

Students

BULLYING

BP 5131.2

This policy shall apply to all acts constituting bullying related to school activity or to school attendance occurring within a district school, to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school, and to all acts of the Governing Board and the Superintendent in enacting policies and procedures that govern the district.

The Board recognizes the harmful effects of bullying on student well-being, student learning, and school attendance and desires to provide a welcoming, safe, and supportive school environment that protects students from physical, mental, and emotional harm. Bullying is unwanted, aggressive behavior among school aged children that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. Bullying includes actions such as making threats, spreading rumors, attacking someone physically or verbally, and excluding someone from a group on purpose. No individual or group shall, through physical, written, verbal, visual, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

The Superintendent or designee shall develop strategies for addressing bullying in district schools with the involvement of students, parents/guardians, and staff. As appropriate, the Superintendent or designee may also collaborate with social services, mental health services, law enforcement, courts, and other agencies and community organizations in the development and implementation of effective strategies to promote safety in schools and the community.

Such strategies shall be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan and other applicable district and school plans.

Any complaint of bullying shall be investigated and, if determined to be discriminatory, such as discriminatory harassment, intimidation, and bullying on the basis of race, color, national origin, sex, sexual orientation, gender identity or expression, age, disability and/or other legal protected category, resolved in accordance with law and the district's uniform complaint procedures specified in Administrative Regulation 1312.3. If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

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If the Superintendent or designee believes it is in the best interest of a student who has been the victim of an act of bullying, as defined in Education Code 48900, the Superintendent or designee shall advise the student's parents/guardians that the student may transfer to another school. If the parents/guardians of a student who has been the victim of an act of bullying requests a transfer for the student pursuant to Education Code 46600, the Superintendent or designee shall allow the transfer in accordance with law and district policy on intradistrict or interdistrict transfer, as applicable.

District families are encouraged to model respectful behavior, contribute to a safe and supportive learning environment, and monitor potential causes of bullying.

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

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

5 CCR 4600-4670

Bus. and Prof. Code 22589-22589.4

Ed. Code 200-262.4

Ed. Code 32280-32289.5

Ed. Code 35181

Ed. Code 35291-35291.5

Ed. Code 46600

Ed. Code 48900-48925

Ed. Code 48985

Ed. Code 52060-52077

Pen. Code 422.55

Pen. Code 647

Pen. Code 647.7

Pen. Code 653.2

Federal

28 CFR 35.107

34 CFR 104.7

Description

Uniform complaint procedures

Cyberbullying Protection Act

[Prohibition of discrimination](#)

[School safety plans](#)

[Governing board authority to set policy on responsibilities of students](#)

[School discipline rules](#)

[Student transfers](#)

[Suspension and expulsion](#)

[Notices to parents in language other than English](#)

[Local control and accountability plan](#)

[Definition of hate crime](#)

[Use of camera or other instrument to invade person's privacy; misdemeanor](#)

[Use of camera or other instrument to invade person's privacy; punishment](#)

[Electronic communication devices; threats to safety](#)

Description

Nondiscrimination on basis of disability; complaints

Section 504; Designation of responsible employee and adoption of grievances procedures

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34 CFR 106.8	Designation of coordinator; dissemination of policy, and adoption of grievance procedures
34 CFR 110.25	Notification of nondiscrimination on the basis of age
47 USC 254	Universal service discounts (E-rate)
Management Resources	Description
CA Office of the Attorney General Publication	<u>Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018</u>
California Department of Education Publication	<u>Social and Emotional Learning in California: A Guide to Resources, October 2018</u>
California Department of Education Publication	<u>Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008</u>
California Department of Education Publication	<u>Bullying at School, 2003</u>
California Department of Education Publication	<u>Online Bullying Training Module and Bullying Module</u>
California Department of Education Publication	<u>California's Social and Emotional Learning: Guiding Principles, 2018</u>
Court Decision	<i>J.C. v. Beverly Hills Unified School District</i> , (2010) 711 F.Supp.2d 1094
Court Decision	<i>Lavine v. Blaine School District</i> , (2002) 279 F.3d 719
Court Decision	<i>Wynar v. Douglas County School District</i> , (2013) 728 F.3d 1062
CSBA Publication	<u>Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009</u>
CSBA Publication	<u>School Safety: Bullying and Cyberbullying, Policy Brief, October 2023</u>
CSBA Publication	<i>Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014</i>
CSBA Publication	<u>Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012</u>
CSBA Publication	<i>Cyberbullying: Policy Considerations for Boards, Policy Brief, rev. July 2010</i>
CSBA Publication	<u>Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014</u>
CSBA Publication	<u>Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022</u>
U.S. DOE Office for Civil Rights Publication	<u>Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014</u>
U.S. DOE Publication	<u>Creating Inclusive and Nondiscriminatory School Environments for LGBTQI+ Students, June 2023</u>

