



USD 322 District Office Building – 500 High – P. O. Box 60 – Onaga Kansas – 66521
Phone 785.889.4614 – Fax 785.889.4662

August 14, 2020

Dear Parent(s) and Guardians:

This letter is to alert you to the school district's student behavior policies and Kansas law as to statements, comments and other inappropriate behavior by a student towards other students at school.

Our USD 322 Onaga School handbook and board policies require school administrators to investigate any complaints about student behaviors that may be threatening, harassing or bullying towards others. Such behaviors are not acceptable at school, on school property, or at school sponsored events. Students who exhibit these behaviors will be disciplined up to and including short & long term suspensions from school.

Please be advised that students and parents should also be cautious about student use of cell phones and any other telecommunication devices. There is no expectation of privacy if a student uses any computer or electronic device to harass, threaten or bully another student at school. Discipline may also be imposed on a student for behavior outside of school if a student's comments, postings, etc. after school ends up disrupting the learning environment at school.

Finally, the Kansas legislature passed a law in 2011, K.S.A. 21-6206, that makes harassing, threatening and bullying behaviors a crime. Parents and students who complain that another student is using their computer and/or phone after school to harass, bully and threaten student(s) will be given a copy of this statute and be advised they can contact local police and file a criminal complaint under K.S.A. 21-6206.

Please review this criminal law with your student(s) to make sure they understand that using a cell phone or any other electronic media to harass, threaten or bully another student may be crime.

I have attached a copy of this law for your student's review. Please encourage your student to be cautious in their tweets, texts, postings and other conversations about other students.

As a parent, please advise your student(s) that any inappropriate comments, statements, etc. about any other student in any text message, email, call, etc. may become public and may result in school discipline and/or a concerned parent filing a criminal complaint against them with law enforcement.

Prevention is the best approach and hopefully the knowledge of this new law will help your son or daughter understand that what they put out there in social media may be used against them if the comments are threatening, intimidating, bullying or harassing towards others.

Please feel free to call if you have any questions. Thank you for supporting the need for our school to be safe and secure for all students.

Sincerely,

A handwritten signature in black ink, appearing to read "Ty Poell", is written over the printed name.

Ty Poell, PK-12 Principal

(785) 889-4251

21-6206. Harassment by telecommunication device. (a) Harassment by telecommunication device is the use of:

(1) A telecommunications device to:

(A) knowingly make or transmit any comment, request, suggestion, proposal, image or text which is obscene, lewd, lascivious or indecent;

(B) make or transmit a call, whether or not conversation ensues, with intent to abuse, threaten or harass any person at the receiving end;

(C) make or transmit any comment, request, suggestion, proposal, image or text with intent to abuse, threaten or harass any person at the receiving end;

(D) make or cause a telecommunications device to repeatedly ring or activate with intent to harass any person at the receiving end;

(E) knowingly play any recording on a telephone, except recordings such as weather information or sports information when the number thereof is dialed, unless the person or group playing the recording shall be identified and state that it is a recording; or

(F) knowingly permit any telecommunications device under one's control to be used in violation of this paragraph.

(2) Telefacsimile communication to send or transmit such communication to a court in the state of Kansas for a use other than court business, with no requirement of culpable mental state.

(b) Harassment by telecommunication device is a class A nonperson misdemeanor.

(c) Every telephone directory published for distribution to members of the general public shall contain a notice setting forth a summary of the provisions of this section. Such notice shall be printed in type which is no smaller than any other type on the same page and shall be preceded by the word "WARNING."

(d) As used in this section, "telecommunications device" includes telephones, cellular telephones, telefacsimile machines and any other electronic device which makes use of an electronic communication service, as defined in K.S.A. 22-2514, and amendments thereto.

(e) An offender who violates the provisions of this section may also be prosecuted for, convicted of, and punished for any other offense in K.S.A. 2016 Supp. 21-5508, 21-5509, 21-5510 or 21-6401.

History

L. 2010, ch. 136, § 184; L. 2011, ch. 100, § 17; July 1

Regulations authorized by this statute