

The Governing Board prohibits bullying at any location or activity under the jurisdiction of the school system. Any student who engages in bullying will be subject to appropriate disciplinary action.

The Governing Board expects all schools to create an environment where the school community understands that bullying is inappropriate and will not be tolerated by developing and incorporating anti-bullying procedures into behavior and discipline codes which will be reviewed, revised annually, as appropriate.

The Governing Board expects students and/or staff to immediately report incidents of bullying to the principal or designee. A staff member who witness bullying acts shall take immediate steps to intervene when safe to do so. Each complaint of bullying will be promptly investigated. This policy applies to students on school grounds, while traveling to and from school or a school-sponsored activity, during the lunch period, whether on or off campus, and during a school-sponsored activity. If the complainant student or the parent of the student feels that appropriate resolution of the investigation of the investigation or complaint has not been reached, the student or the parent of the student should contact the principal or the Pupil Services Department. The school system prohibits retaliatory behavior against any complainant or any participant in the compliant process.

Bullying Definition

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. Bullying can also include acts committed by means of electronic act.

"Electronic act" is defined as the transmission of a communication, including, but not limited to, a message, text, sound, or image, or post on social network Internet Website, 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, 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.

Areas where bullying can occur:

- Any school-sponsored function i.e., field trips, dances, sports, etc.
- School property including before school, after school, and while school is in session.
- Bus stops or on the bus itself.
- Walking to and from school.
- On the Internet through social networks such as Facebook, Twitter, Emails, Blogs, Chat Rooms, Instagram, etc.
- In the neighborhood where the individual lives.
- Public areas where students are known to hang out when school is not in session such as skate parks, shopping malls, strip malls, bowling alley, etc.

Components to Bullying Behavior

When investigating a report of bullying the principal or designee shall assure the incident contains all of the following components:

1. Specific type of Aggression:
 - Verbal
 - Physical
 - Psychological

BULLYING (Component's Continued)

2. Behavior is intended to Harm or Disturb
3. Carried out repeatedly and over time
4. Imbalance of Power
 - ✓ Physical
 - ✓ Psychological

Jurisdiction

The administration and staff will act promptly on any act of bullying that takes place under the following conditions:

- Any Compton Unified School District or school-sponsored function i.e., field trips, dances, sports, etc.
- On school property including before school, after school, and while school is in session.
- Bus stops or on the bus itself.
- Walking to and from school.
- Cyber-bullying that causes a disruption to the educational process for individuals, groups or the school.
- When a bullying act that began in a non-school setting presents itself in school and disrupts the educational process for individual, groups or the school.

Education Code 48900

A student shall not be suspended from school or recommended for expulsion, unless the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to any of subdivisions described below:

- (a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person.
(2) Willfully used force or violence upon the person of another, except in self-defense.
- (k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
- (n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.

BULLYING (EC 48900 Continued)

Page 4 of 9

- (q) Engaged in, or attempted to engage in, hazing. For the purposes of this subdivision, “hazing” means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For the purposes of this subdivision, “hazing” does not include athletic events or school-sanctioned events.
- (r) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261, directed specifically toward a pupil or school personnel.

Education Code -- 48900.4

In addition to the grounds specified in Sections 48900 and 48900.2, a pupil enrolled in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment.

Administrative Responsibilities

- Create an environment where the school community understands that bullying is inappropriate and will not be tolerated.
- Communicate and ensure that staff, students, and parents/guardians are informed of district policy and school procedures regarding discrimination, intimidation, harassment, and bullying, and other related policies.
- Develop and incorporate anti-discrimination, anti-harassment, anti-intimidation, and anti-bullying procedures into behavior or discipline codes. Review and revise these annually, as appropriate.
- Provide in-service training to certificated and classified staff to ensure that staff is clearly familiar with and able to identify the indicators of bullying and understand their individual responsibilities to respond to and report bullying behavior.
- Provide training for new staff, as needed, on identification of and response to discrimination, intimidation, harassment, and bullying as well as on the use of district adopted materials related to discrimination, intimidation, harassment, bullying and violence prevention.
- Designate a site coordinator/district committee for oversight of the anti-discrimination, anti-harassment, anti-intimidation, and anti-bullying program, including student instruction, implementation of prevention and intervention strategies, and dissemination of discrimination, intimidation, harassment, and bullying information to students, staff, and parents.

