

A Cure for Mean Girl Cyberbullies?: New Jersey's Anti-Bullying Fix Must Involve 100% Participation of the Stakeholders

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*An Ounce of Prevention is Worth a Pound of Cure. – Benjamin Franklin*¹

Ben Franklin's axiom refers to the value of preventing fires from turning into blazes; in the same way, the New Jersey Anti-Bullying Bill of Rights ("the Act") recognizes and seeks to prevent the sparks of bullying from turning into major pitfalls among students, especially among girls. Though bullying is not a new issue in America, over the past decade, technology has paved the way for a new type of bullying on the block—cyberbullying—and has subsequently forced school districts to change the way they fight these fires. Cyberbullying is defined as the "willful and repeated harm inflicted through the medium of electronic text,"² and with the ability to be anonymous in one's attack, have round-the-clock access to victims, and have little to no adult supervision, this type of bullying can produce devastating public attacks without accountability. More alarming, however, are the complex issues that arise when considering cyberbullying in the context of mean girls in packs. Because girls are about twice as likely as boys to be victims and perpetrators of cyberbullying³ and are also more likely to bully in packs,⁴ school districts must be especially attentive to the damaging consequences of cyberbullying mean girls. By focusing on bullying prevention, intervention, and quick response, New Jersey's Act has been deemed the toughest and most comprehensive legislation in the nation;⁵ however, has the legislation

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¹ *Fire Department: The Electric Ben Franklin*, USHISTORY.ORG, <http://www.ushistory.org/franklin/philadelphia/fire.htm> (last visited Jan. 16, 2016).

² *What is Cyberbullying?*, CYBERBULLYING.ORG, <http://www.cyberbullying.org/what-is-cyberbullying/> (last visited Jan. 16, 2016).

³ *11 Facts about Cyber Bullying*, DOSOMETHING.ORG, <https://www.dosomething.org/us/facts/11-facts-about-cyber-bullying> (last visited Jan. 16, 2016).

⁴ *Cyber Bullying Girls, Are They More Common?*, NOBULLYING.COM, <http://nobullying.com/is-cyber-bullying-more-common-with-girls/> (last modified Dec. 22, 2015).

⁵ *New Jersey's Anti-Bullying Law, Toughest in the Country, Garners Praise and Criticism*, THE HUFFINGTON POST, http://www.huffingtonpost.com/2011/09/02/new-jerseys-anti-bullying_n_946625.html (last modified Nov. 2, 2011);

achieved what it set out to do to effectively address the widespread girl-on-girl cyberbullying? While mean girls may never cease to engage in bullying, off or online, the Act's two-fold approach of prevention and response to bullying by involving school administrators and students succeeds, but only to a degree; the Act still fails to have 100% participation from all stakeholders—especially parents. Research shows that the success of any bullying prevention program is 60% based on whether the same types of approaches are used at home.⁶ Therefore, moving forward, the legislature should consider rewriting incomplete sections of the Act, including (1) the implementation of anti-bullying prevention programs and (2) the insufficient funding of the “Bullying Prevention Fund,” to mandate greater parent participation in cyberbullying prevention measures.

Bullying among girls generally begins in the elementary grades, peaks in grades six through eight, and continues throughout high school. According to stopcyberbullying.org, “‘Mean Girls’ cyberbullying is usually done, or at least planned, in a group, either virtually or together in one room ... [and] is done for entertainment. It may occur from a school library or a slumber party, or from the family room of someone after school.”⁷ The site further emphasizes mean girl cyberbullying flourishes when fueled by group admiration, cliques, or bystanders.⁸ Given the average age for obtaining a cellphone is now 11.6 years old,⁹ cyberbullying is a reality for many more young girls, and the effects of bullying are serious. As a result of cyberbullying,

Bully Police: New Jersey, BULLYPOLICE.ORG, http://www.bullypolice.org/nj_law.html (last visited Jan. 16, 2016) (emphasizing New Jersey's rating compared with the nation and noting its A++ score because it includes a cyberbullying clause and bullying victim's right clause about free counseling); *Analysis of State Bullying Laws and Policies*, U.S. DEPARTMENT OF EDUCATION xii (2011), <http://www2.ed.gov/rschstat/eval/bullying/state-bullying-laws/state-bullying-laws.pdf>.

