

Policy JFCF: BULLYING

Status: DRAFT

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EXPLANATION

These revisions were requested by the district.

General

To promote a safe learning environment for all students, the district Columbia School District prohibits all forms of bullying, hazing and student intimidation on school property, at any school function, or on any school bus. Students participating in or encouraging inappropriate conduct will be disciplined in accordance with JG-R1. Such discipline may include, but is not limited to, suspension or expulsion from school and removal from participation in activities. The district also prohibits reprisal or retaliation against any person who reports any act of bullying among or against students.

In addition, district staff, substitutes, educational contractors that work directly with students (educational contractors), coaches, sponsors and volunteers shall not permit, condone or tolerate any form of bullying or hazing or plan, direct, encourage, assist, engage or participate in any activity that involves bullying or hazing.

Definitions

Bullying – In accordance with state law, bullying is defined as intimidation, unwanted aggressive behavior, or harassment that:

1. is repetitive or is substantially likely to be repeated and causes a reasonable student to fear for his or her physical safety or property;
2. that substantially interferes with the educational performance, opportunities or benefits of any student without exception; or
3. that substantially disrupts the orderly operation of the school.

Bullying includes, but is not limited to physical actions physical actions, including violence, gestures, theft, or property damage; oral, written, or electronic communication, including name-calling, put-downs, extortion, or threats; or threats of reprisal or retaliation for reporting such acts including gestures; or oral, cyberbullying, electronic, or written communications; and any threat of retaliation for reporting of such acts.

Cyberbullying – A form of bullying committed by 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. The district has jurisdiction over cyberbullying that uses the district's technology resources or that originates on district property, at activities or technology resources. The district will impose consequences and discipline for those who engage in cyberbullying if there is a sufficient nexus to the educational environment, the behavior materially and substantially disrupts the educational environment, the communication involves a threat as defined by law, or the district is otherwise allowed by law to address the behavior.

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 is not acceptable and is a violation of this policy, even when all students are willing participants.

Investigation Determination – A fact-based, written report that states the investigative findings after bullying is reported that can be provided to both the victim and the accused.

School Day – A day on the academic school calendar, excluding summer school, when students are in attendance required to attend school.

Designated Officials

The principal of each building is hereby designated as the individual to receive and investigate reports of bullying. Each building principal shall designate at least two other professional employee (teachers or administrators level or above) in the building who are authorized to receive and investigate reports of bullying in the principal's absence or at the principal's discretion.

The list of district building principals and designees authorized to receive reports of bullying shall be kept on file at central office, along with a copy of this policy. This list shall also be placed on the district's website and shall include the building contact information.

The district student compliance officer appointed in policy AC will serve as the districtwide antibullying coordinator. The districtwide antibullying coordinator will receive all completed investigative reports from all buildings and analyze the reports to identify any information that would inform the district's antidiscrimination and antibullying education and training programs. In addition, the antibullying coordinator will assist in making any relevant reports as required by state and federal law.

Reporting Bullying

Reporting by Employees, Substitutes, Educational Contractors and Volunteers

District employees are required to report any instance of bullying or hazing of which the employee has firsthand knowledge to the building principal or authorized designee. District employees who witness an incident of bullying or hazing are required to report the incident to the building principal or authorized designee within two school days of the employee witnessing the event, unless the principal or authorized designee are the subject of the report. In that case, the report should be made directly to the district's compliance officer as designated in Board policy AC.

School employees, substitutes, educational contractors that work directly with students, and or volunteers are expected to intervene to prevent student bullying, appropriately address the situation, assist the victim and report the incident to the building principal or designee for further investigation and action. The district expects all employees, substitutes, educational contractors and volunteers to report bullying incidents as soon as possible, but no later than two school days after they become aware of the incident. Any school employee, substitute, educational contractor, or volunteer who witnesses or has firsthand knowledge of bullying of a student must be required to report the incident to the building principal or designee as soon as possible, but no later than two school days after the incident. Students will be provided appropriate supportive measures during the investigation.

Reporting by Students and Parents

Students who have been subjected to bullying or hazing, or who have witnessed or have knowledge of bullying or hazing, or their parents or guardians are encouraged to promptly report such incidents to a school employee as soon as possible within two school days. Any school employee, substitute, educational contractor, or volunteer receiving such a report shall promptly transmit the report verbally or in writing to the building principal or designee. The school employee shall submit a written report through the district's online bullying report form.