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U.S. DOE, Office for Civil Rights Publication	<u>Dear Colleague Letter: Addressing Discrimination Against Jewish Students, May 2023</u>
U.S. DOE, Office for Civil Rights Publication	<u>Dear Colleague Letter: Discrimination, Including Harassment, Based on Shared Ancestry or Ethnic Characteristics, November 2023</u>
U.S. DOE, Office for Civil Rights Publication	<u>Dear Colleague Letter: Harassment and Bullying, October 2010</u>
US Department of Health and Human Services	<u>Social Media and Youth Mental Health: The U.S. Surgeon General's Advisory, 2023</u>
US Dept of Health and Human Services Publication	<u>Our Epidemic of Loneliness and Isolation: The U.S. Surgeon General's Advisory on the Health Effects of Social Connection and the Community, 2023</u>
Website	<u>U.S. Department of Health and Human Services, Stop Bullying</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>National School Safety Center</u>
Website	<u>Partnership for Children and Youth</u>
Website	<u>Center on Great Teachers and Leaders</u>
Website	<u>Collaborative for Academic Social and Emotional Learning</u>
Website	<u>Common Sense Media</u>
Website	<u>California Department of Education, Safe Schools</u>
Website	<u>California Office of the Attorney General</u>
Website	<u>CSBA</u>
Website	<u>U.S. Department of Education</u>

Cross References

Policy	Description
0100	<u>Philosophy</u>
0410	<u>Nondiscrimination In District Programs And Activities</u>
0440	<u>District Technology Plan</u>
0440	<u>District Technology Plan</u>
0450	<u>Comprehensive Safety Plan</u>
0450	<u>Comprehensive Safety Plan</u>
0470	<u>COVID-19 Mitigation Plan</u>
1113	<u>District And School Websites</u>
1113	<u>District And School Websites</u>
1113-E(1)	<u>District And School Websites</u>
1313	<u>Civility</u>
3515	<u>Campus Security</u>
3515	<u>Campus Security</u>
4131	<u>Staff Development</u>
4219.21	<u>Professional Standards</u>
4219.21-E(1)	<u>Professional Standards</u>

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4231	<u>Staff Development</u>
4319.21	<u>Professional Standards</u>
4319.21-E(1)	<u>Professional Standards</u>
5030	<u>Student Wellness</u>
5113.1	<u>Chronic Absence And Truancy</u>
5113.1	<u>Chronic Absence And Truancy</u>
5113.12	<u>District School Attendance Review Board</u>
5113.12	<u>District School Attendance Review Board</u>
5116.1	<u>Intradistrict Open Enrollment</u>
5116.1	<u>Intradistrict Open Enrollment</u>
5116.2	<u>Involuntary Student Transfers</u>
5117	<u>Interdistrict Attendance</u>
5117	<u>Interdistrict Attendance</u>
5125	<u>Student Records</u>
5125	<u>Student Records</u>
5131	<u>Conduct</u>
5131.8	<u>Mobile Communication Devices</u>
5136	<u>Gangs</u>
5136	<u>Gangs</u>
5137	<u>Positive School Climate</u>
5138	<u>Conflict Resolution/Peer Mediation</u>
5141.27	<u>Food Allergies/ Special Dietary Needs</u>
5141.27	<u>Food Allergies/ Special Dietary Needs</u>
5141.5	<u>Mental Health</u>
5141.52	<u>Suicide Prevention</u>
5141.52	<u>Suicide Prevention</u>
5144	<u>Discipline</u>
5144	<u>Discipline</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5144.2	<u>Suspension And Expulsion/Due Process (Students With Disabilities)</u>
5144.4	<u>Required Parental Attendance</u>
5144.4	<u>Required Parental Attendance</u>
5145.12	<u>Search And Seizure</u>
5145.12	<u>Search And Seizure</u>
5145.2	<u>Freedom Of Speech/ Expression</u>
5145.2	<u>Freedom Of Speech/ Expression</u>
5145.3	<u>Nondiscrimination/ Harassment</u>
5145.3	<u>Nondiscrimination/ Harassment</u>
5145.7	<u>Sexual Harassment</u>
5145.7	<u>Sexual Harassment</u>
5145.9	<u>Hate-Motivated Behavior</u>
6142.8	<u>Comprehensive Health Education</u>
6142.8	<u>Comprehensive Health Education</u>

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6144	<u>Controversial Issues</u>
6163.4	<u>Student Use Of Technology</u>
6163.4-E(1)	<u>Student Use Of Technology</u>
6164.2	<u>Guidance/ Counseling Services</u>
6173.1	<u>Education For Foster Youth</u>
6173.1	<u>Education For Foster Youth</u>
6184	<u>Continuation Education</u>
6184	<u>Continuation Education</u>

Policy

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PASADENA UNIFIED SCHOOL DISTRICT

Pasadena, California