

Bullying

The Governing Board 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.

In order to create a safe learning environment for all students, the Governing Board desires to protect the right of every student to be free from bullying and will promote harmonious relationships among students so as to enable them to gain a true understanding of the civil rights and social responsibilities of people in society. The district prohibits discriminatory behavior or statements that degrade an individual on the basis of his/her actual or perceived race, color, ancestry, nationality, national origin, age, marital, family, or parental status, disability, ethnicity, ethnic group identification, culture, heritage, gender, gender identity or expression, genetic information, sex, sexual orientation, physical/mental attributes or religious beliefs or practices, or association with a person or group with one or more of these actual or perceived characteristics.

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

(cf. 0410 – Nondiscrimination in District Programs and Activities)

(cf. 5145.9 -- Hate-Motivated Behavior)

Definition

Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3 or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

- (a) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
- (b) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
- (c) Causing a reasonable pupil to experience substantial interference with his or her academic performance.
- (d) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

“A person is bullied when he or she is exposed, repeatedly over time, to negative actions on the part of one or more persons, and he or she has difficulty defending him or herself.” (Olweus)

The definition includes three important components:

1. Bullying is aggressive behavior that involves unwanted, negative actions
2. Bullying involves a pattern of behavior repeated over time
3. Bullying involves an imbalance of power or strength. Such behavior includes: direct physical contact, such as hitting or shoving; verbal assaults, such as teasing or name-calling; and social isolation or manipulation.

Cyberbullying includes the transmission of harassing communications, direct threats, or other harmful texts, sounds or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. 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 bullying prevention and intervention shall be developed with involvement of key stakeholders in accordance with law, Board policy, and administrative regulation governing the development of comprehensive safety plans and shall be incorporated into such plans.

Bullying Prevention

To the extent possible, district and school strategies shall focus on prevention of bullying by establishing clear rules for student conduct and strategies to establish 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 shall provide students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior. Such instruction shall include:

1. Acts and behavior that constitute bullying
2. A clear message that bullying behavior is not tolerated
3. A clear message that students do not have to endure bullying
4. Encouragement to report observed instances of bullying, even when the bullied individual has not complained
5. Information about the person(s) to whom a report of bullying should be made

School staff shall receive related professional development, including information about early warning signs of harassing/intimidating behavior and effective prevention and intervention strategies.

Intervention

Students are encouraged to notify school staff when they are bullied or suspected 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)

When 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.

Complaints and Investigations

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 the district's uniform complaint procedures specified in AR 1312.3 – Uniform Complaint Procedures.

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 that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

When a student is using a social networking site or service to bully or harass another student, the Superintendent or designee shall file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

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 suspension or expulsion, in accordance with district policies and regulations.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
32282 Comprehensive safety plan
35181 Governing board policy on responsibilities of students
35291-35291.5 Rules
48900-48925 Suspension or expulsion
48985 Translation of notices

PENAL CODE

647 Use of camera or other instrument to invade person's privacy; misdemeanor
647.7 Use of camera or other instrument to invade person's privacy; punishment
653.2 Electronic communication devices, threats to safety

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

COURT DECISIONS

J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094
Lavine v. Blaine School District, (2002) 279 F.3d 719

Management Resources:

CSBA PUBLICATIONS

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010
Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008
Bullying at School, 2003

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

CSBA: <http://www.csba.org/>
California Cyber safety for Children: <http://www.cybersafety.ca.gov/>
California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lr/ss>
Center for Safe and Responsible Internet Use: <http://cyberbully.org/>
National School Boards Association: <http://www.nsba.org/>
National School Safety Center: <http://www.schoolsafety.us/>
U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr> 3/12

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LONG BEACH UNIFIED SCHOOL DISTRICT