

**SPECIAL ADMINISTRATIVE BOARD OF THE  
TRANSITIONAL SCHOOL DISTRICT OF THE CITY OF ST. LOUIS  
STUDENTS – ELEMENTARY, MIDDLE AND SECONDARY**

Conduct – Bullying and Cyberbullying  
Policy # 5131.9

**I. Purpose**

The district's anti-bullying policy is founded on the assumption that all students need a safe learning environment.

The purposes of this policy are to set forth the district's prohibition of bullying, harassment, or intimidation of students in the school environment, any reprisal or retaliation against individuals who report acts of bullying, harassment, or intimidation of victims, witnesses, bystanders of same; and to direct the district to establish reporting and investigation procedures and disciplinary consequences for violations of this policy.

**II. Definitions**

A. "Bullying" means intimidation, unwanted aggressive behavior, or harassment that is repetitive or is substantially likely to be repeated and causes a reasonable student to fear for his or her physical safety or property; substantially interferes with the educational performance, opportunities, or benefits of any student without exception; or substantially disrupts the orderly operation of the school.

Bullying may consist of physical actions, including gestures, or oral, cyberbullying, electronic, or written communication, and any threat of retaliation for reporting of such acts.

Bullying of students is prohibited on school property, at any school function, or on a school bus.

B. "Cyberbullying" means bullying as defined in II (A) through the transmission of a communication including, but not limited to, a message, text, sound, or image by means of an electronic device including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager.

**III. Policy Standards**

**A. Prohibitions**

1. The district prohibits bullying, harassment, or intimidation of any student on school property or at school-sponsored functions or by the use of electronic communication at a public school.
2. The district prohibits reprisal or retaliation against individuals who report acts of bullying, harassment, or intimidation or who are victims, witnesses, bystanders, or others with reliable information about an act of bullying, harassment, or intimidation.

## B. Consequences of Bullying

1. Consequences and remedial actions shall be imposed upon persons who violate this policy by engaging in bullying,

harassment, or intimidation; who have engaged in reprisal or retaliation; or who have been found to have made false allegations that this policy has been violated.

2. The consequences and remedial actions, developed by the Superintendent, shall be consistently and fairly applied after an appropriate investigation has revealed that a violation of this policy has occurred.

C. Saint Louis Public Schools employees who report acts of bullying, harassment, or intimidation in good faith under this policy are not civilly liable for any act or omission in reporting or failing to report an act of bullying, harassment, or intimidation.

## IV. Implementation Strategies

### A. Reporting

1. The district maintains established procedures for reporting acts of bullying, harassment, or intimidation (see Bullying Reporting Reminders).

2. The district shall designate an individual at each school within the district to receive reports of incidents of bullying.

Such individual shall be the Principal or his/her designated individual at each school (teacher level or higher) and will receive reports of incidents of bullying. To report an instance of bullying, the Principal or his/her designee are required to submit a completed Bullying Report Form in either physical copy or electronically (see Bullying Report Form).

3. All district employees are required to report any instance of bullying of which the employee has firsthand knowledge, to the designated individual at the school to receive reports of incidents of bullying, within 2 days of witnessing the incident.

### B. Investigation

The district maintains established procedures for prompt investigation of alleged acts of bullying, harassment, or intimidation (see Bullying Reporting and Investigation Guidelines).

Specifically, when receiving a report/complaint of bullying, the building's Principal or his/her designated individual shall follow the below procedure:

(a) Within two school days of a report of an incident of bullying being received, the school principal, or his or her designee, shall initiate an investigation of the incident;

(b) The school principal may appoint other school staff to assist with the investigation; and

(c) The investigation shall be completed within ten school days from the date of the written report unless good cause exists to extend the investigation.

### C. Publication of Policy

(a) The policy will be made available on the district's website, in staff handbooks, and in the Student Code of Conduct.

Distribution of the policy to all teachers and staff will occur during annual teacher and staff training.

(b) The district shall provide notice of the policy and procedures detailed herein to all school employees and volunteers who have significant contact with students.

(c) The district shall give annual notice of its anti-bullying policy to students, parents or guardians, and staff.

### D. Student Discussion and Employee Training

1. The district will provide information regarding bullying and appropriate training to all staff and volunteers who have significant contact with students at the annual teacher and staff in-service.

2. The administration of the district shall instruct its school counselors, social workers, mental health professionals and school psychologists to educate students who are victims of bullying on techniques for students to overcome bullying's negative effects.

3. The administration of the district shall implement programs and other initiatives to address bullying, to respond to such conduct in a manner that does not stigmatize the victim and makes resources or referrals available to victims of bullying.

4. The district shall provide education and information to students regarding bullying, including information regarding the school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to address bullying, including student peer-to-peer initiatives to provide accountability and policy enforcement for those found to have engaged in bullying, reprisal, or retaliation against any person who reports an act of bullying.

### V. Other

The district will periodically review its anti-bullying policy and revise as needed. The district's school board shall receive input from school personnel, students, and administrators when reviewing and revising the policy.

### **Policy Adopted: June 26, 2012**

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
GBCC, Staff Cell Phone Use  
GBH, Staff/Student Relations  
IGDB, Student Publications  
IGDBA, Distribution of Noncurricular Student Publications  
JFCF, Hazing and Bullying  
JG-R, Student Discipline

JO, Student Records  
KB, Public Information Program

MSIP Refs: 6.4, 6.8

Legal Refs: 160.775 RSMo.  
170.051, 182.827, 431.055, 537.525, 542.402, 569.095 - .099, 610.010 - .028, RSMo.  
Chapter 109, RSMo.  
Chapter 573, RSMo.  
Electronic Communications Privacy Act, 18 U.S.C. " 2510 - 2520  
Stored Communications Act, 18 U.S.C. " 2701 - 2711  
Family Educational Rights and Privacy Act, 20 U.S.C. ' 1232g  
No Child Left Behind Act of 2001, 20 U.S.C. " 6301 - 7941  
Children's Internet Protection Act, 47 U.S.C. ' 254(h)  
47 C.F.R. ' 54.520  
Federal Rule of Civil Procedure 34  
*City of Ontario v. Quon*, 130 S. Ct. 2619 (2010)  
*Reno v. ACLU*, 521 U.S. 844 (1997)  
*Hazelwood Sch. Dist. v. Kuhlmeier*, 484 U.S. 260 (1988)  
*Bethel Sch. Dist. No. 403 v. Fraser*, 478 U.S. 675 (1986)  
*Sony Corp. of America v. Universal City Studios, Inc.*, 464 U.S. 417 (1984)  
*FCC v. Pacifica Foundation*, 438 U.S. 726 (1978)  
*Ginsberg v. New York*, 390 U.S. 629 (1968)  
*Biby v. Bd. of Regents of the Univ. of Nebraska*, 419 F.3d 845 (8th Cir. 2005)  
*Henerey v. City of St. Charles Sch. Dist.*, 200 F.3d 1128 (8th Cir. 1999)  
*Bystrom v. Fridley High Sch. Ind. Sch. Dist.*, 822 F.2d 747 (8th Cir. 1987)  
*Beussink v. Woodland R-IV Sch. Dist.*, 30 F. Supp. 2d 1175 (E.D. Mo 1998)

St. Louis Public Schools, St. Louis, Missouri

Approved: June 26, 2012

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