

## NCSC Justice Case Files 5

### The Case of Cyberbullying

#### Goal:

This packet of support materials seeks to provide varied materials that any teacher (grades 6-12) may use, in part or in whole, to fit specific objectives, content needs, and/or differing student abilities while teaching the fundamental concepts: cyberbullying, First Amendment rights, and how the courts work.

It is the belief of the NCSC that the U.S. court system is not designed to punish its citizens, but rather to help citizens learn how to follow the law that benefits us all. The fundamental base of a fulfilled citizen is knowledge of the system that protects her/his rights. As such, the NCSC seeks to use as many avenues as possible to educate its citizens, hence this exciting venture into the graphic novel field.

#### Packet Materials:

The activities presented in this packet range from traditional worksheets, to thought-provoking Q&A's supported by preparatory worksheets, to an essay component, and finally to extended research.

- ❖ The traditional worksheet section "What's the Issue?" consists of a short answer "basic facts of the case"
- ❖ A discussion starter activity to get students thinking about bullying
- ❖ Open ended discussion questions on various aspects of the case. Teachers can choose from the list those questions that best fit with the objectives of the lesson.
- ❖ Role play activities for students to brainstorm ways to address bullying
- ❖ Extended research may be conducted, based on the time available to the teacher, on significant national, state, and local eminent domain and internet piracy cases. Some suggested areas of research are included in the packet. The cases highlighted in this packet are:
  - *Kowalski v. Berkeley County School District*
  - *J.S. v. Blue Mountain School District*
  - *Layshock v. Hermitage School District*
  - *People v. Marquan M*
  - *A.B. v. State of Indiana*
  - *Killion v. Franklin Regional School District*
  - *J.S. v. Bethlehem Area School District*
  - *Ryan Dwyer v. Oceanport School District*
  - *Boston et al v. Athearn et al*
  - *United States v. Drew*

- ❖ An activity that has students analyze the Magna Carta and its role in shaping the American Legal system. Teachers using this sheet may want to have students look through the graphic novel and find the 13 subtle references to the Magna Carta in the graphics.
- ❖ Several example lesson plans that provide ways to combine and use the materials provided in the classroom. Teachers can choose a lesson plan that fits their objectives.
- ❖ The preparatory worksheets (Advocate Decision Making - ADM) allow a successful classroom discussion based on a metacognitive process. Three groups would be created: those in favor, those against, and those unsure. Both the pro and con seek to sway those undecided using the ADM worksheet as their base. The undecided students question both sides as a judge would question litigants and litigators in a case. The teacher's role is to moderate to ensure an active question and answer session that fulfills the learning objective.
- ❖ Two possible essays are...
  - Option 1: Given the rapid changes brought by technology, how may the judicial and legislative branches work together to enable the courts to effectively protect the rights of all U.S. citizens.
  
  - Option 2: How should social media be regulated or managed and why? Or why should social media not be regulated or managed?
- ❖ Extended activities such as a trip to the local court, holding a mock trial role play, having a mock legislature to develop bills to solve the issues addressed in Case Files, or assigning a concluding writing assignment to address either the moral conflict inherent in victimless crimes or how courts deal with and adapt to changes in society, creating a public service announcement about citizen rights.
- ❖ The packet concludes with applicable national DOE standards as well as links to state standards

## What's the Issue?

1. Why was the teacher able to take Amber's phone? Why not James'? What is the difference between the situation with Amber and the situation with James? What is due process?
2. In what ways is Madison bullying Amber?
3. What evidence does the school have of Madison cyberbullying Amber? What is the problem with this evidence?
4. Why is the school able to suspend Madison for cyberbullying?
5. How is bullying different from a prank? Look at the testimony of Amber and Madison, how did each view the situation?
6. What is the basis of Madison's lawyer's argument to defend Madison? Do you agree with her lawyer? Why or why not?
7. How does Coach King view the situation between Amber and Madison?
8. How does Runnymede High School define bullying? Do you think Madison's actions meet this definition? Why or why not?
9. How does the First Amendment's protection of freedom of speech fit with people's right to be treated equally? Why is this part of the argument in court?
10. What is the judge's decision and reasoning? Was this punishment severe enough? Why or why not?
11. Do you think Madison will go back to bullying? Should there have been consequences for Madison's friends? If so, what? If not, why not?
12. Do you agree that Amber should be the one to switch classes? Why or why not?

