Digital Safeguarding

Complying with David's Law

How Web Filtering and Digital Monitoring Can
Help Texas Schools Report Cyberbullying

Smoothwall Whitepaper

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1.0 Introduction

Just because you can't see a problem, doesn't mean it's not there. Many children suffer in silence which is hard to escape and even harder for others to detect.

While previous generations could hear or physically see bullying and other abusive behavior in schools, today's digital natives are often more covert in their online attacks, silencing their victims with fear and humiliation. The recent phenomenon of cyberbullying is a threat to student mental health and well-being.

Unfortunately, cyberbullying is growing exponentially, and students are the most affected victims. With most children using technology at school and at home, they are constantly vulnerable to the harm it can cause.

Methods for harming are becoming increasingly creative. In addition to cyberbullying on instant messaging, which is commonly known about, other tactics include; posting abusive social media content, creating hateful profiles of each other, and the suicide baiting of students they are trying to victimize.

A critical part of cyberbullying victimization is the threat students receive to remain silent. They are tormented with the fear of humiliation if the cyberbullying is exposed.

Texas felt the tragic effects of undetected cyberbullying after David Molak, a 16-year-old student from San Antonio, died by suicide after being harassed online. Since his passing, Texas has pioneered cyberbullying legislation with the passing of David's Law in 2017 to prevent cyberbullying and suicide.

The purpose of this document is to inform Texas school technology administrators about the roles web filtering and digital monitoring, such as those provided by Smoothwall, can have in identifying, reporting, and confronting cyberbullying as outlined in David's Law.

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2.0 David's Law

David Molak's legacy is remembered with David's Law, Texas legislation passed in 2017 that aims to combat cyberbullying at school and off-campus.
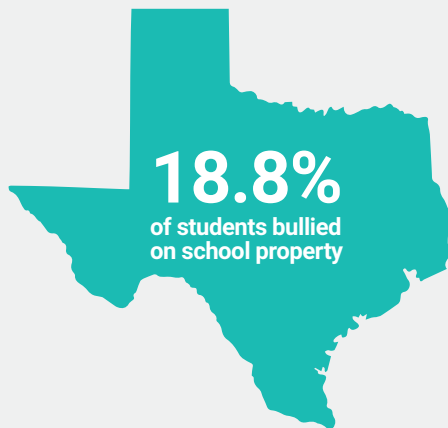
Key parts of David's Law

• School districts are required to include cyberbullying policies into district policies.

• School districts are required to notify parents if their child has been the victim of bullying or is the alleged aggressor.

• School districts are required to develop an anonymous system to report bullying and threats.

• School districts are required to investigate off-campus bullying if they see it materialize in school, enabling school districts and law enforcement agencies to collaborate on investigations.

• Law enforcement is enabled to unmask anonymous social media users who threaten others.

Smoothwall Whitepaper

Suffering in silence: Cyberbullying in Texas by numbers

A survey from the CDC's Youth Risk Behavior Surveillance System reported that **18.8 percent** of students in Texas had been bullied on school property.

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of students bullied
on school property

14.7 percent of students had been electronically bullied (i.e., cyberbullied) during the 12 months before the survey.

Students who were victimized both in-person and online were at the highest risk for these negative outcomes, particularly suicide.

17.6 percent of students have seriously contemplated committing suicide.

90 percent of all youth who had been victimized by cyberbullying did not tell adults.

3.0 Types of cyberbullying

Harassment

The persistent bombardment of negative, hurtful, or threatening messages through text messages, or on a social media platform. Harassment attempts to wear down a victim with repeated threats and insults.

Cyberstalking

An especially traumatic form of cyberbullying that often occurs after a break-up, or rejection of unwanted advances. It typically involves an assault of texts or direct messages through social media with pleas to get together, sexually explicit messages or taunts, or even threats of physical violence.

Exclusion

A different form of bullying that includes cutting someone out of a group, photo album, or social event. Exclusion intends to make the victim feel bad by leaving him or her out of a social circle that they were once part of. Exclusion is usually coupled with harassment, or another form of cyberbullying. 'In-group' members may also ridicule or make fun of the victim amongst themselves as added insult to the ostracized party.

Trolling

Posting malicious and provocative comments in a message board or social media with the intent of inciting an extreme reaction from the victim, often in the form of taunts or insults regarding the victim's personal opinion or beliefs. Trolling is often done anonymously, and the perpetrator may not have any relationship with the victim or even know them at all.

