

Students

Bullying

The Board of Education recognizes the harmful effects of bullying on a student's well-being, student learning and school attendance and desires to provide safe school environments that protect 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.

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 AR 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.

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

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Legal Reference: Education Code, Sections 200-262.4; 32282; 32283.5; 35181; 35291-35291.5; 46600; 48900-48925; 48985; 52060-52077
Penal Code, Sections 422.55; 647; 647.7; 653.2
Code of Regulations, Title 5, Sections 4600- 4670
United States Code, Title 47, Section 254
Code of Federal Regulations, Title 28, Section 35.107
Code of Federal Regulations, Title 34, Sections 104.7; 106.8; 110.25
Court Decisions:
Wynar v. Douglas County School District, (2013) 728 F.3d 1062
J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094
Lavine v. Blaine School District, (2002) 279 F.3d 719

Policy Adopted: 09/15/2015
Policy Amended: 07/17/2018; 07/16/2019; 03/10/2020

Previously included in BP 5131 Conduct