

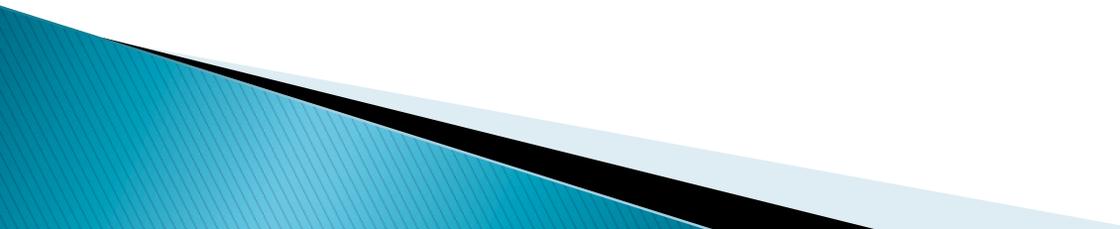
# **Student-to-Student Bullying, Harassment or Intimidation**

Principals' Training  
Administrative Procedure 6381

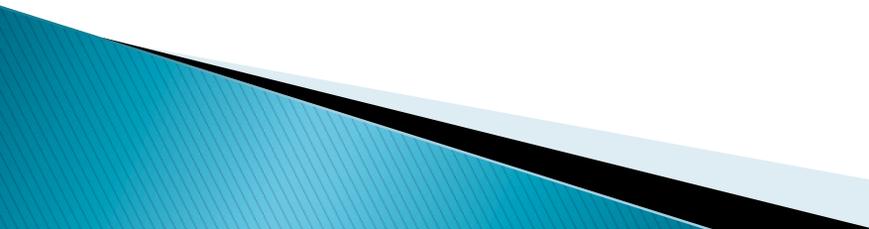
# Welcome and Introductions

Presented by the Safe Schools Task Force  
Staff Training Sub-Committee

# Today's Objectives

- ▶ Provide information on bullying, harassment and intimidation (BHI)
    - Laws related to BHI
  - ▶ Review Administrative Procedure 6381
    - Implementation
    - Responsibilities
  - ▶ Increase awareness of youth at highest risk for BHI
  - ▶ Discuss ways to create safe campuses for all students
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# Federal Policies and Enforcement

- ▶ Title IX (harassment on basis of sex stereotyping)
    - Applies when gender non-conforming students are harassed
  - ▶ Constitutional Right to Privacy
    - Cannot disclose student's sexual orientation, even if they are "out" at school
  - ▶ Equal Access Act
    - Allows Gay Straight Alliance (GSA) clubs on campus
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# California Education Code and Laws

- ▶ California Student Safety and Violence Prevention Act of 2000 (AB 537)
  - Added sexual orientation and gender identity to nondiscrimination policies
- ▶ Seth's Law (AB 9)
  - School personnel must intervene in bullying

# Protected Classes

- ▶ Sexual **Orientation**: An enduring pattern of emotional attraction to males, females or both; a person's sense of identity based on those attractions.
- ▶ Gender **Expression**: Refers to the ways in which people externally communicate their gender identity to others through behavior, clothing, haircut, voice, and other forms of presentation.
- ▶ Gender **Identity**: A person's self-identified sense of being male or female (or neither or both); may or may not correspond to biological sex.
- ▶ Orientation and Gender follow a continuum

