Cyber-bullying/Cyber-incivility/in Higher Education

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ABSTRACT
Cyber-bullying/cyber-incivility refers to any harassment that occurs via the internet, cell phones or other devices. Communication technology is used to intentionally harm others through hostile behaviour such as sending text messages and posting ugly comments on the internet. The increased frequency of this cyber incivility among people, both young and old and the negative psychological and organizational impact it has on victim have made it interesting topic for researchers nationwide. The National Crime Prevention Council defines cyber-bullying/cyber-incivility as "the process of using the Internet, cell phones or other devices to send or post text or images intended to hurt or embarrass another person [1]; [2].
Cyber-bullying/cyber-incivility is not limited to grade school, middle school, or high school—it also appears in postsecondary education. It's also not just an American problem, but occurs across the globe [3]. Cyber-bullying/cyber-incivility must be recognized as a higher education issue. College and university administrators should work on policies that develop guidelines for dealing with this issue on campus and with more on-line education and faculty working from home, in the home.
Keywords: *cyber-bullying/cyber-incivility, higher education, bullying, cyber-incivility, victimization.*

Introduction:
We live in a fast-paced, high tech, multi-media world. While it has many advantages, it has dark side just as the physical world beyond human prediction. Has technology been used to fight wars, steal from people, bully people, stop people from advancement in the job or being accepted into a college? Cyber-bullying/cyber-incivility in Higher Education is of major concern everywhere and anywhere in the world of today. It can take place at home, in school, or the workplace. What can educators do? What can parents do? What can the general public do?

There seems to be a concern more than half of the students would walk away from someone who cyber bullies, and that in the case of higher education, more females than males would report the incident to a friend or adult. In general, students in higher education do not want to be identified with the cyber-bullying/cyber-incivility incident nor with the person who cyber bullies. There is a fear of involvement and fear of possible punishment on the part of the observer of the cyber-bullying/cyber-incivility incident. Sometimes the culture at the university is to step back when someone is cyber bullied. Students don't want to be blamed for online issues and perhaps female students do not want to be blamed for being part of cyber-bullying/cyber-incivility events, which could deal with situations of power and attitudes. Perhaps instead, females would rather gossip about these situations. Daniloff [4] found that women tended to be cyber bullied more than men in this study, and perhaps women tended to be involved in aggression that deals with more subtle day to day language and relationships like name calling, exclusion or rumor spreading rather than aggression, which males could exhibit, and is specifically more physical in nature. Women as a result pick up cyber-bullying/cyber-incivility threats more than males from their cell phones, specifically harassing emails sent to their cell phones where the intimidation is thought to be more verbal.

The increase of online learning has resulted in a subsequent rise in cyber-bullying/cyber-incivility, with anonymous student evaluations as the number 1-way students bully professors. They can basically say and threaten anything and there are no repercussions. Bullying has typically been found in the workplace and among students in the classroom, outside of the classrooms, and in many forms of social media. Most recently, faculty members have become targets and victims of online bullying. One of the major platforms is Rate My Professors. Daniloff [4] describes the site as follows:

> Rate My Professors boasts more than eight million student-generated ratings of more than a million professors at 6,000 schools. Founded in 1999, the site allows students to anonymously rate their professors in several categories and comment on such traits as humor and classroom style, not to mention the tightness of their sweaters and the flattering cut of their jeans. (p. 3)

Unfounded comments accusing professors of being under the influence of substances and misbehaving in class have led to emotional distress [4]. Professors have experienced physical threats from students, unwarranted criticisms, and untrue attacks on their personal character. One professor noted receiving hate emails—messages containing abusive language and disturbing content—from a former student who had been caught plagiarizing. The hate email eventually

evolved into a hate campaign on Rate My Professors. And, again, since the responses are anonymous, there are no ramifications to the students making these accusations.

