

CYBERBULLYING

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Cyberbullying is a form of bullying that takes place over digital devices, including computers, cell phones, and tablets. The same rules that require a school to investigate and intervene to prevent in-person bullying also apply to cyberbullying. For more information on bullying, see ELC-PA's fact sheet about [The Right to be Free from Bullying and Harassment](#).

WHAT IS CYBERBULLYING?

Cyberbullying is defined under Pennsylvania law as bullying using electronic technology or communication, including data, computer software or online platforms regardless of their origin, using a device, system, network, internet service, email, social media, or other digital means, including artificial intelligence- generated or modified media, when the conduct meets the criteria of bullying. This conduct must (1) be directed at another student or students, (2) be severe, persistent, or pervasive, and (3) interfere with a student's education, create a threatening environment, or substantially disrupt school operations.¹

Cyberbullying can occur through texting or other messaging apps, social media such as Snapchat, Instagram, TikTok, email, or gaming, and online forums where people can view, participate in, or share content. Cyberbullying includes sending, posting, or sharing negative, harmful, false, or mean content about someone else. It can include sharing personal information about someone, causing embarrassment or humiliation.²

About 58% of students reported experiencing cyberbullying in a 2025 study.³ Studies and surveys indicate that a **majority of students of color** have been subjected to racially discriminatory cyberbullying.⁴ Research also indicates that youth identifying as LGBTQ and students with disabilities are at higher risk of cyberbullying.⁵ Cyberbullying must be promptly addressed as studies have shown that cyberbullying can lead to negative physical and mental health outcomes for youth.⁶

HOW DOES CYBERBULLYING PARTICULARLY IMPACT BLACK STUDENTS?

Cyberbullying of Black students reflects and perpetuates entrenched systemic racial discrimination and is particularly harmful. A recent peer-reviewed study disclosed that Black children and teens who experience racial bullying and discrimination online may develop symptoms related to post-traumatic stress disorder (PTSD). Such PTSD symptoms, the researchers found, are potentially linked to suicidal thoughts, and thus online racism may play a role in increased suicide risk.⁷ A [2023 report](#) from Johns Hopkins Bloomberg School of Public Health found that from 2007 to 2020, the suicide rate in Black children and teens ages 10 to 17 increased by 144% – the fastest rising increase compared to other racial and ethnic groups.⁸ Systemic and structural racism and individual racial bias were found to be common factors that contribute to suicide risk for Black youth.⁹

HOW IS CYBERBULLYING DIFFERENT FROM TRADITIONAL SCHOOL BULLYING?

Both traditional bullying and cyberbullying stem from a power imbalance between perpetrators and the targeted student. However, cyberbullying differs from traditional bullying in that the targeted student does not necessarily know the perpetrator's identity, the content can spread rapidly and be easily preserved, and the aggression is not limited to a place or time, making cyberbullying more inescapable.¹⁰

ARE THERE DIFFERENT RULES FOR CYBERBULLYING?

No. Cyberbullying is bullying in a particular context (i.e., electronic or digital). Therefore, the same school rules and state laws apply to cyberbullying as to bullying in schools. If the school knows that a current student is being bullied or harassed by another student at school – including in virtual school sessions – or at any activity sponsored, supervised, or sanctioned by the school, the school has a legal duty to investigate and take action to keep the student safe.¹¹ The school should also provide supports and interventions when bullying or harassment occurs outside of school (including through out-of-school social media) if it is substantially interfering with a student's education or causing a threatening environment.¹²

School policies must explicitly address bullying and cyberbullying and how school officials will handle these issues.¹³ Under a law adopted in 2026, after a school investigates a claim of bullying or cyberbullying and determines that either took place, they must immediately notify the parents or legal guardians of all the students involved in the incident.¹⁴

WHAT IS THE DEFINITION OF BULLYING?

In Pennsylvania, a child meets the legal definition of being bullied if **ALL** the following criteria are met:

- Another student or group of students did something or said something on purpose (intentionally);
- The other student's action(s) took place in school (including virtual school), on school property, at a bus stop, or at a school event;
- The other student's actions are severe, persistent, and/or something that the other student did repeatedly; AND
- The other student's conduct is so significant that it makes a big difference in the targeted student's education, creates a threatening environment for the targeted student, or keeps the school from running normally.¹⁵

WHAT IS THE DIFFERENCE BETWEEN BULLYING AND HARASSMENT?

