



Cyber Citizenship Handout

California Technology Assistance Project Region 6

California Education Code

32261. (f) As used in this chapter, "bullying" means one or more acts by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4.

(g) As used in this chapter, 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.

48900.2. In addition to the reasons specified in Section 48900, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed sexual harassment as defined in Section 212.5.

For the purposes of this chapter, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall not apply to pupils enrolled in kindergarten and grades 1 to 3, inclusive.

212.5. "Sexual harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions:

(a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress.

(b) Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.

(c) The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.

(d) Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

48900.3. In addition to the reasons set forth in Sections 48900 and 48900.2, a pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Section 233.

233(e) As used in this section, "hate violence" means any act punishable under Section 422.6, 422.7, or 422.75 of the Penal Code.

422.55. For purposes of this title, and for purposes of all other state law unless an explicit provision of law or the context clearly requires a different meaning, the following shall apply:

(a) "Hate crime" means a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim:

(1) Disability.

(2) Gender.

(3) Nationality.

(4) Race or ethnicity.



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- (5) Religion.
- (6) Sexual orientation.
- (7) Association with a person or group with one or more of these actual or perceived characteristics.
- (b) "Hate crime" includes, but is not limited to, a violation of Section 422.6.

422.6. (a) No person, whether or not acting under color of law, shall by force or threat of force, willfully injure, intimidate, interfere with, oppress, or threaten any other person in the free exercise or enjoyment of any right or privilege secured to him or her by the Constitution or laws of this state or by the Constitution or laws of the United States in whole or in part because of one or more of the actual or perceived characteristics of the victim listed in subdivision (a) of Section 422.55.

(b) No person, whether or not acting under color of law, shall knowingly deface, damage, or destroy the real or personal property of any other person for the purpose of intimidating or interfering with the free exercise or enjoyment of any right or privilege secured to the other person by the Constitution or laws of this state or by the Constitution or laws of the United States, in whole or in part because of one or more of the actual or perceived characteristics of the victim listed in subdivision (a) of Section 422.55.

(c) Any person convicted of violating subdivision (a) or (b) shall be punished by imprisonment in a county jail not to exceed one year, or by a fine not to exceed five thousand dollars (\$5,000), or by both the above imprisonment and fine, and the court shall order the defendant to perform a minimum of community service, not to exceed 400 hours, to be performed over a period not to exceed 350 days, during a time other than his or her hours of employment or school attendance. However, no person may be convicted of violating subdivision (a) based upon speech alone, except upon a showing that the speech itself threatened violence against a specific person or group of persons and that the defendant had the apparent ability to carry out the threat.

(d) Conduct that violates this and any other provision of law, including, but not limited to, an offense described in Article 4.5 (commencing with Section 11410) of Chapter 3 of Title 1 of Part 4, may be charged under all applicable provisions. However, an act or omission punishable in different ways by this section and other provisions of law shall not be punished under more than one provision, and the penalty to be imposed shall be determined as set forth in Section 654.

422.7. Except in the case of a person punished under Section 422.6, any hate crime that is not made punishable by imprisonment in the state prison shall be punishable by imprisonment in the state prison or in a county jail not to exceed one year, by a fine not to exceed ten thousand dollars (\$10,000), or by both that imprisonment and fine, if the crime is committed against the person or property of another for the purpose of intimidating or interfering with that other person's free exercise or enjoyment of any right secured to him or her by the Constitution or laws of this state or by the Constitution or laws of the United States under any of the following circumstances, which shall be charged in the accusatory pleading:

- (a) The crime against the person of another either includes the present ability to commit a violent injury or causes actual physical injury.
- (b) The crime against property causes damage in excess of four hundred dollars (\$400).



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(c) The person charged with a crime under this section has been convicted previously of a violation of subdivision (a) or (b) of Section 422.6, or has been convicted previously of a conspiracy to commit a crime described in subdivision (a) or (b) of Section 422.6.

48900.4. In addition to the grounds specified in Sections 48900 and 48900.2, a pupil enrolled in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment.

51871.5. (c) On or before July 1, 2007, the Superintendent shall develop guidelines and criteria for inclusion in the education technology plan required pursuant to subdivision (b). The guidelines and criteria shall include a component to educate pupils and teachers on the appropriate and ethical use of information technology in the classroom, Internet safety, the manner in which to avoid committing plagiarism, the concept, purpose, and significance of a copyright so that pupils are equipped with the skills necessary to distinguish lawful from unlawful online downloading, and the implications of illegal peer-to-peer network file sharing. A school district that, on July 1, 2008, has a current three- to five-year education technology plan that complies with subdivision (b) is not required to comply with this subdivision until after its plan expires or is voluntarily replaced.

Children's Internet Protection Act

CIPA requirements:

- An Internet safety policy and technology protection measures in place. An Internet safety policy must include technology protection measures to block or filter Internet access to pictures that are:
 - (a) are obscene,
 - (b) child pornography, or
 - (c) harmful to minors (for computers that are accessed by minors).
- Schools and libraries must also certify that, as part of their Internet safety policy, they are educating minors about appropriate online behavior, including cyberbullying awareness and response and interacting with other individuals on social networking sites and in chat rooms.
- Schools subject to CIPA are required to adopt and enforce a policy to monitor online activities of minors.
- Schools and libraries subject to CIPA are required to adopt and implement a policy addressing:
 - (a) access by minors to inappropriate matter on the Internet;
 - (b) the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications;
 - (c) unauthorized access, including so-called "hacking," and other unlawful activities by minors online;
 - (d) unauthorized disclosure, use, and dissemination of personal information regarding minors; and
 - (e) restricting minors' access to materials harmful to them.



