

The Compton Unified School District believes that all students have a right to a safe, secure and peaceful environment. The District, schools, and community have an obligation to promote mutual respect, tolerance, and acceptance. The Governing Board 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.

The Compton Unified School District will not tolerate behavior that infringes on the safety or well-being of students, staff, or any other persons within the district's jurisdiction whether directed at an individual or group. This includes, but is not limited to, discrimination, intimidation, harassment, and bullying based on actual or perceived characteristics and disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics (Education Code 48900.2, 48900.3, and 48900.4). Bullying behavior includes direct physical contact, such as hitting or shoving; verbal assaults, such as teasing or name-calling; and social isolation or manipulation. In addition, bullying behaviors may include but are not limited to verbal, nonverbal, emotional (psychological) or cyber bullying.

The Governing Board recognizes that some acts of discrimination, intimidation, harassment, and bullying may be isolated and/or unintentional incidents requiring that the school respond appropriately to the individuals committing the acts. Other acts may indicate a larger pattern of discrimination, intimidation, harassment, or bullying that require a response either at the classroom, school site, or district levels or by law enforcement officials. Consequences and appropriate remedial actions for a student who commits an act of discrimination, intimidation, harassment, or bullying may range from behavioral intervention and education up to and including suspension or expulsion.

This policy is in effect during the school day, while students are on property within the jurisdiction of the school district; going to or coming from school, on school-owned and/or school-operated vehicles, attending or engaged in school sponsored activities; and/or away from school grounds if the misconduct directly affects the good order, efficient management and welfare of the school district.

In addition to the grounds specified in Education Code sections 48900, sections 48900.2, 48900.3, and 48900.4 provide additional authority to discipline a pupil for conduct that amounts to bullying (Education Code 48900, 48900.2, 48900.3, and 48900.4).

Reporting Violations of this Policy

The principal or principal's designee at each school shall be responsible for receiving complaints alleging violations of this policy. All staff is expected to provide appropriate supervision to enforce standards of conduct and, if they observe or become aware of discrimination, intimidation, harassment, or bullying, to immediately intervene when safe to do so, call for assistance, and report such incidents. The Governing Board requires that staff follow district and school procedures for reporting alleged acts of bullying.

All other members of the school community, including students, parents/guardians, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy. While submission of the report form is not required, the reporting party is encouraged to use the report form available from the principal of each school or at the district office. Oral reports shall also be considered official reports. Reports may be made anonymously, but formal disciplinary action may not be based solely on an anonymous report. Prompt and reasonable investigation of alleged acts of bullying is expected.

Students are expected to report all incidents of discrimination, intimidation, harassment, bullying, teasing, or other verbal or physical abuse. Any student who feels he/she is a target of such behavior should immediately contact a teacher, counselor, principal, or staff person. If the student who was bullied believes the situation has not been remedied, he/she may file a complaint in accordance with District procedures.

Retaliation is Prohibited

Retaliation against a student because the student has filed a bullying complaint or assisted or participated in a bullying or harassment investigation or proceeding is prohibited. Students who knowingly filed false bullying or harassment complaints or give false statements in an investigation shall be subject to discipline by measures up to an including suspension and expulsion, as shall any student who is found to have retaliated against another in violation of this policy.

Disciplinary Action

Any student who engages in bullying on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline, which may include suspension or expulsion, in accordance with district policies and regulations as well as state and federal laws.

Confidentiality

An allegation of bullying that involves sexual harassment, and the results of the investigation, shall be kept confidential to the extent reasonably possible.

Explanation of Terms

Bullying is defined as one or more acts of sexual harassment, hate violence, or intentional harassment, threats, or intimidation, directed against school district personnel or pupils, committed by a pupil or group of pupils that interferes with the individual's school performance or participation in the educational process. (Adopted from AB 746)

In addition, bullying present the following characteristics: The aggression is verbal, physical, or psychological in nature; the behavior is intended to harm or disturb; the aggressive behavior is carried out repeatedly and over time; there is a physical or psychological imbalance of power. Bullying can be either: 1). Direct (but not limited to) physical acts; threats; intimidation; verbal abuse; taunting, and (2) Indirect (but not limited to) making faces; obscene gestures; exclusion; rumors, etc.

“Bullying” also means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

- (A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
- (B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
- (C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.
- (D) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

“A person is bullied when he or she is exposed, repeatedly and over time, to negative actions on the part of one or more other persons, and he or she has difficult defending him or herself.”
(Olweus)

This definition includes three important components:

1. Bullying is aggressive behavior that involves unwanted, negative actions.
2. Bullying involves a pattern of behavior repeated over time.
3. Bullying involves an imbalance of power or strength. Such behavior includes, direct physical contact, such as hitting or shoving; verbal assaults, such as teasing or name-calling; and social isolation or manipulation.

Cyber bullying is defined as the transmission of harassing communication, 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. Cyber bullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

Electronic act is defined as the transmission of a communication, including, but not limited to, a message, text, sound, or image, or a post on a social network Internet Web site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager. In addition, the use of these electronic acts include a post on a social network web site such as email, instant messaging, chat rooms, Web sites, cell phones and other forms of technology that are grounds for suspension or expulsion.

"Reasonable pupil" is defined as a pupil, including, but not limited to, an exceptional needs pupil, who exercises care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs (Education Code 48900(r)).

