

Policy 5131.2: Bullying

Status: ADOPTED

Original Adopted Date: 06/26/2013 | **Last Revised Date:** 10/18/2023 | **Last Reviewed Date:** 10/18/2023

Bullying

The Board of Trustees recognizes the harmful effects of bullying on student 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.

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.

State References	Description
5 CCR 4600-4670	Uniform complaint procedures
Bus. and Prof. Code 22589-22589.4	Cyberbullying Protection Act
Ed. Code 200-262.4	Prohibition of discrimination - https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAbnL6kKkgxQ==
Ed. Code 32280-32289.5	School safety plans - https://simbli.eboardsolutions.com/SU/gz33QjVcfk6ufvjfPS84Kw==
Ed. Code 35181	Governing board authority to set policy on responsibilities of students - https://simbli.eboardsolutions.com/SU/aMhrosfuwlgvxtzOUpGwQ==
Ed. Code 35291-35291.5	School discipline rules - https://simbli.eboardsolutions.com/SU/x70F3bNKbY1cKTjvdsIshoC4A==
Ed. Code 46600	Student transfers - https://simbli.eboardsolutions.com/SU/9BwpunuMNYtTrTI0p92r15g==
Ed. Code 48900-48925	Suspension and expulsion - https://simbli.eboardsolutions.com/SU/dt5KNUUnSLpER0iplusCa0bRIQ==
Ed. Code 48985	Notices to parents in language other than English - https://simbli.eboardsolutions.com/SU/LHS9ygOUBYa76W1AygydnA==
Ed. Code 52060-52077	Local control and accountability plan - https://simbli.eboardsolutions.com/SU/kjlplusPzLslshlt7rPOBfXZYJuQ==

Pen. Code 422.55	Definition of hate crime - https://simbli.eboardsolutions.com/SU/EXmP7bT1slshj3qOjaM9qTkHA==
Pen. Code 647	Use of camera or other instrument to invade person's privacy; misdemeanor - https://simbli.eboardsolutions.com/SU/HhDiFw1Iy2YHHsM2DSWLZg==
Pen. Code 647.7	Use of camera or other instrument to invade person's privacy; punishment - https://simbli.eboardsolutions.com/SU/1MB9aP0wFAL8slshxN0g5plusSgA==
Pen. Code 653.2	Electronic communication devices; threats to safety - https://simbli.eboardsolutions.com/SU/b3lplusd0Hih11bxg2qs6OYFQ==

Federal References

	Description
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 References

	Description
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 - https://simbli.eboardsolutions.com/SU/ooeCURkNWJynAeTollv07A==
California Department of Education Publication	Social and Emotional Learning in California: A Guide to Resources, October 2018 - https://simbli.eboardsolutions.com/SU/sb8cvt1Dn50dBCdekU5EtQ==
California Department of Education Publication	Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008 - https://simbli.eboardsolutions.com/SU/j2fEhm5EKmrfnhEegYfKRA==
California Department of Education Publication	Bullying at School, 2003 - https://simbli.eboardsolutions.com/SU/WZKBslshBhceU4oeUXslshSh1w5Q==
California Department of Education Publication	Online Bullying Training Module and Bullying Module - https://simbli.eboardsolutions.com/SU/gX974IxOcEpeYDHrg9RPBQ==
California Department of Education Publication	California's Social and Emotional Learning: Guiding Principles, 2018 - https://simbli.eboardsolutions.com/SU/GXqk5a6e7dTGgncGD9cXew==
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 - https://simbli.eboardsolutions.com/SU/XdN3WVUUFcdWXIPIQ118A==
CSBA Publication	School Safety: Bullying and Cyberbullying, Policy Brief, October 2023 - https://simbli.eboardsolutions.com/SU/HWUHi1Ku5Locrb6GdlldNQQ==
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 - https://simbli.eboardsolutions.com/SU/XMmBwW2YplusKICWWuFLd20xw==
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 - https://simbli.eboardsolutions.com/SU/IZrxplusLItayDEp9tPlcwfow==