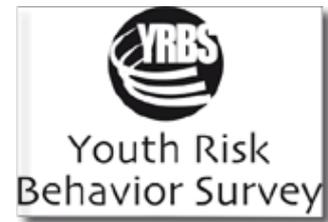
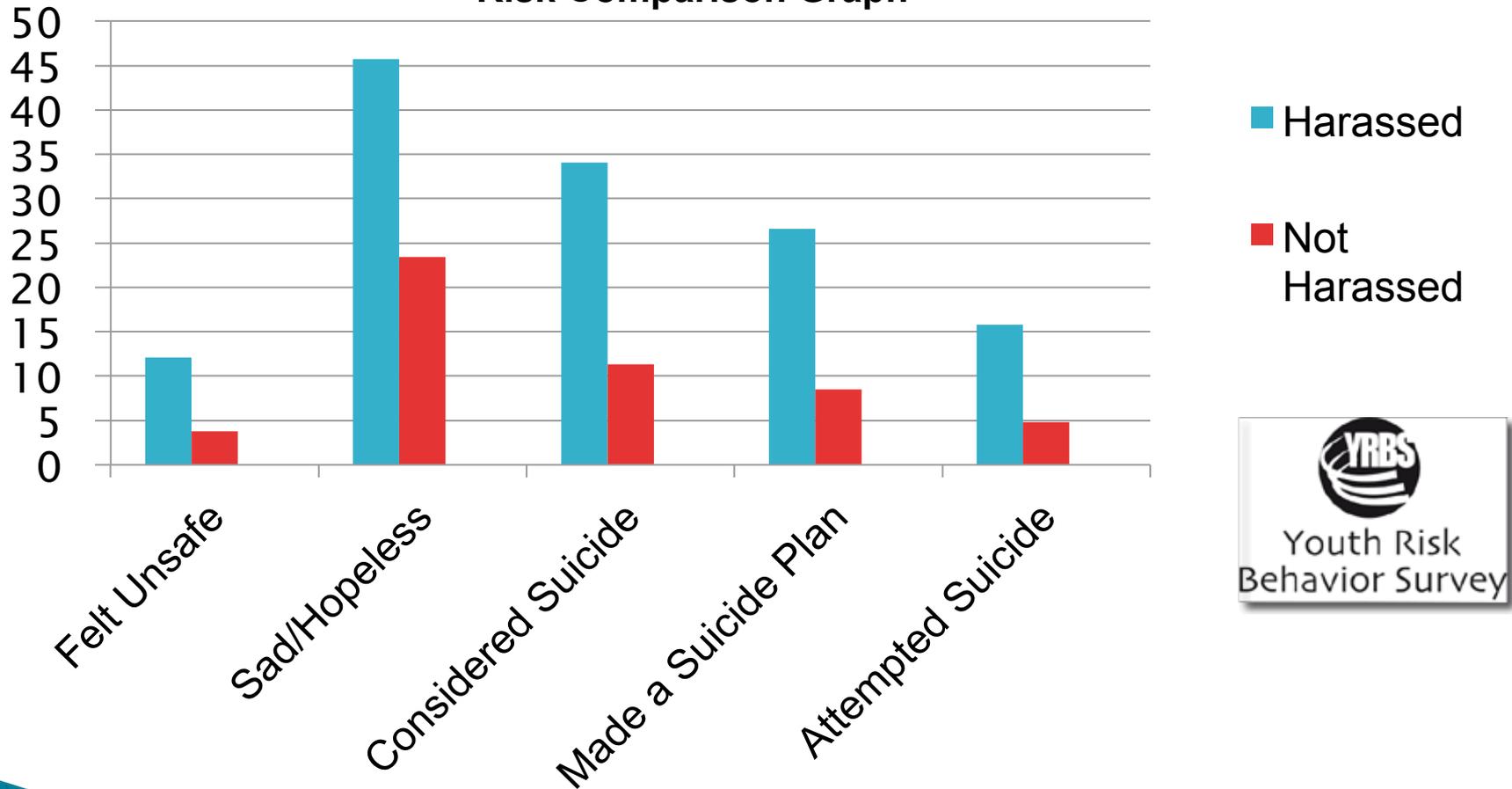
# Key Findings: 2011 National School Climate Survey



- ▶ **81.9%** of Lesbian, Gay and Bisexual students were verbally harassed at school.
- ▶ **60.4%** of students who were harassed or assaulted in school did not report the incident to school staff.
- ▶ **36.7%** of the students who did report an incident said that school staff did nothing in response.
- ▶ **56.9%** of students reported hearing homophobic remarks from their teachers or other school staff.
- ▶ **31.8%** missed at least one entire day of school in the past month because they felt unsafe.