Cyber-bullying/cyber-incivility in workplace
In 2017, the Workplace Bullying Institute found that:

• 19% of Americans are bullied...and another 19% witness it
• 61% of Americans are aware of abusive conduct in the workplace
• 60.4 million Americans are affected by it
• 70% of perpetrators are men; 60% of targets are women
• Hispanics are the most frequently bullied race
• 61% of bullies are bosses, the majority (63%) operate alone
• 40% of bullied targets are believed to suffer adverse health effects
• 29% of targets remain silent about their experiences
• 71% of employer reactions are harmful to targets
• 60% of coworker reactions are harmful to targets
• To stop it, 65% of targets lose their original jobs
• 77% of Americans support enacting new laws

Workplace bullying refers to repeated, unreasonable actions of individuals (or a group) directed towards an employee (or a group of employees), which are intended to intimidate, degrade, humiliate, or undermine; or which create a risk to the health or safety of the employee(s). Workplace bullying often involves an abuse or misuse of power. Bullying behavior creates feelings of defenselessness and injustice in the target and undermines an individual's right to dignity at work. Bullying is different from aggression. Whereas aggression may involve a single act, bullying involves repeated attacks against the target, creating an on-going pattern of behavior. "Tough" or "demanding" bosses are not necessarily bullies as long as they are respectful and fair and their primary motivation is to obtain the best performance by setting high yet reasonable expectations for working safely [5].

Currently, under federal law, victims are protected if subjected to a "hostile working environment" that is motivated by their perceived or actual race, color, religion, sex, national origin, disability, genetic information or age. For example, The U.S. Equal Employment Opportunity Commission [6] enforces federal. These laws protect you against employment discrimination when it involves:
• Unfair treatment because of your race, color, religion, sex (including gender identity, sexual orientation, and pregnancy), national origin, age (40 or older), disability or genetic information.
• Harassment by managers, co-workers, or others in your workplace, because of your race, color, religion, sex (including gender identity, sexual orientation, and pregnancy), national origin, age (40 or older), disability or genetic information.
• Denial of a reasonable workplace accommodation that you need because of your religious beliefs or disability.
• Retaliation because you complained about discrimination, or assisted with a discrimination investigation or lawsuit (United States Equal Employment Opportunity Commission) [6].

In addition to laws that USEEOC enforces, there are federal protections from discrimination on other bases including sexual orientation, status as a parent, marital status, political affiliation, and conduct that does not adversely affect the performance of the victim.

Universities prohibit harassment on the basis of race, color, national origin, sex, age, religion, sexual orientation, gender identity, genetic information, disability, political affiliation, or veteran status. Written into these policies are specific behaviors that are prohibited by the company. For example, victims shall avoid offensive and inappropriate behavior at work and are responsible for ensuring that the workplace is free from harassment at all times.

Examples of prohibited conduct include, but are not limited to, threatening, offensive, or unwelcome conduct or abusive verbal language directed toward an individual or group on the basis of race, color, national origin, sex, age, religion, sexual orientation, gender identity, genetic information, disability, political affiliation, or veteran status; lewd or obscene comments about an individual's body, attire, or gender, including abusive comments or jokes; bringing or displaying a lewd or obscene object, book, magazine, photograph, cartoon, calendar, picture, or similar item into the workplace; or use of electronic resources to transmit, solicit, display, or download lewd or obscene messages or materials.

Anyone who has a complaint of harassment at work, including by supervisors, co-workers, visitors, clients, or customers, has a duty to immediately bring the problem to the attention of management. The victim has the option of

notifying their first line supervisor of the harassment, unless the supervisor is the source of the harassment. In that case, they should report the harassment to the second line supervisor.

Generally, in order to prevail on a hostile working environment claim, a victim needs to establish that the harassing conduct, regardless of the way it was communicated, was unwelcome, aimed at the victim's protected status, subjectively abusive to the victim, and sufficiently severe or pervasive to alter the conditions of the employment. Whether the harassing conduct is considered severe or pervasive so as to be actionable is determined on a case-by-case basis, with consideration often paid to the following factors:
- the frequency and severity of the unwelcome conduct;
- whether the conduct was physically threatening or humiliating, or a mere offensive utterance;
- whether the conduct unreasonably interfered with work performance;
- the effect on the victim's psychological well-being; and
- Whether the alleged harasser was a superior within the organization [7]