The key difference between bullying and harassment is **WHY** other students are targeting the student being bullied. Sometimes the insults or language a student uses can signal that they are targeting your child because your child has traits of a protected class. If other students are targeting your child because they are a member of a "protected class," then your child may be experiencing harassment.

WHO IS A MEMBER OF A ‘PROTECTED CLASS’?

Under federal and state law, schools have special obligations to stop the harassment of children who are being bullied and targeted because of their protected class status. This includes children who are targeted due to race, disability, ancestry, national origin (including immigration status and limited English proficiency), religion, sex (which includes gender identity and expression as well as sexual orientation, and sexual harassment), or use of a support animal.¹⁶ Some cities and school districts also provide legal protections on other bases as well. For example, the School District of Philadelphia specifically lists English language proficiency, socioeconomic status, and political beliefs as protected classes.¹⁷

In 2025, the Pennsylvania Human Relations Commission (PHRC) released new guidance on evaluating bullying and harassment claims. This guidance explicitly states that Pennsylvania students have a right to a school environment free of unlawful discrimination. Bullying or harassment can be considered “unlawful discrimination” when it is based on a student being a member of one or more protected classes and creates a hostile school environment that interferes with the student’s education.¹⁸ Under this guidance, students are also **protected from discriminatory cyberbullying** that is reasonably forecast to be disruptive at school and interferes with other students’ rights.¹⁹ You can view the updated guidance, including best educational practices, [here](#).

Know Your Rights Under Pennsylvania’s CROWN Act

The Pennsylvania CROWN Act (Creating a Respectful and Open World for Natural Hair) protects students from racial discrimination based on hair textures and protective hairstyles, as well as head coverings and hairstyles historically associated with religious practice.

Protected hairstyles include, but are not limited to:

Locs • Braids • Twists • Coils • Bantu Knots • Afros • Extensions

The CROWN Act [amended the Pennsylvania Human Relations Act \(PHRA\)](#) and took effect on January 24, 2026.

Learn more:

- Read the [Pennsylvania CROWN Act](#).
- Download [ELC-PA’s CROWN Act Fact Sheet](#).

If discrimination or discipline occurs:

- Request your student’s records (FERPA Request for [parents](#) and [eligible students](#)).
- [Request expungement of suspensions](#).
- Learn about students’ rights to be [free from bullying and harassment](#).
- Access [ELC-PA’s tool for filing a complaint to the Pennsylvania Human Relations Commission](#).
- Review [ELC-PA’s Equitable Codes of Conduct resources](#).

WHAT CAN I DO IF MY CHILD IS BEING CYBERBULLIED?

Follow the suggestions and tools in ELC-PA's fact sheet about [The Right to be Free from Bullying and Harassment](#). The most important step to take is to report any cyberbullying promptly and take good notes regarding cyberbullying incidents and communications with your school. You should print out or take pictures of electronic messages and keep notes for yourself that include when the bullying takes place, which online platform or app is being used for bullying, details about what the other students say or do, names of the people targeting your child, and details about when and to whom you reported the bullying.

The best evidence of cyberbullying may be screenshots of the offensive comments and interactions. You should also set narrow limits on apps and social media to ensure that you know all the people who have access to comment on your or your child's account or platform.

You may also want to report abuse on the particular app or platform; you can look up the contact info here: <https://cyberbullying.org/report>.

The Education Law Center-PA (ELC-PA) is a nonprofit, legal advocacy organization with offices in Philadelphia and Pittsburgh, dedicated to ensuring that all children in Pennsylvania have access to a quality public education. Through legal representation, impact litigation, community engagement, and policy advocacy, ELC-PA advances the rights of underserved children, including children living in poverty, children of color, children in the foster care and juvenile justice systems, children with disabilities, multilingual learners, LGBTQ+ youth, children experiencing homelessness, and children at the intersection of multiple underserved identities.

ELC-PA's publications provide a general statement of the law. However, each situation is different. If questions remain about how the law applies to a particular situation, contact ELC-PA's Helpline for information and advice – visit www.elc-pa.org/contact or call 215-238-6970 (Eastern and Central PA) or 412-258-2120 (Western PA) – or contact another attorney of your choice.

¹ 24 PA. STAT. ANN. § 13-1303.1-A(E).

² U.S. Dept. of Health & Human Services, *What Is Cyberbullying*, <https://www.stopbullying.gov/cyberbullying/what-is-it>.

³ Cyberbullying Research Center, *2025 Cyberbullying Data*, <https://cyberbullying.org/2025-cyberbullying-data>.