If the incident involved allegations of illegal discrimination or harassment, the student or their parents may file a complaint in accordance with policy AC.

If a verbal report of bullying is made, the reporter will be asked to submit a written bullying complaint form to the building principal or designee. If the reporter refuses or is unable to submit a written complaint form, the building principal or designee will summarize the verbal complaint in writing using a written complaint form. Bullying complaint forms will be made available in all building principals' offices, in all guidance/counseling offices, at central office and on the district website.

If the bullying or hazing incident involves students from more than one district building, the report should be made

to the principal or designee of the building in which the incident took place or, if more appropriate, to the principal or designee of the building attended by the majority of the participants in the incident authorized designee of either building. The building designees shall determine which building will investigate and shall communicate across the buildings involved during the investigation, as appropriate.

Written Bullying Complaint Form

All persons reporting bullying are encouraged to file a written complaint of bullying using the district's written bullying complaint form. Whenever the principal or designee receives a report of bullying, the principal or designee will direct the person reporting to file a written complaint of bullying. If the reporter refuses, is considered too young to complete the written complaint form, or is unable to submit a written complaint, the building principal or designee shall summarize the verbal complaint in writing using the district's online bullying report form. The reports will be maintained at central office by the districtwide antibullying coordinator. If a verbal report of bullying is made, the reporter will be encouraged to submit a written bullying complaint using the district's online bullying report form. If the reporter refuses or is unable to submit a written complaint, the building principal or designee shall summarize the verbal complaint in writing using the district's online bullying report form. Bullying complaint forms will be made available in all building principals' offices, in all guidance/counseling offices, at central office, in the district's policy and procedures form manual, and on the homepage of district website. All bullying reports and final determinations shall be documented and included in the report to the board of education, as provided below.

Bullying complaint forms will be made available in all building principals' offices, in all guidance/counseling offices, at central office, in the district's administrative procedures and forms manual. A link to more information about bullying, including the bullying complaint forms, will be placed on the homepage of the district website. All bullying reports and final determinations shall be documented and included in the report to the board of education, as provided below.

Notifying the Victim's Parents/Guardians of the Report

Upon receipt of a report of bullying or hazing, the building principal or authorized designee shall notify the victim and accused students's parents/guardians of the reported incident(s) as soon as possible but no later than within two school days of the principal's or designee's receipt of the report, unless the principal or designee is specifically directed by law enforcement and/or the Children's Division (CD) of the Department of Social Services not to do so or the parents or guardians made the report.

Investigation

Students will be provided appropriate supportive measures during the investigation.

Within two school days of receiving a report of bullying or hazing, the principal or designee will initiate an investigation of the incident. Reports that involve students from multiple buildings will be investigated cooperatively by the principals of each building involved, or those principals may request that the district's student compliance officer designated in policy AC conduct the investigation. If at any time during the investigation the principal or designee determines that the bullying or hazing involves illegal discrimination, harassment or retaliation as described in policy AC, the principal/designee will report the incident to the student compliance officer designated in that policy, who will assist in the investigation. If the alleged bullying involves a special education student or a student with disabilities, the principal or designee will also notify the special education executive director for investigation pursuant to policy AC. Such referrals do to the district compliance officer does not relieve the building principal/designee of the requirement to complete a bullying investigation under this policy.

The investigation shall be completed within ten school days of the date the written report of bullying or hazing was received, unless good cause exists to extend the investigation. If good cause exists, the parents/guardians of the victim and the alleged perpetrator shall be immediately notified of the extension and the reason for the extension. Upon completion of the investigation, the principal or designee will decide whether bullying or harassment/hazing occurred and, if so, whether additional discipline is warranted in accordance with the district's student discipline code. The principal or designee will generate an investigation written determination report of the investigation and findings and send a copy of the completed investigation determination report to the district's antibullying coordinator. The principal or designee will document the incident and report as provided by district procedures. The principal or designee will document the investigation report in the files of the victim and the perpetrator, if bullying is confirmed, and send a copy to the alleged or actual perpetrator within five days of the investigation report becoming final. The investigation report sent to the actual or alleged perpetrator may be redacted if required by law. The district shall also provide the parents/guardians of the victim the results of the investigation within five days of the report becoming final. All reports will be kept confidential in accordance with

state and federal law.

