

Cyberbullying 2012

The School House Gates

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What happened in past 5 years?

What happened next?





So where are we now?

HB1942 for 2012-2013

- TEC 21.451, 25.0342, 37.001(b), 37.083 and adds TEC 37.0832
- Required training in prevention, identification, response, report
- Transfer of victim OR bully

Key components of HB1942

- DEFINITION
- Engaging in written or verbal expression, expression through electronic means, or physical conduct that occurs on school property, at a school-sponsored or school-related activity, or in a vehicle operated by the district and that:
- (1) Has the effect or will have the effect of physically harming a student, damaging a student's property or placing a student in reasonable fear of harm to the student's person or of damage to the student's property or
- (2) Is sufficiently severe, persistent, and pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

Key components of HB1942

- DEFINITION
- Exploits an imbalance of power between the student perpetrator and the student victim through written or verbal expression or physical conduct; and
- Interferes with a student's education or substantially disrupts the operation of a school
- Policies and procedures in handbooks and district improvement plan.

Key components of HB1942

- Website must show procedures for reporting
- Policy prohibits bullying and retaliation against reporters
- Requires counseling options for victims, witnesses, and bullies
- Consider self defense
- Reminder about SPED and BIPs, manifestations
- Providing notice of incident to guardian of victim and bully
- Investigate and report an alleged incident of bullying / determining whether incident occurred.

What this means for schools?

- Schools have authority to respond to off campus speech to the extent that it has – or might have – caused substantial disruption or interfered with the rights of other students.

What this means for schools?

- Must balance free speech with right to be safe and receive instruction. CANNOT use this as excuse to over react to incidents where:
- student is simply challenging authority
- speech is offensive
- Speech is contrary to educational mission

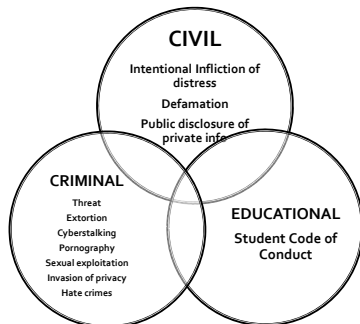
What this means for schools?

- SUBSTANTIAL DISRUPTION
- Threat of violence
- Sig. interferes with delivery of instruction
- Hostile environment for student...Hmmm...very subjective
- DUE PROCESS
- Have to advise students of the authority schools have over off campus speech in policy

What this means for schools?

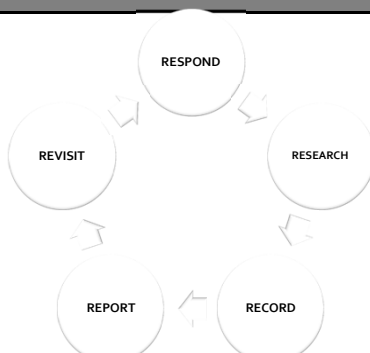
- DISTRICT LIABILITY
deliberate indifference –v- due diligence
- SEARCH & SEIZURE COMMON SENSE
District equipment
Personal device
Digital device for instruction
Reasonable suspicion -v- probable cause

What this means for individuals?



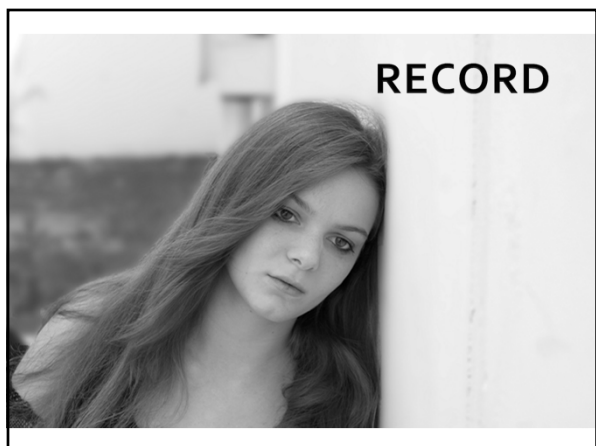
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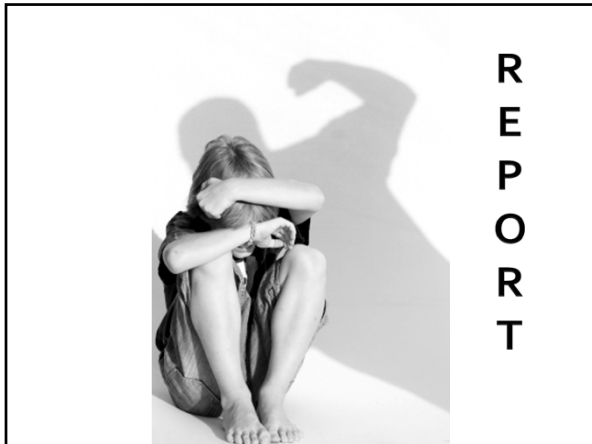
Responsive Schools



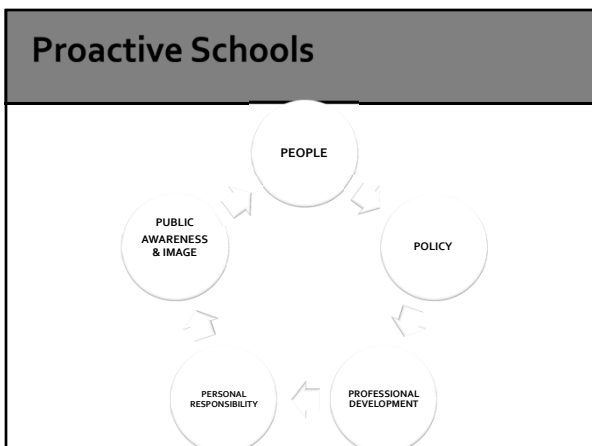






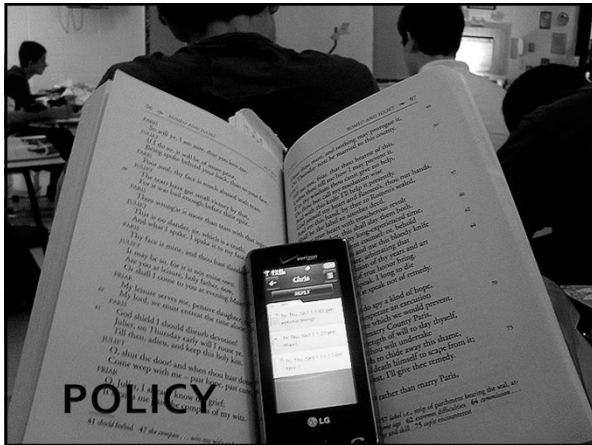








PEOPLE



POLICY



PROFESSIONAL DEVELOPMENT

