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Cyberbullying Law Shields Teachers From Student Tormentors

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Ganging up on classmates online can get students suspended.

But sometimes teachers are the target of cyberbullying, and in North Carolina, educators have said enough is enough. State officials have now made it a crime to "intimidate or torment" teachers online.

Chip Douglas knew something was up with his 10th-grade English class. When he was teaching, sometimes he'd get a strange question and the kids would laugh. It started to make sense when he learned a student had created a fake Twitter account using his name.

"It was awful," he says. "It had this image of me as this drug addict, violent person, supersexual, that I wouldn't want to portray."

Douglas told the kids he planned to call the police — because under the new North Carolina law, the student behind the tweets could spend a month in jail and pay a \$1,000 fine.

"It's the first statute that exposes 15-, 16-, 17-year-olds to potential criminal sanctions for a dumb mistake they make, something stupid they say," says Chris Brook of the ACLU of North Carolina, who adds that the law is too broad.

The law prohibits students from creating fake online profiles for teachers. But it makes it a crime to post real images or make any statement online, even if it's true, that provokes harassment.

"That is a terrible message to send to students ... that accurate critiques of governmental employees could land you in criminal hot water," Brook says. "And no one should be comfortable with that."

Legal experts say North Carolina's effort is just another twist to a series of state laws that criminalize speech.

"There has been a lot of this stuff suggested in legislatures and sometimes adopted, or sometimes prosecutors have interpreted existing laws so broadly," says Eugene Volokh, a UCLA professor who specializes in First Amendment and cyberspace law. "It's something of a trend, but once those laws are challenged, they'll be struck down."

Until then, people like Kenny Lynch will have to use their own discretion. He's a detective with Charlotte-Mecklenburg Schools whom the district hired specifically to deal with Internet issues.

"I look at the law and try to use a bit of common sense," he says.

Usually what that entails is giving a kid a stern talking to, often coupled with suspension. Lynch can think of only one time when the law would have come in handy — five years ago when two kids went after a high school teacher.

"Posted pictures of this particular teacher, insinuated that he was a pedophile, a sexual predator, that he had a criminal background of this type of stuff, all of which wasn't true," Lynch says.

At East Mecklenburg High School, ninth-grader Kayla Jackson walks by with a bright pink phone in hand and ear buds to match. She knows how students can make it

difficult for teachers. In middle school, a kid targeted one of her favorites online. She and a friend were mad at the boy, but they say what he did wasn't a crime.

"Yeah, you can't arrest everyone for saying something stupid. Because if that was the case, everybody I know would be in jail," she says.

But it is serious to Chip Douglas, the teacher whose student tweeted offensive things using his name. The student confessed, and Douglas thought about pressing charges but decided not to.

"He excels in classes," Douglas says. "He could do incredible things if he didn't have a black mark on his record. It's really not what I want to do to a student."

Douglas resigned after the Twitter incident. He was already thinking of leaving his job and says all those tweets made his decision easier.

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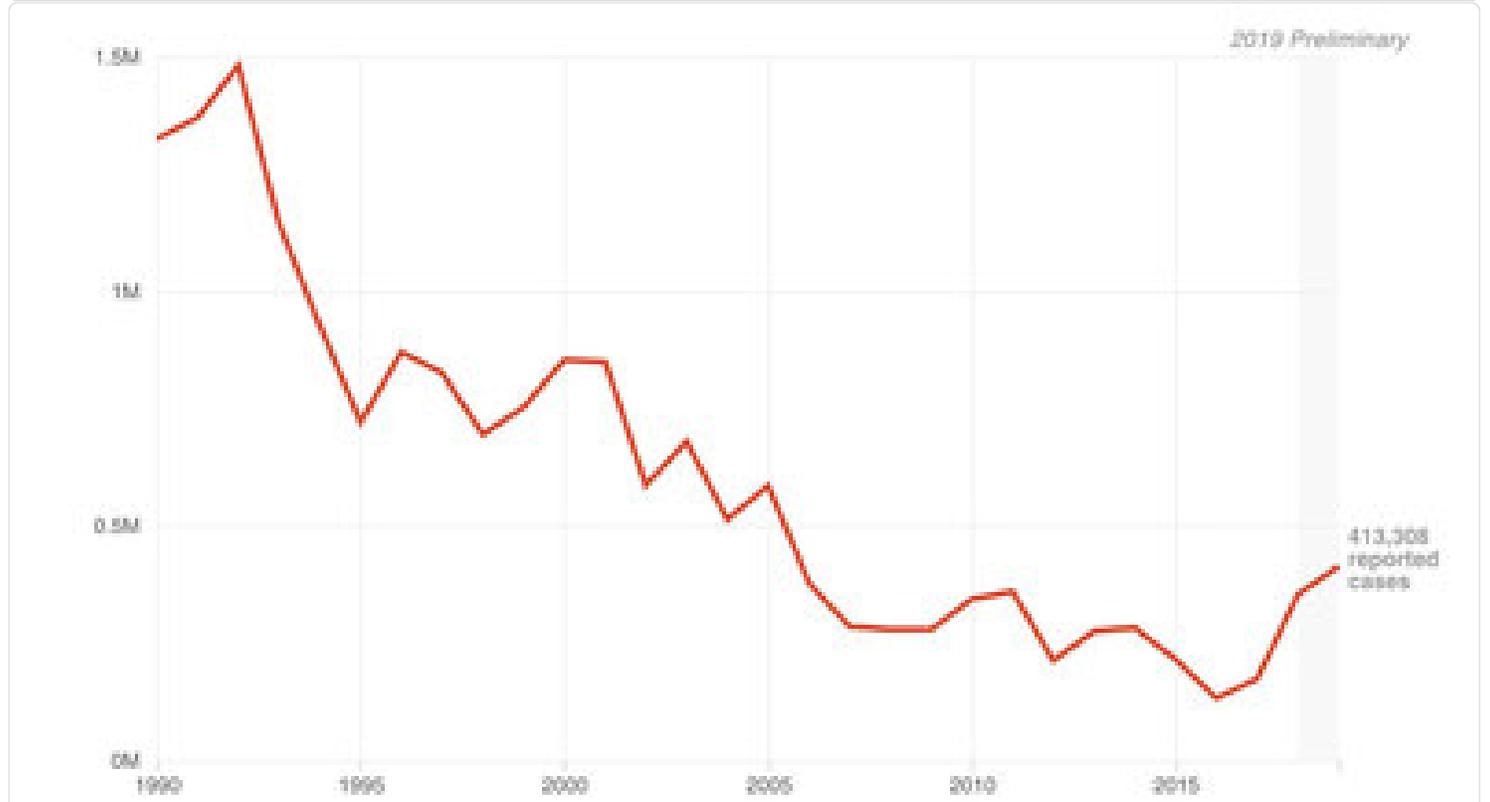
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