Butte County Office of Education
SUPERINTENDENT POLICIES AND ADMINISTRATIVE REGULATIONS

SP 5131.2
Bullying

This policy shall apply to all acts constituting bullying related to a school activity or school attendance occurring within Butte County Office of Education (BCOE) school, to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school, and to all acts of the County Board of Education and the County Superintendent of Schools in enacting policies and procedures that govern BCOE.

The County Superintendent recognizes the harmful effects of bullying on student well-being, student learning, and school attendance and desires to provide a welcoming, safe school environment that protects students from physical, mental, 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.

The County Superintendent or designee shall develop strategies for addressing bullying in BCOE schools with the involvement of students, parents/guardians, and staff. As appropriate the County 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.

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and BCOE's uniform complaint procedures specified in Administrative Regulation 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.

If the County Superintendent or designee believes it is in the best interest of a student who has been the victim of an act of bullying, as defined in Education Code 48900, the County Superintendent or designee shall advise the student's parents/guardians that the student may transfer to another school. If the parents/guardians of a student who has been the victim of an act of bullying requests a transfer for the student pursuant to Education Code 46600, the Superintendent or designee shall allow the transfer in accordance with law and BCOE policy as applicable.

Families are encouraged to model respectful behavior, contribute to a safe and supportive learning environment, and monitor potential causes of bullying.

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

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

Legal References

State
EDUCATION CODE:
200-262.4 Prohibition of discrimination
32280-32289.5 School safety plans
35181 Governing board authority to set policy on responsibilities of students
35291-35291.5 School discipline rules

Butte County Office of Education

SUPERINTENDENT POLICIES AND ADMINISTRATIVE REGULATIONS

46600 Student transfers
48900-48925 Suspension and expulsion
48985 Notices to parents in language other than English
52060-52077 Local control and accountability plan
BUSINESS AND PROFESSIONAL CODE
22589-22589.4 Cyberbullying Protection Act

PENAL CODE
422.55 Definition of hate crime
647 Use of camera or other instrument to invade person's privacy; punishment
653.2 Electronic communication devices; threats to safety

CALIFORNIA CODE OF REGULATIONS, TITLE 5
4600-4670 Uniform complaint procedures

CODE OF FEDERAL REGULATIONS, TITLE 28
35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34
104.7 Section 504; Designation of responsible employee and adoption of grievances procedures
106.8 Designation of coordinator; dissemination of policy, and adoption of grievance procedures
110.25 Notification of nondiscrimination on the basis of age

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AR 5131.2
BULLYING

Examples of Prohibited Conduct
Bullying is an 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 may involve a single severe act or repetition or potential repetition of a deliberate act. Bullying includes, but is not limited to, any act described in Education Code 48900(r).

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images, which may be shared, sent, or posted publicly. Cyberbullying may include, but is not limited to, personal or private information that causes humiliation, false or negative information to discredit or disparage, or threats of physical harm. Cyberbullying may also include breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.

Examples of the types of conduct that may constitute bullying and are prohibited by the Butte County Office of Education include, but are not limited to:

1. Physical bullying: An act 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: An act 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: An act 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: An act that occurs on electronic devices such as computers, tablets or cell phones, such as sending demeaning or hateful text messages, direct messages or public posts on social media apps, gaming forums, or emails, sending rumors by email or by posting on social networking sites, shaming or humiliating by allowing others to view, participate in, or share disparaging or harmful content or posting embarrassing photos, videos, web site, or fake profiles

Measures to Prevent Bullying
The County Superintendent, or designee shall implement measures to prevent bullying in BCOE schools, including but not limited to, the following:

