



**SAN ANTONIO INDEPENDENT SCHOOL DISTRICT**  
**Administrative Procedures**

<b>F – Students No. 58</b>	<b>F58</b>
<b>Created:</b> November 12, 2021	
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**BULLYING AND CYBER-BULLYING**

**I. OVERVIEW**

The 86<sup>th</sup> Texas Legislature passed Senate Bill 11, which addressed policies, procedures, and measures for school safety and mental health promotion in public schools. The bill added Texas Education Code (TEC) 37.115, to require that TEA, in coordination with the Texas School Safety Center, adopt rules to establish a Safe and Supportive School Program (SSSP). This procedure should be reviewed in conjunction with procedures detailed in board policies [FFI\(LEGAL\)](#) and [FFI\(LOCAL\)](#). Additionally, board policies [FFB \(LEGAL\)](#) and [FFB \(LOCAL\)](#), reflecting legal mandates, establishes SSSP Teams to ensure physical and psychological safety to include a positive school climate, social and emotional stability, behavioral and mental health, and assessing risks and threats with appropriate interventions.

**II. DEFINITIONS**

Bullying as defined in the Tex. Educ. Code Section 37.0832 as a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that:

- a) Has the effect or will have the effect of physically harming a student, damaging a student’s property, or placing a student in reasonable fear of harm to the student’s person or of damage to the student’s property
- b) Is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student
- c) Materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or
- d) Infringes on the rights of the victim at school.

Cyberbullying as defined in the TEC Section 37.0832 (“[David’s Law](#)”) as bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an Internet website, or any other Internet-based communication tool. This state law on bullying prevention applies to:

- a) Bullying that occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property;
- b) Bullying that occurs on a publicly or privately owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity;
- c) Cyberbullying that occurs off school property or outside of a school-sponsored or school-

related activity if the cyberbullying

- a. interferes with a student's educational opportunities; or
- b. substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

A student may be removed from class and placed in DAEP or JJAEP for bullying that encourages a student to commit or attempt to commit suicide, incites violence against student through group bullying, or releasing or threatening to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.

### III. ACTION ITEMS FOR BULLYING INVESTIGATION

**Step One:** Review the allegations to determine the facts. Refer to Administrative Procedure F-59 for guidance on the protocol.

**Step Two:** Determine whether the allegation involves bullying or cyberbullying. Use the *Bullying Checklist* [FORM F-58A] as a resource. The SSSP Threat Assessment Screening Tool is used immediately to assist in the initial screening of the case to determine whether an imminent threat or danger to a school or persons within a school exists, and to determine if there is a need to complete a full threat assessment. If the SSSP team believes there to be an imminent threat or danger, immediately contact the SAISD Police Department and follow established safety procedures.

**Step Three:** Notice of Incident (Campus Administrator)

- Provide *Notice to Parent or Guardian* [EXHIBIT F-58B] of the alleged victim on or before the third school day after the date the incident is reported.
- Provide *Notice to Parent or Guardian* [EXHIBIT F-58B] of the alleged bully within a reasonable amount of time after the incident.

**Step Four:** Use the Student Code of Conduct to determine the appropriate consequences.

Depending on the result of the investigation, information about the incident(s) should be documented in the discipline reporting system. Based on the level of offense, a student may be referred to the hearing office. The campus counselor can support the victim with [counseling resources](#).

**Step Five:** The SSSP Team shall prepare a final written report of the investigation. The final report will be placed in the Threat Assessment Log Submission Form.

### IV. STUDENT TRANSFERS

**Victim of Bullying:** On the request of a parent/legal guardian a student who is a victim of bullying, the Board or its designee shall transfer the victim to:

1. Another classroom at the campus to which the victim as assigned at the time the bullying occurred; or
2. A campus in the District other than the campus to which the victim was assigned at the time the bullying occurred.

**[FORM F58-A](#): Bullying Checklist**

**[EXHIBIT F58-B](#): Notice to Parent/Guardian**

**[FORM F-41 H](#): Critical Incident Report**

**[FORM F-54 C](#): Stay Away Agreement**

**References: Board Policy(ies) [FFB](#); [FFEB](#); *SAISD Student Code of Conduct*; *Texas Education Code Chapter 37***

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*Questions regarding this procedure should be addressed to:*

**Academics and School Leadership**

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