel as though the Tyler Clementi Anti-Harassment Act would threaten free speech on college campuses. Despite the bill's admirable intention of preventing future tragedies, the Foundation for Individual Rights in Education (FIRE) has determined that it would oppose the Supreme Court's definition of harassment and would require colleges to violate the First Amendment. The bill also fails to define what constitutes a "hostile or abusive" education environment, because it leaves it to the discretion of the school administrators.

IMPORTANCE ACCORDING TO THE NASW CODE OF ETHICS

IT DEMANDS SOCIAL JUSTICE

Social workers are responsible for challenging social injustice and helping vulnerable groups of people. Tyler Clementi was a part of a vulnerable people, as he was gay. This is what pushed his cyberbully to harass him. What happened to Tyler Clementi was horrible, and this house

resolution would ensure that future victims of cyberbullying and other forms of harassment receive justice.

IT IS AN ACT OF SERVICE

Social workers are meant to help those in need and to address social problems. This resolution clearly defines ways that schools

must help students that have been harassed in any way, including cyberbullying.

IT PROTECTS THE DIGNITY AND WORTH OF THE PERSON

Tyler Clementi was one person whose dignity was not respected or even allowed. This led him to take his own life.

RECOMMENDATIONS

- 1) A modern definition and appropriate language for cyberbullying should be implemented so these terms are not left up to the discretion of school administrators.
- 2) Descriptions should be added for actual or perceived race, color, national origin, sex, disability, sexual orientation, gender identity, and religion; these descriptions would be

added to provide clarity and reduce bias in cases of bullying which center around these minority groups.

- 3) Updates in language to ensure continued protection of free speech should be included to retain the protection of rights for faculty and students alike.



BEST PRACTICES

"There are many promising strategies that educators and others can implement to prevent cyberbullying from happening in the first place. Climate-based initiatives, particularly those that empower and enlist the help of all stakeholders in the school, appear most fruitful."

"To face digital aggression effectively in the twenty-first century, educating professionals, parents and students must proactively familiarize themselves with the unique ramifications of cyber bullying."

"Internet format for a cyberbullying prevention program is a low-cost option that

would enable greater accessibility across a wide variety of settings and target populations than would traditional prevention programs. This program could serve as a model for future cyberbullying prevention programs that may change attitudes toward cyberbullying and reduce cyberbullying behavior."

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