

POLICY 5131.2: BULLYING**Original Adoption:** 7/13/2012**Revised:** 8/04/2015, 12/10/2019, 12/08/2020

The Governing Board recognizes the harmful effects of bullying on student well-being, student learning and school attendance and desires to provide safe school environments that protects 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

5 CCR 4600-4670
Ed. Code 200-262.4
Ed. Code 32282
Ed. Code 32283.5
Ed. Code 35181
Ed. Code 35291-35291.5
Ed. Code 46600
Ed. Code 48900-48925
Ed. Code 48985

Description

Uniform complaint procedures
Educational equity; prohibition of discrimination on the basis of sex
School safety plans
Bullying; online training
Governing board policy on responsibilities of students
Rules
Student transfers
Suspension and expulsion
Translation of notices

Ed. Code 52060-52077
Pen. Code 422.55
Pen. Code 647

Pen. Code 647.7
Pen. Code 653.2

Federal

28 CFR 35.107
34 CFR 104.7
34 CFR 106.8
34 CFR 110.25
47 USC 254

Management Resources

CA Office of the Attorney General Publication

California Department of Education Publication
California Department of Education Publication
California Department of Education Publication
California Department of Education Publication
California Department of Education Publication
Kindergarten Through Grade Twelve, 2008

Court Decision

Court Decision

Court Decision

CSBA Publication

CSBA Publication

CSBA Publication

CSBA Publication

CSBA Publication

CSBA Publication

U.S. DOE Office for Civil Rights Publication

U.S. DOE Office for Civil Rights Publication

U.S. DOE Office for Civil Rights Publication

U.S. DOE, Office for Civil Rights Publication

Website

Website

Website

Website

Website

Website

Website

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Website

Local control and accountability plan

Definition of hate crime

Use of camera or other instrument to invade person's privacy;
misdemeanor

Use of camera or other instrument to invade person's privacy; punishment

Electronic communication devices, threats to safety

Description

Nondiscrimination on basis of disability; complaints

Designation of responsible employee for Section 504

Designation of responsible employee for Title IX

Notification of nondiscrimination on the basis of age

Universal service discounts (E-rate)

Description

Promoting Safe & Secure Learning Environment for All: Guidance & Model
Policies to Assist CA K-12 Schools in Responding to Immigration Issues,
4/2018

Bullying at School, 2003

Bullying Module

California's Social and Emotional Learning: Guiding Principles, 2018

Social and Emotional Learning in California: A Guide to Resources, 2018

Health Education Content Standards for California Public Schools:

Lavine v. Blaine School District, (2002) 279 F.3d 719

J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094

Wynar v. Douglas County School District, (2013) 728 F.3d 1062

Building Healthy Communities: A School Leaders Guide to Collaboration
and Community Engagement, 2009

Safe Schools: Strategies for Governing Boards to Ensure Student Success,
2011

Providing a Safe, Nondiscriminatory School Environment for Transgender
and Gender-Nonconforming Students, Policy Brief, February 2014

Addressing the Conditions of Children: Focus on Bullying, Governance
Brief, December 2012

Cyberbullying: Policy Considerations for Boards, Policy Brief, rev. July 2010

Final Guidance: AB 1266, Transgender and Gender Nonconforming
Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March
2014

Guidance to America's Schools: Bullying of Students with Disabilities,
October 2014

Dear Colleague Letter: Responding to Bullying of Students with Disabilities,
October 2014

Dear Colleague Letter: Guidance on Schools' Obligations to Protect
Students from Student-On-Student Harassment on Basis of Sex, Race,
Color, Oct 2010

Dear Colleague Letter: Harassment and Bullying, October 2010

Center on Great Teachers and Leaders

Collaborative for Academic Social and Emotional Learning

Common Sense Media

Partnership for Children and Youth

National School Safety Center

California Department of Education, Safe Schools

California Office of the Attorney General

U.S. Department of Education

CSBA

Cross References

Code	Description
0100	Philosophy
0410	Nondiscrimination in District Programs and Activities
0440	District Technology Plan
0440	District Technology Plan
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
0470	COVID-19 Mitigation Plan
1113	District and School Web Sites
1113	District and School Web Sites
1113-E (1)	District and School Web Sites
3515	Campus Security
3515	Campus Security
4131	Staff Development
4219.21	Professional Standards
4219.21-E (1)	Professional Standards
4231	Staff Development
4319.21	Professional Standards
4319.21-E (1)	Professional Standards
5030	Student Wellness
5113.1	Chronic Absence and Truancy
5113.1	Chronic Absence and Truancy
5113.12	District School Attendance Review Board
5113.12	District School Attendance Review Board
5116.1	Intradistrict Open Enrollment
5116.1	Intradistrict Open Enrollment
5116.2	Involuntary Student Transfers
5117	Interdistrict Attendance
5117	Interdistrict Attendance
5125	Student Records
5125	Student Records
5131	Conduct
5131.8	Mobile Communication Devices
5136	Gangs
5136	Gangs
5137	Positive School Climate
5138	Conflict Resolution/Peer Mediation
5141.27	Food Allergies/Special Dietary Needs
5141.27	Food Allergies/Special Dietary Needs
5141.52	Suicide Prevention
5141.52	Suicide Prevention
5144	Discipline
5144	Discipline
5144.1	Suspension and Expulsion/Due Process
5144.1	Suspension and Expulsion/Due Process
5144.2	Suspension and Expulsion/Due Process (Students with Disabilities)
5144.4	Required Parental Attendance
5144.4	Required Parental Attendance
5145.12	Search and Seizure
5145.12	Search and Seizure
5145.2	Freedom of Speech/Expression
5145.2	Freedom of Speech/Expression
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.7	Sexual Harassment

5145.7	Sexual Harassment
5145.9	Hate-Motivated Behavior
6144	Controversial Issues
6163.4	Student Use of Technology
6163.4-E (1)	Student Use of Technology
6164.2	Guidance/Counseling Services
6173.1	Education for Foster Youth
6173.1	Education for Foster Youth
6184	Continuation Education
6184	Continuation Education