⁶ Nadya Labi, *Let Bullies Beware*, TIME ONLINE, <http://content.time.com/time/nation/article/0,8599,103822-2,00.html> (Mar. 25, 2001).

⁷ *What methods work with the different kinds of cyberbullies?*, STOP CYBERBULLYING, <http://www.stopcyberbullying.org/educators/howdoyouhandleacyberbully.html> (last visited Jan. 16, 2016).

⁸ *Id.*

⁹ *Cyberbullying Rampant on the Internet*, CYBERBULLYHOTLINE, <http://www.cyberbullyhotline.com/07-10-12-scourge.html> (last visited Jan. 16, 2016).

young girls may experience psychological and behavioral effects manifested in physical problems; poor grades; and low self-esteem, anxiety, depression, suicide, violence, and criminal behavior. Notably, “[f]rom 1985 to 2007, Internet and tech consumption grew dramatically and so did teen suicide rates: suicide rates in girls aged 15-19 rose 32% and 75% in girls 10-14.”¹⁰ Girls in the 21st century are fighting different kinds of fights; because their online communication does not seem real and they cannot see the actual manifestation of their disparaging comments on the victim, cyberbullying creates an opportunity for the mean girls to rationalize their online actions. As a result, there is greater ambiguity for the victims and the adults who are supervising them when addressing any attacks. To effectively fight these fires, there must be a stronger commitment to equal partnership and cooperation among students, schools, and parents. While schools currently implement awareness measures, conflict resolution skills programs, and response strategies, parents must have greater knowledge of the school’s programming and be involved in that programming early on. If the program mandates parent involvement beginning at the elementary school level and continuing throughout a child’s education, parents will learn how to encourage positive self-esteem and teach their children strategies to recognize and stand up to cyberbullying. Such preventive measures will increase the likelihood that mean girl cyberbullying will be stopped early on before it becomes accepted behavior.

The first provision of the Act requiring modification—the implementation of anti-bullying prevention programs—leaves school districts with too much discretion by failing to require minimum parent participation standards. While schools may best be able to tailor their prevention programs to their student bodies, the Act only encourages, but does not establish a

¹⁰ Sam Laird, *Cyberbullying: Scourge of the Internet [INFOGRAPHIC]*, MASHABLE, <http://mashable.com/2012/07/08/cyberbullying-infographic/#BleBGRZH3ZqH> (July 8, 2012).

baseline for parental involvement. The Act states: “Schools and school districts shall annually establish, implement, document, and assess bullying prevention programs or approaches, and other initiatives involving school staff, students, administrators, volunteers, parents, law enforcement, and community members.”¹¹ While schools are required to involve parents during their revision and implementation of Harassment, Intimidation, and Bullying (HIB) policies, there is no specification for the amount of parent involvement throughout the school year or during the anti-bullying prevention programs. Such involvement could dramatically change the way parents understand cyberbullying; having only some parents involved and relying on others to read a take-home pamphlet on the definition of cyberbullying and strategies to combat bullying is only the bare minimum. The Act currently requires schools to provide instruction on HIB prevention throughout the year and also host a “Week of Respect” for all students and administrators, but not for parents.¹² Similar instruction for parents, such as mandatory annual participation during the “Week of Respect,” is a necessary addition to the Act. Parents and their daughters could take a class, for instance, which underscores the dangers of cyberbullying, how to talk about it with their daughters, and a discussion based on character building.

To require such mandatory minimum parent participation, however, would mean additional funding in the “Bully Prevention Fund,” which is currently underfunded and a point of controversy in the state’s budget debates. Although New Jersey Governor Chris Christie approved legislation creating a \$1 million fund to pay for the anti-bullying training programs,¹³ there are significant notable downsides to this provision—(1) a district must first prove it has

¹¹ N.J. STAT. ANN. § 18A:37-17(a) (West 2012).

