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Bullying

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 and may involve a single severe act or repetition or potential repetition of a deliberate act. Bullying 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.

(cf. 5145.2 - Freedom of Speech/Expression)

(cf. 6163.4 - Student Use of Technology)

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

1. 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;
2. 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;
3. 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;
4. 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

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Measures to Prevent Bullying

The Superintendent or designee shall implement measures to prevent bullying in district schools, including, but not limited to, the following:

1. Ensuring that each school establishes clear rules for student conduct and implements strategies to promote a positive, collaborative school climate;

(cf. 5131 - Conduct)

(cf. 5137 - Positive School Climate)

2. Providing information to students, through student handbooks, district and school web sites and social media, and other age-appropriate means, about district 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 as needed on school site property;

5. Annually notifying district employees that 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. (Education Code 234.1)

Staff Development

The Superintendent or designee shall annually make available to all certificated staff and to other employees who have regular interaction with students the California Department of Education (CDE) online training module on the dynamics of bullying and cyberbullying, including the identification of bullying and cyberbullying and the implementation of strategies to address bullying. (Education Code 32283.5)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

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(cf. 4331 - Staff Development)

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

1. Discuss the diversity of the student body and school community, including their varying immigration experiences;
2. Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims;
3. Identify the signs of bullying or harassing behavior;
4. Take immediate corrective action when bullying is observed;
5. Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior.

Information and Resources

The Superintendent or designee shall post on the District's web site, in a prominent location and in a manner that is easily accessible to students and parents/guardians, information on bullying and harassment prevention which includes the following:
(Education Code 234.6)

1. The District's policy on student suicide prevention, including a reference to the policy's age appropriateness for students in grades K-6;

(cf. 5141.52 - Suicide Prevention)

2. The definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8;
3. Title IX information included on the district's web site and a link to the Title IX information included on CDE's web site (Education Code 221.61);

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4. District policies on student sexual harassment, prevention and response to hate violence, discrimination, harassment, intimidation, bullying, and cyberbullying;

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

5. A section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media;

6. A link to statewide resources, including community-based organizations (Education Code 234.5);

7. Any additional information the Superintendent or designee deems important for preventing bullying and harassment.

(cf. 1113 - District and School Web Sites)

Student Instruction

As appropriate, the District shall provide students with instruction, in the classroom or other educational settings, that promotes social-emotional learning, effective communication and conflict resolution skills, character development, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6142.94 - History-Social Science Instruction)

The District shall also educate 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.

Students should be taught the difference between appropriate and inappropriate behaviors, how to advocate for themselves, how to help another student who is being bullied, and when to seek assistance from a trusted adult. As role models for students, staff shall be expected to demonstrate effective problem-solving and anger management skills. Students will also be advised that not all behavior of other students or district staff is bullying.

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To discourage cyberbullying, teachers may advise students to be cautious about sharing passwords, personal data, or private photos online and to consider the consequences of making negative comments about others online.

Reporting and Filing of Complaints

Any student or parent/guardian who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee.

Any school employee to whom bullying is reported shall promptly inform the school site principal of the concern. In addition, any school employee who observes an incident of bullying involving a student shall, within one school day, report such observation to the principal, whether or not the alleged victim files a complaint or voices a concern.

When a report of bullying is submitted, the principal or his/her designee shall investigate the allegation(s) and provide an informal written response to the parent/guardian within 10 school days. The informal written response shall include 1) factual findings and 2) conclusions relative to the incident (i.e. whether the allegation of bullying is founded or unfounded.) If the allegation is founded, the principal or his/her designee shall only inform the complainant that corrective action will be taken.

The informal written response shall also inform the parent/guardian of the right to file a formal written complaint in accordance with BP and AR 1312.3 - Uniform Complaint Procedures if the complainant is dissatisfied with the outcome of the informal investigation.

If a parent/guardian elects to proceed with filing a formal UCP complaint (either before, during or after completion of the principal's informal investigation) the District's compliance officer shall proceed with the UCP investigation in accordance with BP and AR 1312.3.

In any informal (and/or formal UCP) investigation, the student who is the alleged victim of the bullying and the alleged bully or bullies shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other relevant evidence.

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(cf. 1312.3 - Uniform Complaint Procedures)

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee may file a request with the networking site or service and/or law enforcement agencies to suspend the privileges of the student and/or to have the material removed.

Discipline/Corrective Actions

Corrective actions for a student who commits an act of bullying of any type may include Multi-tiered Systems of Support including but not limited to restorative justice practices, counseling, behavioral intervention, involuntary transfer and/or, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations and California Education Code 48900.

(cf. 5116.2 - Involuntary Student Transfers)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify law enforcement agencies.

Support Services

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying 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(v); 48900(w)(2); 48900.9)

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(cf. 6164.2 - Guidance/Counseling Services)

If any student involved in bullying exhibits warning signs of suicidal thought or intention or of intent to harm another person, the Superintendent or designee shall, as appropriate, implement district intervention protocols which may include, but are not limited to, referral to district or community mental health services, other health professionals, and/or law enforcement. If a student with a disability is found, via the principal's informal investigation or via the District's formal UCP investigation, to be involved in bullying incident (either as the perpetrator or the victim), the student's Section 504 team or IEP team, as applicable, shall be advised to convene a team meeting to discuss the impact of the bullying and/or whether additional supports or services are necessary to ensure continued provision of a Free Appropriate Public Education (FAPE).

Adopted by the Board: April 14, 2020