If bullying is confirmed, the principal or designee will document the decision in the files of the victim and the perpetrator. The parents of the students will receive the completed investigation determination within five days after the investigation has been completed.

If the incident involved allegations of illegal discrimination or harassment, the victim may file a complaint in accordance with policy AC. Student discipline may be appealed when allowed by law in accordance with board policy.

Notwithstanding the timelines provided above, if a report is made during summer school or when school is not in session, the district will investigate the report as soon as possible, when the relevant staff and students are available.

Retaliation

The district prohibits retaliation against any person who files a complaint of bullying, hazing, cyberbullying or retaliation, and further prohibits retaliation against any person who testifies, assists or otherwise participates in any investigation, proceeding or hearing relating to such bullying, hazing, cyberbullying or retaliation. The district will discipline or take other appropriate action against any student, teacher, administrator or other school personnel who retaliates against any such person.

StudentVictim Support

The district will provide appropriate supportive measures to students. These supportive measures which may include additional safety measures, no-contact agreements, extensions on deadlines, changes in schedules and access to counseling. The principal or other appropriate district staff shall work with victims and their families to access resources and services to help them deal with any negative effects that resulted from the incident. This support shall be offered regardless of whether the behavior falls under the definition of bullying. If the victim and the perpetrator or alleged perpetrator must be separated or moved to different buildings, the district shall remove the perpetrator or alleged perpetrator rather than the victim.

School counselors, social workers, mental health professionals, school psychologists or other appropriate district staff will educate students who are victims of bullying about how to overcome the negative effects of bullying including, but not limited to:

1. Cultivating the student's self-worth and self-esteem.
2. Teaching the student to defend themselves assertively and effectively without violence.
3. Helping the student develop social skills.
4. Encouraging the student to develop an internal locus of control.

Educational support will also be provided to students who have participated in bullying so that they develop social skills and learn from the incident.

Consequences

Students who participate in bullying or hazing or who retaliate against anyone who reports bullying or hazing will be disciplined in accordance with the district's discipline code. As provided by policy and the behavior matrix, Such discipline may include, but is not limited to: detention, in-school suspension, out-of-school suspension, expulsion, removal from participation in activities, exclusion from honors and awards, and other consequences deemed appropriate by the principal or superintendent. The district shallwill also contact law enforcement when required by law or notify social media companies of inappropriate online activity when appropriate.

Even in situations where the district does not have jurisdiction to discipline a student for bullying, the principal or designee will take appropriate actions to assist student victims. Such actions may include, but are not limited to, contacting the parents/guardians of the victim and the alleged perpetrators, communicating that this behavior is not allowed on district grounds or at district activities, notifying the appropriate district staff to assist the victim, and taking additional action when appropriate, such as notifying law enforcement or social media companies of inappropriate online activity.

District employees, educational contractors and substitutes who violate this policy will be disciplined or terminated. Discipline may include, but is not limited to: suspension with or without pay, a negative evaluation, prohibition from being on district property or at district activities, mandated training or other appropriate remedial action. Educational contractors that violate this policy may have their contract terminated. Volunteers who violate this policy will no longer might not be permitted to volunteer.

Off-Campus Behavior

The district is legally limited in disciplining behavior that occurs off school property and cannot address all student behavior that occurs in the community. In general, the district has jurisdiction over cyberbullying that uses the district's technology resources or that originates on district property, at a district activity, or on district transportation. The district will impose consequences and discipline for those who engage in cyberbullying if there is a sufficient nexus to the educational environment, the behavior materially and substantially disrupts the educational environment, the communication involves a threat as defined by law, or the district is otherwise allowed by law to address the behavior.

Even in situations where the district does not have jurisdiction to discipline a student for bullying, such as when the acts take place off campus and there is an insufficient nexus to the district, the principal or designee will take appropriate actions to assist student victims. Such actions may include, but are not limited to, contacting the parents/guardians of the victim and the alleged perpetrators, communicating that this behavior is not allowed on district grounds or at district activities, notifying the appropriate district staff to assist the victim, and taking additional action when appropriate, such as notifying law enforcement or social media companies of inappropriate online activity.

