

# **From the Classroom to the Cloud: Responsibilities of the District When Students are Bullied**

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## **Bullying: An Issue of Serious Concern**

### **2011 Survey**

- ▶ 20% of students surveyed had been bullied on school property.
- ▶ 16% of students surveyed had been subjected to cyberbullying.
- ▶ Bullying during adolescence increases likelihood of mental health issues and negative social outcomes for victim and bully.

## Texas Definition of Bullying Tex. Educ. Code § 37.0832

Two part definition:

- ▶ Engaging in written or verbal expression, electronic expression, physical conduct
- ▶ **On** school property, **at** school sponsored/ related activity, **in** a vehicle operated by district
- ▶ That has/ will have effect of physically harming student, damaging student's property
- ▶ **Or** placing student in reasonable fear of harm to self/ damage to property

-- OR --

## Bullying . . .

- ▶ Is sufficiently severe, persistent AND pervasive enough that action/ threat
- ▶ Creates intimidating, threatening or abusive educational environment
- ▶ This may describe all sorts of improper behavior under the SCC. What makes this bullying?

## Part Two

- ▶ The conduct described is bullying IF THAT CONDUCT
  - ▶ **Exploits** imbalance of power between perpetrator and victim through written/ verbal expression or physical conduct **AND**
  - ▶ Interferes with student's education or substantially disrupts operation of school
- ▶ This is when improper conduct turns into **BULLYING**

## District Policy Must Address

- ▶ Prohibit bullying and retaliation (victim, witness, others)
- ▶ Reporting to parents of victim and bully
- ▶ How students get assistance
- ▶ Counseling options (victim, bully, witness)
- ▶ Reporting, investigating, decision
- ▶ No discipline for reasonable self-defense
- ▶ Publish/ post in student and employee handbooks, district improvement plan, district website
- ▶ Post on district website

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## Title search: From the Classroom to the Cloud: Responsibilities of the District When Students Are Bullied

Also available as part of the eCourse

[The Intersection of School Law and Technology: Privacy Issues, Responsibilities beyond the Brick and Mortar, and the Ethical Issues of Practicing Law in a Tech-Driven World](#)

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