BULLYING (Administrative Responsibilities Continued)

The coordinator/district committee shall act as a contact for reporting incidents of discrimination, intimidation, harassment, and bullying and serve as a liaison for district-wide efforts to promote respect and a positive school climate in our schools.

- Enforce discrimination, intimidation, harassment, and bullying procedures for disciplinary action fairly and consistently per the school behavior expectations and guidelines.
- Assess or collect information from students regarding the extent of discrimination, intimidation, harassment, and bullying they witness or experience at school (e.g., anonymous survey, focus group input, or incident report analysis).

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.

(cf. 6163.4 – Student Use of Technology)

(cf. 6142.8 – Comprehensive Health Education)

(cf. 6142.94 – History/Social Science Instruction)

Staff Responsibilities

- Create an environment where students understand that bullying is inappropriate and will not be tolerated.
- Discuss with students all aspects of the anti-bullying policy and strategies to prevent bullying.
- Encourage students to report bullying incidents.
- Learn to recognize the indicators of bullying behavior.
- Intervene immediately and take corrective action when bullying is observed.
- Understand individual responsibility not only to intervene when bullying is observed, but also, to report incidents and actions to appropriate District offices or outside agencies as required.

Student Responsibilities

- Take responsibility for helping to create a safe school environment.
- Do not engage in or contribute to bullying behaviors, actions, or words.
- Treat everyone with respect. Be sensitive as to how others might perceive your actions or words.
- Report all incidents of discrimination, intimidation, harassment, and bullying, or other verbal or physical abuse.
- Never engage in retaliatory behavior, ask, encourage, or consent to anyone's taking retaliatory actions on your behalf.
- Understand the discrimination, intimidation, harassment, and bullying policy and guidelines and model them for others.
- Report discrimination, intimidation, harassment, and bullying behavior directed at oneself or others to a trusted adult.
- Learn ways to protect oneself from discrimination, intimidation, harassment, and bullying and how to help others who have been bullied.

Parent Responsibility

- Understand and discuss this policy and school rules with your child.
- Report incidents of discrimination, intimidation, harassment, and bullying to your student's teacher, counselor, principal, or principal's designee.
- Learn the warning signs that your child might be a target or perpetrator of discrimination, intimidation, harassment, or bullying.
- Keep communications open and on-going with teachers and principals.
- Help your child to accept responsibility for their actions.
- Seek out school and community resources when problems occur.

Responding to Bullying Complaints

Reported incidents of bullying must be submitted (with the reporting party kept in confidence) within **30 days** of the last incident taking place. Reports of bullying that are over **30 days** since the incident occurred will not be investigated. This does not include, however, previously written and recorded incidents of bullying that may constitute a pattern or history of bullying behavior.

- The district's response to discrimination, intimidation, harassment, and bullying shall be comprehensive and involve staff, students, parents/guardians, and the community, as appropriate, in order to address discrimination, intimidation, harassment, and bullying at all school levels.
- A complaint may be made to any site or district level staff person, as appropriate. Targets of discrimination, intimidation, harassment, or bullying are encouraged to file their complaint in writing, using the Bullying-Harassment Complaint Form. However, oral complaints will be accepted.
- All discrimination, intimidation, harassment, and bullying complaints shall be investigated and resolved within 15 business days of the filing of a complaint. The response shall:
 - ✓Take reports of bullying seriously
 - ✓Provide all parties involved with assurances regarding district policies on confidentiality and non-retaliation in the complaint investigation.
 - ✓Encourage individuals who witness discrimination, intimidation, harassment, or bullying to report such incidents per the district reporting procedures.
 - ✓Obtain specific information relevant to any discrimination, intimidation, harassment, or bullying complaint such as: the date, time, location, witness(es), and whether this was an isolated incident or related to previous incidents.
 - ✓Obtain a written statement from the complainant. If the complainant is unable to provide a written statement, school personnel shall assist in writing a statement as dictated by the complainant. It is important to note that any oral report of discrimination, intimidation, harassment, or bullying is to be considered a complaint and, as such, must be investigated.