Summer and Breaks

Online bullying reports may be submitted year-round and other reports will be received during business hours, even if students are not in school. To the extent the district can investigate these reports during these times, the district will do so. For example, reports of bullying that occurs during summer school will be investigated to the same extent as a report during the regular school year. However, if the relevant staff, students or witnesses are not available, the investigation will be delayed until a complete investigation can be conducted and the parents of the victim and the alleged perpetrator will be notified of the anticipated completion date.

Retaliation

The district prohibits retaliation against any person who files a complaint of bullying or cyberbullying and further prohibits retaliation against any person who testifies, assists or otherwise participates in any investigation, proceeding or hearing relating to such bullying, hazing, cyberbullying or retaliation. The district will discipline or take other appropriate action against any student, teacher, administrator or other school personnel who violate this section.

Concerns about the Process

If the parent/guardian of a victim or alleged perpetrator has concerns about the implementation of this policy, they are encouraged to contact the superintendent or designee for a review. District staff must notify the parents/guardians of the alleged perpetrator and victim of the process to request this review in writing with the investigative determination.

Policy Publication

The district shall annually notify students, parents/guardians, district employees, substitutes, educational contractors, and volunteers about this policy and the district's prohibition against bullying. A copy of this policy shall be included in student handbooks and posted on the homepage of the district's website.

Training and Education

The district's antibullying coordinator will provide information and appropriate training designed to assist employees, substitutes, educational contractors and volunteers who have significant contact with students in identifying,

preventing and responding to incidents of bullying and hazing.

The district will provide education and information about bullying and this policy to students every year. The principal of each school, in consultation with school counselors and other appropriate school employees, will determine the best methods for facilitating the discussion. Methods may include assemblies; homeroom presentations; class meetings; team or club meetings; special presentations by counselors, social workers or mental health professionals; and open-house events. When practical, parents/guardians will be invited to attend.

In addition to educating students about the content of this policy, the district will inform students of:

1. The procedure for reporting bullying.
2. The harmful effects of bullying.
3. Any initiatives the school or district has created to address bullying, including student peer-to-peer initiatives.
4. The consequences for those who participate in bullying or engage in reprisal or retaliation against those who report bullying.

School counselors, social workers, mental health professionals, school psychologists or other appropriate district staff will educate students who are victims of bullying about how to overcome the negative effects of bullying including, but not limited to:

1. Cultivating the student's self-worth and self-esteem.
2. Teaching the student to defend him- or herself assertively and effectively without violence.
3. Helping the student develop social skills.
4. Encouraging the student to develop an internal locus of control.

Additional School Programs and Resources

The administration of the school district shall The board directs the superintendent or designee to implement programs and other initiatives to address bullying, respond to such conduct in a manner that does not stigmatize the victim, and make resources or referrals available to victims of bullying. Such initiatives may include educating parents/guardians and families on bullying prevention and resources.

Reporting to the Board

At least once annually, but no later than July 31, the antibullying coordinator shall provide a summary of all completed bullying reports to the superintendent and the board of education.

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Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

§ 160.261, RSMo.
§ 160.775, RSMo.
§ 565.090, RSMo.

Description

[State Statute](#)
[State Statute](#)
[State Statute](#)

Cross References

AC

Description

[PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT AND RETALIATION](#)

Cross References

ACA

EHB

EHB-AP(1)

GCPD

GCPE

GDPD

GDPE

IGCD

IGCDA

IGD

Description[SEXUAL HARASSMENT UNDER TITLE IX](#)[TECHNOLOGY USAGE](#)[TECHNOLOGY USAGE - \(Technology Safety\)](#)[SUSPENSION OF PROFESSIONAL STAFF MEMBERS](#)[TERMINATION OF PROFESSIONAL STAFF MEMBERS](#)[SUSPENSION OF SUPPORT STAFF MEMBERS](#)[NONRENEWAL AND TERMINATION OF SUPPORT STAFF MEMBERS](#)[VIRTUAL COURSES](#)[FULL-TIME MOCAP VIRTUAL COURSES](#)[DISTRICT-SPONSORED EXTRACURRICULAR ACTIVITIES AND GROUPS](#)