

BULLYING

The Board of Education recognizes the harmful effects of bullying on student well-being, learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. 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, retaliate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

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.

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.

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

*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**35291-35291.5 Rules**48900-48925 Suspension or expulsion**48985 Translation of notices**52060-52077 Local control and accountability plan*PENAL CODE*422.55 Definition of a 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*4600-4687 Uniform complaint procedures*UNITED STATES CODE, TITLE 47*254 Universal service discounts (e-rate)*CODE OF FEDERAL REGULATIONS, TITLE 28

Students

Board Policy 5131.3(b)

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. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094

Lavine v. Blaine School District, (2002) 279 F.3d 71