

BULLYING

In its commitment to providing all students and staff with a safe learning environment where everyone is treated with respect and no one is physically or emotionally harmed, the Board of Education will not tolerate any student or staff member being bullied (including cyber-bullying), harassed, or intimidated in any form at school or school-related events, (including off-campus events, school-sponsored activities, school buses, any event related to school business), or outside of school hours with the intention to be carried out during any of the above.

Such acts include those that are reasonably perceived as being motivated either by an actual or perceived attribute that includes but is not limited to race, religion, creed, color, marital status, parental status, veteran status, sex, sexual orientation, gender, gender expression, gender identity, ancestry, national origin, ethnic group identification, age, mental or physical disability, immigration status or any other distinguishing characteristics.

The district further prohibits the inciting, aiding, coercing or directing of others to commit acts of bullying or cyber-bullying, harassment or intimidation.

Any staff member that observes, overhears or otherwise witness bullying (including cyber-bullying), harassment, or intimidation, or to whom such actions have been reported must take prompt and appropriate action to stop the behavior and to prevent its reoccurrence as detailed in the applicable Board policies and Administrative regulations. Students who observe, overhear, or otherwise witness such actions must, and parents/district visitors are encouraged to report the behavior to a staff member. At each school, the principal or principal's designee is responsible for receiving and promptly investigating complaint alleging violation of this policy. Any form of retaliation in response to a report of such acts is prohibited.

Legal Reference:

EDUCATION CODE

200-262.4 *Prohibition of discrimination*

32282 *Comprehensive safety plan*

32283.5 *Bullying; online training*

35181 *Governing board policy on responsibilities of students*

35291-35291.5 *Rules*

48900-48925 *Suspension or expulsion*

48985 *Translation of notices*

52060-52077 *Local control and accountability plan*

PENAL CODE

422.55 *Definition of hate crime*

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*

CODE OF REGULATIONS, TITLE 5

4600-4687 *Uniform complaint procedures*

UNITED STATES CODE, TITLE 47

254 *Universal service discounts (e-rate)*

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 *Nondiscrimination on basis of disability; complaints*

BULLYING (continued)

CODE OF FEDERAL REGULATIONS, TITLE 34

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

110.25 Notification of nondiscrimination on the basis of age

COURT DECISIONS

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

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

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

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

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

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

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: Bullying of Students with Disabilities, August 2013

Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lss>

Common Sense Media: <http://www.common sense media.org>

National School Safety Center: <http://www.schoolsafety.us>

ON[the]LINE, digital citizenship resources: <http://www.onthelineca.org>

U.S. Department of Education: <http://www.ed.gov>

Policy

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SAN DIEGO UNIFIED SCHOOL DISTRICT

San Diego, California