Is Monitoring Students' Use of Social Media Wrong?

A Classroom Activity and Argumentative Performance Task
for 7th grade Civics

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<u>Cyber Freedom of Speech: Classroom Activity</u>

This Classroom Activity introduces students to the context of the principal using a company to monitor social media sites to patrol for possible cyber bullying. The purpose of this activity is to develop background information so that students are not disadvantaged in demonstrating the skills the task intends to assess. Contextual elements include: an understanding of the setting or situation in which the task is placed, potentially unfamiliar concepts that are associated with the scenario; and key terms or vocabulary students will need to understand in order to meaningfully engage with and complete the performance task.

Please read through the entire Classroom Activity before beginning the activity with students to ensure any classroom preparation can be competed in advance.

Throughout the activity it is permissible to pause and ask students if they have any questions.

Resources Needed:
- Chart paper, whiteboard, or chalkboard
- Markers or chalk
- One piece of paper and pencil for each student. (Students need an accommodation may use their preferred tool for writing.)

For Performance Task:
- o Copies of Pages
- o Lined scratch paper for draft writing
- o Additional lined paper for final copy should student request it

Learning Goal:
- Students will understand the context of the key concepts related to the topic:
  - o The limitations of freedom of speech to protect the minority
  - o The expectations of privacy may be related to how students use social media

<u>Cyber Freedom of Speech: Classroom Activity</u>

The facilitator's goal is to help students understand the key concept of freedom of speech and how principals may have the right to limit this freedom by hiring companies to rake through specific social media sites and punish those who bully to protect the minority.

Note: The following section can be codified to accommodate various teacher-student interaction types such as teacher-led discussion with the entire class, teacher-student discussion for remote locations with a single student, or small groups.

[Place the students in small groups of two four students. Give each group a piece of paper and a pencil.]

Facilitator says: "Freedom of speech is a right that many Americans consider being one of the most important. Even though freedom of speech is a key right there can be certain limitations on it. In preparation for your performance task, we will discuss the different ways in which a person can express themselves, either through paper or through technology.

On a sheet of paper provided, take three minutes to discuss with your group and write a response to the question: **How many different ways can an individual express themselves?**

Possible class discussion answers (*unscripted*):
- Written Record
  - o Diaries
  - o Notes
  - o Letters
  - o Stories
  - o Newspapers
  - o Magazines

- Technology
  - o Facebook
  - o Twitter
  - o E-mail
  - o Instagram
  - o Text messages
  - o Video Games
  - o Skype
  - o Blogs

[Ask students to share answers form the group discussion as you write the responses for students. Write the responses on the chart paper, chalk board, electronic board, etc..]

Read aloud the following from the Constitution Center
(http://constitutioncenter.org/constitution/full-text)

Facilitator reads: Now I will read to you the first amendment from the Constitution from the Constitution Center:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Facilitator says: "Note that the passage states the first amendment. Think about the different ways we stated that individuals can express themselves. Take three minutes to work with your group to answer the following question: **How can the various ways we express ourselves be limited?"**

[Give students three minutes to discuss and write down their thoughts.]

[After about three minutes, have students share their ideas with the class. Ask the students to share their responses to the question and by placing a check next to the methods that students feel are most likely to conflict with privacy. This discussion may take 5 minutes.]

[Ask students to share out which methods conflict with privacy. As they share out, place a ✔ (checkmark) next to each item mentioned. If new methods are shared, add those to your list and place a ✔ next to the method.]

Facilitator says: "If you look at the various ways that freedom of speech can be limited above, there is roughly the same idea: Freedom of speech can be limited if a person is threated or there is immediate danger.

Remember that we have our freedom to express ourselves in various ways, but these can be limited by making sure individuals or society is safe.

Take two minutes to discuss with your group to answer the following question: **How might the limitations of speech help society and minorities to be safe?"**

[After about two minutes, have students share their ideas.]
Possible class discussion answers (*unscripted*):
- Hate speech
- Bullying
- Riots
- Protecting the dignity of individuals

Facilitator says: "These are all great examples. Remember that there are limitations to freedom of speech to protect certain individuals. There are people who feel strongly one way or another about these certain limitations. You are now ready to complete your performance task. Please leave your recorded notes behind."

[Distribute copies of the performance task to students. Time expected to complete Part 1 is approximately 35 minutes. Time expected to complete Part 2 is approximately 70 minutes.]

[Teachers and proctors may read the directions to the students, but not the sources or questions. Scratch paper may be given to students for this performance task.]

Performance Task:

There has been a lot of discussion in school lately because your principal has decided to hire a company to look through students' social media sites. The company is designed to look through each student's social media and send "problem" statuses to the principal. Do you agree or disagree with this idea?

