

**Policy 5131.2: Bullying**

**Status:** ADOPTED

**Original Adopted Date:** 07/24/2012 | **Last Revised Date:** 10/09/2018 | **Last Reviewed Date:** 10/09/2018

The Board of Education recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

No individual or group shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, retaliate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel.

Bullying means one or more acts by a student or group of students that constitute sexual harassment pursuant to Education Code 48900.2; hate violence pursuant to Education Code 48900.3, or harassment, threats, or intimidation pursuant to Education Code 48900.4 or an "electronic act."

Electronic act means the transmission of a communication, including, but not limited to, a message, text, sound, image, or post on a social network Internet web site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager. (Education Code 32261)

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images as defined in Education Code 48900. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

Strategies for addressing bullying in district schools shall be developed with involvement of key stakeholders, including students, parents/guardians, and staff, and may be incorporated into the comprehensive safety plan, the local control and accountability plan, and other applicable district and school plans.

As appropriate, the Superintendent or designee may collaborate with law enforcement, courts, social services, mental health services, other agencies, and community organizations in the development and implementation of joint strategies to promote safety in schools and the community and to provide services for alleged victims and perpetrators of bullying.

**Bullying Prevention**

To the extent possible, district and school strategies shall focus on prevention of bullying by establishing clear rules for student conduct and implementing strategies to promote a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for perpetrators of bullying.

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

Such instruction 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.

**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

Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, cafeterias.

### **Intervention**

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously.

School staff who witness bullying shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

As appropriate, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators. He/she also may involve school counselors, mental health counselors, and/or law enforcement.

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 48900.9)

### **Reporting and Filing of Complaints and Investigation**

Students may submit to a teacher or administrator a verbal or written complaint of conduct they consider to be bullying. Complaints of bullying shall be investigated and resolved in accordance with site-level grievance procedures specified in AR 5145.7 - Sexual Harassment.

When a student is reported to be engaging in bullying off campus, the Superintendent or designee shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages sent to them that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

Any complaint of bullying shall be investigated and resolved in accordance with law and district procedures.

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.

### **Discipline**

Any student who engages in bullying on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline, which may include counseling, behavioral intervention and education, and, 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.

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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**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**

5 CCR 4600-4670

Bus. and Prof. Code 22589-22589.4

### **Description**

Uniform complaint procedures

Cyberbullying Protection Act

### State References

Ed. Code 200-262.4  
Ed. Code 32280-32289.5  
Ed. Code 35181  
Ed. Code 35291-35291.5  
Ed. Code 46600  
Ed. Code 48900-48925  
Ed. Code 48985  
Ed. Code 52060-52077  
Pen. Code 422.55  
Pen. Code 647  
Pen. Code 647.7  
Pen. Code 653.2

### Description

[Prohibition of discrimination](#)  
[School safety plans](#)  
[Governing board authority to set policy on responsibilities of students](#)  
[Rules](#)  
[Student transfers](#)  
[Suspension and expulsion](#)  
[Notices to parents in language other than English](#)  
[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](#)

### Federal References

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

### Description

Nondiscrimination on basis of disability; complaints  
Section 504; Designation of responsible employee and adoption of grievance procedures  
Designation of coordinator; dissemination of policy, and adoption of grievance procedures  
Notification of nondiscrimination on the basis of age  
Universal service discounts (E-rate)

### Management Resources References

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  
Court Decision  
Court Decision  
Court Decision  
CSBA Publication  
CSBA Publication  
CSBA Publication  
CSBA Publication  
CSBA Publication

### Description

[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](#)  
[Social and Emotional Learning in California: A Guide to Resources, October 2018](#)  
[Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008](#)  
[Bullying at School, 2003](#)  
[Online Bullying Training Module and Bullying Module](#)  
[California's Social and Emotional Learning: Guiding Principles, 2018](#)  
J.C. v. Beverly Hills Unified School District (2010) 711 F.Supp.2d 1094  
Lavine v. Blaine School District (2002) 279 F.3d 719  
Wynar v. Douglas County School District (2013) 728 F.3d 1062  
[Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009](#)  
[School Safety: Bullying and Cyberbullying, Policy Brief, October 2023](#)  
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

