

Policy 5131.2: Bullying

Status: ADOPTED

Original Adopted Date: 07/01/2015 | **Last Revised Date:** 12/01/2023 | **Last Reviewed Date:** 06/012/2024

The Governing

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 Chief Learning Officer 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 Chief Learning Officer or designee shall develop strategies for addressing bullying in district schools with the involvement of students, parents/guardians, and staff. As appropriate, the Superintendent Chief Learning Officer 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 ARAdministrative 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 Chief Learning Officer 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 Chief Learning Officer 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 Chief Learning Officer 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.

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	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
Ed. Code 32280-32289.5	School safety plans
Ed. Code 35181	Governing board authority to set policy on responsibilities of students
Ed. Code 35291-35291.5	Rules School discipline rules
Ed. Code 46600	Student transfers
Ed. Code 48900-48925	Suspension and expulsion
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 52060-52077	Local control and accountability plan
Pen. Code 422.55	Definition of hate crime
Pen. Code 647	Use of camera or other instrument to invade person's privacy; misdemeanor
Pen. Code 647.7	Use of camera or other instrument to invade person's privacy; punishment
Pen. Code 653.2	Electronic communication devices; threats to safety
Federal	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

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](#)

California Department of Education
Publication

[Social and Emotional Learning in California: A Guide to Resources, October 2018](#)

California Department of Education
Publication

[Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008](#)

California Department of Education
Publication

[Bullying at School, 2003](#)

California Department of Education
Publication

[Online Bullying Training Module and Bullying Module](#)

California Department of Education
Publication

[California's Social and Emotional Learning: Guiding Principles, 2018](#)

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	<u>Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022</u>
U.S. DOE Office for Civil Rights Publication	<u>Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014</u>
U.S. DOE Publication	<u>Creating Inclusive and Nondiscriminatory School Environments for LGBTQI+ Students, June 2023</u>
U.S. DOE, Office for Civil Rights Publication	<u>Dear Colleague Letter: Addressing Discrimination Against Jewish Students, May 2023</u>
U.S. DOE, Office for Civil Rights Publication	<u>Dear Colleague Letter: Discrimination, Including Harassment, Based on Shared Ancestry or Ethnic Characteristics, November 2023</u>
U.S. DOE, Office for Civil Rights Publication	<u>Dear Colleague Letter: Harassment and Bullying, October 2010</u>
US Department of Health and Human Services	<u>Social Media and Youth Mental Health: The U.S. Surgeon General’s Advisory, 2023</u>
US Dept of Health and Human Services Publication	<u>Our Epidemic of Loneliness and Isolation: The U.S. Surgeon General’s Advisory on the Health Effects of Social Connection and the Community, 2023</u>
Website	<u>U.S. Department of Health and Human Services, Stop Bullying</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>National School Safety Center</u>
Website	<u>Partnership for Children and Youth</u>
Website	<u>Center on Great Teachers and Leaders</u>
Website	<u>Collaborative for Academic Social and Emotional Learning</u>
Website	<u>Common Sense Media</u>
Website	<u>California Department of Education, Safe Schools</u>
Website	<u>California Office of the Attorney General</u>
Website	<u>CSBA</u>
Website	<u>U.S. Department of Education</u>

