Bullying

Adopted: 12/10/2013 **| Last Revised**: 06/04/2024 **| Last Reviewed**: 06/04/2024

The Board of Education recognizes the harmful effects of bullying on student well-being, learning and school attendance and desires to provide a welcoming, safe and supportive school environment that protects students from physical, mental, 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 other student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

Investigation and Resolution of Complaints

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the district's uniform complaint procedures specified in Board Rule 1312.3.

If during the investigation, it is determined to be discriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

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

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 Board of Education and the Superintendent in enacting policies and procedures that govern the district.

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.

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.

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.

Legal References:

STATE

CALIFORNIA CODE OF REGULATIONS
5 CCR 4600-4670 Uniform complaint procedures
BUSINESS AND PROFESSIONAL CODE
22589-22589.4 Cyberbullying Protection Act
EDUCATION CODE
200-262.4 Prohibition of discrimination
32280-32289.5 School safety plans
35181 Governing board authority to set policy on responsibilities of students
35291-35291.5 Rules
46600 Student transfers
48900-48925 Suspension and expulsion
48985 Notices to parents in language other than English
52060-52077 Local control and accountability plan
422.55 Definition of hate crime
PENAL CODE
647 Use of camera or other instrument to invade person's privacy; misdemeanor
647.7 Use of camera or other instrument to invade person's privacy; punishment
653.2 Electronic communication devices; threats to safety

FEDERAL

CODE OF FEDERAL REGULATIONS
28 CFR 35.107 Nondiscrimination on basis of disability; complaints
34 CFR 104.7 Section 504; Designation of responsible employee and adoption of grievances procedures
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

CA OFFICE OF THE ATTORNEY GENERAL PUBLICATION
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
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATION
Social and Emotional Learning in California: A Guide to Resources, October 2018
Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008
Bullying at School, 2003
Online Bullying Training Module and Bullying Module
California's Social and Emotional Learning: Guiding Principles, 2018
COURT DECISION
J.C. v. Beverly Hills Unified School District (2010) 711 F.Supp.2d 1094
Lavine v. Blaine School District (2002) 279 F.3d 719
Wynar v. Douglas County School District (2013) 728 F.3d 1062
CSBA PUBLICATION
Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009
School Safety: Bullying and Cyberbullying, Policy Brief, October 2023
Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014
Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012
Cyberbullying: Policy Considerations for Boards, Policy Brief, rev. July 2010
Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014

Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022
U.S. DOE OFFICE FOR CIVIL RIGHTS PUBLICATION
Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014
U.S. DOE PUBLICATION
Creating Inclusive and Nondiscriminatory School Environments for LGBTQI+ Students, June 2023
U.S. DOE, Office for Civil Rights Publication
Dear Colleague Letter: Addressing Discrimination Against Jewish Students, May 2023
Dear Colleague Letter: Discrimination, Including Harassment, Based on Shared Ancestry or Ethnic Characteristics, November 2023
U.S. DOE, OFFICE FOR CIVIL RIGHTS PUBLICATION
Dear Colleague Letter: Harassment and Bullying, October 2010
US DEPARTMENT OF HEALTH AND HUMAN SERVICES
Social Media and Youth Mental Health: The U.S. Surgeon General's Advisory, 2023
Our Epidemic of Loneliness and Isolation: The U.S. Surgeon General's Advisory on the Health Effects of Social Connection and the Community, 2023
WEBSITES
U.S. Department of Health and Human Services, Stop Bullying https://www.stopbullying.gov/#
CSBA District and County Office of Education Legal Services https://legalservices.csba.org/#
National School Safety Center http://www.schoolsafety.us/#
Partnership for Children and Youth http://www.partnerforchildren.org/#
Center on Great Teachers and Leaders http://gtlcenter.org/#
Collaborative for Academic Social and Emotional Learning http://casel.org/#
Common Sense Media http://www.commonsensemedia.org/#
California Department of Education, Safe Schools http://www.cde.ca.gov/ls/ss#
California Office of the Attorney General http://oag.ca.gov/#
CSBA http://www.csba.org/#
U.S. Department of Education http://www.ed.gov/#

Policy Adopted: 12/10/2013
Revised: 05/19/2015
Revised: 08/15/2017
Revised: 06/04/2024 (Revised & Renumbered 5131.3 to 5131.2)