

5500 – STUDENTS HEALTH AND SAFETY

Anti-Bullying

MCOEP 5518

The Madera County Superintendent of Schools (MCSOS) and the Madera County Board of Education recognize the harmful effects of bullying on student learning and school attendance and desire to provide safe school environments that protect students from physical and emotional harm. MCSOS 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, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel.

No student or group of students shall engage in discrimination, harassment, intimidation, and bullying based on these actual or perceived characteristics: Disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, and sexual orientation. Discrimination, harassment, intimidation or bullying directed at someone associated with a person or group with one or more of the listed actual or perceived characteristics is also prohibited.

Cyberbullying includes the transmission of harassing communications, 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. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

Strategies for bullying prevention and intervention shall be developed in accordance with law, Board policy, and administrative regulation governing the development of comprehensive safety plans and will be incorporated into such plans.

Bullying Prevention

To the extent possible, school strategies shall focus on prevention of bullying by establishing clear rules for student conduct and strategies to establish a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for perpetrators of bullying.

Students may be provided with instruction, in the classroom or other educational settings, that promote 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.

Based on an assessment of bullying incidents at school, administration may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and other areas as appropriate.

Intervention

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously.

School staff who witness bullying shall immediately intervene to stop the incident when it is safe to do so.

As appropriate, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators. He/she also may involve school counselors, mental health counselors, and/or law enforcement.

Complaints and Investigation

Students may submit to a teacher or administrator a verbal or written complaint of conduct they consider to be bullying. MCSOS shall adopt a process for receiving and investigating complaints of discrimination, harassment, intimidation, or bullying. The process shall include a timeline to investigate and resolve complaints and an appeals process for the complainants. All complaints are to remain confidential, as appropriate, and schools are required to protect complainants from retaliation.

When a student is reported to be engaging in bullying off campus, administration shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages sent to them that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

MCSOS shall publicize the anti-bullying policy and complaint process, including information about how to file a complaint, to students, parents, and the general public. The anti-bullying policy shall be posted in all schools and offices operated by MCOE, including staff lounges and student meeting rooms. The anti-bullying policy and any complaint process forms shall be translated, as appropriate.

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 MCSOS and Madera County Board of Education policies and regulations.

LEGAL REFERENCE
EDUCATION CODE 200-262.4 Prohibition of discrimination 32282 Comprehensive safety plan 35181 Governing board policy on responsibilities of students 35291-35291.5 Rules 48900-48925 Suspension or expulsion 48985 Translation of notices
PENAL CODE 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)

Adopted: June 12, 2012
Revised: October 9, 2012

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School behavior standards shall be coordinated throughout programs operated by the Madera County Superintendent of Schools (MCSOS) and the Madera County Board of Education as the Madera County Office of Education (MCOE), with particular attention to applying the standards for bullying behavior fairly and consistently among schools at the same grade level. Schools will follow MCOE guidelines and policies according to the Education Code and school rules pertaining to related matters such as bullying, suspension and expulsion, student expression, and the rights and responsibilities of students.

Indicators of Bullying Behavior

Bullying behaviors may include, but are not necessarily limited to, the following:

- **Verbal**: Hurtful name-calling, teasing, gossiping, making threats, making slurs or epithets, making rude noises, or spreading hurtful rumors.
- **Nonverbal**: Posturing, making gang signs, leering, staring, stalking, destroying property, insulting or threatening notes, using graffiti or graphic images, or exhibiting inappropriate and/or threatening gestures or actions.
- **Physical**: Hitting, punching, pushing, shoving, poking, kicking, tripping, strangling, hair pulling, fighting, beating, pinching, slapping, "pantsing", biting, spitting, or destroying property.
- **Emotional (Psychological)**: Rejecting, terrorizing, extorting, defaming, intimidating, humiliating, blackmailing, manipulating friendships, isolating, shunning, ostracizing, using peer pressure, or rating or ranking personal characteristics.
- **Cyberbullying**: Sending insulting or threatening messages by phone, email, web sites, or any other electronic or written communication. This policy pertains to cyberbullying which takes place while on school grounds, at a school sponsored activity, while traveling to or from school, during lunch whether on or off campus, on a school bus, or through the use of school property such as a MCOE computer or other electronic or wireless device. Acts of cyberbullying that are not related to school activity or school attendance are not within the jurisdiction of this policy.

Administrative Responsibilities

- Communicate and ensure staff, students, and parents are informed annually of the MCOE policy and school procedures regarding bullying, and all other related policies.
- Develop and incorporate anti-bullying procedures into behavior or discipline codes. Review and revise these annually, as appropriate.
- Create an environment where the school community understands that bullying is inappropriate and will not be tolerated.
- Develop interventions to address bullying at all levels, school-wide, classroom, and individual.
- Provide staff training to certificated and classified staff to ensure that staff is able to identify the indicators of bullying and understand their individual responsibilities to appropriately respond to and report bullying behavior.
- Provide training for new staff, as needed, on identification of and response to bullying as well as on the use of MCOE adopted materials related to bullying and violence prevention.
- Designate a site coordinator for oversight of the anti-bullying program including student instruction, implementation of prevention and intervention strategies, and dissemination of bullying and harassment information to students, staff, and parents. The Coordinator shall act as a contact for reporting incidents of bullying and serve as a liaison for MCOE wide efforts to promote respect and a positive school climate in our schools.
- Enforce bullying/harassment procedures for disciplinary action fairly and consistently per the school behavior expectations/guidelines of MCOE.
- Assess or collect information from students regarding the extent of bullying they witness or experience at school (e.g., anonymous survey, focus group input, or incident report analysis).

