

BULLYING

The Governing Board recognizes the harmful effects of bullying on student well-being, student learning, and school attendance and desires to provide a safe school environment that protects students from physical and emotional harm. No individual or group shall, through physical, written, verbal, visual, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

(cf. 5131 - Conduct)
(cf. 5136 - Gangs)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

The Superintendent or designee shall develop strategies for addressing bullying in District schools with the involvement of students, parents/guardians, and staff. As appropriate, the Superintendent or designee may also collaborate with social services, mental health services, law enforcement, courts, and other agencies and community organizations in the development and implementation of effective strategies to promote safety in schools and the community.

(cf. 1220 - Citizen Advisory Committees)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 6020 - Parent Involvement)

Such strategies shall be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan and other applicable District and school plans.

(cf. 0420 - School Plans/Site Councils)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 0460 - Local Control and Accountability Plan)

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the District's uniform complaint procedures specified in AR 1312.3. 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.

(cf. 1312.3 - Uniform Complaint Procedures)

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

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

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(cf. 4119.21/4219.21/4319.21- Professional Standards)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

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
- 35291-36291.5 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

- 4600-4670 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

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*

Policy
Adopted: February 26, 2018
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BREA OLINDA UNIFIED SCHOOL DISTRICT
Brea, California