⁴ Brendesha M. Tynes et al., *Online racial discrimination: A growing problem for adolescents: Cyberbullying researchers are beginning to understand the race-related experiences of adolescents of color*, *Psychological Science Agenda* (December 2015).

⁵ See *Bullying and Suicide Risk among LGBTQ Youth* (2021) <https://www.thetrevorproject.org/research-briefs/bullying-and-suicide-risk-among-lgbtq-youth/> (42% of youth who identified as LGBTQ reported cyberbullying either online or via text message compared to 15% of straight or cisgender peers); Shai Fuxman, Shari Kessel Schneider & Miriam Heyman, *Ruderman White Paper on Social Media, Cyberbullying, and Mental Health: A Comparison of Adolescents With and Without Disabilities* (2019) (concluding that students with disabilities are twice as likely to be subject to cyberbullying), https://rudermanfoundation.org/white_papers/ruderman-white-paper-reveals-students-with-disabilities-are-almost-twice-as-likely-to-be-victims-of-cyberbullying/.

⁶ Vidhya L. Kumar & Mark A. Goldstein, *Cyberbullying and Adolescents*, *CURRENT PEDIATRIC REPORTS* (September 2021), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7864530/>; Charice Nixon, *Current perspectives: the impact of cyberbullying on adolescent health*, *Journal of Adolescent Health, Medicine, and Therapeutics* (August 2014), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4126576/>.

⁷ Brendesha M. Tynes et al. *Online Racial Discrimination, Suicidal Ideation, and Traumatic Stress in a National Sample of Black Adolescents*, *JAMA PSYCHIATRY* VOL. 81, 312-316 (2024), <https://jamanetwork.com/journals/jamapsychiatry/fullarticle/2813624>.

⁸ Johns Hopkins Center for Gun Violence Solutions and Johns Hopkins Bloomberg School of Public Health, Department of Mental Health, *Still ringing the alarm: an enduring call to action for Black youth suicide prevention* (2023), <https://publichealth.jhu.edu/sites/default/files/2023-08/2023-august-still-ringing-alarm.pdf>.

⁹ *Id.* at 4.

¹⁰ Amanda B. Nickerson and Stephanie S. Fredrick, *Cyberbullying and Mental Health in Children and Adolescents* 22 ANNU. REV. CLIN. PSYCHOL. 559, 570 (2026), <https://pubmed.ncbi.nlm.nih.gov/41401471/> (“Victims of cyberbullying, compared to those experiencing traditional victimization only, may be more vulnerable to social isolation because bullying through technology can be permanent (e.g., photo on a social media site), can reach a wide audience quickly, and may be experienced across settings (e.g., home, school), making it difficult to avoid.”); Robin M. Kowalski and Annie McCord, *Perspectives on Cyberbullying and Traditional Bullying*, in THE ROUTLEDGE COMPANION TO DIGITAL MEDIA AND CHILDREN 460, 464 (Lelia Green, Donnell Holloway, Kylie Stevenson, Tama Leaver & Leslie Haddon eds., 2020) (noting that cyberbullying can occur anywhere technology is available, and at any time, perpetrators can hide behind screen names, and “[w]ith cyberbullying ... power imbalances may be created by differences in technological expertise or by the perpetrator’s anonymity”).

¹¹ 24 PA. STAT. ANN. § 13-1303.1-A(A).

¹² 24 PA. STAT. ANN. § 13-1303.1-A(E).

¹³ 24 PA. STAT. ANN. § 13-1303.1-A(A).

¹⁴ *Id.*

¹⁵ 24 Pa. Stat. Ann. § 13-1303.1-A(E).

¹⁶ See 43 Pa. Stat. Ann. § 955 (West); 42 U.S.C.A. § 2000d; 42 U.S.C.A. § 12182; 20 U.S.C.A. § 1681; *Davis Next Friend LaShonda D. v. Monroe Cty. Bd. of Educ.*, 526 U.S. 629 (1999).

¹⁷ The School Dist. of Phila., No. 248, 2 (2018).

¹⁸ See PA. HUM. REL. COMM’N, “Harassment in Educational Settings” Guidance on Evaluating Claims of Bullying and Harassment under the Pennsylvania Human Relations Act (2025) at 5, <https://www.pa.gov/content/dam/copapwp-pagov/en/phrc/documents/education/phrc> (last accessed on June 26, 2026).

¹⁹ *Id.* at 10-11.