Digital Citizenship: Always On

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KSB SCHOOL LAW

Raise your hand if …

- You have a cell phone
- You use text messaging
- You've taken photos with a cell phone camera
- You've ever forwarded a message
- You have Facebook, Twitter, Snapchat, Instagram
- You play games like Minecraft & Clash Royale

What's Wrong with Cell Phones?

- Nothing!
- Cell phones must be used appropriately and with good judgment

So how do kids get in trouble with technology?

- Sexting
- Cyberbullying
- Threats

🤔How should we be thinking about this?

- Cars
- Curfews
- Cass County

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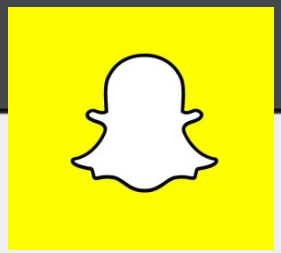
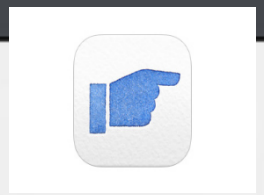
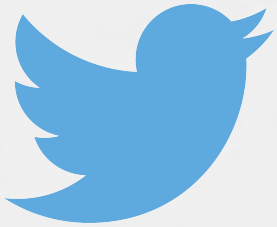
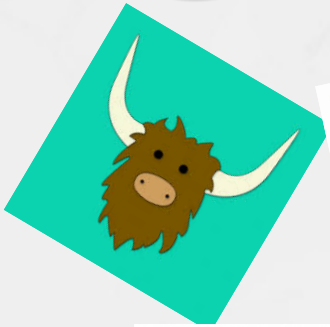
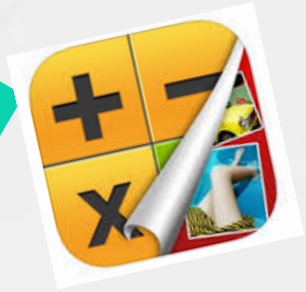
Social Media

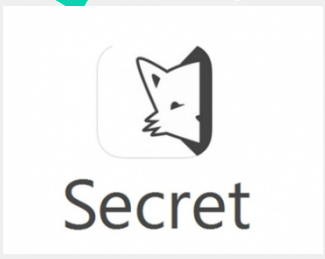












Social Gaming

Man Lured Monmouth County Boy Using Minecraft, Police Say

A Boy Scout volunteer and father allegedly lured a Monmouth County boy into sending him nude photos after they met playing Minecraft.

By Carly Baldwin (Patch Staff) - Updated March 15, 2017 9:53 am ET

0 Like 0 Share

California Clash of Clans teen sex groomer jailed

6 November 2014 | Cornwall

Share

Battle Deck
1
2
3
4
5
5
Level 1
1/2
4
Level 7
148/200
4
Level 7
72/200
3
Level 2
0/4
3
Level 9
159/800
4
Level 4
4/20
6
Level 5
7/50
5
Level 5
1/50
Average Elixir cost: 4.3