You are a writer for your school newspaper and part of the journalism club. The club has asked you to research this idea and write an article to discuss this issue. As part of your research, you have found three sources about the limitations of speech online.

After you have reviewed these sources, you will answer some questions about them. Briefly scan the sources and the three questions that follow. Then, go back and read the sources carefully so you will have the information you will need to answer the questions and complete your research. You may write on or annotate the sources.

In Part 2, you will write an argument on a topic related to the sources.

Directions for Beginning:
You will now examine several sources. You can re-examine any of the sources as often as you like.

Research Questions:
After looking at the sources, use the rest of the time in Part 1 to answer three questions about the sources. Your answers to these questions will be scored. Also, your answers will help you think about the information you have read and looked at, which should help you write your argument.

You may refer back to your annotated sources when you think it would be helpful. Answer the questions in the spaces below the items.

Your annotated sources will be available to you in Part 1 and Part 2 of the performance task.
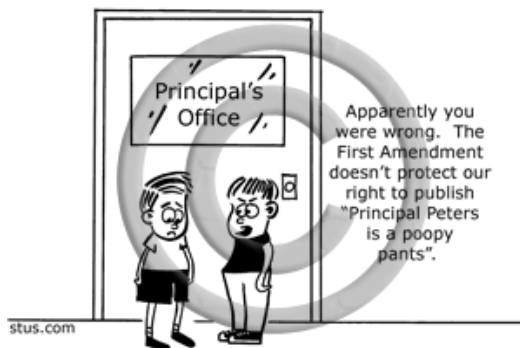
Part 1

Sources for Performance Task

Source #1

Do Students Still Have Free Speech in School?
By: David R. Wheeler

In 1965, Mary Beth Tinker wore a black armband to her junior high school to protest the Vietnam War. The school suspended her, but her protest eventually led to a landmark

Supreme Court case: *Tinker v. Des Moines*. In their decision, the court justified Tinker by saying students do not "shed their constitutional rights to freedom of speech or expression at the schoolhouse gate." The ruling brought in a new era of free speech rights for students.

However, the Internet has since complicated the meaning of the ruling, and those same supporters now worry students' rights to freedom of speech are again under attack. Schools regularly punish students for online comments, even if those comments are made away from school property and after school hours. Although some administrators target cyber-bullies, others punish students whose only offense is posting an online comment that the school doesn't like.

The situation has inspired Tinker herself to tour the nation's schools to revive student speech rights. "The digital age, with its wonderful capacity to democratize speech, is so important to students' rights, but also carries new and interesting threats to students' rights," Tinker says. "If we don't encourage young people to use their First Amendment rights, our society is deprived of their creativity, energy, and new ideas. This is a huge loss, and also a human rights abuse."

There are numerous examples of schools punishing students for seemingly innocent online activity. In 2012, after a Minnesota student wrote a Facebook post saying a hall monitor was "mean" to her, she was forced to turn over her Facebook password to school administrators—in the presence of a police officer.

In other recent cases, student banter that would have gone unnoticed in the pre-digital era has drawn swift punishment. In Kansas, a high school class president was suspended for a Twitter post making fun of his school's football team. And just a few days ago, also in

Kansas, a student was suspended for a tweet that made the principal "uncomfortable" (in the wording of the school's disciplinary incident notification).

"We cannot allow the hard-fought battles for student speech rights to be eroded in the digital age," says Lee Rowland, an ACLU staff attorney specializing in speech, privacy, and technology. "School officials aren't permitted to listen in on chatter at students' private gatherings with friends, or rifle through their private videos and photo albums. Nor should we permit them to do so simply because those conversations or images are digital."

"You can't equate online speech created on personal time with in-class speech, and it's dangerous to try," says Frank LoMonte, director of the Student Press Law Center. "Schools are so prone to censor and tell on those who complain about school conditions on school time. Students absolutely must have some safe space where they can complain when schools are dirty, dangerous, or overcrowded, without fear that the long arm of school discipline will reach out and grab them."

In the landmark *Tinker* case, the Supreme Court specifically warned schools that they could not forbid student expression simply because they wanted to avoid controversy. "In order for [a school] to justify prohibition of a particular expression of opinion, it must be able to show that its action was caused by something more than a mere desire to avoid the discomfort and unpleasantness that always accompany an unpopular viewpoint," the court said.

Tinker says that the students of today, just like those from her generation, want to express themselves using peaceful, creative methods. "They are using all the tools available, including online speech, to make a positive impact," she says. "Today, students have more than armbands."

Source #2

Now, Warily, Schools Watch Students on the Internet
By: John G. Palfrey Jr.