U.S. Supreme Court Rulings
In evaluating whether conduct that does not result in a tangible job detriment (i.e. failing to hire, termination, failing to promote, reassignment with significantly different responsibilities, or a significant change in benefits or compensation) is nevertheless actionable, the U.S. Supreme Court has specifically noted that "simple teasing, offhand comments, and isolated incidents" are insufficient to constitute severe and pervasive. Statutes protecting victims from hostile working environments are not meant to be "a general civility code" and, when applied as intended, should not elevate a complaint involving ordinary workplace behaviors, such as the sporadic use of abusive language . . . and occasional teasing" to unlawful harassment [7].

One reason cyber-bullying/cyber-incivility in the workplace is on the rise is because civility in society has broken down. Most people communicate, get their news and entertainment through Internet sites and engage in social media activities that can be best summed up as narcissistic behavior. Gone are the days when each of us looked out for the other. We no longer seek to make the workplace more ethical but, instead, look for ways to turn it to our advantage, and this may include bullying a co-worker who threatens our position.

The problem is one of education. There needs to be intensive training about cyber-bullying/cyber-incivility just as universities train their victims on ethical behavior and avoiding sexual harassment. It's virtually impossible to develop an ethical organization culture without recognizing the threats to creating such a culture and infusing a healthy dose of civility born of respect for others and treating them the way we want to be treated.

According to one study, more than 40% of workers in the United States experienced bullying in the workplace. More than 90% of working women are estimated to believe they have been undermined by another woman at some time in their careers. However, due to the stereotype that women should be more nurturing, a woman may perceive normal supervision from another woman as undermining [8].

Bullying is considered as one of the most serious problems worldwide especially in school and workplace settings [9]. Researchers report that workplace bullying has as an antecedent bullying in the schools. Workplace bullying also infringes on the people's right to human dignity, dexterity, privacy, freedom and security. The physical, emotional and educational consequences of bullying behavior can never be underestimated [10].

For many, there are not established policies or training on how to react. The scope of the problem is unknown due to lack of research, but it is growing. Cyber-bullying/cyber-incivility is related to a university with a majority of students and instructors online. Current policies, training, and professional development do not address cyber-bullying/cyber-incivility of higher education professionals.

Enacting a statute providing a private right of action for bullied victims would likely reduce the incidence of bullying and increase university awareness of the necessity to prohibit such behavior. However, challengers to such legislation have been strident in their opposition; they fear such a statute would subject universities to a barrage of frivolous lawsuits and threats.

Moreover, opponents fear that legal regulation of workplace bullying will open a floodgate of victim complaints about conduct that does not amount to bullying, and is likely present in any work environment. Such conduct includes criticism of performance, discourteous remarks or acts of frustration, differences in opinion, insensitivity to work demands, and disappointing performance reviews. Accordingly, workplace bullying must be clearly defined to ensure it does not prevent the proper exercise of managerial authority, including decisions relating to job duties, workloads,

deadlines, transfers, reorganizations, work instructions or feedback, evaluations, performance management, and/or disciplinary actions.

If workplace bullying happens to you, there are several steps you can take to prevent it from happening again. Step one-remember, it is not you, it is the other guy. Stand up for yourself if possible. Your first step might be a frank discussion with the bully. Tell them that you don't appreciate their behavior. Ask them politely but firmly to stop.

Of course, this may not possible if the bully is your boss or your supervisor. In this case, your second step might try to enlist the help of someone else reasonably high up in the hierarchy. If the bully is your co-worker, consider blowing the whistle and reporting the incidents to your supervisor or boss if confronting them directly does not stop. Name the bully. Go ahead and point a finger.

Step three would be for you to report each incident and document each event, including your reporting the incident. Note times, dates, and other details. If possible, get statements from witnesses in case your version of events is disputed...and it might be.

If you have any vacation or sick time available to you, you may need to consider taking a step back for a few days to collect your thoughts away from work. Give yourself a little time to figure out what you are most comfortable doing about the situation. You might even want to talk about the situation with a therapist or counselor.

