



Technology in School: *The Teachable Moment*

Collette Dowhaniuk
Protective Services Consultant
Ontario **P**incipals' Council
cdowhaniuk@principals.on.ca

In a unanimous vote this morning in Toronto, the **Canadian Teachers' Federation** pledged to form an emergency workgroup to hammer out a national policy this fall on the use of **cell phones** in class and school penalties for using **blogs**, **email** and any form of technology to hurt other people's feelings.



The Toronto Star
Louise Brown, Education Reporter
July 13, 2007

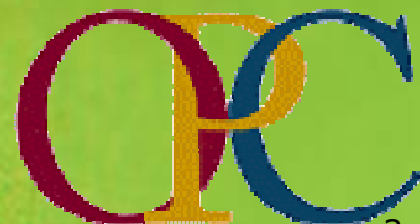
August 28, 2007 – Ontario College of
Teachers Press Release

Eighty-four per cent of Ontario teachers say
they

have been the subject of comment by
cyberbullies

who use e-mail and the Internet to criticize
their

teachers' appearance and grading skills,
spread harmful gossip and even make threats
of physical harm.



Responses On cyberbullying:

84 per cent of all teachers have experienced cyberbullying.

e-mail and chatrooms are the main vehicles for cyberbullying.

41 per cent of all teachers believe the school/board should report most or all cyberbullying to the police.

43 per cent of teachers believe student-to-student cyberbullying should be reported to the police

OCT, August 28, 2007



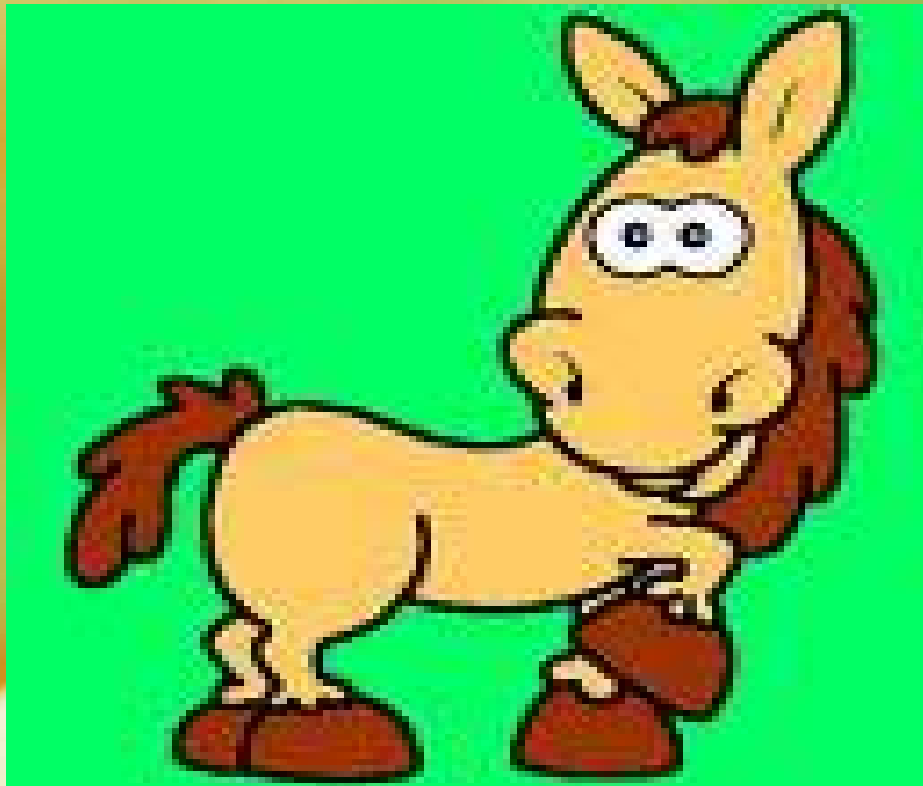
On electronic communication:

- 49 per cent of teachers say their school or board has well understood policies on student use of e-communication.
- 21 per cent of teachers say their school or board has well understood policies of teacher-student e-mail communication.
- 83 per cent of teachers never communicate with their students via e-mail.

OCT August 28, 2007



Not only has the horse has left the barn....