## Discussion Starter

Activity #1: two Post It notes handed to each student ... on one note each student writes an example of mean, but legal bullying ... on the other note each student writes an example of illegal bullying that can be prosecuted ... students then place the legal notes on one area of the room and the illegal notes on another area of the room ... posts are then discussed to see if any notes should switch sides ... discussion ensues

Suggested possible answers for mean, but legal, comments...

You're stupid / dumb

You're a homo / gay

Hey fatso / tubby

Hey pock face

Nobody likes you

You're a loser

Suggested possible answers for illegal bullying that can be prosecuted ...

I hate you, I hope you kill yourself!

Why don't you kill yourself so we don't have to look at you anymore?

The world would be a better place without you in it!

Legal but Mean Comments v. Illegal Bullying Websites

<http://www.avvo.com/legal-guides/ugc/general-harassment-and-bullying-vs-illegal-harassment>

<http://www.stopbullying.gov/laws/federal/>

## Suggested Discussion questions

### Discussion topics:

1. Give each student two Post-It notes. On one note each student writes an example of mean but legal comments and on the other note each student writes an example of illegal bullying that can be prosecuted. Have students place the legal notes on one area of the room and the illegal notes on another area of the room. Have students then discuss the posts and whether they are on the appropriate end of the room, could any of the legal comments actually be illegal? Are any on the illegal side actually legal? Why?

2. Some say that cyberbullying is harmless teasing and is funny. Have students research the story of Ryan Halligan and Megan Meier. How are these cases similar to the graphic novel? What responsibility does society have to protect those who are bullied? Does the burden belong to the bullied and the bullied person's friends to report the abuse? Does the threat of bodily harm have to be made before punishment can occur? What constitutes a threat of bodily harm? What does not constitute a threat of bodily harm? Is the bully legally required to report the threat of an intended suicide by the person being bullied? Research Vermont's Bullying Prevention Law Act 117 and Megan's law, Senate Bill 118. Do you think these laws do enough to prevent the things that happened to Ryan and Megan? Why or why not?

2. Was Madison's punishment severe enough given the crime she committed? Why or why not? What should be the punishment? Should jail time have been given? If so, how much and why that amount? Should community service have been given? If so, how much and why that amount? What should be done with the bully's friends? Punishment? Change classes? Change schools?

3. Do you think punished bullies will go back to bullying? Why or why not? What can be done to permanently stop bullying? What should be done to prevent bullying? What might guidance counselors or administration do to lesson bullying within a school? What school programs are ineffective? Why are those programs ineffective? What might teachers do to lesson bullying within a school?

4. What roles does the First Amendment's freedom of speech play in bullying? What limitations, if any, should be placed on the First Amendment to limit bullying? Since no rights are absolute (when they infringe upon other's basic rights) what are the basic rights of Amber and Madison? Have students research *Kowalski v. Berkeley County School District*, *J.S. v Blue Mountain School District* and *Layschock v. Hermitage School District*. Discuss what do these cases have in common? How do they vary? How do you explain similar cases having different outcomes? What does this tell us about the challenges in fighting cyberbullying given First Amendment rights?

5. Why don't bullied individuals just "turn off" the social media device to stop the bullying? Does avoiding social media solve the problem? Why or why not? Do you think users should engage in blocking or is unfriending enough? Why? Should a bullied person have to end the old account and just create a new one? Why? If the victim shouldn't have to walk away from social media, what protections can be made without sacrificing too much of the First Amendment? At the end of a semester at Colgate University the professors decided to flood the Yik Yak app with positive comments, inspirational quotes, motivational ideas, and messages of support and affirmation to the Colgate students, can the rights of free speech be used to change the social conversation by well-meaning individuals?

