

校園法治教育探討

臺灣臺南地方法院觀護人室

1. 目標：透過校園司法案例分析與討論，學習公平正義、社會關懷與相互尊重的公民態度與行爲。

2. 常見的校園司法案件：

(1) 侵犯性別平等類

①性騷擾行爲 (sexual harassment)：

要不得的態度：師長們經常置之不理 (eh, it's just kids being kids" tude)

女孩的家長不甘示弱向最高法院控訴 (girl's parents finally got the attention of the Supreme Court)

被害人得向行爲人、漠視嚴重性的學校等構請求損害賠償 (compensated for damages)

行爲定義：粗魯說出有關和對方上床之類的言語、觸摸其胸部、生殖器範圍或追逐行爲等，其它特殊行爲包括：

★強暴語言的威脅 Threatening to rape her

★在走廊追逐對方 Chasing her down the hallways

★在浴廁窺視 Spying on her in the bathroom

★散播有關性猥褻的訊息 Sending her sexually obscene notes

★告訴對方友人將"刺"她 Telling her friends that he wants to "prong" her

比較：它和校園霸凌不同 (Harassment verses school-yard bullying)

Sexual harassment refers to *repetitive* unwanted sexual advances

危機處理秘訣：儘可能記載越詳細越好 (Get as many details as possible)、

即時向適當的學校人員等報告事實

②妨害性自主權、強制性交罪

(2) 校園暴力 (School Violence)：令人沮喪是校園暴力層出不窮！

①擔心沒有隱私權、自由言論權 (說出來的話被忽視或歧視)

(fear their child's sense of *privacy* or *free speech* may be jeopardized)

②校園霸凌 (school bullying) 的定義：包括語言、身體或心理騷擾、

脅迫或失序行爲等導致被害人傷亡 (verbal, physical, or mental acts committed by a student to harass, intimidate, or cause harm to another)。

③反霸凌法案 (Anti-Bullying State Laws)

當學生違反了反霸凌法，將面臨「停學 (suspension)」、「開除 (expulsion)」與「罰金 (monetary fines)」等處分。

④其它特殊的罷凌行爲組型

★ 穿著與幫派有關的象徵型衣服

Wearing gang paraphernalia and other clothing meant to intimidate or exclude another;

★ 透過網路散播謠言或卑鄙、傷害性圖片或訊息等

Spreading rumors or posting degrading, harmful, or explicit pictures, messages, or information using social media or other forms of electronic communication (also known as " cyber-bullying ").

★ 嘲笑或污辱、毀謗對方與性有關的行爲Taunting or making sexual slurs about a person's gender orientation sexual status;

★ 對他人的宗教、性別、種族或社會地位等，取綽號、開玩笑或攻擊語言 Name-calling, joking, or making offensive remarks about a person's religion, gender, ethnicity, or socioeconomic status;

★ 採取身體攻擊行動Physical acts of bullying, such as punching, slapping, or tripping someone.

⑤刑事處分 (criminal penalties, including jail time, depending on the specific violation)



- (3) 校園藥物濫用
- (4) 侵犯財物權
- (5) 校園幫派入侵與反擊

謝謝閱覽！