Cross References

Code	Description
0100	<u>Philosophy</u> Philosophy
0410	<u>Nondiscrimination In District Programs And Activities</u> Nondiscrimination In District Programs And Activities
0440	<u>District Technology Plan</u> District Technology Plan
<u>0440</u>	<u>District Technology Plan</u>
0450	<u>Comprehensive Safety Plan</u> Comprehensive Safety Plan
0450	<u>Comprehensive Safety Plan</u> Comprehensive Safety Plan
1113	<u>District And School Websites</u> District And School Websites
1113	<u>District And School Websites</u> District And School Websites
<u>1113</u>	<u>District And School Websites</u>
<u>1313</u>	<u>Civility</u>
3515	<u>Campus Security</u> Campus Security
3515	<u>Campus Security</u> Campus Security
4131	<u>Staff Development</u> Staff Development
4131	Staff Development
4219.21	<u>Professional Standards</u> Professional Standards
4219.21-E PDF(1)	<u>Professional Standards - Code Of Ethics Classified Employees</u> Professional Standards
4231	<u>Staff Development</u> Staff Development
4231	<u>Staff Development</u>
4319.21	<u>Professional Standards</u> Professional Standards
4319.21-E PDF(1)	<u>Professional Standards</u> Professional Standards
5030	<u>Student Wellness</u> Student Wellness
5113.1	<u>Chronic Absence And Truancy</u> Chronic Absence And Truancy
5113.1	<u>Chronic Absence And Truancy</u> Chronic Absence And Truancy
5113.12	<u>District School Attendance Review Board</u> District School Attendance Review Board
5113.12	<u>District School Attendance Review Board</u> District School Attendance Review Board
5116.1	<u>Intradistrict Open Enrollment</u> Intradistrict Open Enrollment

5116.1	<u>Intradistrict Open Enrollment</u> Intradistrict Open Enrollment
5116.2	<u>Involuntary Student Transfers</u> Involuntary Student Transfers
5117	<u>Interdistrict Attendance</u> Interdistrict Attendance
5117	<u>Interdistrict Attendance</u> Interdistrict Attendance
5125	<u>Student Records</u> Student Records
5125	<u>Student Records</u> Student Records
5131	<u>Conduct</u> Conduct
5131.8	<u>Mobile Communication Devices</u> Mobile Communication Devices
5136	<u>Gangs</u> Gangs
5136	<u>Gangs</u> Gangs
5137	<u>Positive School Climate</u> Positive School Climate
5138	<u>Conflict Resolution/Peer Mediation</u> Conflict Resolution/Peer Mediation
5141.27	<u>Food Allergies/Special Dietary Needs</u> Food Allergies/Special Dietary Needs
5141.27	<u>Food Allergies/Special Dietary Needs</u> Food Allergies/Special Dietary Needs
5141.5	<u>Mental Health</u> Mental Health
5141.52	<u>Suicide Prevention</u> Suicide Prevention
5141.52	<u>Suicide Prevention</u> Suicide Prevention
5144	<u>Discipline</u> Discipline
5144	<u>Discipline</u> Discipline
5144-E-PDF(1)	<u>Discipline</u>
5144.1	<u>Suspension And Expulsion/Due Process</u> Suspension And Expulsion/Due Process
5144.1	<u>Suspension And Expulsion/Due Process</u> Suspension And Expulsion/Due Process
5144.2	<u>Suspension And Expulsion/Due Process (Students With Disabilities)</u> Suspension And Expulsion/Due Process (Students With Disabilities)
5144.4	<u>Required Parental Attendance</u> Required Parental Attendance

5144.4	Required Parental Attendance Required Parental Attendance
5145.12	Search And Seizure Search And Seizure
5145.12	Search And Seizure Search And Seizure
5145.2	Freedom Of Speech/Expression Freedom Of Speech/Expression
5145.2	Freedom Of Speech/Expression Freedom Of Speech/Expression
5145.3	Nondiscrimination/Harassment Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment Nondiscrimination/Harassment
5145.7	Sexual Harassment Sexual Harassment
5145.7	Sexual Harassment Sexual Harassment
5145.9	Hate-Motivated Behavior Hate-Motivated Behavior
<u>6142.8</u>	<u>Comprehensive Health Education</u>
<u>6142.8</u>	<u>Comprehensive Health Education</u>
6144	<u>Controversial Issues</u> Controversial Issues
6163.4	Student Use Of Technology Student Use Of Technology
6163.4-E PDF(1)	Student Use Of Technology Student Use Of Technology
6164.2	Guidance/Counseling Services Guidance/Counseling Services
6173.1	Education For Foster Youth Education For Foster Youth
6173.1	Education For Foster Youth Education For Foster Youth
6184	Continuation Education Continuation Education
6184	Continuation Education Continuation Education