<https://www.insidehighered.com/news/2014/12/15/professors-turn-yik-yak-happy-space>

<http://mashable.com/2012/09/04/students-social-media-warnings/>

<https://www.studential.com/university/guides/jobs-and-careers/social-media-do's-and-don'ts-for-students>

6. What measures should platform like Facebook, Twitter or Instagram take to make sure people are not creating fake profiles? What responsibility does social media have to limit bullying by not taking screen shots off of private pages? What burden do anonymous sites such as Yik Yak have to report and decrease bullying? Should anonymous question asking sites (ask.fm) be legal? Why? Anonymous sites allow people to make comments without attaching their name or identity. These sites allow you to make comments without consequence. Yik Yak is an app that allows you to post and see any comments posted by any person within a 10 mile radius, so people can talk about people around them publicly without attaching a name or identity.

## Activity 2: Role plays

Present students with the three situations below. Students could be broken into multiple groups and the teacher could have the whole class do one situation as a model and then have small groups do one of the other situations on their own to present to the class. The teacher could also divide the three situations among the groups so each group does a different situation and present to the class. Have students discuss and write down what could have been done to lessen or end the bullying. Students could present their ideas in a role play or through presentation of their ideas

1. You and your friends witness a student in the cafeteria taking food from another student in a way that is obviously not okay. Take on the roles of bully, student being bullied, witness and friends and role play a way to end this situation that will lessen or end the bullying.

2. You are leaving the school building for the day and the bully who has been teasing you mercilessly all year corners you outside the entrance and begins to harass you about your appearance. One of your teachers is approaching the school entrance. Take on the roles of bully, student being bullied and the teacher and role play a way to end this situation that will lessen or end the bullying.

3. One of your classmates has been bullying you by sending private threatening messages to you on Facebook. Take on the roles of bully and person being bullied, decide what other roles you may want to include and role play a way to end this situation that will lessen or end the bullying.

4. If your school allows use of personal devices and the classroom age is appropriate to have students use their cell phones to show current bullying on a social media website (be sure to not use any names), role play ways to end the situation that will lessen or end the bullying.

## Activity #2: Suggested Possible Answers

Situation #1: You witness a student taking food from another student in a way that is obviously not okay. What should you, as the witness, do?

Inform a teacher or staff member

Comfort the aggrieved student / offer her or him some of your food

Tell the aggrieved student what was done was not okay and encourage them to report it every time

As a group tell the bully to leave the person alone

Ask the bully why he/she believes it is okay to treat someone else this way

Be aware in the future to stop repeated acts of this behavior by the same person

Situation #2: You are leaving the school building for the day and the bully who has been teasing you mercilessly all year corners you outside the entrance and begins to harass you about your appearance. One of your teachers is approaching the school entrance.

Ask the teacher for help

Ask the teacher to “write up” the bully

Ask your guidance counselor to convene a meeting with you, your parent(s) / guardian(s), the guidance counselor, the bully, and the bully’s parents

Report the bully every time – remember that bullying is a repeated offense

Have your parent(s) /guardian(s) meet with school administration and receive the time table for offenses as the bully is reported each time the offense occurs

Situation #3: One of your classmates has been bullying you by sending threatening private messages to you on Facebook or Twitter.

Print all the messages and make a copy set of all the messages

Report the bullying to the school administration and your guidance counselor

Show the messages to your parents

If bodily harm or death is threatened inform the police immediately

Refrain from responding back to the bully

### Activity 3: Extended Research

Have students research recent cyberbullying cases that have gone to court. How were these cases similar to the one in graphic novel? How were the verdicts similar to or different from Madison's? Why is this? Do you think the other verdicts were fair and just for all parties involved? Why or why not?

*Kowalski v. Berkeley County School District*

*J.S. v. Blue Mountain School District*

*Layshock v. Hermitage School District*

*People v. Marquan M*

*A.B. v. State of Indiana*

*Killion v. Franklin Regional School District*

*J.S. v. Bethlehem Area School District*

*Ryan Dwyer v. Oceanport School District*

*Boston et al v. Athearn et al*

*United States v. Drew*

Have students develop and propose a bill/legislation that they feel may help protect victims of bullying and help courts adapt to the changing technology of social media and thus protect all citizens.

Have students make public service announcements in either pamphlet, poster, or video form to educate their peers and community about cyberbullying, who it hurts, the consequences of it and encourage them to prevent cyberbullying/not use social media to hurt others.

