

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

Conduct – Bullying, Cyberbullying and Hazing
Policy # 5131.9

The responsibility for determining and implementing school discipline resides with the Board of Education, the superintendent and staff.

In order to promote a safe learning environment for all students, St. Louis Public Schools (the “District”) prohibits all forms of hazing, bullying and student intimidation. Students participating in or encouraging inappropriate conduct will be discipline. Such discipline may include, but is not limited to, suspension or expulsion from school and removal from participation in activities. Students who have been subjected to hazing or bullying are instructed to promptly report such incidents to a school official.

In addition, district staff, coaches, sponsors and volunteers shall not permit, condone or tolerate any form of hazing or bullying or plan, direct, encourage, assist, engage or participate in any activity that involves hazing or bullying. District staff will report incidents of hazing and bullying to the building principal. The principal shall promptly investigate all complaints of hazing and bullying and shall administer appropriate discipline to all individuals who violate this policy. District staff who violate this policy may be disciplined or terminated.

The superintendent will provide for appropriate training designed to assist staff, coaches, sponsors and volunteers in identifying, preventing and responding to incidents of hazing and bullying.

The District shall annually inform students, parents, district staff and volunteers that hazing, bullying and cyberbullying is prohibited. This notification may occur through the distribution of the written policy, publication in handbooks, presentations at assemblies or verbal instructions by the coach or sponsor at the start of the season or program.

In addition, all minor students will be instructed on safety and security issues, including instruction on the dangers of sharing personal information about themselves or others when using e-mails, social media, chat rooms or other forms of direct electronic communication. Instruction will also address cyberbullying awareness and response and appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms.

Definitions

Hazing – For purposes of this policy, hazing is defined as any activity, on or off school grounds, that a reasonable person believes would negatively impact the mental or physical health or safety of a student or put the student in a ridiculous, humiliating, stressful or disconcerting position for the purposes of initiation, affiliation, admission, membership or maintenance of membership in

any group, class, organization, club or athletic team including, but not limited to, a grade level, student organization or school-sponsored activity.

Hazing may include those actions that subject a student to extreme mental stress including, but not limited to, sleep deprivation, physical confinement, forced conduct that could result in extreme embarrassment or criminal activity, or other stress-inducing activities. Hazing may also include, but is not limited to: acts of physical brutality; whipping; beating; branding; exposing to the elements; forcing consumption of any food, liquor, drug or other substance; forcing inhalation or ingestion of tobacco products; or any other forced physical activity that could adversely affect the physical health or safety of an individual.

Hazing may occur even when all students involved are willing participants. Hazing does not occur when a student is required to audition or try out for an organization when the criteria are reasonable, approved by the district and legitimately related to the purpose of the organization.

Bullying – For purposes of this policy, bullying is defined as intimidation or harassment of a student or multiple students perpetuated by individuals or groups. Bullying includes, but is not limited to: physical actions, including violence, gestures, theft, or damaging property; oral or written taunts, including name-calling, put-downs, extortion, or threats; or threats of retaliation for reporting such acts. Bullying may also include cyberbullying or cyberthreats.

Cyberbullying – is the sending or posting of harmful or cruel text or images using the Internet or other digital communication devices. Cyberthreats are online materials that threaten or raise concerns about violence against others, suicide or self-harm.

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: " 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

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