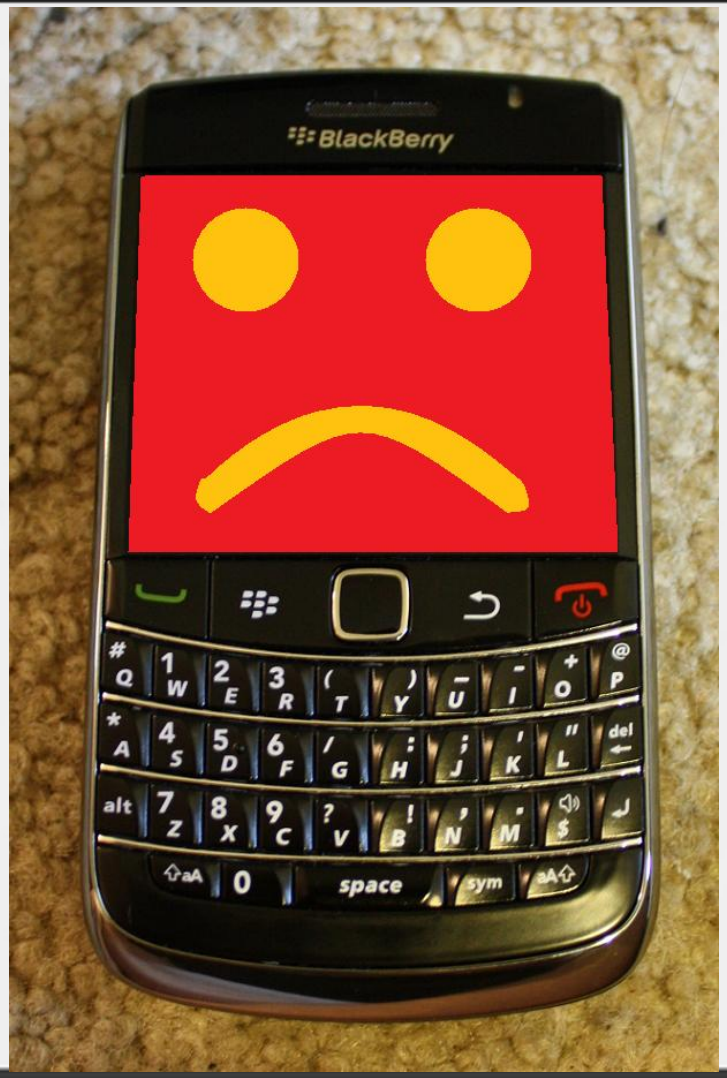
Student Discipline Act

- Did it happen on school grounds, in a school vehicle, or at a school activity?
- Did it happen on school property?
  - Includes school issued computers
  - Even if you are off school grounds and not at a school activity

Student Discipline Act

- Did you think it would disrupt school? Should you have known?
- Did it disrupt school?
- Did it make another student miss school?

Sending Inappropriate Pictures (Sexting)



Sexting

Sexting, *v*: (a combination of sex and texting) is the act of sending sexually explicit messages or photos electronically, primarily between cell phones.

Sending Inappropriate Pictures is a Crime!

- NEB. REV. STAT. 28-813.01 *et seq.*
- Makes sexting a class IV felony for offenders under 19
- Class IIIA felony for 19 and up
- Both punishable by:
  - Up to 5 years in prison and/or
  - $10,000 fine
  - Require sex offender registration

In re Katrina R.

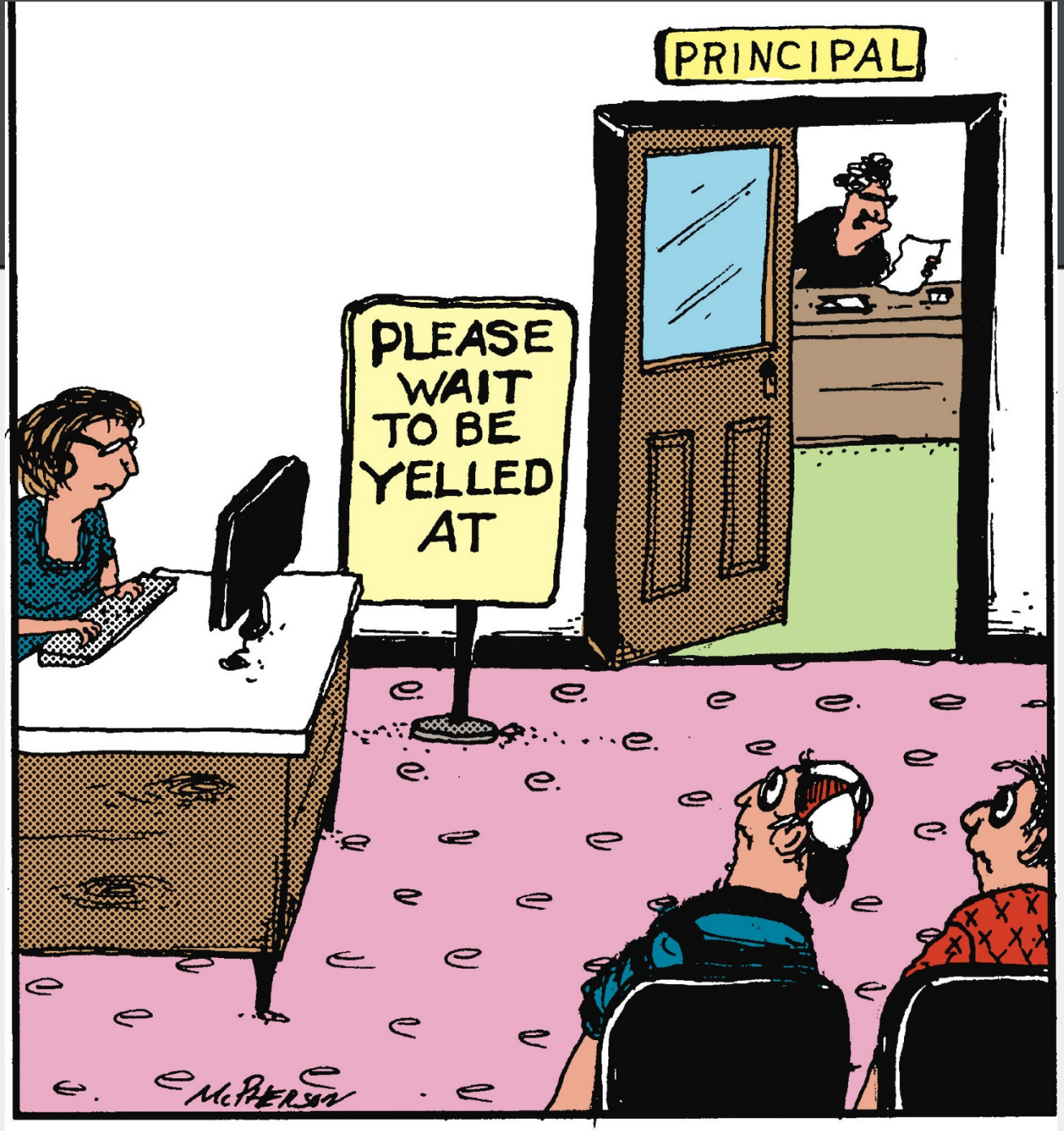
- Girl texted nude pics to her BF
- Judgement: “a child who deports herself so as to injure or endanger seriously the morals or health of herself or others”
  - Placed in legal custody of HHS
  - 6 months’ probation
  - Required counseling and community service.