Have students develop a program to present to the student body either live or through video to educate others and to prevent bullying. Have students think about bullying programs that they have seen, what was effective? What was not? What do they feel would make a difference and have an effect on students?

Have students create a list of guidelines or what to do/what not to do on social media advice for their peers.

## Magna Carta and the Rule of Law:

What does the “rule of law” mean? (All citizens in a society must follow the same laws and be protected equally by the same laws)

Rule of Law Timeline: (this can easily be made into a matching worksheet for teachers who prefer this method of instruction)

1212 King John of England bullies his subjects financially and physically

1215 Group of powerful barons convince King John to agree in writing to set limits on a monarch’s power (beginning of rule of law for all)

1606 First Virginia Charter (James I) guarantees “liberties” to native-born English subjects who are in the colonies

1641 Massachusetts’ Body of Liberties, first legal code of European colonists – copies sections of Magna Carta

1682 Pennsylvania Frame of Government uses Magna Carta’s guarantee for “open courts ... justice not denied nor delayed ...”

1689 English Bill of Rights extends basic rights to all free Englishmen

1773 Boston Tea Party – taxation without representation protested

1774 Thomas Jefferson cites the Magna Carta “no taxes may be set in the kingdom without its general consent”

1776 Thomas Jefferson writes Declaration of Independence using Magna Carta concepts of “all men are by nature free and equal.” Maryland and other states cite “(people) ought to have justice ... without denial ... and speedily without delay”

1777 Articles of Confederation limits the central government’s power

1788 Constitution written giving more power to the people

1789 Bill of Rights added to U.S. Constitution; limits national government power – heavily influenced by George Mason’s 1776 Virginia Declaration of Rights, the 1689 English Bill of Rights, and the 1215 Magna Carta

1819 U.S. Supreme Court’s decision in *McCulloch v. Maryland* reference the Magna Carta stating that individuals must be free from “arbitrary exercise of the powers of government”

1999 the state of Georgia enacts the first anti-bullying law

2003 the state of Vermont enacts anti-bullying campaigns in school after a 13 year old boy (Ryan Halligan) committed suicide as a result of massive cyberbullying

2007 the state of Missouri enacts legislation prohibiting harassment over the internet and making it a misdemeanor – amendments made in 2008 made the offense a felony

2014 49 of 50 states have laws against bullying (Montana is currently debating the effectiveness of such a law)

1. Based on this information go back to the graphic novel and find thirteen references to the Magna Carta in the graphics.
2. What phrase found in the 5<sup>th</sup> and the 14<sup>th</sup> Amendment of the U.S. Constitution was taken from the Magna Carta, clause 39? What do we call this phrase?
3. What does arbitrary denial mean?
4. What is the difference between a civil and a criminal proceeding?
5. How does the skeletal nature of the due process clause keep the Constitution a living document?
6. What are the 4 protections provided by Clause 39 of the Magna Carta, the Fifth Amendment's Due Process Clause, and the Fourteenth Amendment's Due Process Clause?
7. What section of the Fifth Amendment (Bill of Rights) of the U.S. Constitution was heavily influenced by the Magna Carta?
8. What section of the Sixth Amendment (Bill of Rights) of the U.S. Constitution was heavily influenced by the Magna Carta written in 1215?

## Answers to the Magna Carta questions

1. Based on this information go back to the graphic novel and find thirteen references to the Magna Carta in the graphics.

