

CYBERBULLYING

Cyberbullying is defined as being cruel to others by sending or posting harmful material or engaging in other forms of social cruelty using the internet or other digital technologies.

Tyler County Schools provide the electronic infrastructure and supporting software and communication devices to enhance students' education. Other uses of the technology, specifically the harassment or bullying of fellow students or staff, will not be tolerated. To access the school's technological resources, students must adhere to the following policy.

Cyberbullying in schools is relatively new, paralleling the proliferation of electronic communication devices. Just like traditional bullying, cyberbullying can continue off campus. Courts generally agree that school districts are within their legal rights to intervene in cyberbullying, even if initiated off campus, if those incidents result in a "substantial disruption of the education environment."¹ Bullying and cyberbullying can persist at any time of the day or week and be broadcast to a much larger audience.

Bullying, in any form, will not be tolerated on school grounds. It disrupts the learning environment and adversely affects the quality of a student's education. It harms the victim, the students exposed to it, and in many cases, the actual bully. Since the advent of the Internet and personal electronic communications devices, bullying has expanded to include cyberbullying.

Cyberbullying is defined as the use of information and communication technology, such as e-mail, cell phone and page text messages, instant messaging, and defamatory Web sites and online personal polling sites, to support deliberate, hostile behavior intended to frighten or harm others. Whereas traditional bullying was limited to direct confrontations, cyberbullying can happen anytime and be much more far reaching. When harassing language or pictures are posted to the Internet, the words and images can stay forever, which affects the victim far into the future. To that end, Tyler County Schools has adopted this policy to address this abuse of electronic communication technologies, whether the actions occur at school or off campus.

Students must follow three basic rules;

1. Any student who uses a school-provided communication device (including a computer) or computer network (a) with the intent to intimidate, harass, or coerce another person, or (b) to use vulgar, obscene, profane, lewd or lascivious language to communicate such harassment, or (c) to threaten an illegal or immoral act shall be subject to school disciplinary procedures.
2. Any student who uses a personal communication device on school grounds or at a school-related function (a) with the intent to intimidate, harass, or coerce another person, or (b) to use vulgar, obscene, profane, lewd, or lascivious language to communicate such harassment, or (c) to threaten an illegal or immoral act shall be subject to school disciplinary procedures.

3. In any instance in which cyberbullying creates a climate of fear and/or causes a substantial disruption of the work of the school or impinges on the rights of other students, the person committing the act shall be subject to school disciplinary proceedings.

Any violation of these regulations shall result in the loss of computer-system privileges and may also result in appropriate disciplinary action, as determined by Board policy, or possible prosecution through the judicial system. The *Tinker* and *Hazelwood* standards will be the measuring stick to reflect the appropriate balance between student free speech rights and the school interests in ensuring student safety. Three factors will be examined to determine a violation has occurred:

1. The information was plainly offensive, and could be potentially disruptive to school operations,
2. At best the information was misleading and at worst false, and
3. It could be anticipated that other students would view this information.

DEFINITIONS

1. Flaming – Online fights using electronic messages with angry and vulgar language.
2. Harassment – Repeatedly sending nasty, mean, and insulting messages.
3. Denigration – Sending or posting gossip or rumors about a person to damage his or her reputation or friendships.
4. Impersonation – Pretending to be someone else or sending or posting material to get that person in trouble or in danger; or to damage that person’s reputation or friendships.
5. Outing – Sharing someone’s secrets or embarrassing information or images online.
6. Trickery – Talking someone into revealing secrets or embarrassing information, then sharing it online.
7. Cyberstalking – Repeated, intense harassment and denigration that includes threats or creates significant fear.

Resources: [Cyberbullying Legislation and School Policies](#), Willard, Nancy, 2007

www.cyberbullying.com

1. Cyberbullying, Engle, Erik T., esquire, 2008

Wisniewski, 494 F. 3d at 39-40

Doninger, 514F. U.S. at 214

Tinker, 393 U.S. at 513

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