State v. Gallegos

- Girl met a “boy” on Kik
- Talked, became friends
- Asked her for pictures
- She said OK
- Then said he’d share photos with her classmates unless she agreed to meet him

Grand Island man arrested for enticement of 12-year-old girl

By Nebraska State Patrol Press Release | Posted: Tue 1:50 PM, Aug 15, 2017 | Updated: Tue 2:28 PM, Aug 15, 2017


PRINCIPAL
PLEASE WAIT TO BE YELLED AT
McPHERSON

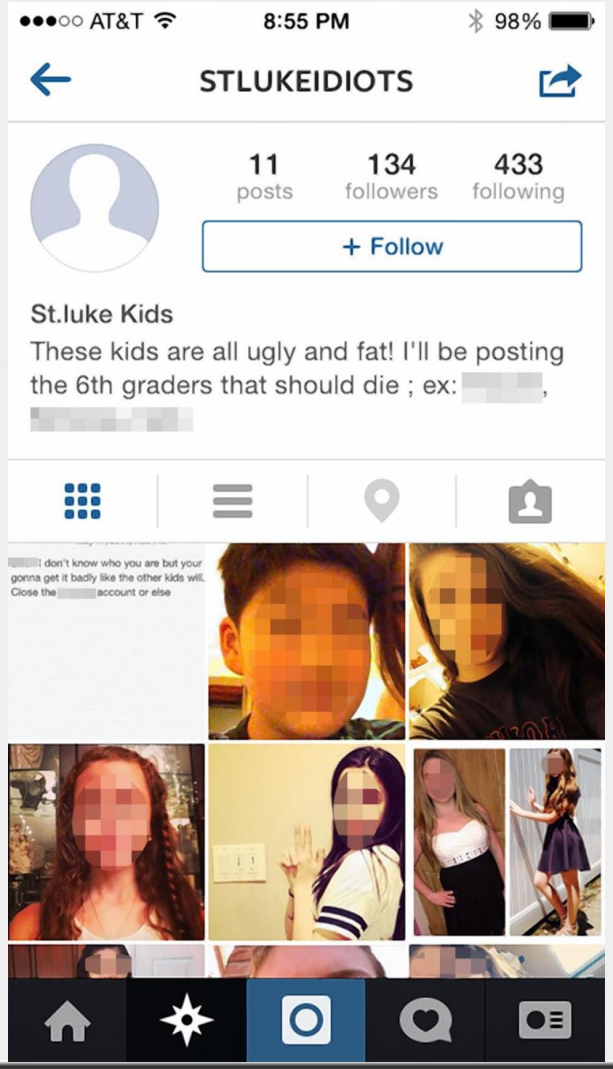
School Consequences for Cyberbullying

- NEB. REV. STAT. 79-2,137
- Definition: "ongoing pattern of physical, verbal or electronic abuse"
- Consequences:
  - Loss of extracurricular privileges
  - Detentions
  - Suspension
  - Expulsion
  - Alternative School Assignment