Stay tuned...

www.backbonemag.com

July/August 2007

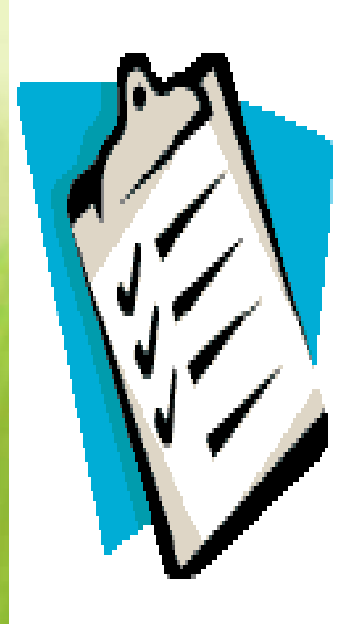


- 74% of students said “technology rocks my world”
- 42% said school encourages them to develop tech skills
- Almost half learn more about technology at home on their own



Topics

1. Technology in School: 2B or not 2B?
2. Social Networking: *Facebook*
3. 15 Minutes of Fame: YouTube
4. Cyberbullying of peers
5. Cyberbullying of staff
6. Nexus: You're not the boss of me!
7. Conclusion: Bug or Windshield?



1. Technology in School: 2B or not 2B? Devices



Teachable moment:

☐ School/Board policy – Ban or Limit?

Types:

☐ Cell phones

☐ I-pods, MP3 Players

☐ Digital cameras (cell phones)

- See OPC advice attached



1. Technology in School:

2B or not 2B? [Internet Access](#)



Teachable Moment:

☐ School/Board policy – Ban or limit?

Types:

☐ Social network (Facebook, MySpace)

☐ Video sharing (YouTube)

☐ Opinion polling (Ratemyteachers.com)



1. Technology in School:

Legal Issues



- Safety, Confidentiality
- Ethics (cheating)
- Individual vs. collective freedoms/rights
- Public vs. private discourse
- Harassment & Human Rights
- Freedom of expression vs. defamation
- Pornography Laws
- Acceptable use policies



1. Technology in School

Caselaw Reference



Price et al. v. New York City Board of Education et al.

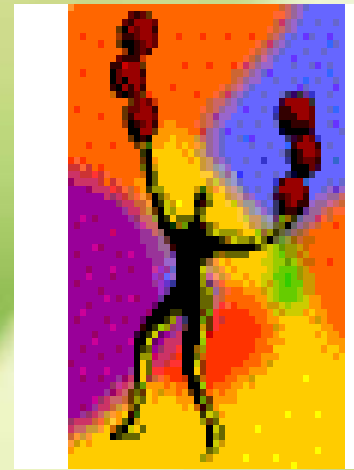
❑ Judge Stone from New York State SC decision upholds **cell phone ban** in schools in response to a challenge from parents

Index #109703/06 (N.Y. S.Ct. May 7, 2007)

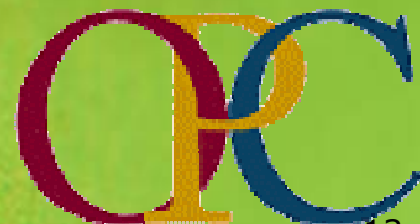


1. Technology in School

Stone Judgment Issues



- Exterior vs. locker storage
- Arbitrariness vs. rationality of school rules
- Definition of “cell phone”
- Parental vs. School control
- Constitutional claims

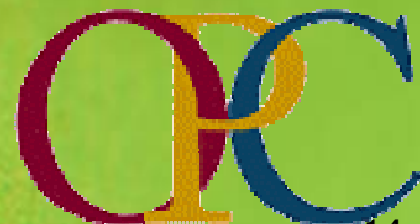


1. Technology in School

Stone Judgment



“This court does not rule on the wisdom or lack of wisdom of the Cell Phone Rules or on whether there may be... any better way to balance the desires of parents and the need for practical ways to maintain discipline in schools.”



1. Technology in School

Case study



- **April 18, 2007**, Trustees of Toronto DSB passed motion that *all personal communication devices will be powered off and stored out of view during instructional class* and other areas of the school, unless authorized by the principal.