1. Developing a strategic plan for school connectedness and social skills with benchmark tracking, which may include providing regular opportunities and spaces for students to develop social skills and strengthen relationships and promoting adult support from family and school staff, peer-led programs, and partnerships with key community groups, implementing socially based educational techniques such as cooperative learning projects that can improve educational outcomes as well as peer relations, creating a supportive school environment that fosters belonging through equitable classroom management, mentoring, and peer support groups that allow students to lean on each other and learn from each other's experiences, and building social connection into health education courses including information on the consequences of social connection on physical and mental health, key risk and protective factors, and strategies for increasing social connection
2. Ensuring that each school establishes clear rules for student and staff conduct and implements strategies to promote a positive, supportive, and collaborative school climate
3. Providing information to students, through student handbooks, BCOE and school websites, and other age-appropriate means, information about BCOE and school rules related to bullying and harassment prevention, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying, as required by law

4. Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously
5. Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as playgrounds, hallways, restrooms, and cafeterias
6. Annually notifying BCOE employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

Staff Development
The Superintendent or designee shall annually make available to all certificated staff and to other employees who have regular interaction with students the California Department of Education (CDE) online training module on the dynamics of bullying and cyberbullying, including the identification of bullying and cyberbullying and the implementation of strategies to address bullying. Staff and families are encouraged to model respectful behavior, contribute to a safe and supportive learning environment, and monitor potential causes of bullying.

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

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

Information and Resources
The Superintendent or designee shall post on the district's website, in a prominent location and in a manner that is easily accessible to students and parents/guardians, information on bullying and harassment prevention which includes the following:

1. BCOE's policy on student suicide prevention, including a reference to the policy's age appropriateness for students in grades K-6
2. The definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8
3. Title IX information included on BCOE's website pursuant to Education Code 221.61, and a link to the Title IX information included on CDE's website pursuant to Education Code 221.6
4. BCOE policies on student sexual harassment, prevention and response to hate violence, discrimination, harassment, intimidation, bullying, and cyberbullying
5. A section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media
6. A link to statewide resources, including community-based organizations, compiled by CDE pursuant to Education Code 234.5
7. Any additional information the Superintendent or designee deems important for preventing bullying and harassment

Student Instruction
As appropriate, BCOE shall provide students with instruction, in the classroom or other educational settings, that promotes social-emotional learning, effective communication and conflict resolution skills, character development, respect for cultural and individual differences, self-esteem development, assertiveness skills, digital and media literacy skills, and appropriate online behavior.

BCOE 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 are responsible for teaching and modeling respectful behavior and building safe and supportive learning environments and are 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.

Preventive strategies may be incorporated into schools' comprehensive safety plans and, to the extent possible, into the local control and accountability plan and other applicable BCOE and school plans.

Reporting and Filing Complaints
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, a compliance officer, or any other available school employee.

When a report of bullying is submitted, the principal or a school compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with Administrative Regulation 1312.3 - Uniform Complaint Procedures. 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.

Within one business day of receiving such a report, a staff member shall notify the principal of the report, regardless of whether a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report such observation to the principal or a district compliance officer, regardless of whether the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in Administrative Regulation 1312.3.

Any individuals with information about cyberbullying activity shall save and print any electronic or digital messages that they feel constitute cyberbullying and shall notify a teacher, school administrator, or other BCOE employee so that the matter may be investigated. When an investigation concludes that a student used a social networking site or service to bully or harass another student, a report of the cyberbullying may be made to the social media platform together with a request that the material be removed.

Discipline/Corrective Actions
Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention, and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with BCOE policies and regulations.

When a student has been suspended, or other means of correction have been implemented against the student, for an incident of racist bullying, harassment, or intimidation, the principal or designee shall engage both the victim and perpetrator in a restorative justice practice suitable to the needs of the students. The principal or designee shall also require the perpetrator to engage in a culturally sensitive program that promotes racial justice and equity and combats

racism and ignorance and shall regularly check on the victim to ensure that the victim is not in danger of suffering from any long-lasting mental health issues.

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

Support Services
The County Superintendent, principal, or designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate.

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 BCOE intervention protocols which may include, but are not limited to, referral to BCOE or community mental health services, other health professionals, and/or law enforcement, in accordance with Board Policy and Administrative Regulation 5141.52 - Suicide Prevention.

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