

BULLYING

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

Definitions

Bullying is an unwanted, aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and involves repetition or potential repetition of a deliberate act.

Bullying is any physical or verbal act or conduct by an individual or group of individuals, including communications made in writing or electronically, that a student has or may reasonably be predicted to experience fear of harm to their person or property, a detriment to their physical or mental health, an interference with their academic performance or with their ability to participate in or benefit from the services, activities or privileges provided by a school or county office program.

Cyberbullying is the creation or 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.

Examples of the types of conduct that may constitute bullying and are prohibited by the County Office include:

1. Physical bullying that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
2. Verbal bullying that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm
3. Social/relational bullying that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
4. Cyberbullying, such as sending demeaning or hateful text messages or emails, sending rumors by email or by posting on social networking sites, or posting embarrassing photos, videos, web site, or fake profiles

BULLYING**Bullying Prevention**

To the extent possible, county office schools and programs shall focus on the prevention of bullying by establishing clear rules for student conduct and implementing strategies to promote a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of county office and school or site rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying. In addition, students shall be encouraged to notify school staff when they are being bullied or when they suspect that another student is being bullied. The County Office shall provide the means by which students may report threats or incidents confidentially and anonymously.

Student Instruction

As appropriate, the county office 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 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.

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.

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.

Staff Development

The County Superintendent or designee shall make CDE's online training module on the dynamics of bullying and cyberbullying, which includes the identification of bullying and cyberbullying and the implementation of strategies to address bullying, available annually to all certificated staff and to other employees who have regular interaction with students. (Education Code 32283.5)

The County Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the County Office and its employees to prevent discrimination, harassment, intimidation, and bullying of County Office students. Such training shall be designed to provide staff with the skills to:

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1. Discuss the diversity of the student body and school community, including their varying immigration experiences
2. Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
3. Identify the signs of bullying or harassing behavior
4. Take immediate corrective action when bullying is observed
5. Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

Based on an assessment of bullying incidents at school, the County Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias.

Intervention

Students are encouraged to notify school or site staff when they are being bullied or suspect that another student is being victimized. In addition, the County Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously.

Staff who witness an act of bullying shall annually be notified that is their responsibility to immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

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

The County Superintendent or designee may refer a victim, witness perpetrator, or other student affected by an act of bullying to a school counselor, social worker, child welfare and 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 County Superintendent or designee shall, as appropriate, implement County Office intervention protocols which may include, but are not limited to, referral to County Office or community mental health services, other health professionals, and/or law enforcement.

Complaints and Investigation

Complaints of bullying, including those that allege discriminatory bullying based on a student's race, national origin, color, disability, sex, sexual orientation, gender identity or expression, or other protected category, shall be investigated and resolved in accordance with

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law and the county office's uniform complaint procedures specified in BR 1312.3 - Uniform Complaint Procedures.

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, the compliance officer or any other available school or site employee. If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal, program manager, or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

Within one school day of receiving such a report, the staff member shall notify the principal or the county office compliance officer identified in BR 1312.3, whether or not a uniform complaint is filed. Within two business days of receiving a report of bullying, the principal or designee shall notify a county office compliance officer. In addition, any school or site employee who observes an incident of bullying involving a student shall notify the principal or a county office compliance officer within one business day of observing the incident, whether or not the alleged victim files a complaint.

When a report of bullying is submitted, the principal or a county office compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with the county office's uniform complaint procedures in BR 1312.3. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

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 uses a social networking site or service to bully or harass another student, the County 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.

Discipline

Corrective actions for a student who has engaged in an act of bullying may include counseling, behavior intervention and education and if the behavior is severe and pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with law and county office policies and regulations.

Retaliation against any person who has filed a complaint or assisted or participated in a bullying investigation is also prohibited. Any student who is found to have retaliated against any person for their involvement in a complaint about bullying may be subject to discipline in accordance with law and county office policies and regulations.

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

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