

Responding to Cyberbullying

Cyberbullying, or bullying committed by means of an electronic act, may result in student discipline, including suspension or expulsion (EC section 48900 (r)). For these purposes, an "electronic act" means the transmission of a communication, including, but not limited to, a message, text, sound, or image by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager (EC section 32261). Administrators should review Bulletins 5212 and 3819 for dealing with cyberbullying and student suspensions.

Generally, a school only has jurisdiction to discipline a student if the misconduct, including cyberbullying, occurred on campus, during the lunch period, at a school-sponsored event, or when the student is coming or going from school or a school event. A school may, in rare instances, discipline a student for off-campus misconduct if that misconduct presents a direct threat to the school's order and program. However, even if the cyberbullying has not spilled over to the school, administrators may be approached by parents/guardians/students and asked to respond and assist. Below is information for dealing with these requests:

1. Offer counseling or other intervention and supports. Formal student discipline isn't required to request a parent conference. While we may have limited capacity to discipline, we have unlimited capacity to educate.
2. Advise the complaining party that they should not respond but should block and report the cyberbullying. Advise the complaining party to report the problem to the Internet service provider (e.g., Verizon, AT&T, AOL); look for the "REPORT A PROBLEM," "REPORT ABUSE," or "SECURITY" tab for this function. The complaining party shouldn't delete the message but save and print it if possible.
3. If the parent/guardian feels that the child is in danger, the threats have increased, or activity has become more aggressive, parents/guardians/students may file a report with local law enforcement. The Los Angeles School Police Department may be contacted at (213) 625-6631 if any incidents are school-based. Again, administrators must follow up on any school-based incidents—please see Bulletin 5212 for more information.
4. Parents/guardians may consider installing an Internet spyware and filtering software that allows them to track and monitor their children's online activity. Most Internet providers offer parental control software for little to no cost. The complaining party may contact his/her service provider for more information.

Please contact the Office of School Operations, Human Relations, Diversity and Equity at (213) 241-5337 or see the Human Relations webpage at www.lausd.net for additional resources.

This **LAUSD Legal Brief** is for information only and does not constitute legal advice. Please contact the Office of the General Counsel to determine how this information may apply to your school's specific facts and circumstances.