# Out of all students grades 9-11, 11.3% were harassed because they were perceived to be LGB

## Risk Comparison Graph



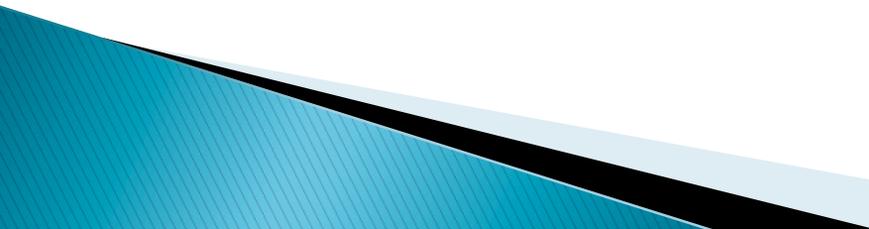
# Definition of Bullying

- ▶ Unwanted aggressive behavior
  - Severe and pervasive
  - Involves an imbalance of power
  - Repetitive (or potential to be repetitive)
  - Verbal
    - Teasing, name-calling, taunting, threatening
  - Social
    - Exclusion, spreading rumors, public embarrassment
  - Physical
    - Hitting, taking belongings, rude hand gestures, pushing

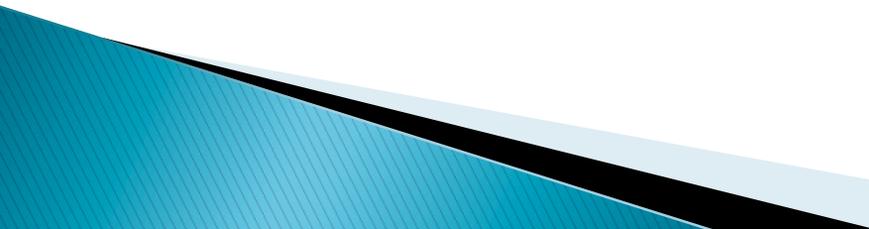
# Risk Factors

- ▶ Targets of bullying
    - Perceived as different, weak, unable to defend themselves
    - Depressed, anxious, low self-esteem
    - Less popular with few friends
  
  - ▶ Perpetrators of bullying
    - Some have social power, like to dominate
    - Others may be isolated from peers
    - Aggressive, difficulty following rules, low parent involvement, have friends who bully
- 

# Administrative Procedure 6381

- ▶ Procedure governing implementation of District policy A-3550
  - ▶ Applies to:
    - All bullying (including electronic and cyberbullying), harassment or intimidation...motivated by actual or perceived membership in a protected class
    - Acts committed under jurisdiction of the district
    - Acts occurring between students
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# Prevention/Accountability

- ▶ Rests with all staff, students, parents/guardians for grades PK-12
  - ▶ Principal will publicize how to file a report
  - ▶ Notice provided to students and staff in student handbook, websites, annual assemblies and posted publicly
  - ▶ Designation of “Safe Spaces” on campus
  - ▶ District will include info on policies and procedures in *Facts for Parents*
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# Prevention/Training

- ▶ Requires annual training for all certificated and classified staff to include:
  - District policy and procedure
  - Reporting/investigative requirements
  - Effective interventions
  - Cultural sensitivity related to sexual orientation, gender identity and gender expression

# Reporting Bullying, Harassment and Intimidation (BHI)

- ▶ Seth's Law: School personnel witnessing BHI between students ***must*** intervene.
- ▶ Students, parents/guardians, volunteers, visitors strongly encouraged to report
- ▶ Principal or designee receives complaints and collects witness and victim statements

\* The Principal is responsible for ensuring that AP 6381 is followed by all staff. A designee may be selected to act on behalf of the principal. All future references to principal will also apply to designee.

# Reporting/School Police

- ▶ Students Speaking Out Program (SSO) accepts anonymous complaints
- ▶ School Police review tips for criminality
- ▶ No criminality
  - Forwarded to school designee for follow-up
  - Designee sends disposition back to school police
- ▶ Criminality
  - Investigation started; principal alerted
  - Collaboration to determine immediate action to protect target of bullying
  - Disposition sent back to SSO

# Confidential Investigation of Report

- ▶ All verbal/written reports of BHI investigated within 5 school days by principal
- ▶ Confers with target of bullying and person submitting report
  - Use Victim Declaration Form for written reports
- ▶ Meet individually with accused students to obtain written response to complaint
  - Use Witness Declaration Form
- ▶ Meet with witnesses
  - Use Witness Declaration Form

# BHI Incident School Investigation Report

- ▶ Completed by principal
- ▶ Maintained at school site (confidential)
- ▶ Copy sent to RHR and Advocacy Dept.
  - District tracking number issued
  - Maintained in district-wide report
- ▶ Copy sent to Area Superintendent or Department Head
- ▶ Sites keep a log of BHI Incident School Investigation Report and resolution

# Follow-up to Reporting

- ▶ Principal must follow confidentiality guidelines when sharing information with parents on the status of the complaint.
- ▶ If no action is taken by principal on a report of BHI within 5 days, a report may be filed with Area Superintendent or Department Head.
- ▶ If complainant disagrees with resolution:
  - Appeal may be filed with Superintendent via Area Superintendent
  - Response provided within 30 calendar days of receipt
- ▶ Race Human Relations and Advocacy Dept. will submit quarterly reports to the Board.

