

Stockton USD

Board Policy 5131.2

Students

Bullying Prevention

The Board of Trustees 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 student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, bully or cyberbully, cause bodily injury to, or commit hate violence against any other student or District personnel.

Bullying is defined as any severe or pervasive physical or verbal act(s) or conduct, including electronic communications that has or can be reasonably predicted to have one or more of the following effects:

1. Reasonable fear of harm to person or property;
2. Substantial detrimental effect on physical or mental health;
3. Substantial interference with academic performance;
4. Substantial interference with the ability to participate in or benefit from school services, activities, or privileges.

Bullying includes cyberbullying, which is bullying through electronic means or the creation or transmission of harassing communications, direct threats, or other harmful texts, videos, sounds, or images on the Internet, social media, or other electronic acts that has or can be reasonably predicted to have one or more of the above effects. Cyberbullying also includes breaking into another person's electronic account or assuming another person's identity online in order to damage that person's reputation and cybersexual bullying, as defined by Education Code Section 48900. (Education Code § 48900(r))

Prevention

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.

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 may 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. As appropriate, the District shall 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.

The District 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. To discourage cyberbullying, teachers may advise students to be cautious about sharing passwords, personal data, or private photos online and to consider the consequences of making negative comments about others online.

Students should be taught the difference between appropriate and inappropriate behaviors, how to advocate for themselves, how to help another student who is being bullied, and when to seek assistance from a trusted adult. As role models for students, staff shall be expected to demonstrate effective problem-solving and anger management skills.

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

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) A District employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

When appropriate, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators.

Reporting and Filing of Complaints

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee. Within one business day of receiving such a report, the employee shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report such observation to the principal or the District compliance officer identified in Administrative Regulation 1312.3, whether or not the alleged victim files a complaint.

Complaints of bullying shall be investigated and resolved in accordance with the procedures specified in Board Policy and Administrative Regulation 1312.1 – Uniform Complaint Procedures unless the complaint specifically requests an investigation pursuant to Title IX of the 1972 Education Act Amendments, in which case the complaint will be investigated and resolved in accordance with Administrative Regulation 5145.7 - Sexual Harassment. 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. (5 CCR § 4630)

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 school principal, or other District employee so that the matter may be investigated.

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

Corrective Action/Discipline

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as

defined in Education Code Section 48900, may include suspension or expulsion in accordance with District policies and regulations.

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

Support Services

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, 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)

If any student involved in bullying exhibits warning signs of suicidal thought or intention or of intent to harm another person, the Superintendent or designee shall, as appropriate, implement District intervention protocols which may include, but are not limited to, referral to District or community mental health services, other health professionals, and/or law enforcement.

If the Superintendent or designee believes it is in the best interest of a student who has been the victim of an act of bullying, as defined in Education Code Section 48900, the Superintendent or designee shall advise the student's parents/guardians that the student may transfer to another school. If the parents/guardians of a student who has been the victim of an act of bullying requests a transfer for the student pursuant to Education Code Section 46600, the Superintendent or designee shall allow the transfer in accordance with law and District policy on intradistrict or interdistrict transfer, as applicable.

Information and Resources

The Superintendent or designee shall post on the District's web site, in a prominent location and in a manner that is easily accessible to students and parents/guardians, information on bullying and harassment prevention which includes the following: (Education Code § 234.6)

1. The District's policy on student suicide prevention, including a reference to the policy's age appropriateness for students in grades K-6;
2. The definition of sex discrimination and harassment as described in Education Code Section 230, including the rights set forth in Education Code Section 221.8;

3. Title IX information included on the district's web site pursuant to Education Code Section 221.61, and a link to the Title IX information included on the California Department of Education's ("CDE") web site pursuant to Education Code Section 221.6;
4. District policies on student sexual harassment, prevention and response to hate violence, discrimination, harassment, intimidation, bullying, and cyberbullying;
5. A section on social media bullying that includes all of the references described in Education Code Section 234.6 as possible forums for social media;
6. A link to statewide resources, including community-based organizations, compiled by CDE pursuant to Education Code Section 234.5.;
7. Any additional information the Superintendent or designee deems important for preventing bullying and harassment.

References:

BP/AR 0420 - School Plans/Site Councils
BP/AR 0450 - Comprehensive Safety Plan
BP/AR 1220 - Citizen Advisory Committees
BP/AR. 1312.3 – Uniform Complaint Procedures
BP 1400 - Relations Between Other Governmental Agencies and the Schools
BP/AR 4131 - Staff Development
BP 4231 - Staff Development
BP 4331 - Staff Development
BP 5131 - Conduct
BP/AR 5136 - Gangs
BP 5137 - Positive School Climate
BP 5138 - Conflict Resolution/Peer Mediation
BP/AR 5141.52 – Suicide Prevention
BP/AR 5144 - Discipline
BP/AR 5144.1 - Suspension and Expulsion/Due Process
AR 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities)
BP/AR 5145.2 - Freedom of Speech/Expression
BP/AR 5145.3 - Nondiscrimination/Harassment
BP/AR 5145.7 - Sexual Harassment
BP 5145.9 - Hate-Motivated Behavior
BP/AR 6020 - Parent Involvement

BP/AR 6142.8 - Comprehensive Health Education
BP 6142.94 - History-Social Science Instruction
AR 6159.4 - Behavioral Interventions for Special Education Students
BP/AR 6163.4 - Student Use of Technology
BP/AR 6164.2 - Guidance/Counseling Services

Legal References:

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)

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