- a) **Barons** – Bad Barons – name of band on Amber's laptop, [page 4, 5](#)  
First drafted by the Archbishop of Canterbury to make peace between the unpopular King and a group of rebel [barons](#), it promised the protection of church rights, protection for the barons from illegal imprisonment, access to swift justice and limitations on [feudal](#) payments to [the Crown](#), to be implemented through a council of 25 barons. Neither side stood behind their commitments and it was annulled by [Pope Innocent III](#), leading to the [First Barons' War](#).
- b) **Runnymede** – name of high school, [page 6, 18](#)  
John met the rebel leaders at [Runnymede](#), near both the royal fortress of [Windsor Castle](#) and the rebel base at [Staines](#), on 10 June 1215, where they presented him with their draft demands for reform, the "Articles of the Barons".
- c) **Canterbury** – principal's name, [page 9](#)  
Magna Carta was first drafted by the [Archbishop of Canterbury](#) to make peace between the unpopular King and a group of rebel [barons](#)
- d) **Langton** – name of civics professor, Dr. Langton, [page 6](#)  
John instructed [Stephen Langton](#), the [Archbishop of Canterbury](#), who had been working with the rebel barons on their "Articles" or demands, to organise peace talks.
- e) **12:15** – time found on watch on page 11; time incident occurred, [page 16](#)  
**Magna Carta** was a [charter](#) issued by [King John of England](#) at [Runnymede](#), near [Windsor](#), on 15 June 1215.
- f) **Blackstone** – Honorable Judge William Blackstone, [page 14](#)  
Sir [William Blackstone](#) published a critical edition of the 1215 Charter in 1759, and gave it the numbering system still used today.
- g) **King** – Lisa King, name of volleyball coach, [page 17](#)  
Magna Carta was issued by [King John of England](#)
- h) **James** – name of boy who was used as example during civics lesson, [page 6](#)  
Both [James I](#) and his son [Charles I](#) attempted to suppress the discussion of Magna Carta, until the issue was curtailed by the [English Civil War](#) of the 1640s and the execution of Charles.
- i) **Surrey County** – name of county court on [page 13](#)  
Runnymede is in the English county of Surrey and the location where Magna Carta was signed.
- j) **Denning** – police officer's name, [page 16](#)  
[Lord Denning](#) described the Magna Carta as "the greatest constitutional document of all time – the foundation of the freedom of the individual against the arbitrary authority of the despot".

- k) **Windsor** – prosecutor’s name, [page 13](#)  
John met the rebel leaders at [Runnymede](#), near both the royal fortress of [Windsor Castle](#) and the rebel base at [Staines](#), on 10 June 1215, where they presented him with their draft demands for reform, the "Articles of the Barons."
- l) **Pope Innocent III** – name of heavy metal band is Three Innocent Popes, [page 4](#)  
Neither side stood behind their commitments and the Magna Carta was annulled by [Pope Innocent III](#), leading to the [First Barons' War](#).
- m) The Great Charter – written chalk board, [page 6](#)  
**Magna Carta** (Latin: "the Great Charter"), also called **Magna Carta Libertatum**

2. What phrase found in the 5<sup>th</sup> and the 14<sup>th</sup> Amendment of the U.S. Constitution was taken from the Magna Carta, clause 39? What do we call this phrase? (“No person shall ... be deprived of life, liberty, or property, without due process of law”; the Due Process Clause)

3. What does arbitrary denial mean? (laws being applied randomly, not uniformly (fairly))

4. What is the difference between a civil and a criminal proceeding? (civil is about money disputes while criminal is about jail time)

5. How does the skeletal nature of the due process clause keep the Constitution a living document? (each generation gets to decide what the right to life, liberty, and property mean)

6. What are the 4 protections provided by Clause 39 of the Magna Carta, the Fifth Amendment’s Due Process Clause, and the Fourteenth Amendment’s Due Process Clause?

- 1. Procedural due process in civil court
- 2. Procedural due process in criminal court
- 3. Prohibition against vague laws
- 4. Vehicle for the incorporation of the Bill of Rights (right to life, liberty, and property)

7. What section of the Fifth Amendment (Bill of Rights) of the U.S. Constitution was heavily influenced by the Magna Carta? (Grand jury right comes from “no free man shall be seized or imprisoned, or stripped of his rights or possessions ... except by the lawful judgment of his equals”)

8. What section of the Sixth Amendment (Bill of Rights) of the U.S. Constitution was heavily influenced by the Magna Carta written in 1215? (trial by a jury of your peers , MC “Earls and barons shall be fined only by their equals ...To any man whom we have deprived or disposed of lands, castles, liberties, or rights, without the lawful judgment of his equals ...”)

## Example Lesson Plan: Cyberbullying

### Intended Learning Objectives

1. TO identify the major issues and events in the case
2. To discuss the prosecution of those cyberbullying
3. To develop legislation to help prevent cyberbullying.

