

TITLE: Bullying	
<p>Approved by: <u>Rob Gregor</u> <i>Rob Gregor, Superintendent of Schools</i></p> <p>Approved by: <u>Marjorie Renicker</u> <i>Marjorie Renicker, Board President</i></p>	<p>Series: Students Version: 1 Effective Date: 11/8/2023 Previous Policy Date: New Revised By: Committee Policy Number: SP 5131.2</p>

The County Board of Education recognizes the harmful effects of bullying on student well-being, student learning, and school attendance and desires to provide a safe school environment that protects students from physical and emotional harm. 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.

Examples of Prohibited Conduct

Bullying is an aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational, involves repetition or potential repetition of a deliberate act, and includes, but is not limited to, any act described in Education Code 48900(r).

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images. Cyberbullying also includes breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.

Examples of the types of prohibited conduct that may constitute bullying include, but are not limited to:

1. Physical bullying that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
2. Verbal bullying that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm
3. Social/relational bullying that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public

4. Sending demeaning or hateful text messages or emails, sending rumors by email or by posting on social networking sites, or posting embarrassing photos, videos, web site, or fake profiles

Measures to Prevent Bullying

The County Board encourages the involvement of students, parents/guardians, staff, 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.

The County Board incorporates any strategies developed by the County Superintendent of Schools implementing this policy, which may include, but are not limited to:

1. Ensuring that each school establishes clear rules for student conduct and implements strategies to promote a positive, collaborative school climate
2. Providing to students, through student handbooks and other age-appropriate means, information about county office of education (COE) and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying
3. Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously
4. Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as playgrounds, hallways, restrooms, and cafeterias
5. Annually notifying COE employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so
6. Providing professional development to all school staff who have regular interaction with students, including information regarding staff's obligation to prevent discrimination, harassment, intimidation, and bullying of students and annually making available the California Department of Education's online training module on the dynamics of bullying and cyberbullying pursuant to Education Code 32283.5
7. Providing students with instruction, as appropriate, that promotes social-emotional learning, effective communication skills, conflict resolution skills, and appropriate online behavior and teaches students about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, or any other individual bias or prejudice

Preventive strategies may be incorporated into schools' comprehensive safety plans and, to the extent possible, into the local control and accountability plan and other applicable COE and school plans.

Complaints

Any complaint of bullying shall be submitted to and investigated by the individual(s), position(s), or unit(s) designated by the County Superintendent and, if determined to be discriminatory, shall be resolved in accordance with law and BP 1312.3 - Uniform Complaint Procedures. 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.

Discipline/Corrective Actions

A victim of bullying, witness, perpetrator, or other student affected by an act of bullying may be referred to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate. (Education Code 48900.9)

In addition, corrective actions for a student who commits an act of bullying may include behavioral intervention and education and, if the behavior is severe or pervasive, may include notification of the student's parent/guardian, suspension or expulsion, and/or referral to law enforcement.

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.

<p>Federal 28 CFR 35.107</p> <p>34 CFR 104.7</p> <p>34 CFR 106.8</p> <p>34 CFR 110.25</p> <p>47 USC 254</p>	<p>Description Designation of responsible employee and adoption of grievance procedures</p> <p>Designation of responsible employee for Section 504</p> <p>Designation of responsible employee and adoption of grievance procedures</p> <p>Prohibition of discrimination based on age</p> <p>Universal service discounts (E-rate)</p>
<p>Management Resources CA Office of the Attorney General Publication</p>	<p>Description Promoting Safe & Secure Learning Environment for All: Guidance & Model Policies to Assist CA K-12 Schools in Responding to Immigration Issues,</p>

	4/2018
California Department of Education Publication	Social and Emotional Learning in California: A Guide to Resources, 2018
California Department of Education Publication	Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008
California Department of Education Publication	California's Social and Emotional Learning: Guiding Principles, 2018
California Department of Education Publication	Bullying Module
California Department of Education Publication	Bullying at School, 2003
Court Decision	Wynar v. Douglas County School District, (2013) 728 F.3d 1062
Court Decision	Lavine v. Blaine School District, (2002) 279 F.3d 719
Court Decision	J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094
CSBA Publication	Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
CSBA Publication	Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014
CSBA Publication	Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014
CSBA Publication	Cyberbullying: Policy Considerations for Boards, Policy Brief, rev. July 2010
CSBA Publication	Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009
CSBA Publication	Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012
U.S. DOE Office for Civil Rights Publication	Guidance to America's Schools: Bullying of Students with Disabilities, October 2014
U.S. DOE Office for Civil Rights Publication	Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014
U.S. DOE Office for Civil Rights Publication	Dear Colleague Letter: Guidance on Schools' Obligations to Protect Students from Student-on-Student Harassment on Basis of Sex, Race, Color, Oct 2010
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Harassment and Bullying, October 2010
Website	U.S. Department of Education
Website	Partnership for Children and Youth
Website	National School Safety Center
Website	CSBA
Website	Common Sense Media

Website	Collaborative for Academic Social and Emotional Learning
Website	Center on Great Teachers and Leaders
Website	California Office of the Attorney General
Website	California Department of Education, Safe Schools
State	Description
254	Universal service discounts (e-rate)
5 CCR 4600-4670	Uniform complaint procedures
Ed. Code 200-262.4	Educational equity; prohibition of discrimination on the basis of sex
Ed. Code 32282	School safety plans
Ed. Code 35181	Governing board policy on responsibilities of students
Ed. Code 35291-35291.5	Rules
Ed. Code 46600	Student transfers
Ed. Code 48900-48925	Suspension and expulsion
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 52060-52077	Local control and accountability plan
Pen. Code 422.55	Definition of hate crime
Pen. Code 647	Use of camera or other instrument to invade person's privacy; misdemeanor
Pen. Code 647.7	Use of camera or other instrument to invade person's privacy; punishment
Pen. Code 653.2	Electronic communication devices, threats to safety

Cross References

Code	Description
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
5141.52	Suicide Prevention
5141.52	Suicide Prevention
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.7	Sexual Harassment
5145.7	Sexual Harassment
5145.7-E(1)	Sexual Harassment
6173.1	Education For Foster Youth

6173.1

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