Cyber What?

- Cyberstalking
 - Use of technology to find and take advantage of people
- Cyberbullying
 - Use of technology for social cruelty
- Cybersafety
 - Safe and responsible use of technology

Statistics about Cyberstalking and Cyberpredators

2004

- Online chat is frequently correlated with a poor home environment and engaging in other risky behaviors

2005

- 44% of Internet-initiated sex crimes were committed by family members
- 56% of Internet-initiated sex crimes were committed by people known by the victim

2006

- 13% of youth (mostly 14-17 year-olds) received sexual solicitations online
 - 60%-70% of solicitors were adolescents (14-17) or young adults (18-21)
 - Only 4%-9% were older adults
- Chat rooms and instant messaging are still the dominant place for solicitations
 - 37% of youth report being solicited by chat
 - 40% of youth report being solicited by instant messaging
 - 86% of Internet solicitation arrests involved first contact by chat or instant messaging
- 73% of parents were aware of offline meetings
- 75% of parents accompanied their children to offline meetings
- .08% of online youth met someone without parents' permission

2008

- 14% of teens received sexual solicitations on MySpace
- 11% of 7th-9th graders and 23% of 10th-12 graders were asked sexual questions online
 - 3% of these groups asked others sexual questions
 - 14% of solicitations are from friends and acquaintances
- Social network sites have not increased the overall risk of solicitation

Statistics about Online Behavior

2006

- 96% of youth Internet users use social networking
- 9-17 year-olds spend approximately 9 hours/week online
- 30% of youth Internet users have their own web site
- 41% of youth Internet users post comments on discussion boards weekly

2007

- 28% of youth Internet users have a blog



What is Cyberbullying?

- Flaming
- Harassing
- Denigrating
- Impersonating
- Tricking
- Excluding
- Outing

What Does Cyberbullying Look Like?

- Text Messages
- Cameraphone Messages
- Instant Messages
- Chat Rooms
- Discussion Boards
- Social Networking Groups
- Videos

Statistics About Bullying and Cyberbullying

1997

- Bullying occurs in school playgrounds every 7 minutes and every 25 minutes in classrooms
- 83% of students say watching bullying makes them feel uncomfortable
- 57% of bullying stops within 10 seconds when peers intervene
- By the age of 24, 60% of bullies have a criminal conviction

2006

- 42% of youth Internet users report being bullied online
- 35% of youth Internet users report being threatened online
- 53% of youth Internet users admit bullying online
- 58% of youth Internet users have not told parents/adults about online bullying or threats

2007

- 67% of teenagers report that offline bullying occurs more than online bullying
- 54% of 7th grade students were victims of offline bullying compared to 25% who were victims of cyberbullying

Appropriate Responses to Cyberbullying

- Don't respond or meet
- Save proof
- Block communications
- Tell an adult
- Contact ISP or service
- Contact parents
- Contact authorities or an attorney



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Appropriate and Ethical Technology Use

What is Copyright?

“Copyright is a legal device that provides the creator of a work of art or literature, or a work that conveys information or ideas, the right to control how the work is used.”

Stephen Fishman, Esq. The Copyright Handbook, 1996

as quoted at <http://www.umuc.edu/library/copy.shtml>

What is Fair Use?

“Fair use is a copyright principle based on the belief that the public is entitled to freely use portions of copyrighted materials for purposes of commentary and criticism.”

http://fairuse.stanford.edu/Copyright_and_Fair_Use_Overview/chapter9/index.html

Copyright and Fair Use Resources

Copyright and Fair Use in the Classroom, on the Internet, and the World Wide Web

- www.umuc.edu/library/copy.shtml

Copyright for Educators

- www.koce.org/classroom/copyright.htm

Play It Cyber Safe

- www.playitcybersafe.com/curriculum/index.cfm

Purdue Online Writing Lab

- <http://owl.english.purdue.edu>

Software & Information Industry Association

- www.siiia.net/piracy/education.asp

Stanford University Libraries Copyright & Fair Use

- <http://fairuse.stanford.edu>



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Additional Resources

CTAP Cybersafety Project

- www.myctap.org/cybersafey

Bullying.org

- <http://bullying.org>

Center for Safe and Responsible Internet Use

- <http://csriu.org>

Common Sense Media - Digital Citizenship

- www.common sense media.org/digital-citizenship

Connect Safely

- <http://connectsafely.org>

Enhancing Child Safety and Online Technologies

- <http://cyber.law.harvard.edu/pubrelease/isttf/>

PBS Frontline: Growing Up Online

- www.pbs.org/wgby/pages/frontline/kidsonline

Wired Safety

- www.wiredsafety.org

Cybersafety Curriculum

Adina's Deck

- www.adinasdeck.com

CyberSmart

- www.cybersmart.org

FBI - Safe Online Surfing Internet Challenge

- www.fbi-sos.org

iKeepSafe.org

- www.ikeepsafe.org

iSafe.org

- www.isafe.org

NetSmartz.org

- www.netsmartz.org