**Management Resources References**

CSBA Publication

CSBA Publication

U.S. DOE Office for Civil Rights Publication

U.S. DOE 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

US Department of Health and Human Services

US Dept of Health and Human Services Publication

Website

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**Description**

[Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014](#)

[Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022](#)

[Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014](#)

[Creating Inclusive and Nondiscriminatory School Environments for LGBTQI+ Students, June 2023](#)

[Dear Colleague Letter: Addressing Discrimination Against Jewish Students, May 2023](#)

[Dear Colleague Letter: Discrimination, Including Harassment, Based on Shared Ancestry or Ethnic Characteristics, November 2023](#)

[Dear Colleague Letter: Harassment and Bullying, October 2010](#)

[Social Media and Youth Mental Health: The U.S. Surgeon General's Advisory, 2023](#)

[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.S. Department of Health and Human Services, Stop Bullying](#)

[CSBA District and County Office of Education Legal Services](#)

[National School Safety Center](#)

[Partnership for Children and Youth](#)

[Center on Great Teachers and Leaders](#)

[Collaborative for Academic Social and Emotional Learning](#)

[Common Sense Media](#)

[California Department of Education, Safe Schools](#)

[California Office of the Attorney General](#)

[CSBA](#)

[U.S. Department of Education](#)

**Cross References**

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**Description**

[Philosophy](#)

[Nondiscrimination In District Programs And Activities](#)

[District Technology Plan](#)

[District Technology Plan](#)

[Comprehensive Safety Plan](#)

[Comprehensive Safety Plan](#)

[Comprehensive Safety Plan](#)

[District And School Websites](#)

[District And School Websites](#)

[Campus Security](#)

[Staff Development](#)

[Professional Standards](#)

**Cross References**

	<b>Description</b>
4319.21	<a href="#">Professional Standards</a>
5030	<a href="#">Student Wellness</a>
5113.1	<a href="#">Chronic Absence And Truancy</a>
5113.1	<a href="#">Chronic Absence And Truancy</a>
5113.12	<a href="#">District School Attendance Review Board</a>
5113.12	<a href="#">District School Attendance Review Board</a>
5116.1	<a href="#">Intradistrict Open Enrollment</a>
5116.1	<a href="#">Intradistrict Open Enrollment</a>
5116.1-E PDF(1)	<a href="#">Intradistrict Open Enrollment</a>
5117	<a href="#">Interdistrict Attendance</a>
5117	<a href="#">Interdistrict Attendance</a>
5125	<a href="#">Student Records</a>
5125	<a href="#">Student Records</a>
5131	<a href="#">Conduct</a>
5136	<a href="#">Gangs</a>
5136	<a href="#">Gangs</a>
5137	<a href="#">Positive School Climate</a>
5141.52	<a href="#">Suicide Prevention</a>
5141.52	<a href="#">Suicide Prevention</a>
5144	<a href="#">Discipline</a>
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5144.1	<a href="#">Suspension And Expulsion/Due Process</a>
5144.1	<a href="#">Suspension And Expulsion/Due Process</a>
5144.2	<a href="#">Suspension And Expulsion/Due Process (Students With Disabilities)</a>
5145.12	<a href="#">Search And Seizure</a>
5145.12	<a href="#">Search And Seizure</a>
5145.2	<a href="#">Freedom Of Speech/Expression</a>
5145.2	<a href="#">Freedom Of Speech/Expression</a>
5145.3	<a href="#">Nondiscrimination/Harassment</a>
5145.3	<a href="#">Nondiscrimination/Harassment</a>
5145.7	<a href="#">Sexual Harassment</a>
5145.7	<a href="#">Sexual Harassment</a>
5145.9	<a href="#">Hate-Motivated Behavior</a>
6142.8	<a href="#">Comprehensive Health Education</a>
6142.8	<a href="#">Comprehensive Health Education</a>
6144	<a href="#">Controversial Issues</a>
6144	<a href="#">Controversial Issues</a>
6163.4	<a href="#">Student Use Of Technology</a>
6164.2	<a href="#">Guidance/Counseling Services</a>
6164.2	<a href="#">Guidance/Counseling Services</a>

**Cross References**

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**Description**

[Education For Foster Youth](#)

[Education For Foster Youth](#)

[Continuation Education](#)

[Continuation Education](#)