CSBA Publication	Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022 - https://simbli.eboardsolutions.com/SU/TJrCO83d42yQSTw6naAD0w==
U.S. DOE Office for Civil Rights Publication	Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014 - https://simbli.eboardsolutions.com/SU/4FdplusZJ1MoSo9yosW9ABq1w==
U.S. DOE Publication	Creating Inclusive and Nondiscriminatory School Environments for LGBTQI+ Students, June 2023 - https://simbli.eboardsolutions.com/SU/181OMF0JQSSH58t4UvJ1jg==
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Addressing Discrimination Against Jewish Students, May 2023 - https://simbli.eboardsolutions.com/SU/YckbX5RJQDac0slshJteMFgQ==
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Discrimination, Including Harassment, Based on Shared Ancestry or Ethnic Characteristics, November 2023 - https://simbli.eboardsolutions.com/SU/l6lPcmABvGAhOsAznhLHCg==
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Harassment and Bullying, October 2010 - https://simbli.eboardsolutions.com/SU/XX9aqiyOHBUO5MT1EmGslshslshA==
US Department of Health and Human Services	Social Media and Youth Mental Health: The U.S. Surgeon General's Advisory, 2023 - https://simbli.eboardsolutions.com/SU/5plus1qslsh2Aa27WfslshlTtbPYDOg==
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 - https://simbli.eboardsolutions.com/SU/oplusluJA7TI2d5TmvHSbXHxQ==
Website	U.S. Department of Health and Human Services, Stop Bullying - https://simbli.eboardsolutions.com/SU/Vd1ojCYdHwzqdBlnlmbulw==
Website	CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsLshXk6R5akQ==
Website	National School Safety Center - https://simbli.eboardsolutions.com/SU/DT4ecTE5xOmkiuXplMccKw==
Website	Partnership for Children and Youth - https://simbli.eboardsolutions.com/SU/bolflRuzs4PI63kJl3082w==
Website	Center on Great Teachers and Leaders - https://simbli.eboardsolutions.com/SU/uuNY8dCMmlel2NuPXnq4GQ==
Website	Collaborative for Academic Social and Emotional Learning - https://simbli.eboardsolutions.com/SU/sNNHIYslsh8zYCfpQYfg7rGplusw==
Website	Common Sense Media - https://simbli.eboardsolutions.com/SU/wpUjl8j8od73POr6UNOcNQ==
Website	California Department of Education, Safe Schools - https://simbli.eboardsolutions.com/SU/AxdFslshFpyQ1QPo821fOy9pg==
Website	California Office of the Attorney General - https://simbli.eboardsolutions.com/SU/5qNslsh5DoKuytasYcv9khGiA==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==
Website	U.S. Department of Education - https://simbli.eboardsolutions.com/SU/XcSsJimoslsh3XhJKy4tplus7wplusA==

Cross References

Description

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0410	Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/zaaevHADPymJxTccxwR7xQ==
0440	District Technology Plan - https://simbli.eboardsolutions.com/SU/BCsmshuCVcOJslsh22wslshUIDWQ==

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0450	Comprehensive Safety Plan - https://simbli.eboardsolutions.com/SU/pluss1ziLzSHzMluQe7AagmcJA==
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1113	District And School Websites - https://simbli.eboardsolutions.com/SU/Q7RCbNpvej9b88slsh6eMFypg==
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3515	Campus Security - https://simbli.eboardsolutions.com/SU/8E6AR0E4YsBfgcVYslshGvqAw==
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4131	Staff Development - https://simbli.eboardsolutions.com/SU/LzhW2OPuSvfq1labo4kFg==
4219.21	Professional Standards - https://simbli.eboardsolutions.com/SU/tslshGvX497NslshDWemQhGWlnA==
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- 6173.1 Education For Foster Youth -
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