Taking some time off can also give you a chance to explore other options. Unfortunately, sometimes the only way to make things right is to move on—if not to a new job, then at least to another department where you are removed from the individual who's been bullying you. And, of course, call 911 immediately if you're in danger or feel threatened in any way [11].

Retaliation:
As recipients of Federal financial assistance from the Department, universities are subject to the provisions of Title IX of the Education Amendments of 1972 (Title IX), as amended, 20 U.S.C. Sections 1681 et seq., and its implementing regulation, 34 C.F.R. Part 106 prohibits recipients of Federal financial assistance from discrimination in the workplace. These policies have included a provision to ensure against retaliation for making claims.

The U.S. Department of Education's Office for Civil Rights enforces, among other statutes, Title IX of the Education Amendments of 1972. Title IX protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance. Title IX states that: No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

Title IX applies to institutions that receive federal financial assistance from the U S. Department of Education, including state and local educational agencies. These agencies include approximately 16,500 local school districts, 7,000 postsecondary institutions, as well as charter schools, for-profit schools, libraries, and museums. Also included are vocational rehabilitation agencies and education agencies of 50 states, the District of Columbia, and territories and possessions of the United States [12].

Title IX states: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

Title IX applies to any institution receiving federal financial assistance from the Department of Education, including state and local educational agencies. Educational programs and activities that receive federal funds from the Department of Education must operate in a nondiscriminatory manner. Also, a recipient may not retaliate against any person for opposing an unlawful educational practice or policy, or because a person made charges, testified or participated in any complaint action under Title IX.

Trinity College in Hartford Connecticut has an interpretation of retaliation. On their website, they state:
Consistent with state and federal laws, this policy prohibits retaliation against a person for: reporting discrimination and harassment; filing a complaint of discrimination or harassment; or participating in the investigation or adjudication of such a complaint. Retaliation is also prohibited against persons who assist others in bringing a complaint of discrimination or harassment by offering advice and moral support or by giving testimony or documentary evidence in response to a complaint.

Retaliation is defined as conduct that may reasonably be perceived to:

- adversely affect a person's educational, living, or work environment because of his or her good-faith participation in the reporting, investigation, and/or resolution of a report of a violation of this policy; or
- discourage a reasonable person from making a report or participating in an investigation under this policy, any other College policy, or any other local, state, or federal complaint process, e.g., filing a complaint with an entity such as the U.S. Department of Education.

Retaliation includes, but is not limited to, acts or words that constitute intimidation, threats, or coercion intended to pressure any individual to participate, not participate, or provide false or misleading information during any proceeding under this policy. Retaliation may include abuse or violence, other forms of harassment, and/or making false statements about another person in print or verbally with intent to harm their reputation.

Retaliation can be committed by any individual or group of individuals, not just a Responding Party or a Complaining Party. Retaliation constitutes a violation of this policy even when the underlying allegations did not result in a finding of responsibility.

Any person who retaliates against an individual reporting, filing, or participating in the investigation or adjudication of a complaint of discrimination or sexual misconduct as defined in this policy is subject to disciplinary action up to and including expulsion or termination. Retaliation is prohibited even if the underlying complaint is eventually dismissed or is deemed to lack merit. (https://www.trincoll.edu/title-ix/definitions-of-sexual-misconduct/retaliation/)

Workplace Summary:

Whereas one way some sites have dealt with cyber-bullying/cyber-incivility is to give a right of response to the aggrieved party, and most schools and universities have anti-cyber-bullying/cyber-incivility policies, the general sense is that it's a first amendment issue and people should be able to say whatever they want without government interference. Further, it appears as though Web site owners can't really be held liable for content that's being posted to their sites. But some websites are fighting back. For example, Rate My Professors has created a new feature called "Professors Talk Back," which is a way for professors to respond to accusations or characterizations that they feel are unfair.

Companies can do a great deal to foster a positive environment. For example, Facebook, Twitter, Google, Microsoft, Snapchat Ask.fm, Yahoo and other online companies have victims dedicated to helping create a safer and more comfortable environment for all their users. They are developing blocking and reporting mechanisms and are fine-tuning their policies to encourage a more civil environment.