✓ Obtain a written statement from the student alleged to have committed the discriminating, intimidating, harassing, or bullying act. If the student is unable to provide a written statement, school personnel shall assist in writing a statement as dictated by the student.

✓ Obtain statements from any witnesses, as appropriate.

✓ Assure the student reporting discrimination, intimidation, harassment, or bullying that steps will be taken to monitor that the behavior does not continue. Provide the individual with the names of school personnel who can help if the situation continues, escalates, or arises again.

✓ Determine what type of action or consequences will resolve the situation.

- Consequences for a student who commits an act of discrimination, intimidation, harassment and bullying shall be appropriate according to:

✓ The nature of the behavior.

✓ The development age of the student.

✓ The student's history of problem behaviors and performance.

✓ Consistent with related Board policies and schools' Codes of Conduct.

✓ Consequences will be explicit and implemented to deter any further incidents of bullying.

- Inform the parents/guardians of both the target and the child who allegedly committed the act of discrimination, intimidation, harassment, or bullying of the following:

✓ The nature of the incident.

✓ The results of the investigation.

✓ The type of action(s), consequences, and follow-up that will be taken to resolve the situation (as appropriate to ensure confidentiality).

Discipline

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.

BULLYING

(cf. 5138 – Conflict Resolution/Peer Mediation)

(cf. 5144 – Discipline)

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

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

(cf. 6159.4 – Behavioral Intervention for Special Education Students)

Other Considerations

- If the student who suffered discrimination, intimidation, harassment, or bullying (or parent/guardian on behalf of the student) disagrees with the resolution of the complaint, he/she may file an appeal to the Senior Director of Pupil Services. An appeal must be filed within 15 calendar days of resolution of the initial complaint.
- If the student who suffered discrimination, intimidation, harassment, or bullying (or parent/guardian on behalf of the student) disagrees with the resolution of the appeal, he/she may file a complaint in accordance with district Uniform Complaint Policy and Procedures. Students and parents/guardians are to be informed annually of the process by which they may make a report of discrimination, intimidation, harassment, or bullying or file a Uniform Complaint as found in the student/parent handbook.
- It is important to note that discrimination, intimidation, harassment, or bullying may, at times, be part of a continuum of violence and that some discrimination, intimidation, harassment, or bullying actions can and do constitute other categories of misconduct such as sexual harassment, hate-motivated behavior, assault, or child abuse, and as much, they would violate other district policies. When discrimination, intimidation, harassment, or bullying behavior does escalate to the level of violating other district policies, district personnel are obligated to adhere to appropriate district reporting guidelines and protocols and may be required to report to one or more offices or outside agencies, as appropriate.

False Accusations

The Governing Board prohibits any person from falsely accusing another as a means of harassment or bullying. The consequences and appropriate remedial action for a person found to have falsely accused another as a means of harassment or bullying may range from positive behavioral interventions up to an including suspension or expulsion. Consequently and appropriate remedial action for a school employee found to have falsely accused another as a means of harassment, intimidation or bullying shall be disciplined in accordance with district policies, procedures, and agreements.

Legal Reference:

EDUCATION CODE

200-262.4 – Prohibition of Discrimination

35181 – Governing Board policy on responsibility of students

35291-35291.5 – Rules

48900-48925 – Suspension or expulsion

PENAL CODE

STUDENTS

AR 5131

BULLYING

Page 9 of 9

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)

COURT DECISIONS

J.C. v. Beverly Hills United School District, (2010) 711 F. Supp. 2d 1094

Lavine v. Blaine School District, (2002) 279 F.3d 719

Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for All Students, Policy brief, April 2010

Cyber bullying: Policy Considerations for Boards, Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools: Kindergarten through Grade Twelve, 2008

Bullying at School, 2003

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter: Harassment and Bullying, October 2010

WEBSITES

CSBA: <http://www.csba.org>

California Cyber safety for Children: <http://www.cybersafety.ca.gov>

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/ls/ss>