

RANCHO SANTA FE SCHOOL DISTRICT

BOARD POLICY NO. 5032: BULLYING PREVENTION POLICY

A. Introduction

1. The Governing Board recognizes the harmful effects of bullying on pupil learning and school attendance and desires to provide a safe school environment that protects pupils from physical and emotional harm. This Board Policy prohibits any act of bullying where such act is related to any school activity or school attendance. The District will not condone or tolerate bullying. The District will take appropriate disciplinary action against all employees or students who engage in any act of bullying as defined in this Board Policy.

B. Definition of Bullying (Education Code section 48900)

1. Bullying may occur through physical, written, verbal, or other means. Bullying is prohibited against all persons, including students and school personnel.
2. “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of electronic act, and including one or more acts committed by a pupil or group of pupils constituting prohibited sexual harassment, prohibited hate violence, and prohibited harassment, threats or intimidation, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
 - a. Placing a reasonable pupil or pupils in fear of harm to that pupil’s or pupils’ person or property.
 - b. Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
 - c. Causing a reasonable pupil to experience substantial interference with his or her academic performance.
 - d. Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities or privileges provided by a school.
3. “Electronic act” for purposes of this Board Policy means the creation or transmission originated on or off campus, by means of an electronic device, including but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to the following:
 - a. A message, text, sound, video, or image.
 - b. A post on a social network Internet Web Site, including, but not limited to, any of the following:

1. Posting or creating a burn page. "Burn page" means an Internet Web site created for the purpose of having one or more of the effects listed in Paragraph B.2. a. - d.
2. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in Paragraph B.2. a. - d. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
3. Creating a false profile for the purpose of having one or more of the effects listed in Paragraph B.2. a. - d. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
4. Bullying also includes any act of cyber sexual bullying. "Cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in Paragraph B.2. a. - d. A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
5. "Reasonable pupil" for purposes of this Board Policy means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with this or her exceptional needs.
6. Bullying can take place in online and social media forums including but not limited to:
 - a. Internet websites with free registration and ease of registration
 - b. Internet websites offering peer-to-peer instant messages
 - c. Internet websites offering comment forums or sections.
 - d. Internet websites offering image or video posting platforms.
7. Examples of the types of conduct that may constitute bullying include, but are not limited to:
 - a. Physical bullying: An act 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.

- b. Verbal bullying: An act that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm.
- c. Social/relational bullying: An act 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.
- d. Cyberbullying: An act such as sending demeaning or hateful text messages or emails, spreading rumors by email or by posting on social networking sites, or posting or sharing embarrassing photos, videos, web site, or fake profiles.

C. Intervention, Complaints, And Investigation

Pupils are encouraged to notify school staff when they are being bullied or suspect that another pupil is being bullied. Complaints of bullying will be processed pursuant to Board Policy 5001, "Pupil Complaint Procedure," and investigated as appropriate. Complaints of bullying based on a protected group will be processed pursuant to Board Policy 6006, "Uniform Complaint Procedures."

School staff who witness bullying shall immediately intervene to stop the incident when it is safe to do so. When appropriate, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school psychologist or other school support service personnel as appropriate. When appropriate and based on the severity or pervasiveness of the bullying, the Superintendent or designee may take any further remedial action as necessary, including contacting law enforcement.

D. Discipline

Any student who engages in bullying shall be subject to appropriate consequences, including but not limited to formal discipline, which may include suspension or expulsion, in accordance with District Board Policy.

E. Bullying Awareness and Prevention Training

The District shall provide annual bullying prevention training to all certificated employees and all other employees who have regular interaction with pupils. This training shall include making available the online training module developed by the California Department of Education concerning bullying prevention as required by Education Code section 32283.5.

E. Additional Resources

The California Department of Education has made available Bullying Prevention Training and Resources that can be accessed online: www.cde.ca.gov/ls/ss/se/bullyres.asp

Legal Reference:

Education Code sections 201, 234.4, 234.1, 234.6, 32283.5, 48900, 48900.9

California Code of Regulations, Title 5, sections 4600-4687, Sections 4900 et seq.

US DEPARTMENT OF EDUCATION PUBLICATIONS

<https://www.stopbullying.gov/>

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