1. Technology in School

Case study



February, 2007

- A teacher supervising exams comes upon a student receiving **text messages** on cell phone.
- Teacher **confiscates** cell phone.
- Parent alleges that the teacher assaulted the student.





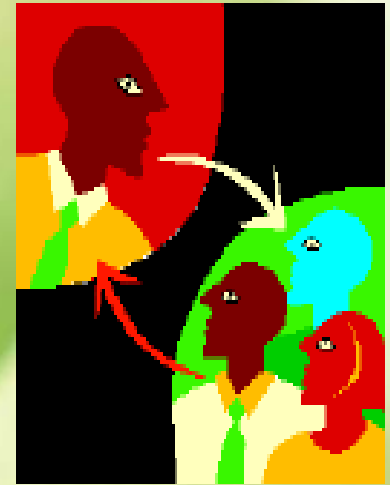
2. Social Networking

Teachable Moment:

- ☐ Board/school policy
- ☐ Ontario Code of Conduct
- ☐ Anti-bullying policies
- ☐ Acceptable use policies of sites

Types

- ☐ Facebook, My Space
- ☐ E-mail, Website, Blog



2. Social Networking

Facebook



- Launched on **February 4, 2004**
- Membership was restricted to students of **Harvard**;
- Expanded to all **Ivy League** within two months;
- Since **September, 2006** available to any e-mail user within
- **July, 2007** 30 million members worldwide

Wikipedia



2. Social Networking

MySpace



- Owned by Fox Interactive Media
- World's sixth most popular website in any language; third most popular website in the U.S.;
- 80% of visits to online social networking websites; influential part of contemporary popular culture;
- attracts 230, 000 new registrations per day.

Wikipedia



2. Social Networking

Legal Issues



- Safety, Confidentiality
- Ethics (lying)
- Individual vs. collective freedoms/rights
- Public vs. private discourse
- Harassment & Human Rights
- Freedom of expression vs. defamation
- Pornography Laws
- Acceptable use policies

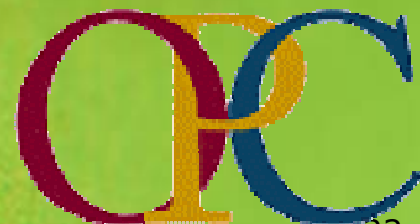


2. Social Networking

Case study



- Teacher and her family create blog to communicate feelings & photos;
- In communication with her daughter, she frequently details her poor opinion of the vice-principal;
- A student “Googles” the vice-principal’s name, discovers the blog, and informs the v.p.



2. Social Networking:

Teaching points



- Internet is everywhere and forever
- Employers increasingly using *Facebook* as reference-check
- Review “Terms of Use” rules
- How to report misuse
- Internet Safety Protocols





3. 15 Minutes of Fame

YouTube



- Website where users can upload, view and share video clips (movie, tv, music);
- Created in February 2005;
- Unregistered users can watch most videos on the site;
- Registered users are permitted to upload an unlimited number of videos.
- Users can post video 'responses' and subscribe to content feeds.

Wikipedia

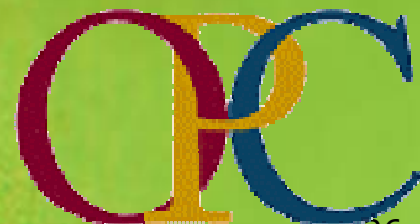


3. 15 Minutes of Fame: YouTube - Case study



November, 2006

- ❑ Students at *Ecole Secondaire Mont-Bleu* in Gatineau, Quebec provoke a teacher into a temper tantrum, record this on a cellphone, and post to YouTube
- ❑ School convinces YouTube to remove video



3. 15 Minutes of Fame: YouTube - Case studies



September, 2006

- ❑ Students in Peel DSB and Simcoe County DSB arrange and post “Fight Club” videos on YouTube; extensive media coverage

April, 2007

- ❑ Ontario board approves suspension of students identified as fighters on cell phone video, as well as videographer and audience





What is Bullying?



Bullying is **aggressive behaviour** (physical, verbal, or social) involving negative actions on the part of one or more towards another (victim).

