

Situation	Report?	Other remarks
<p>1. A group of middle school girls (all on-again, off-again friends of each other) start texting each other at school. Some of the messages turn nasty; they start calling each other "be-otch," "ho," etc. Hurt feelings escalate to a one-time shoving match in the hall between classes.</p>	<p>NO. This behavior is more like "typical adolescent cruelty" that does not rise to the level of meeting any of the four conditions above in the definition.</p>	<p>Just because this is not an incident to report under the new law does not mean that the school does nothing. It is always appropriate for the school to look into the matter and talk to the students involved, call the parents, etc. Not having to report this on spring BEDS does not mean not taking any action. (Because this example assumes use of school time, that alone is enough to punish under most local school codes of student conduct.)</p>
<p>2. Situation starts out same as #1 above, but now the girls have divided themselves in to two groups and there are frequent physical incidents between them.</p>	<p>YES. This behavior has moved beyond "typical adolescent cruelty" to the point where a student has objective reason to be in "reasonable fear of harm" to her person.</p>	<p>The motivation would be reported as based on sex, given that the name-calling that started all this was limited to derogatory female terms.</p>
<p>3. Back to the facts in #2, but this time the name-calling was gender-neutral (e.g., "jerk"), so the harassment is NOT based on sex. Again, suppose that the name-calling has escalated to frequent physical incidents between the girls.</p>	<p>MAYBE. If the school's local policy lists just the 17 traits or characteristics from the law without language to the effect "including but not limited to these characteristics," and if the harassment is not based on any of the 17, this is not reportable on BEDS. If the school's local policy is more broad, this is reportable because a student has objective reason to be in "reasonable fear of harm" to her person.</p>	<p>If reporting, the motivation would be reported as "other, unspecified."</p>
<p>4. Two male elementary students, one Hispanic and one white, standing in lunch line get into an argument about who was first in line. They start shoving each other. The white student calls the Hispanic student a "wetback," and gets in the last shove. There's no prior history of issues between these two students.</p>	<p>NO. While the derogatory name implicates a protected characteristic (national origin), this is the type of misbehavior that can be resolved quickly by having a teacher or other school staff member step in immediately to separate the boys, make them apologize, issue a quick punishment, and school life goes on.</p>	<p>Make the classroom teacher(s) aware of the minor argument and ask that the teacher keep an eye on the students to make sure that this was a one-time issue.</p> <p>If there are repeat performances and if continued problems seem to be based on national origin or another listed trait, a report may need to be made in the future.</p>
<p>5. An elementary student frequently makes rhetorical comments to no one in particular about how she is going to "get" one or another fellow student. No specifics are ever mentioned, and there is no genuine expression of intent to harm. The student has older siblings and often "talks tough" as a means of posturing.</p>	<p>NO. But, the answer changes as soon as the student starts becoming specific and seems to be targeting a specific classmate.</p>	<p>Generally speaking, the older the student, the less a school may assume that the student has no means by which to carry out threats. Pay attention to even rhetorical threats; talk to the student and his/her parents. Counseling may be a good option because nonspecific threats could be a first "cry for help."</p>
<p>6. A student makes a specific threat to harm a school employee and has the wherewithal to carry out the threat.</p>	<p>NO. The answer is 'no' <u>only</u> because school employees are not protected under the new law.</p>	<p>OF COURSE the school will take immediate and appropriate action to protect the employee, including calling law enforcement, getting the student isolated and searched, and calling the student's parents.</p>