# Maintaining Confidentiality/ Reasonable Right to Privacy

- ▶ Interviews with targets, witnesses and the accused should be conducted individually and confidentiality.
- ▶ **If the BHI is linked to sexual orientation, the principal cannot share that information with anyone, including parents.**
  - Constitutional right to privacy regarding sexual orientation
  - Tell parents their child is the target of BHI and suggest they talk to the student to get more information.

# Family Rejection Data



**30% of families rejected their child when they learned the child was lesbian, gay, bisexual or transgender.**

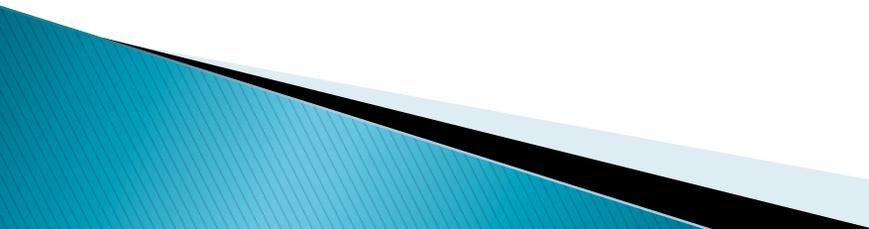
- ▶ Gay and transgender teens who were highly rejected by their parents and caregivers were at very high risk for physical and mental health problems when they become young adults (ages 21-25).
- ▶ Highly rejected young people were:
  - More than **8 times** as likely to have attempted suicide
  - Nearly **6 times** as likely to report high levels of depression
  - More than **3 times** as likely to use illegal drugs
  - More than **3 times** as likely to be at high risk for HIV and sexually transmitted diseases

# Interventions

All discipline related to the violation of the BHI policy will be consistent district-wide:

- Principal notifies parents/guardian via phone
- PK-3, age appropriate actions taken as outlined in site discipline and safety plan
- Grades 4-12, refer to Uniform Discipline Plan
- Levels of discipline increase for 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> offense
- Trained staff will provide intervention services as part of disciplinary action (class, counseling group, etc.)

# Bullying Off Campus

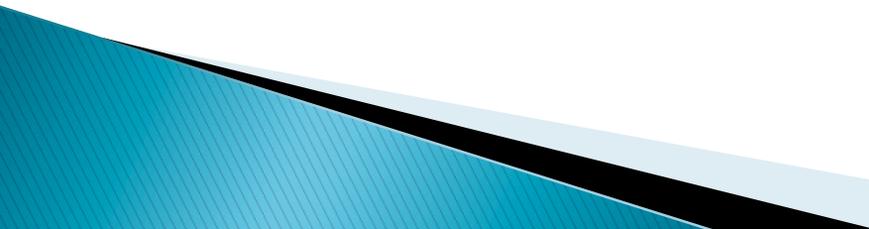
- ▶ For totally off-campus speech, where the only link is that the target or person doing the bullying is from the school, principals may only get involved if there is a substantial and material threat of disruption to the school.
  - ▶ The standard is usually met in cases requiring involvement of law enforcement.
  - ▶ Two case studies will provide examples on different levels of intervention.
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**Case 1:** Students from a school are at a party on the weekend and one student is harassed and bullied by other students. There is no interaction between the person targeted and the perpetrators when they return to school on Monday. The target is in a different grade and social group and there is no indication that the problem carried over to the campus. The parent of the student who was targeted calls the principal and asks that the principal punish the perpetrators.

