Students

BP 5131.2(a)

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 expression or 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

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/ls/ss
Common Sense Media: http://www.commonsensemedia.org
National School Safety Center: http://www.schoolsafety.us
ON[the]LINE, digital citizenship resources: http://www.onthelineca.org

Policy
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Effective: October 1, 2017
Revised: July 25, 2018

SAN DIEGO UNIFIED SCHOOL DISTRICT
San Diego, California