

Should colleges be required to prohibit bullying and harassment?

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Rep. Rush Holt, D-N.J.

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Parents send their children to college to learn, but the sad reality is that bullying and harassment affect millions of students on college campuses. It is unclear how widespread it is, but we know that harassment is happening based on race, sex, sexual orientation, gender identity and religion. It happens face-to-face, via e-mail, and on the Internet.

Last September, Tyler Clementi, a talented freshman at Rutgers, committed suicide after two fellow students allegedly used a webcam to secretly watch him in a sexual encounter with another student. In the wake of Tyler's suicide, his parents issued a statement saying, "Our hope is that our family's personal tragedy will serve as a call for compassion, empathy and human dignity."

To help colleges and universities implement or strengthen their existing anti-harassment and anti-bullying programs, I joined Sen. Frank Lautenberg in introducing the Tyler Clementi Higher Education Anti-Harassment Act. The bill would require colleges and universities that receive federal student aid to have a clear code of conduct prohibiting the harassment of enrolled students based on their actual or perceived race, color, national origin, sex, disability, sexual orientation, gender identity, or religion. Our legislation

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Greg Lukianoff

President, Foundation for Individual Rights in Education. Written for *CQ Researcher*, November 2010

Expanding the definition of "harassment" to punish hurtful or insensitive speech on college campuses has been tried again and again over the past three decades with disastrous consequences for free speech. Since the tragic recent suicide of Rutgers University student Tyler Clementi, whom authorities say took his own life following his roommate's online broadcast of Clementi's intimate encounter with another man, demands are on the rise for an expansion of the legal definition of harassment to protect college students from "bullying."

These demands, while understandable, are wholly misplaced. What happened to Clementi was, unsurprisingly, already a serious criminal offense for which the students involved have been charged and are facing prison time. Indeed, practically every serious behavior that could be labeled "bullying" is already an offense under laws and regulations dealing with stalking, vandalism, telephonic harassment and threats. Virtually every college in the country is required by federal law to have strong rules banning discriminatory harassment.

Beginning in the 1980s, a movement to broaden harassment policies to prohibit offensive speech on