Indicators of Bullying Behavior

The indicators of bullying behavior may include, but are not necessarily limited to:

1. **Verbal** – Hurtful name calling, teasing, gossiping, making threats, making rude noises, or spreading hurtful rumors. Inappropriate references to an individual's sexual orientation, religious beliefs, or ethnicity.
2. **Nonverbal** -- Posturing, making gang signs, leering, staring, stalking, destroying property, using graffiti or graphic images, theft or exhibiting inappropriate and/or threatening gestures or actions.

3. **Emotional (Psychological)** -- Rejecting, terrorizing, extorting, defaming, intimidating, humiliating, blackmailing, manipulating friendships, isolating, ostracizing, using peer pressure, or rating or ranking personal characteristics.
4. **Cyber bullying** -- Sending insulting or threatening messages, sending nude or sexually suggestive pictures/videos, black mailing, via email, phone, texting, social networking site/media, or any other electronic or written form of communication. This policy pertains to cyber bullying that is related to school activity or attendance and is directed toward a pupil or school personnel.
5. **Physical** -- Hitting, slapping, pinching, pretend hitting (making the action but not making contact).
6. Making reprisals, threats of reprisal, or implied threats of reprisal.
7. Engaging in implicit or explicit coercive behavior to control, influence or affect the health and well being of a student.

The following is intended to provide guidance to assist staff and students in identifying bias-based behavior.

1. **Citizenship/Immigration Status:** actual or perceived immigration status or status as a citizen of a country other than the United States of America.
2. **Disability:** actual or perceived disability, or history of disability. The term “disability” applies to a person who (1) has a physical, emotional or a mental impairment that substantially limits one or more major life activities; (2) has a record of such impairment; or (3) is regarded as having such impairment. Major life activities include caring for one’s self, walking, seeing, hearing, speaking, breathing, working, performing manual tasks, and learning. Some examples of impairments which may substantially limit major life activities, even with the help of medication or aids/devices, are: AIDS, alcoholism, blindness or visual impairment, cancer, deafness or hearing impairment, diabetes, drug addition, heart disease, and mental illness.
3. **Ethnicity/National Origin:** actual or perceived national origin or ethnic identity. National origin is distinct from race/color or religion/creed because people of several races and religions or their forbearers – may come from one nation.

The term “national origin” includes members of all national groups and groups of persons of common ancestry, heritage or background; it also includes individuals who are married to or associated with a person or persons of a particular national origin.

4. Gender: actual or perceived gender, pregnancy, or conditions related to pregnancy or childbirth. The prohibition against gender discrimination includes sexual harassment.
5. Race/Color: actual or perceived race or color.
6. Religion/Creed: actual or perceived religion or creed (set of fundamental beliefs, whether or not they constitute a religion).
7. Sexual Orientation: actual or perceived sexual orientation. The term sexual orientation means heterosexuality, homosexuality, bisexuality or transgender identity.

Free Speech Protection

This policy shall not be construed to limit pupil rights to free speech as protected by the United States Constitution, the California Constitution, Education Code Sections 48907 and 48950, and other applicable law.

Duties and Responsibilities of School Employees

If school personnel witness an act of discrimination, harassment, intimidation, or bullying, he or she shall take immediate steps to intervene when safe to do so. (EC § 234.1)

Reporting and Investigating Complaints: Complaint Officer

Any employee who has knowledge of discrimination, harassment, intimidation or bullying shall inform the site administrator of the concern as soon as possible. The site administrator shall notify the district’s Nondiscrimination Officer within 24 hours. Students who have knowledge of discrimination, harassment, intimidation or bullying are encouraged to inform a teacher or school administrator as soon as possible. Students and parents may make such complaints anonymously by calling the Nondiscrimination Officer at the number below. Anonymous reports must provide sufficient corroborating evidence to justify the commencement of an investigation. Because of the inability of investigators to interview anonymous complainants, it may be more difficult to evaluate the allegations and, therefore, less likely to cause an investigation to be initiated.

Formal complaints regarding violations of this policy shall be made pursuant to the District's Uniform Complaint Procedure, Board Policy Administrative Regulation 1312.3.

Title: Senior Director, Pupil Services Department

Address: 417 Alondra Boulevard, Compton, CA 90221

Telephone Number: (310) 639-4321, Ext. 63042 or 63048

Mandated Notification

The Compton Unified School District shall publicize this policy, including information about the manner in which to file a complaint, to pupils, parents, employees, agents of the Governing Board and the general public. The information shall be translated pursuant to Education Code Section 48985. This policy shall be posted in all schools and offices, including staff lounges and pupil government meeting rooms. These policies and procedures must be disseminated annually to staff, students, and parents/guardians in the student/parent handbook and/or information packets (EC § 234.1).

(cf. 3515.4 – Recovery for Property Loss or Damage)

(cf. 5137 – Positive School Climate)

(cf. 5131.5 – Vandalism, Theft, and Graffiti)

(cf. 5144.1 – Suspension and Expulsion/Due Process)

(cf. 5144.2 – Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 5145.3 – Nondiscrimination/Harassment)

(cf. 5145.7 – Sexual Harassment)

(cf. 5145.9 – Hate-Motivated Behavior)

Legal Reference

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

48900(r) Engaged in an act of bullying

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48900.3 Additional grounds for suspension or expulsion; Hate Violence

48900.4 Additional grounds for suspension or expulsion; harassment, threats or intimidation

48904 Liability of parent/guardian for willful student misconduct

STUDENTS

BP 5131

BULLYING (Education Codes Continued)

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48907 Student exercise of free expression

48950 Student freedom of speech; retaliation prohibited; civil actions, injunction and declaratory relief, and attorney fees, exceptions

48980 Notice at beginning of term of rights and responsibilities

AB 746