As students complain, taunt and sometimes cry out for help on social media, educators have more opportunities to monitor students around the clock. And some schools are turning to technology to help them. Several companies offer services to filter what students do on school networks; a few now offer automated tools to comb through off-campus postings for signs of danger. For school officials, this raises new questions about whether they should — or legally can — discipline children for their online outbursts.

The problem has taken on new urgency with the case of a 12-year-old Florida girl who committed suicide after classmates bullied her online and offline. Two girls — ages 12 and 14 — who the authorities stated were her chief bullies were arrested this month after one posted a Facebook comment about her death.

Educators find themselves needing to balance students' free speech rights against the dangers children can get into at school and sometimes with the law because of what they say in posts on Facebook, Twitter and Tumblr. Courts have started to weigh in.

Interviews with educators suggest that surveillance of students off campus is still mostly done the old-fashioned way, by relying on students to report trouble or following students on social networks. Tracking students on social media comes with its own risks: One principal in Missouri resigned last year after accusations that she had snooped on students using a fake Facebook account. "It was our children she was monitoring," said one Twitter user who identified herself as Judy Rayford, after the news broke last year, without, she added, "authorization" from children or parents.

But technology is catching on. In August, officials in Glendale, a suburb in Southern California, paid Geo Listening, a technology company, to comb through the social network posts of children in the district. The company said its service was not to pry, but to help the district, Glendale Unified, protect its students after suicides by teenagers in the area.

Chris Frydrych, the chief executive of Geo Listening said Geo Listening looked for keywords and sentiments on posts that could be viewed publicly. It cannot, for instance, read anyone's Facebook posts that are designated for "friends" or "friends of friends."

But with Facebook's announcement this month that teenagers will be permitted to post public status updates and images, Geo Listening and similar services will potentially have access to more information on that social network.

But when does protecting children from each other or from themselves turn into discouraging free speech?

Source #3

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When bullying goes high-tech

By **Elizabeth Landau**, CNN
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Brandon Turley didn't have friends in sixth grade. He would often eat alone at lunch, having recently switched to his school without knowing anyone.

While looking at MySpace one day, he saw that someone from school had posted a bulletin -- a message visible to multiple people -- declaring that Turley was a "fag." Students he had never even spoken with wrote on it, too, saying they agreed.

Feeling confused and upset, Turley wrote in the comments, too, asking why his classmates would say that. The response was even worse: He was told on MySpace that a group of 12 kids wanted to beat him up, that he should stop going to school and die. On his walk from his locker to the school office to report what was happening, students yelled things like "fag" and "fatty."

"It was just crazy, and such a shock to my self-esteem that people didn't like me without even knowing me," said Turley, now 18 and a senior in high school in Oregon. "I didn't understand how that could be."

A pervasive problem

As many as 25% of teenagers have experienced cyberbullying at some point, said Justin W. Patchin, who studies cyberbullying at the University of Wisconsin-Eau Claire. He and colleagues have conducted formal surveys of 15,000 middle and high school students throughout the United States, and found that about 10% of teens have been victims of cyberbullying in the last 30 days.

Online bullying has a lot in common with bullying in school: Both behaviors include harassment, humiliation, teasing and aggression, Patchin said. Cyberbullying presents unique challenges in the sense that the wrongdoer can attempt to be anonymous, and attacks can happen at any time of day or night.

There's still more bullying that happens at school than online, however, Patchin said. And among young people, it's rare that an online bully will be a total stranger. "In our research, about 85% of the time, the target knows who the bully is, and it's usually somebody from their social circle," Patchin said. Patchin's research has also found that, while cyberbullying is in some sense easier to commit, the kids who bully online also tend to bully at school. "Technology isn't necessarily creating a whole new class of bullies," he said.

Long-lasting consequences

The conversations that need to be happening around cyberbullying extend beyond schools, said Thomas J. Holt, associate professor of criminal justice at Michigan State University.

"How do we extend or find a way to develop policies that have a true impact on the way that kids are communicating with one another, given that you could be bullied at home, from 4 p.m. until the next morning, what kind of impact is that going to have on the child in terms of their development and mental health?" he said.

Holt recently published a study in the International Criminal Justice Review using data collected in Singapore by his colleague Esther Ng. The researchers found that 27% of students who experienced bullying online, and 28% who were victims of bullying by phone text messaging, thought about skipping school or skipped it. That's compared to 22% who experienced physical bullying.

Those who said they were cyberbullied were also most likely to say they had considered suicide -- 28%, compared to 22% who were physically bullied and 26% who received bullying text messages.

Although there may be cultural differences between students in Singapore and the United States, the data on the subject of bullying seems to be similar between the two countries, Holt said.

A recent study in the journal JAMA Psychiatry suggests that both victims and perpetrators of bullying can feel long-lasting psychological effects. Bullying victims showed greater likelihood of agoraphobia, where people don't feel safe in public places, along with generalized anxiety and panic disorder.