Universities especially have a responsibility to allow for free expression of ideas and are sometimes faced with hard decisions when it comes to promoting free speech, but some are making the effort to prevent hate speech. This requires a great deal of thought and consultation and there are often nuances that are not obvious to the public, such as constitutional issues including free speech.

Several research studies have revealed the negative outcomes of incivility, and bullying in workplace as psychological burnout, absenteeism, and turnover intentions [13]; [14]; [15]; [16] .Research also reports incidence of incivility in the daily life of many workers in the various institutions across the country [17]. There exist many recent studies on youth, young adults and minorities facing cyberbullying/cyber incivility in higher education [16].This malicious act has negative impacts by decreasing work efforts and performance quality over time [18]; [16].

Here are a few suggestions from [19]; [16] about what higher education management can do to help ensure the workplace and digital space supports a culture of civility and may help reduce the incidence of bullying/cyber-bullying/cyber-incivility:

Collaborate on a mission-values statement with all victims that clearly sets forth the corporate culture – the exercise will give everyone a sense of ownership plus give you a sense of who's on board and who isn't – and may save you some time identifying potential trouble spots.

Examine the personal management styles of the leaders in the university. Bullying often starts at the top. Autocratic management style, rigid hierarchies, lack of accountability, passive-aggressive behavior all hide – or enable – bullying.

Define 'bullying', 'harassment' and 'inappropriate behavior' in your HR policies and ensure all victims are trained in what to look for and how to report issues.

Be on the lookout for persistent retention issues. If a large number of people leave one department or group, you have a problem, and it probably involves some kind of harassment or bullying.

Take swift corrective action when bullying is revealed. Make it clear bullies aren't rewarded or tolerated – in fact, exactly the opposite. Turning a blind eye to a bully will encourage him or her. Take action [5].

Universities should have levels of intervention already in place. These levels can range from informal intervention to termination of the bully. For example, informal intervention can be as simple as "a cup of coffee conversation" for single "unprofessional" incidents. A peer or supervisor selects a private setting for a brief review of the event with the disruptive person, pauses for a response, listens and invites the perspective of the person who behaved unprofessionally. The person may be defensive, minimizing or rationalizing. The response to this is, "Despite the situation, there are professional and unprofessional ways to respond and we expect a professional response." Conclude with discussing options for professional responses. Awareness intervention takes place after an apparent pattern develops and is identified by the surveillance system or reporting, when there is a threat to quality and safety. An authority figure or peer shares a compilation of patient complaint data or report data from staff in a supportive manner. Most individuals respond professionally and adjust behavior, reducing patient and staff complaints. Authority intervention is when the pattern persists and the person is unable or unwilling to respond to the awareness intervention and change their behavior, the authority intervention is implemented. At this level, leaders develop an improvement and evaluation plan with accountability built in. Leaders specify what behaviors need to improve, what support or services are needed, a timeline, and what the outcome will be if the improvement and evaluation plan is not successful. This intervention should be supportive rather than punitive. Most individuals want to improve but may be hindered by work or family stress, substance abuse problems, or mental health issues. A lack of response to the authority intervention leads to the disciplinary intervention which includes restriction or termination of privileges, reporting to government entities and other actions related to the Code of Conduct policies and procedures. Universities can and should provide support services, such as access to healthcare organizations to provide support services to the individual including use of an employee assistance program or wellness program, a medical evaluation and treatment planning, and group classes on professional behavior. The organization can also provide service recovery for staff, patients and others who have experienced or witnessed disruptive behavior in the workplace [5].

Conclusion:

The world has changed over the last half century with the advent of the internet and it affects history and culture. Bullying has been part of human civilization since the beginning. Cyber-bullying/cyber-incivility is a product of the Information Age and far exceeds classic bullying in its ability to rapidly humiliate a target child, worker or faculty member.No one, nowhere, can a person hide, be it school, workplace, or home without being subject to cyber-bullying/cyber-incivility that is always building and growing beyond what it was before. The negative impact of cyberbullying/cyberincivility [16] and the increasing amount of multi-media technology in our daily life, managers, educators, politicians, and parents need to take an action against cyberbullying/cyberincivility such as the use of formal/informal policies, effective communication, and training for all parties involved.

