Legal Issues of Bullying in Minor Campuses under Big Data Environment

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Abstract. In recent years, the problem of bullying on campus has frequently come into public view with media reports, and it has become a social issue that people are gradually paying attention to. This study was designed to investigate the case of minor bullying empirical investigation and analysis of literature and junior high school students bullying lessons in order to reduce school bullying, to help young students to establish a correct outlook on life and values. In this paper, big data environment, by extensively reviewed the literature on bullying respect to A middle schools through third grade students for the study, investigate the current status of school bullying, others come to nicknames such bullying Behaviors accounted for the largest proportion, accounting for 14.4% and 18.5%, respectively; It was followed by hands-on beatings, and at the same time learned that the development of the level of consciousness of the rule of law among junior high school students is not yet mature and lacks the correct concept of the rule of law. The research in this article helps to promote the anti-bullying legislation in China and promote the rule of law in education.

Keywords: Minor Students, Campus Bullying, Legal Status, Legal Liability

1. Introduction

Bullying cases occurred frequently in recent years, caused widespread public concern, bullying cases take place in the campus, the case of infringement means variety [1-2]. Have a plenty of to attack victim, have a plenty of rob money, have a plenty of personality insult, no matter how the nature, are destroyed in the past the campus atmosphere of the simple quiet, must take measures to prevent the bullying cases happening again [3-4]. According to the big data survey, the incidence of school bullying among primary and middle school students in China is more than 30%, and we can find out from the data that the incidence of school bullying is still very high [5]. China advocates the rule of law. In order to protect the growth environment of minors and ensure their safe growth, China has formulated many
relevant laws [6]. However, there is no law on the phenomenon of school bullying among minors, so there is no special law on this phenomenon [7].

Due to the lack of perfect school bullying effective management laws in China, there is no special law to punish such cases, so we can only use some existing legal provisions to deal with criminal personnel and determine the case results [8]. Therefore, improving school bullying law can prevent school bullying. By making the illegal bully bear the adverse legal consequences, the illegal bully can be educated to prevent the occurrence of bullying. Perfect bullying legal responsibility make victims of bullying can take law as the weapons, a number of ways and channels to solve the problem of bullying. Cause the bully trauma healing, spiritual world was rebuilt, balance the victim's psychological feeling, bullying the legal responsibility to punish wrongdoers [9-10]. By forcing the bully to bear the adverse consequences, the occurrence of illegal ACTS can be prevented and the harmonious operation of the whole society can be promoted.

In this paper, under the environment of big data, through extensive review of literature about bullying, with A junior high school grade to grade the students as the research object, to find the positive attribution, the minor bullying to put forward the strategies of the response to small and medium-sized students bullying problems and specific interventions, raising the level of education and management in primary and middle schools and to help young students to establish correct outlook on life and values.

2. Method

2.1. Concept of School Bullying

So far, there is no uniform and clear definition of school bullying in the world. Most countries define bullying on their own, with varying results. According to collect the relevant data, this article will bullying is defined as: bullying, commits a crime on the victim location when in school, the body of the crime includes not only the students, also include some teachers and other staff of the school, for some students, especially the relatively weak students in a long period of time and hurt the behavior of using language to insult the victim, or directly to attack the victim, or for the victim of some psychological or physical defects to attack, or directly take the victim's money and actions have caused harm to the victim. Especially with the development of science and technology and the improvement of people's living standard, it is common for students to have their own mobile phones. Online abuse of others and malicious Posting of images of others are also a phenomenon of school bullying.

2.2. Characteristics of School Bullying

This study concludes that bullying has the following characteristics: first, has taken many forms. Includes not only physical violence, extortion of property, verbal attacks and injuries, but also psychological collateral damage, such as inferiority complex, depression and other psychological effects; Second, the repetition and concealment of behavior. Damage to be bully by mostly is not single, most of the bullies tend to be on the basis of not effectively punished continuously to damage by bullies bully perpetrators mostly adopts the means of violence or verbal threats, concealment, forced by the bullies unable to seek help from family members or teachers, schools, bullying occurs repeatedly; Third, the consequences of bullying are serious and harmful. Because the occurrence of
bullying behavior represents the imbalance in the ability between the bully and the bullied, and the bully's behavior is active in its subjective intention, its persistence and aggression cause the seriousness of the consequences of bullying. In this paper, gives a definition of bullying to produce students who are in bullying, namely the individual or group for one person or a group of people by the behavior of the damage to body and mind are bullies. This kind of behavior not only includes verbal aggression, physical attack include isolation, exclusion behavior between classmates, of bullying at school.

3. Experiment

In the context of big data, this paper, by extensively consulting the literature on school bullying, understands the basic direction of the development of school bullying and prepares a questionnaire. In A city, A junior high school grade to grade the students as the research object for investigation and study, selected two classes in each grade for measuring, investigating the current situation of school bullying problem. To issue a total of 330 questionnaires, among which the back number 322, recovery rate is 97.57%; Remove invalid questionnaire 4, rest, a total of 318 effective questionnaires were recycling effective rate was 96.36%. From bullies, bullying and onlookers three dimensions, the universality of junior middle school students bullying, the type of bullying way, school intervention and treatment in the form of problems were investigated. In order to better understand the status quo of bullying problem, this paper also used the interview method to interview school teachers and parents. Aiming at bullying cases happened in the campus, teachers and parents for bullying cognitive situation, school bullying in school bullying prevention, treatment and attitude as well as the problems facing in understanding.