St. Luke's School in New York

St. Luke's School

- Instagram page: "StLukeIdiots"



St. Luke's School

- Students told parents
- School expelled the kids who created the page
- Some of the kids involved were arrested

Terroristic Threats

- What is considered a threat?
- What are the consequences?

Criminal Consequences

- NEB. REV. STAT. 28-311.01:
- Terroristic Threats: "threatens to commit any crime of violence …"
  - With the intent to terrorize another
  - In reckless disregard of the risk of causing such terror
- Class IV Felony punishable by 5 years in prison and/or $10,000 fine

Neligh-Oakdale Student Arrested For 'Columbine' Threat

BY Antelope County News | 12/20/2016

A Neligh-Oakdale student was arrested Monday after allegedly using Snapchat to threaten "to make Columbine look like a (expletive) joke."

According to Ofc. Kraig Nelson of the Neligh Police Department, the threat showed a picture of a toy gun and a message that stated "I'm going to make Columbine look like a 'expletive' joke." This Snapchat message was sent to a large group of students and friends of the suspect.

The Neligh Police, along with the Antelope County Sheriff's Department, received the report of the potential threat from the Neligh-Oakdale School administration.

Nelson said upon investigating the threat, a male juvenile was arrested by the Neligh Police Department for Terroristic Threats, a Class IIIA Felony. The male juvenile was taken to the Juvenile Detention Center in Madison to be held on his charges.

A.N. v. Upper Perkiomen Sch. Dist., 2017 U.S. Dist. LEXIS 2017 (E.D. Pa. 01/10/17)

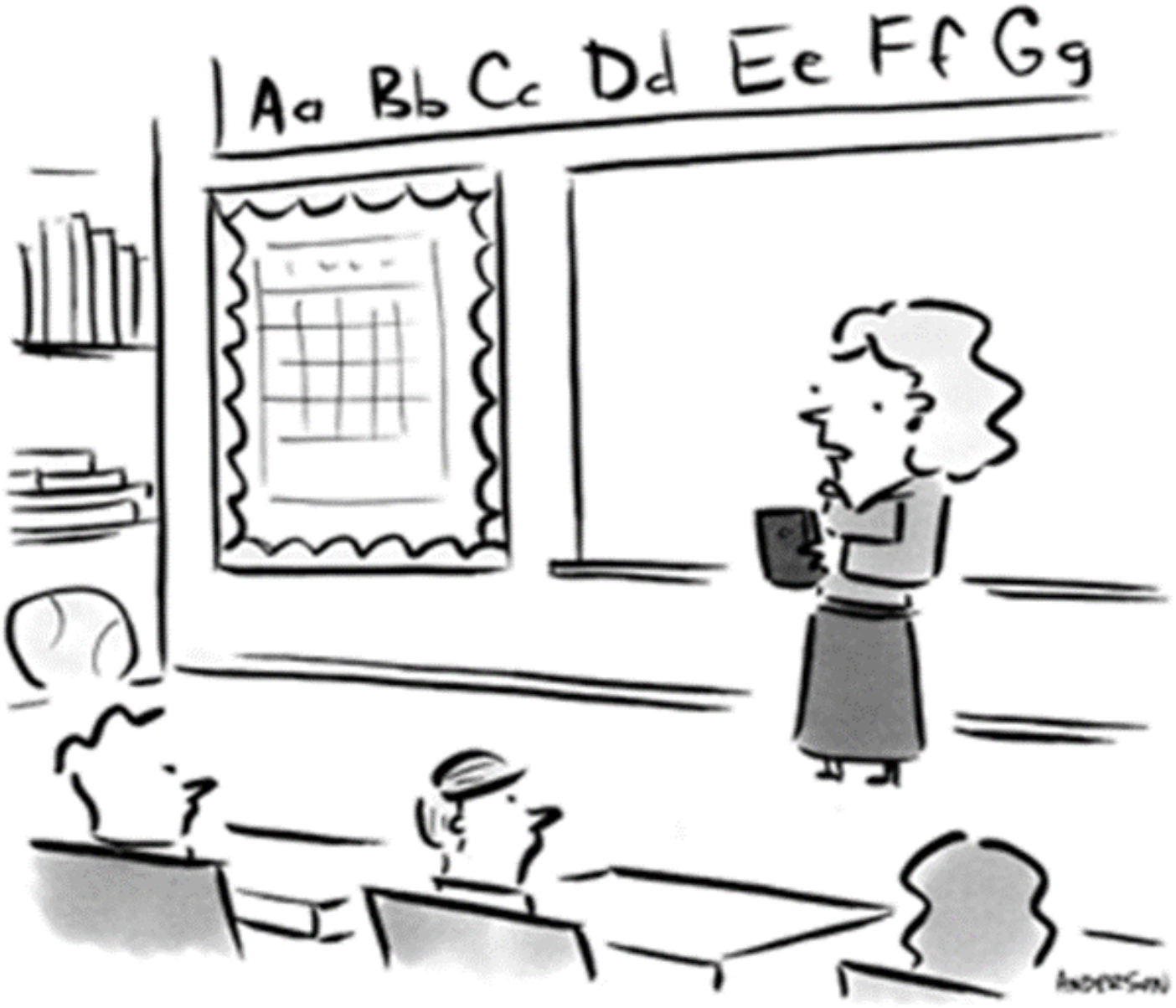
- Student made "mashup video" and posted to Instagram
  - Combination of "Evan" and "Pumped Up Kicks"
  - "See you next year, if you're alive"
  - "See you next year. It is not a threat"
  - Students, parents become concerned
- PA state police contact principal at 2 a.m.
- School cancelled for the following day