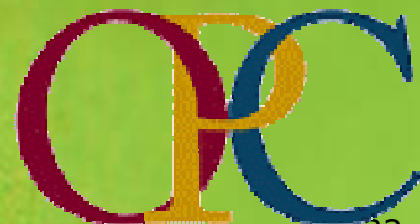
- Usually involves a **power imbalance** and is repeated over time.
- The bully **deliberately intends** to hurt the victim.
- The victim is **distressed** (hurt, scared, humiliated).
- Threats, extortion, humiliation, insults, gossip and exclusion. (www.integra.on.ca)



What is “Cyberbullying”?
Is it worse than bullying?



"Cyberbullying involves the use of information and communication technologies such as e-mail, cell phone and pager text messages, instant messaging, **defamatory** personal Web sites, and defamatory online personal polling Web sites, to support **deliberate, repeated, and hostile behaviour** by an individual or group, that is **intended to harm** others." -Bill Belsey



4. Cyberbullying of Peers



Teachable Moment

- ❑ Provincial/DSB/School Anti-bullying policies

Types

- ❑ Social network site (Facebook, MySpace)
- ❑ Video sharing site (YouTube)
- ❑ E-mail (MSN Messaging)
- ❑ Website, blog



4. Cyberbullying of Peers:

Legal Issues



- Safety, Confidentiality
- Ethics (lying)
- Individual vs. collective freedoms/rights
- Public vs. private discourse
- Harassment & Human Rights
- Freedom of expression vs. defamation
- Pornography Laws
- Acceptable use policies



4. Cyberbullying of Peers

Caselaw (Cyberlibel)



Barrick Gold v. Lopehandia [2004]

O.J. No.2329(CA)

- ❑ *“Cyberlibel” distinguished from other defamation because of “instantaneous, seamless, inter-active, blunt, borderless and far-reaching nature” and;*
- ❑ *that “anonymous nature...may ...create a greater risk that... remarks are believed.”*



4. Cyberbullying of Peers: Case study



- Two female Gr. 11 students attend party; consume large amounts of alcohol; lose consciousness; male peer helps them to undress and shower; takes photos; posts to Internet
- Principal reports to police; charges of distributing child pornography



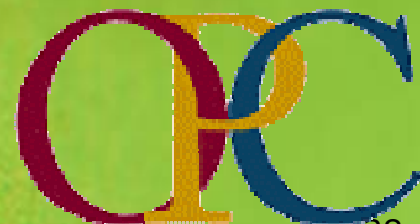


5. Cyberbullying of Staff



Teachable Moment:

- ☐ Board/school policy
- ☐ Ontario Code of Conduct
- ☐ Anti-bullying policies
- Types:
 - ☐ Ratemyteachers.com
 - ☐ Facebook, My Space, YouTube
 - ☐ E-mail, Website, Blog



5. Cyberbullying of Staff: RateMyTeachers.com

- Controversial review site used to rate elementary/secondary teachers' performance and popularity
- 1-5 rating & comments
- Over one and a half million teachers are graded on the website.
- Launched in August of 2001

Wikipedia



5. Cyberbullying of Staff:

Legal Issues



- Safety, Confidentiality
- Ethics (lying)
- Individual vs. collective freedoms/rights
- Public vs. private discourse
- Harassment & Human Rights
- Freedom of expression vs. defamation
- Pornography Laws
- Acceptable use policies



5. Cyberbullying of Staff:

Caselaw



Beussink v. Woodland R-IV School District
30F.Supp.2d1175(1998US Dist.)

- ☐ *Student created website with vulgar and critical comments re: school admin.*
- ☐ *Court did not uphold suspension “dislike or upset not sufficient”*



5. Cyberbullying of Staff

Caselaw



J.S. v. Bethlehem Area School District

- ❑ Student created website “Teacher sux” about math teacher
- ❑ Expulsion upheld because of threats, harassment, and disruption of learning environment



5. Cyberbullying of Staff

Caselaw



*Biom v. Fulton County Sch. Dist.,
No. 06-14706 (11th Cir. July 31, 2007)*

- ❑ The U.S. Court of Appeals (11th District) ruled that a Georgia school district did not violate a student's right to free speech when it suspended her for a narrative about shooting her math teacher



5. Cyberbullying of Staff

Caselaw



*Biom v. Fulton County Sch. Dist.,
No. 06-14706 (11th Cir. July 31, 2007)*

- ❑ The court also ruled that she was not entitled to a court injunction ordering the school district to **expunge her records** of any documentation related to the suspension.