Staff Responsibilities

- Create an environment where students understand that bullying is unacceptable and will not be tolerated.
- Discuss with students the aspects of the bullying/harassment 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 and/or reported.
- Understand individual responsibility not only to intervene when bullying is observed, but also, to report incidents and actions to MCOE appropriate administrators or outside agencies, as required.

Student Responsibilities

- Take responsibility for helping create a safe school environment.

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

Parent Responsibilities

- Understand and discuss this policy and school rules with your child.
- Encourage and support your child to report incidents of bullying behavior to oneself or others to a trusted adult.
- Report incidents of bullying or harassment to your student's teacher, counselor, principal, or administrative designee.
- Learn the warning signs that your child might be a victim of bullying or a bully.
- Refrain from encouraging your child to retaliate against the alleged bully.

Responding to Bullying Complaints

MCOE's response to bullying or harassment shall be timely, comprehensive, and involve staff, students, parents/guardians, and the community, as appropriate, in order to address bullying at all school levels. Such a program shall:

- Take reports of bullying seriously.
- Provide all parties involved with assurances regarding MCOE policies on confidentiality and non-retaliation in the complaint investigation.
- Encourage individuals who witness bullying to report such incidents per MCOE report procedures.
- Ensure that complainants are protected from retaliation and that the identity of a complainant alleging discrimination, harassment, intimidation, or bullying remains confidential, as appropriate.
- Obtain specific information relevant to any 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 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 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 witness(es).
- Assure the student reporting bullying that steps will be taken to monitor that the bullying 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 bullying shall be appropriate according to:
 - the nature of the behavior
 - the developmental age of the student
 - the student’s history of problem behaviors and performance related to Board policies and schools’ codes of conduct.
- Following the investigation of the complaint and ensuring confidentiality, as appropriate, inform the parents of both the victim and the child who committed the bullying of:
 - the nature of the incident
 - the type of action(s), consequences, and follow-up steps that will be taken to resolve the situation.

Other Considerations

- If the student who was bullied (or parent on behalf of the student) believes the situation has not been remedied, he/she may file a complaint in accordance with MCOE Uniform Complaint policy and procedures.
- Students and parents are to be informed annually of the process by which they may make a report of bullying or harassment or file a subsequent complaint.
- It is important to note that bullying may, at times, be part of a continuum of violence and that some bullying actions can and do constitute other categories of misconduct such as sexual harassment, hate-motivated behavior, assault, or child abuse, and as such, they would violate other MCOE policies. When bullying behavior does escalate to the level of violating other MCOE policies, MCSOS personnel are obligated to adhere to appropriate MCOE reporting guidelines and protocols and may be required to report to other outside agencies, as appropriate.

LEGAL REFERENCE
EDUCATION CODE
200-262.4 Prohibition of discrimination on the basis of sex
48900.2 Additional grounds for suspension or expulsion; sexual harassment
48904 Liability of parent/guardian for willful student misconduct
48980 Notice at beginning of term

Adopted: October 9, 2012

ANTI-BULLYING POLICY

Madera County Office of Education

Every student is entitled to a safe school environment free from discrimination, harassment, intimidation, and bullying.

The Madera County Office of Education's (MCOE's) Policy on Bullying can be accessed on the MCOE website (www.maderacoe.k12.ca.us). Copies are available in the Comprehensive Safety Plan at school sites operated by MCOE.

1. MCOE prohibits bullying. This includes, but is not limited to, discrimination, harassment, intimidation, and bullying based on the actual or perceived characteristics set forth in Penal Code Section 422.55 and Education Code Section 220, 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. Bullying is defined in Education Code Section 48900(r).
2. School personnel must immediately intervene if they witness an act of discrimination, harassment, intimidation, or bullying, provided it is safe to do so.
3. Acts of discrimination or bullying should be brought to the attention of the administrator.
4. You may make a formal or anonymous complaint by contacting the administrator or the MCOE's Chief Human Resources Officer. MCOE will commence an investigation.
5. Complaints of bullying or discrimination will be considered confidential. However, it may be necessary to disclose certain information, as appropriate, in order to effectively investigate.
6. Students who violate the MCOE's policies on bullying or discrimination may be subject to discipline, including suspension and expulsion.
7. MCOE prohibits retaliation against individuals who make complaints of bullying or provide information to such complaints.
8. Students and parents may contact MCOE's Chief Human Resources Officer at (559) 673-6051.