A.N. v. Upper Perkiomen Sch. Dist., 2017 U.S. Dist. LEXIS 2017 (E.D. Pa. 01/10/17)

- Student not criminally charged
- School sought to expel
- Parents sued
  - No prior discipline history
  - Claimed free speech violation
- Court
  - Speech seriously disrupted school
  - Student should have known it would disrupt school

A.N. v. Upper Perkiomen Sch. Dist., 2017 U.S. Dist. LEXIS 2017 (E.D. Pa. 01/10/17)

- Court
  - Even though the student argued that the post was meant to be a joke, what the student meant is less important than what people who watched it thought
  - The court will not overrule a principal or superintendent that is deciding if there is a threat



"I appreciate the text, Kate, but next time you can just raise your hand."

Don’t think anything you send or post is private

- Majority of sexting incidents involve a ***promise*** not to show anyone else
- Judge: “It does not matter whether your settings are ‘private’ because if you put it on the internet, you have no expectation of privacy.”
- Every message is stored on a server

The Internet knows everything

Penn State

Herb Hand
@CoachHand

Dropped another prospect this AM due to his social media presence...Actually glad I got to see the 'real' person before we offered him.

Duke

Derek Jones @dukecoachdj · 14h

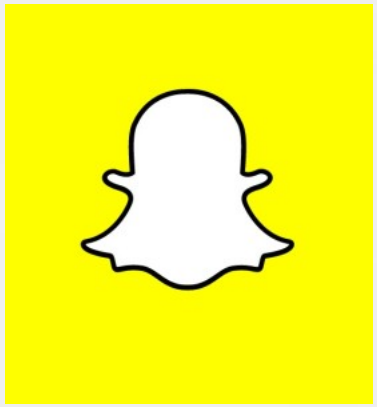
Our jobs depend on the young men that we recruit. Your social media pages say a lot about your character, discipline & common sense. #Ap2w

SMU

Coach Justin Stepp @coachjstepp · Jan 8

Came across an awful Twitter account today. Shame the kid was a really good player...On to the next one...get a clue!

And it doesn't forget



- "we cannot promise that deletion will occur within a specific timeframe"

https://www.snap.com/en-US/privacy/privacy-policy/

So, now what?

The Grandma Rule:

- If you wouldn't write it to your Grandma, don't send it!
- If you wouldn't tell your Grandma about it, don't post it!
- If you wouldn't' show it to your Grandma, don't photograph it!

Questions?

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