5. Cyberbullying of Staff: Case study

Robert F. Hall

Catholic Secondary School

January 2007

- ❑ Eleven students suspended for derogatory comments made on Facebook about the principal
- *Reference February 12, 2007:*
CBC.ca & *The Toronto Star*





6. Nexus:

You're not the boss of me!



By what authority can school officials monitor, control, and apply consequences for “*Off-school*” conduct ?



6. Nexus:

You're not the boss of me!

- Common Law Standard of Care
(careful & prudent parent in the circumstances)
- *Education Act “Order & Discipline”*
- *Regulation 298 “Duties of Principal”*
- *Ontario Schools Code of Conduct*
- *DSB Policy re: Electronic Communication*



6. Nexus: You're not the boss of me!



- Interference with school operations
- Impact on school culture
- Rules of use
- Board Policies

7. Conclusion:

Bug or windshield?



Teaching Points

- Responsible use
- Reputation, public profile
- Electronic Etiquette
- Acceptable Use Policies
- Reporting strategies
- Cyberbullying.ca – advice re: Internet Safety; responses to bullying

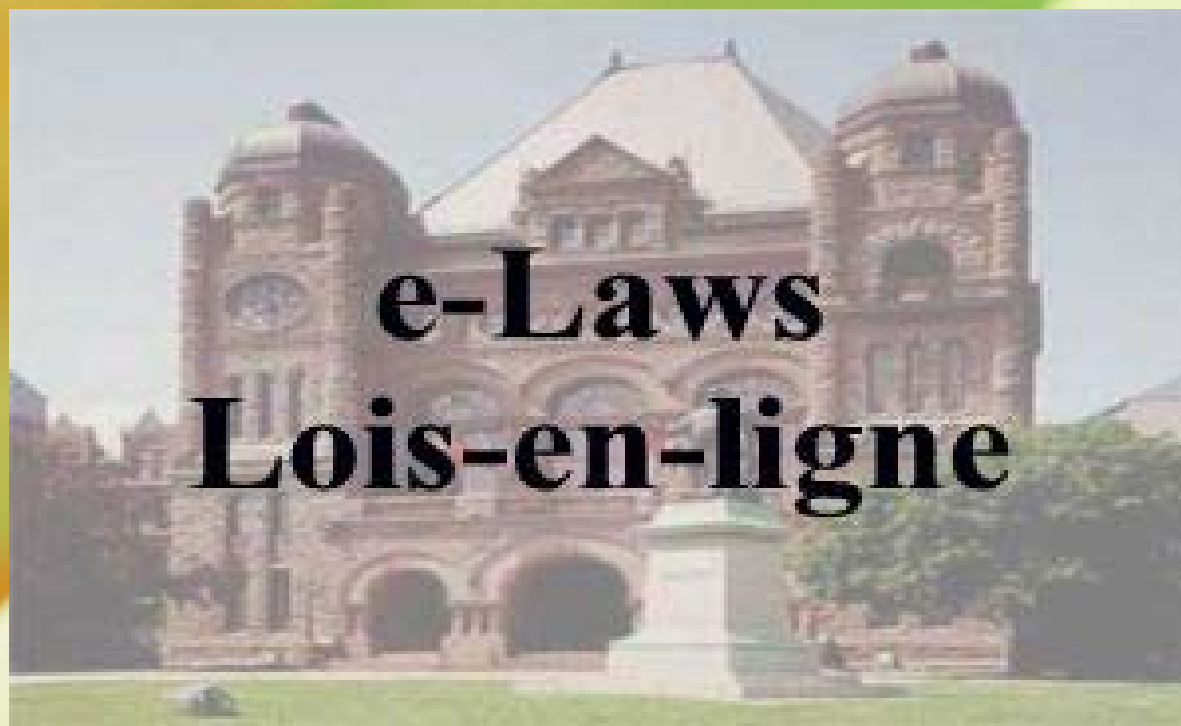


References

- See attachment for print and on-line resources



E-laws.gov.on.ca



Collette Dowhaniuk

Protective Services Consultant

Ontario Principals' Council

cdowhaniuk@principals.on.ca