¹² N.J. STAT. ANN. § 18A:37-29 (West 2012).

¹³ John Mooney, *State Makes \$1M In Grants Available For Anti-bullying Expenses*, NJ SPOTLIGHT, <http://www.njspotlight.com/stories/14/01/26/state-makes-1m-in-grants-available-for-anti-bullying-expenses/> (Jan. 14, 2014).

explored all bullying prevention programs and approaches that are available at no cost,¹⁴ and (2) the \$1 million is very likely to run out much faster than the time it takes each district to implement any policy requiring training for parents. Such downsides hinder the feasibility of any notable revisions to the Act. However, the numerous organizations already providing free training to school administrators could potentially do the same for parents. For instance, the New Jersey State Bar Foundation provides free training to school districts, including its “Bully-Busting Curriculum: Six Essential Lessons for Grades K-12” and “Peer Mediation, Free Conflict Resolution, and Character Education Training.”¹⁵ Schools could host a class using free resources provided by notable national campaigns, such as Secret’s “Mean Stinks” campaign,¹⁶ or could watch a documentary like “Finding Kind,” which focuses on two teen girls who take a road trip with their mothers to document the stories of mean girl cyberbullying.¹⁷ Requiring stronger partnerships between students, schools, and parents should be a priority of the Act, and schools would need funding to support this mission.

Despite the need for improvement to effectively target cyberbullying among girls, the Act has made significant strides in improving the K-12 educational landscape for girls in New Jersey. The Act clarified the definition of bullying to include HIB behaviors, required a cyberbullying component in the legislation,¹⁸ mandated the October “Week of Respect,”¹⁹ and outlined the reporting procedures for school administrators.²⁰ By implementing these provisions and highlighting the need for awareness among young girls and schools, the Act provides greater

¹⁴ *Id.*

¹⁵ *Bully: Information and Dates for Foundation’s Free Programs*, NEW JERSEY STATE BAR FOUNDATION, <https://www.njsbf.org/educators-and-students/programs/teasing-bullying-dates.html> (last visited Jan. 16, 2016).

¹⁶ *Mean Stinks FAQs*, MEAN STINKS, <http://meanstinks.com/> (last visited Jan. 17, 2016) (providing a free anti-bullying curriculum for use by any school, parent, or student).

¹⁷ *About Finding Kind*, FINDING KIND, <https://findingkind.indieflix.com/home/> (last visited Jan. 17, 2016).

¹⁸ N.J. STAT. ANN. § 18A:37-14 (West 2012) (defining “cyberbullying” as “a communication transmitted by means of an electronic device, including, but not limited to, a telephone, cellular phone, computer, or pager”).

¹⁹ N.J. STAT. ANN. § 18A:37-29 (West 2012).

²⁰ N.J. STAT. ANN. § 18A:37-15 (West 2012).

exposure to girls of cyberbullying issues. For example, a New Jersey elementary school principal with over twenty years of experience as an educator, including five as a high school assistant principal, explained, “Kids at the elementary level now have a good understanding of the anti-bullying language from the Six Essential Lessons. In high school, counselors focus on running groups, more so for the victims of bullying than the bullies themselves. While research shows you really cannot change the bully, you can educate the victims and bystanders. When you give victims strategies on how to feel empowered and bystanders strategies on how to be an ‘upstander’ by calling out the bullies, there is going to be a noticeable change.”²¹

While there is no simple fix-it plan for the “mean girls,” parent participation, in conjunction with further training for young girls, is the key to ending mean girl cyberbullying. Imagine the impact on the community if all stakeholders—especially parents—became involved and helped spare the grief and the suffering of young girls. The end result would not just prevent cyberbullying, but would also demonstrate care for young girls today who need support and encouragement to thrive as students.

²¹ Telephone Interview with Sara DiMaggio-Forte, Principal, East Brunswick Memorial Elementary School (Jan. 15, 2016).