References:
1. USLegal. (n. d.) *Cyber Bullying law and legal definition*. Retrieved from https://definitions.uslegal.com/c/cyber-bullying/cyber-incivility
2. Notar, C. E., Beard, L. A., Akpan, J. (2020). Cyber bullying: A New Realm.*International Journalof Arts Humanities and Social Sciences, 4*(4).
3. Akpan, J., &Notar, C. E. (2016). Is bullying a global problem or just an American problem? A comparative meta-analysis of research findings. *International Journal of Education and Social Science, 3*(9), 54-65.
4. Daniloff, C. (2009). *Cyber-bullying/cyber-incivility goes to College: Online harassment can turn campus life into a virtual hell.* Retrieved from http://www.bu.edu/today/node/8732.
5. Washington State Department of Labor and Industries. (2011). *Workplace bullying: What everyone needs to know.* Retrieved from https://www.northeastern.edu/securenu/wp-content/uploads/2012/11/untitled.pdf
6. United States Equal Employment Opportunity Commission. (n. d.). *Harassment.* Retrieved from https://www.eeoc.gov/laws/types/harassment.cfm.
7. Mintz, S. (2016). *Womens' issues in the workforce: The Rise of Cyber-bullying/cyber-incivility in the Workplace.* Retrieved from https://www.workplaceethicsadvice.com/2016/10/the-rise-of-cyber-bullying/cyber-incivility-in-the-workplace.html
8. Edwards, R., & Stoppler, M. (n. d.). *Bullying.* Retrieved from https://www.medicinenet.com/bullying/article.htm.
9. Lindsay, G., Dockrell, J. E.,&Mackie, C. (2008). Vulnerability to bullying in children with a history of specific speech and language difficulties.*European Journal of Special Needs Education, 23*(1), 1-16.
10. Aluede, O.,Adeleke, F., Omoike, D., &Afen- Akpaida, J. (2008). A review of the extent, nature, characteristics and effects of bullyingbehaviour in schools. *Journal of Instructional Psychology*, *35*(2), 151-158.

11. The Balance Careers. (2019). *Workplace bullying—True stories, statistics, and tips: Learn practical responses to workplace bullying.*Retrieved from https://www.thebalancecareers.com/bullying-stories-2164317
12. U.S. Department of Education, Office for Civil Rights. (2015). <u>Title IX and Sex Discrimination.</u>
13. Martin, R. J., & Hine, D, W. (2005). Development and validation of the uncivil workplace behavior questionnaire. Journal of Occupational Health Psychology, 10(4), 477-490
14. Miner-Rubino, K., & Cortina, L., M. (2007). Beyond targets: consequences of vicarious exposure to misogyny at work. Journal of Applied Psychology, 92(5), 1254-1260.
15. Lim, S., & Cortina, L. M. (2005). Interpersonal mistreatment in the workplace: the interface and impact of general incivility and sexual harassment. Journal of Applied Psychology, 90(3), 485-496.
16. Yurtkoru E., S. Guler, I. (2019). Joint conference: 14th ISMC and 8th ICLTIBM-2018: Incivility in digital era: A study on cyberbullying, Social & Behavioral Science ISSN 2357-1330
17. Sliter, M., Jex, S., Wolford, K., & McInnerney, J. (2010). How rude! Emotional labor as a mediator between customer incivility and employee outcomes. Journal of occupational Health Psychology, 13(4).
18. Sakurai, K., & Jex, S. M. (2012). Coworker incivility and incivility targets work effort and counterproductive work behaviors. The moderating role of supervisor social support. Journal of occupational Health Psychology, 17(2). 150-160
19. Forssell, R. (2016). Exploring cyberbullying and face-to-face bullying in working life-Prevalence, targets and expressions, Computers in Human Behavior, 58, 454-460.