

Students

BULLYING

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. 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, 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.

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.

Students**BULLYING**Legal Reference:**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

34 CFR 106.8

34 CFR 110.25

47 USC 254

Management ResourcesCA Office of the Attorney
General PublicationCalifornia Department of
Education PublicationCalifornia Department of
Education PublicationCalifornia Department of
Education PublicationCalifornia Department of
Education PublicationCalifornia Department of
Education Publication**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;
misdemeanorUse 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 proceduresDesignation of coordinator; dissemination of policy, and
adoption of grievance procedures

Notification of nondiscrimination on the basis of age

Universal service discounts (E-rate)

Description

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

Social and Emotional Learning in California: A Guide to
Resources, October 2018Health 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

Students**BULLYING**

Legal Reference:

Management Resources**Description**

Court Decision

[J.C. v. Beverly Hills Unified School District, \(2010\) 711 F.Supp.2d 1094](#)

Court Decision

[Lavine v. Blaine School District, \(2002\) 279 F.3d 719](#)

Court Decision

[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](#)

CSBA Publication

[School Safety: Bullying and Cyberbullying, Policy Brief, October 2023](#)

CSBA Publication

[Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014](#)

CSBA Publication

[Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012](#)

CSBA Publication

[Cyberbullying: Policy Considerations for Boards, Policy Brief, rev. July 2010](#)

CSBA Publication

[Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014](#)

CSBA Publication

[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](#)

U.S. DOE, Office for Civil Rights Publication

[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](#)

US Dept of Health and Human Services Publication

[Our Epidemic of Loneliness and Isolation: The U.S. Surgeon General's Advisory on the Health Effects of Social Connection and the Community, 2023](#)

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Legal Reference:

Management Resources

Description

Website	U.S. Department of Health and Human Services, Stop Bullying
Website	CSBA District and County Office of Education Legal Services
Website	National School Safety Center
Website	Partnership for Children and Youth
Website	Center on Great Teachers and Leaders
Website	Collaborative for Academic Social and Emotional Learning
Website	Common Sense Media
Website	California Department of Education, Safe Schools
Website	California Office of the Attorney General
Website	CSBA
Website	U.S. Department of Education

Policy Adopted: June 21, 2012
Revised: January 18, 2024

WESTMINSTER SCHOOL DISTRICT
Westminster, California