People who were both victims and bullies were at higher risk for young adult depression, panic disorder, agoraphobia among females, and the likelihood of suicide among males. Those who were only bullies showed a risk of antisocial personality disorder.

Parental controls

Ashley Berry, 13, of Littleton, Colorado, has also experienced unpleasantness with peers online. When she was 11, a classmate of hers took photos of Ashley and created an entire Facebook page about her, but denied doing it when Ashley confronted the student whom she suspected.

"It had things like where I went to school, and where my family was from and my birthday, and there were no security settings at all, so it was pretty scary," she said.

The page itself didn't do any harm or say mean things, Ashley said. But her mother, Anna Berry, was concerned about the breach of privacy, and viewed it in the context of what else was happening to her daughter in school: Friends were uninviting her to birthday parties and leaving her at the lunch table.

"You would see a girl who should be on top of the world coming home and just closing herself into her bedroom," Berry said.

Berry had to get police involved to have the Facebook page taken down. For seventh grade, her current year, Ashley entered a different middle school than the one her previous school naturally fed into. She says she's a lot happier now, and does media interviews speaking out against bullying.

These days, Berry has strict rules for her daughter's online behavior. She knows Ashley's passwords, and she's connected with her daughter on every social network that the teen has joined (except Instagram, but Ashley has an aunt there). Ashley won't accept "friend" requests from anyone she doesn't know.

Cyber Bullies
By Dave Granlund

Part 1- Research Questions (35 Minutes)

1. Place a check in the space on the grid to show the claim(s) that each source supports. Some sources will have more than one box selected.

Claim	Source #1	Source #2	Source #3	Source #4
There are arguments for and against monitoring cyber bullying				
Electronic devices should be used to monitor cyber bullying				
Electronic devices should not be used to monitor cyber bullying				

2. Source #1 and Source #2 provide facts about the limitations of speech on social media. Which source provides the most accurate information about using machines to limit student speech? Justify and support your answer with **two** details from the source.

3. What information can you determine about cyber bullying from Source #4? Cite 2 details from Source #4 to support your answer.

Part 2- Cyber Freedom of Speech Argumentative Writing Task (70 minutes)

You will now review your notes & sources, and plan, draft, revise, and edit your writing. You may use your notes and refer to the sources. Now read your assignment and the information about how your writing will be scored; then begin your work.

Your Assignment:

Now that you have completed research on the topic of freedom of speech online, your journalism club advisor has asked you to write an argumentative piece that is for or against your principal's decision to monitor student's social media. Discuss in your argument how the principal's censorship might protect the rights the minority of students or deny the majority of students' individual freedoms. The audience of your article will be student, teachers, and parents.

Your assignment is to use the research sources to write a multi-paragraph argumentative essay either for or against your principal's decision in monitoring speech. Make sure you establish an argumentative claim, address potential counterarguments, and support your claim from the sources you have read. Develop your ideas clearly and use your own words, except when quoting directly from the sources. Be sure to reference the sources by title or number when using details or facts directly from the sources.

Then, write a multi-paragraph argumentative article explaining your thesis. Clearly organize your article and elaborate your ideas. Make sure to include a counter-argument.

Argumentative Essay Scoring:

Your argumentative essay will be scored using the following:

1. **Organization/ purpose:** How well did you state your claim, address opposing claims, and maintain your claim with a logical progression of ideas from beginning to end? How well did your ideas thoughtfully flow from beginning to end using effective transitions? How effective was your introduction and your conclusion?
2. **Evidence/ elaboration:** How well did you integrate relevant and specific information form the sources? How well did you elaborate your ideas? How well did you clearly state ideas in your own words using precise language that is appropriate for your audience and purpose? How well did you reference the sources you used by title or number?
3. **Conventions:** How well did you follow the rules of grammar usage, punctuation, capitalization, and spelling?

Now begin work on your argumentative essay. Manage your time carefully so that you can

- Plan your multi-paragraph argumentative essay.
- Write your multi-paragraph argumentative essay.
- Revise and edit the final draft of your multi-paragraph argumentative essay.

Write your response in the space provided. Write as much as you need to fulfill the requirements of the task; you are not limited by the size of the response area. If you need additional writing paper, please raise your hand and your teacher will give you additional paper.

1. Source 1: *Do Students Still Have Free Speech in School? By: DAVID R. WHEELER APR 7 2014*

2. Source 2: *Warily, Schools Watch Students on the Internet By: SOMINI SENGUPTA Published: October 28, 2013*

3. Source 3: *When bullying goes high-tech By: ELIZABETH LANDAU, CNN Mon April 15, 2013*

4. Source 4: *Cyber Bullying By: DAVE GRANLUND Published: March 25, 2011*