### Activities.

1. Give students a copy of the graphic novel and a “What’s the Issue?” sheet. Have students read the novel and complete the sheet. Discuss student answers.
2. Have students research recent cyberbullying cases that have gone to court such as *United States v. Drew*. How were these cases similar to the one in graphic novel? How were the verdicts similar to or different from Madison’s? Why is this? Do you think the other verdicts were fair and just for all parties involved? Why or why not?
3. Discuss: What roles does the First Amendment’s freedom of speech play in bullying? What limitations, if any, should be placed on the First Amendment to limit bullying? Since no rights are absolute (when they infringe upon other’s basic rights) what are the basic rights of Amber and Madison? Have students research *Kowalski v. Berkeley County School District*, *J.S. v Blue Mountain School District* and *Layschock v. Hermitage School District* Discuss what do these cases have in common? How do they vary? How do you explain similar cases having different outcomes? What does this tell us about the challenges in fighting cyberbullying given First Amendment rights?
4. Research Vermont’s Bullying Prevention Law Act 117 and Megan’s law, Senate Bill 118. Do you think these laws do enough to prevent the things that happened to Ryan and Megan? Why or why not?
5. Have students develop and propose a bill/legislation that they feel may help protect victims of bullying and help courts adapt to the changing technology of social media and thus protect all citizens.

## Example Lesson Plan: Cyberbullying

### Intended Learning Objectives

1. To identify the major issues and events in the case
2. To debate the issue of cyberbullying

### Activities:

1. Give students a copy of the graphic novel and a “What’s the Issue?” sheet. Have students read the novel and complete the sheet. Discuss student answers.
2. Give students an “Advocate Decision-Making Worksheet.” Have students complete the sheet and come to a position on the issue of what responsibility does society have to protect those who are bullied?
3. Have students separate themselves by their position, or divide them equally on the issue and prepare the presentation of their arguments.
4. Debate the issue of the responsibility to protect the bullied versus protecting rights of free speech.
5. For assessment students could write a final opinion on the issue based on the information and perspectives that they gained from the debate.

## Example Lesson Plan: Cyberbullying

### Intended Learning Objectives

1. To identify the major issues and events in the case
2. To role play different bullying scenarios and propose ways to resolve the situations
3. Develop a program or public service announcement to prevent bullying

### Activities

1. Give students a copy of the graphic novel and a “What’s the Issue?” sheet. Have students read the novel and complete the sheet. Discuss student answers.
2. Present students with the following situations, have students construct roleplays of what could be done to lessen or end the bullying
  - A. You and your friends witness a student in the cafeteria taking food from another student in a way that is obviously not okay. Take on the roles of bully, student being bullied, witness and friends and role play a way to end this situation that will lessen or end the bullying.
  - B. You are leaving the school building for the day and the bully who has been teasing you mercilessly all year corners you outside the entrance and begins to harass you about your appearance. One of your teachers is approaching the school entrance. Take on the roles of bully, student being bullied and the teacher and role play a way to end this situation that will lessen or end the bullying.
  - C. One of your classmates has been bullying you by sending private threatening messages to you on Facebook. Take on the roles of bully and person being bullied, decide what other roles you may want to include and role play a way to end this situation that will lessen or end the bullying.
3. Have students make public service announcements in either pamphlet, poster, or video form to educate their peers and community about cyberbullying, who it hurts, the consequences of it and encourage them to prevent cyberbullying/not use social media to hurt others.

OR

Have students develop a program to present to the student body either live or through video to educate others and to prevent bullying. Have students think about bullying programs that they have seen, what was effective? What was not? What do they feel would make a difference and have an effect on students?