4. Discuss

4.1. Analysis of Survey Data

This survey data analysis, mainly from the student survey data analysis and two parts of the analysis of teachers, parents interview to get the current situation of junior high school bullying analysis. The details are shown in table 1 and figure 1.

| Table 1. Distribution of bullying behaviors between bullies and victims |
|---------------------------------------------------------------|
| Behavior type                                         | Bully  | Bullied |
|---------------------------------------------------|--------|---------|
| To others nicknames / Being nicknames                  | 14.40% | 18.50%  |
| To tease / To be teased                                  | 3.70%  | 5.03%   |
| Hit anyone / He was hit                                  | 7.80%  | 9.43%   |
| Intimidate or threaten / Be threatened or intimidated by others | 3.40%  | 4.70%   |
Data analysis can be obtained: bullying and bullied, the largest proportion of bullying behavior is to nickname others, bullying people nicknamed people accounted for 14.4%, bullied people were nicknamed 18.5%; Hand-to-hand beating followed, in the survey, the rate of bullying by hand-to-hand beating was 7.8%, and the rate of being bullied by beatings was 9.43%; The bullying behavior of isolating others also occupies a considerable proportion, accounting for 5.3% and 8.4% respectively. Of course, in addition to the intentional and vicious behaviors of some students, there are still some students who do not have a clear concept of the constitution of school bullying behavior, which will inadvertently lead to the occurrence of school bullying problems and cause certain harm to the physical and mental development of the bullied. However, according to the interviews with students, parents and teachers, 80% of the students believe that the occurrence of bullying at school will affect their study and normal life, leaving psychological shadow. Some students, parents and teachers also believe that this will make the offenders more aggressive and the campus atmosphere worse and worse. Some students believe that school bullying will also cause the bullied to have the idea of self-harm and suicide, which brings serious harm to the bullied. In the face of bullying, only a very small number of students choose to call the police, it can be seen that the level of junior high school students' awareness of the rule of law is not mature, the lack of correct concept of the rule of law.

4.2. Research and Reflection on the Legal Issues of School Bullying

In order to protect the growth environment of minors and ensure their safe growth, China has made many relevant laws. However, there is no law on the phenomenon of minor school bullying, so there is no special law on this phenomenon. In some juvenile school bullying cases, the crime has reached the requirements of the nature, but not the number of requirements, but because it does not meet the provisions of the criminal can not be punished. This also directly encourages the criminal's arrogance, and even infringes on others again. For them, the law is in vain, which seriously reduces the dignity and justice of the law.
A complete legal system is the premise and foundation of effective management of school bullying. Establish a complete school bullying legal responsibility system, pay attention to the level of integrity and reasonable, pay attention to the content of the coordination and unity. Establish a school bullying legal system guided by central legislation, supplemented by administrative regulations, local legislation at all levels to improve, and integrate the relevant provisions scattered in various laws and regulations. We will accelerate legislation in the area of anti-bullying. The purpose of anti-bullying legislation is to punish the illegal behaviors of school bullying, safeguard the legitimate rights and interests of students, optimize the learning and living environment on campus, guarantee the order of school education and teaching, and promote the stable development of society. The definition of school bullying should be clearly defined, and the official identification standard of school bullying should be issued, so as to accurately control the school bullying behavior.

The age of administrative and criminal liability should be lowered. In recent years, the juvenile crime rate remains high in China, which is closely related to the fact that the public security and legal organs protect the minors too much and do not have enough efforts to correct the deviant behaviors of the juveniles. Among them, the main reason is that the age of legal liability of minors stipulated by the current law is too high compared with the social reality. From the perspective of the harmfulness of school bullying, serious school bullying is a hotbed of criminal behavior and bullies are the high-risk groups of juvenile delinquency. When the harmful behaviors of these bullies are not effectively curbed when they are minors, the habit of bullying others is likely to carry over to the adult life of the bully and cause more harm. However, school bullies who are prevented by the age of legal responsibility and do not need to bear administrative responsibility or criminal responsibility may be required to be "strictly disciplined" by their parents even after assuming other compensation responsibilities. However, such punishment method is uncertain and cannot really achieve a real and effective result. Therefore, it is necessary to reduce the age of administrative or criminal liability of minors. At least, the public security administrative punishment should be implemented as soon as possible. For the serious school bullying, if the administrative responsibility cannot be timely regulated, the effective governance will be extremely difficult.

5. Conclusion

In order to effectively prevent the bullying cases of minors, create good safe learning environment for students, we must strengthen the construction of related laws and regulations, and believe that the state and society shall follow the bullying behavior of the youth and the related policies and measures introduced gradually, the generation of adolescent bullying will reduce unceasingly, finally make every teenagers can live in harmony, the sunshine of social environment.

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