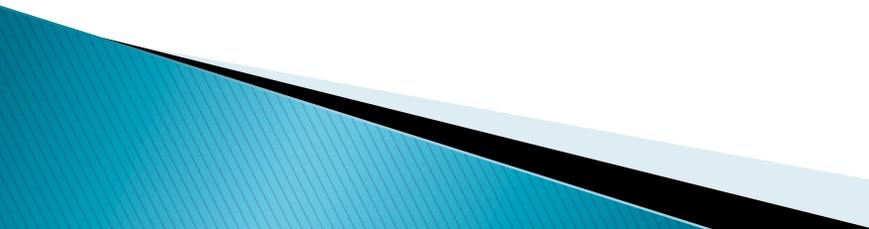
**Case 2:** James is upset by the comments his high school peers are making about his sexuality. It appears that a group of students are creating fake email accounts and are sending love notes to male students as if they came from him. The students receiving the emails are confronting James and calling him names like “sissy” and “faggot”. Other students in class are talking and laughing about it.

A student in the class feels bad for James and reports the activity to the school counselor.

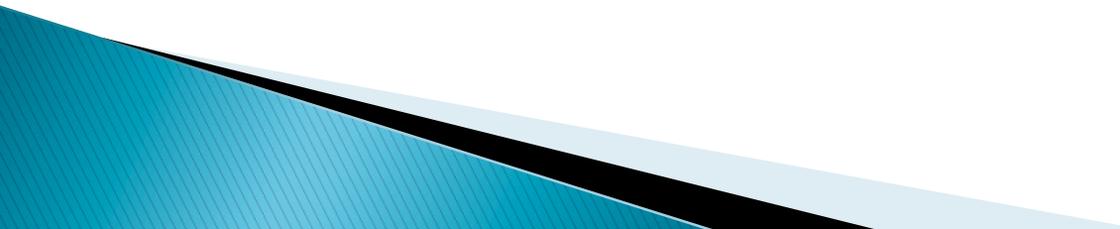
# Student Support

- ▶ Target of BHI cannot be penalized in any way
  - ▶ Parent/guardian of target will have priority for inter-district transfer if requested (Placement and Appeals Office)
  - ▶ Staff members should watch for early signs of BHI:
    - Exclusion, bias, stereotyping
    - During instruction, guidance and supervision
  - ▶ Support staff should meet with student to discuss needs and make referrals for services.
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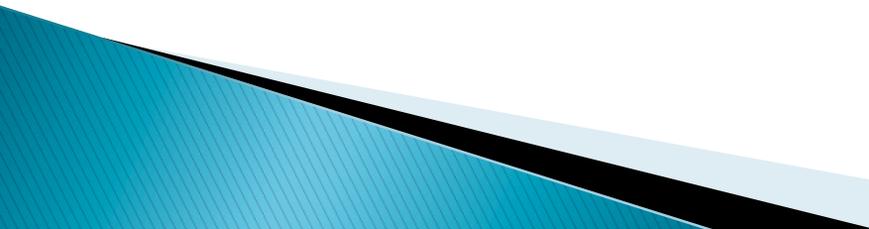
# Implementation Responsibilities

- ▶ **Staff** notifies principal of any suspected BHI
  - ▶ **Principal** follows steps outlined in procedure
  - ▶ **Parents/guardians** provided with BHI info in *Facts for Parents*; sign Universal Form
  - ▶ **Counseling director** informed of expulsion hearings on BHI
  - ▶ **RHR and Advocacy** receives copies of ISIR
  - ▶ **School police** partner with SSO Hotline
  - ▶ **Superintendent** enforces, monitors, evaluates
  - ▶ **BOE** adopts policy, approves BHI programs
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# BHI Impacts Everyone

- ▶ All students may feel unsafe if they see BHI go unchallenged.
  - ▶ Students may be afraid to speak out, because they might be targeted by the bully.
  - ▶ BHI can lead to other types of violence.
    - Targets of bullying may bully others.
    - Targets may carry weapons for protection.
    - May see an increase in hate speech.
  - ▶ Students think the BHI is okay when the adults on campus do not intervene.
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# Creating Safe Campuses

- ▶ Adults are responsible for creating *visible* safe learning environments for all students.
  - ▶ Make sure that all staff receive training on the BHI procedure.
  - ▶ Schedule additional trainings on culture and protected classes.
  - ▶ Post “Safe Space” posters/signs on campus.
  - ▶ Supervise areas where BHI is most likely to occur.
  - ▶ Prevention messages need to come from all adults in the community.
  - ▶ Inform staff of available resources to address these issues.
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Q & A