## Example Lesson Plan: Cyberbullying

### Intended Learning Objectives

1. To identify the major issues and events in the case
2. To discuss the responsibility of social media
3. To brainstorm ways to change the conversation on social media to be positive

### Activities

1. Give students a copy of the graphic novel and a “What’s the Issue?” sheet. Have students read the novel and complete the sheet. Discuss student answers.
2. Some say that cyberbullying is harmless teasing and is funny. Have students research the story of Ryan Halligan and Megan Meier. How are these cases similar to the graphic novel? What responsibility does society have to protect those who are bullied? Does the burden belong to the bullied and the bullied person’s friends to report the abuse? Does the threat of bodily harm have to be made before punishment can occur? What constitutes a threat of bodily harm? What does not constitute a threat of bodily harm? Is the bully legally required to report the threat of an intended suicide by the person being bullied? Do parents have a responsibility for bullying their children do on social media?
3. Discuss: What measures should platform like Facebook, Twitter or Instagram take to make sure people are not creating fake profiles? What responsibility does social media have to limit bullying by not taking screen shots off of private pages? What burden do anonymous sites such as Yik Yak have to report and decrease bullying? Should anonymous question asking sites (ask.fm) be legal? Why?
4. Have students brainstorm a list of all the people, groups, companies who have a vested interest in how social media operates and what can be done or not done on social media.
5. Divide your students into as many small groups as you have stakeholders on the board (or a manageable number) with an additional group to be the Congressional Subcommittee. Assign each small group to be one of the stakeholders identified on the board or the Congressional Subcommittee.
6. Have the small groups determine the point of view of their stakeholder—how do they feel social media should or should not be regulated or managed and why. Have groups try to express their argument based on how it is in the interest of the greater good/fair to all people. The

Congressional Subcommittee should formulate questions to ask the various stakeholders in order to cross-examine the arguments of the stakeholders.

7. Have small groups present their arguments to the Congressional Subcommittee. The Congressional Subcommittee should then propose a course of action for social media.

7. To wrap up, have students write a response: At the end of a semester at Colgate University the professors decided to flood the Yik Yak app with positive comments, inspirational quotes, motivational ideas, and messages of support and affirmation to the Colgate students, can the rights of free speech be used to change the social conversation by well-meaning individuals?  
<https://www.insidehighered.com/news/2014/12/15/professors-turn-yik-yak-happy-space>

## Example Lesson Plan: Magna Carta and the Rule of Law

### Intended Learning Objectives

1. To analyze the origins of the American legal system
2. To debate how anti-bullying legislation fits in the American legal system

### Activities

1. Give students a copy of the graphic novel and a “What’s the Issue?” sheet. Have students read the novel and complete the sheet. Discuss student answers.
2. Have students read through the Magna Carta and the Rule of Law sheet and answer the questions. Have students find the 13 references to the Magna Carta that are in the graphics. (The answers are included in the answer key for the Magna Carta sheet).
3. Discuss How does the skeletal nature of the due process clause keep the Constitution a living document? (each generation gets to decide what the right to life, liberty, and property mean) How does this allow room for antibullying legislation?
4. Research Vermont’s Bullying Prevention Law Act 117 and Megan’s law, Senate Bill 118. Do these laws fit within the powers of government in the Constitution? How do these laws enforce the idea of the “rule of law”? Do these laws contradict with the First Amendment?
5. What roles does the First Amendment’s freedom of speech play in bullying? What limitations, if any, should be placed on the First Amendment to limit bullying? Since no rights are absolute (when they infringe upon other’s basic rights) what are the basic rights of Amber and Madison? Have students research *Kowalski v. Berkeley County School District*, *J.S. v Blue Mountain School District* and *Layschock v. Hermitage School District* Discuss what do these cases have in common? How do they vary? How do you explain similar cases having different outcomes? What does this tell us about the challenges in fighting cyberbullying given First Amendment rights?

## ADVOCATE DECISION-MAKING WORKSHEET

Name \_\_\_\_\_ Block/Period \_\_\_\_\_ Score \_\_\_\_\_/20 Points

Issue \_\_ What responsibility does society have to protect those who are bullied?

Instructions for decision-makers:

complete Section I before the debate

complete Section II during the debate

complete Sections III, IV, and V after the debate for homework

Section I: You should ask yourself: "What do I need to know in order to make a decision on the issue?"

1. \_\_\_\_\_

\_\_\_\_\_

2. \_\_\_\_\_

\_\_\_\_\_

3. \_\_\_\_\_

\_\_\_\_\_

4. \_\_\_\_\_

\_\_\_\_\_

5. \_\_\_\_\_

\_\_\_\_\_

Section II: List the arguments for each side:

Arguments For	Arguments Against

Section III: Some questions to consider when making your decision.