Impersonation

Posing as another person and sending messages to a friend in order to damage the relationship between them or making public posts with embarrassing or unflattering statements. Impersonation can be particularly devastating if the cyberbully hacks into the victim's Facebook, or Instagram account. The damage may take a long time to mend if hundreds of classmates catch sight of the material online.

Denigration

The posting of mean-spirited gossip and rumors with the intent of harming the victim's reputation or relationships. Whether the rumors or statements spread are true or not often does not matter, and they can achieve the same effect. Once a group is exposed to a particularly sordid or shocking rumor, it can have a snowball effect wherein the victim is unable to shed the stigma attached to it.

Outing

Sharing personal messages with revealing information, or photos in a public forum or within a larger social group. Outing is frequently practiced in the aftermath of a nasty breakup and may include the public posting of revealing photos intended only for the eyes of a former romantic partner.

Outing can be particularly devastating for an adolescent as it may involve revealing their sexual orientation before they are ready to go public with the information. Cases of outing have resulted in suicides by the victims.

4.0 The role of web filtering in combatting cyberbullying

The internet is the gateway to unlimited information used as a tool to educate tomorrow's leaders.

Increasingly it is the responsibility of schools to provide the right technical tools to protect children from harm.

Blocking content can limit learning outcomes yet students still need access to educational content. Schools should be empowered with the tools to measure intent and activity behind student online behavior.

Changing from a technical setup to a solution that includes online safety for students, requires moving from locked-down systems or just URL filters that block content, to systems that manage content and the intent of a user's web activity.

Content-aware web filtering and reporting is critical for Texas schools to comply with David's Law. When used on student devices that are used both on and off-campus, Texas schools can build the whole picture of a student's web activity. Holistic online browsing reporting is critical to proving evidence when reporting incidents of cyberbullying.

To maximize the effectiveness of web filtering, it is important to put appropriate steps in place. All schools should have a defined process for reporting and responding to cyberbullying. The appropriate responses to cyberbullying are as varied as the techniques used by cyberbullies themselves.

Middle schoolers sending mocking memes to a classmate should not receive the same kind of repercussions as a 17-year-old who threatens to bring a firearm to school. All forms of cyberbullying, no matter how severe, must be dealt with as real-world issues with the potential to translate into offline behaviors.

Having a process in place that includes online behavior monitoring, mental health resources available to students, and a means of involving parents and even the authorities if necessary, is critical to ensure the safety of all students online.

From the first visit to a social media page to subsequent web searches for methods to self-harm, web filtering reporting can draw the picture of student intent when online.

5.0 Identifying those suffering in silence with digital monitoring

While web filtering can draw a picture of student online activity intent, digital monitoring, such as Smoothwall Monitor takes a picture of student on and offline experience in real-time. Unlike web filtering, digital monitoring analyzes text inputted and received, regardless of internet connectivity.

Intelligent analysis is triggered when concerning terms that indicate cyberbullying or self-harm are detected and delivers an instant alert to administrators. Digital monitoring does not record or save any other information besides that of the triggering event.

School districts can manage the system internally or it can be human-moderated by a third-party for around-the-clock security. Alerts are rated based on severity that can range from teasing to suicide baiting. Flagged activity throughout the district is arranged on a visual interface with multiple mapping and reporting tools that show data based on severity and frequency of incidents.

Digital monitoring provides the evidence-based reporting David's Law requires. The reports administrators receive contain a screenshot of the triggering event for context and evidence purposes to further investigate incidents. Evidence-based digital monitoring allows technology directors to expand reporting capabilities that can be customized to include student services staff, school administrators, and mental health professionals.

6.0 Conclusion

The passing of David's Law has made Texas the leader in state cyberbullying legislation. Addressing the needs of 21st century schools to protect student well-being is critical for positive learning outcomes.

With web filtering and digital monitoring technology, such as Smoothwall Filter and Smoothwall Monitor, Texas schools can be equipped to address cyberbullying and take a proactive approach to helping students in need.

7.0 What next?

Ask yourself. Are you confident that your schools are picking up, in real-time, each of the risk concerns on your school digital devices – online and offline?

Do your monitoring and safeguarding strategies match legislative requirements?

If you don't know, it's time to check. If you're unsure or have a question, contact Smoothwall's Online Safety Experts who will be happy to help.

Arrange a free demonstration

To see a free, no-obligation demonstration of Smoothwall Filter, Smoothwall Monitor or to ask any questions please contact us.

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