1. Is the argument relevant (worthwhile, important)?
2. Is the argument supportable by evidence?
3. Was sufficient / enough evidence presented to support the arguments?

4. Were any arguments presented by one side that were unchallenged by evidence presented by the other advocates (debaters)?

5. Was contrary (contradicting or opposite) evidence presented?

6. Were any sources used biased (overly favoring one side)?

Section IV: After evaluating the arguments presented by the advocates, make your decision and list your reasons for making the decision.

Your Decision \_\_\_\_\_

Reason #1
Reason #2
Reason #3
Reason #4
Reason #5

Section V: Value Criteria Used: Based on the reasons listed in Section IV, what values underlie your decision?

Value #1
Value #2
Value #3
Value #4

\*adapted from the Southern Center for International Studies – South Asia course material

## Link to the Standards

The content in the graphic novel and the lesson plans correlate with the following Virginia Standards of Learning:

### Virginia SOLs: Virginia and US Government

GOVT.2 The student will demonstrate knowledge of the political philosophies that shaped the development of Virginia and United States constitutional government by

- b) explaining the influence of the Magna Carta, the English Petition of Rights, and the English Bill of Rights;

GOVT.3 The student will demonstrate knowledge of the concepts of democracy by

- b) recognizing the equality of all citizens under the law;
- d) recognizing the necessity of compromise;
- e) recognizing the freedom of the individual.

GOVT.11 The student will demonstrate knowledge of civil liberties and civil rights by

- a) examining the Bill of Rights, with emphasis on First Amendment freedoms;
- b) analyzing due process of law expressed in the 5th and 14th Amendments;
- d) exploring the balance between individual liberties and the public interest;
- e) explaining every citizen's right to be treated equally under the law.

GOVT.17 The student will demonstrate knowledge of personal character traits that facilitate thoughtful and effective participation in civic life by

- b) practicing courtesy and respect for the rights of others;

### Virginia SOLs Civics and Economics

CE.3 The student will demonstrate knowledge of citizenship and the rights, duties, and responsibilities of citizens by

- b) describing the First Amendment freedoms of religion, speech, press, assembly, and petition, and the rights guaranteed by due process and equal protection of the laws;
- d) examining the responsibilities of citizenship, including keeping informed about current issues, and respecting differing opinions in a diverse society;
- e) evaluating how civic and social duties address community needs and serve the public good.

CE.4 The student will demonstrate knowledge of personal character traits that facilitate thoughtful and effective participation in civic life by

- b) practicing courtesy and respect for the rights of others;
- g) practicing service to the school and/or local community.

- CE.9 The student will demonstrate knowledge of how public policy is made at the local, state, and national levels of government by
- examining the impact of the media on public opinion and public policy;
  - describing how individuals and interest groups influence public policy;
  - describing the impact of international issues and events on local decision making.

## **Virginia SOLs Health**

### **Advocacy and Health Promotion**

7.3 The student will promote healthy schools, families, and communities.

- Create a campaign to prevent bullying in school and online.
- Identify ways to maintain a safe and healthy environment at school and at home.

### **Advocacy and Health Promotion**

8.3 The student will undertake health-promotion activities that demonstrate an understanding of the relationship between nutrition, physical activity, and emotional and physical health.

- Create strategies for helping others prevent or get help with bullying.

9.3 The student will demonstrate skills to advocate for personal and community health.

- Discuss ramifications of sharing personal information through electronic media.

The content in the graphic novel and the lesson plans correlate with the following **Common Core Standards**.

#### Reading

##### Key Ideas and Details

- Read closely to determine what the text says explicitly and to make logical inferences from it; cite specific textual evidence when writing or speaking to support conclusions drawn from the text.
- Determine central ideas or themes of a text and analyze their development; summarize the key supporting details and ideas.
- Analyze how and why individuals, events, or ideas develop and interact over the course of a text.

##### Integration of Knowledge and Ideas

- Delineate and evaluate the argument and specific claims in a text, including the validity of the reasoning as well as the relevance and sufficiency of the evidence.

#### Writing

##### Text Types and Purposes\*

- Write arguments to support claims in an analysis of substantive topics or texts, using valid reasoning and relevant and sufficient evidence.