

**Riverside County Office of Education
Board Policy 5131.2 Bullying**

STUDENTS

SUBJECT: Bullying

This policy shall apply to all acts constituting bullying related to a school activity or school attendance occurring within a County Office of Education (County Office) 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 (County Board) and the County Superintendent of Schools or designee (County Superintendent) in enacting policies and procedures that govern the County Office.

The County Board 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.

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, involves repetition or potential repetition of a deliberate act, and 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 prohibited conduct that may constitute bullying 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

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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, website, or fake profiles

Measures to Prevent Bullying

The County Board encourages the involvement of students, parents/guardians, staff, 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.

The County Board incorporates any strategies developed by the County Superintendent implementing this policy, which may include, but are not limited to:

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, collaborative school climate
3. Providing information to students, through student handbooks, County Office and school websites, and other age-appropriate means, information about County Office 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

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6. Annually notifying County Office 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
7. Providing professional development to all school staff who have regular interaction with students, including information regarding staff's obligation to prevent discrimination, harassment, intimidation, and bullying of students and annually making available the California Department of Education's online training module on the dynamics of bullying and cyberbullying pursuant to Education Code 32283.5
8. Providing students with instruction, as appropriate, that promotes social-emotional learning, effective communication skills, conflict resolution skills, character development, respect for cultural differences, self-esteem development, assertiveness skills, digital and media literacy skills, and appropriate online behavior, and teaches 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

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

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 County Office and school plans.

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.

Any complaint of bullying shall be submitted to and investigated by the individual(s), position(s), or unit(s) designated by the County Superintendent and, if determined to be discriminatory, shall be resolved in accordance with law and County Board Policy 1312.3 - Uniform Complaint Procedures. 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 individual 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 County Office 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

A victim of bullying, witness, perpetrator, or other student affected by an act of bullying may be

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referred 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. (Education Code 48900.9)

If any student involved in bullying exhibits warning signs of suicidal thought or intention or of intent to harm another person, intervention protocols should be implemented, which may include, but are not limited to, referral to County Office or community mental health services, other health professionals, and/or law enforcement, in accordance with County Board Policy 5141.52 - Suicide Prevention.

In addition, corrective actions for a student who commits an act of bullying may include, but are not limited to, the following:

- (1) A conference between school personnel, the pupil's parent or guardian, and the pupil.
- (2) Referrals to the school counselor, psychologist, social worker, child welfare attendance personnel, or other school support service personnel for case management and counseling.
- (3) Study teams, guidance teams, resource panel teams, or other intervention-related teams that assess the behavior, and develop and implement individualized plans to address the behavior in partnership with the pupil and the pupil's parents.
- (4) Referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program, or a plan adopted pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794(a)).
- (5) Enrollment in a program for teaching prosocial behavior or anger management.
- (6) Participation in a restorative justice program.
- (7) A positive behavior support approach with tiered interventions that occur during the schoolday on campus.
- (8) After school programs that address specific behavioral issues or expose pupils to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups.
- (9) Any of the alternatives described in Section 48900.6: As part of or instead of disciplinary action prescribed by this article, the principal of a school, the principal's designee, or the County Superintendent may require a pupil to perform community service on school grounds or, with written permission of the parent or guardian of the pupil, off school grounds, during the pupil's nonschool hours. For the purposes of this section, "community service" may include, but is not limited to, work performed in the community or on school grounds in the areas of outdoor beautification, community or campus betterment, and teacher, peer, or youth assistance programs. This section does not apply if a pupil has been suspended, pending

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expulsion, pursuant to Section 48915. However, this section applies if the recommended expulsion is not implemented or is, itself, suspended by stipulation or other administrative action.

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

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Federal	Description
28 CFR 35.107	Designation of responsible employee and adoption of grievance procedures
34 CFR 104.7	Designation of responsible employee for Section 504
34 CFR 106.8	Designation of responsible employee and adoption of grievance procedures
34 CFR 110.25	Prohibition of discrimination based on age
47 USC 254	Universal service discounts (E-Rate)
Management Resources	Description
CA Office of the Attorney General Publication	Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018
CDE Publication	Social and Emotional Learning in California: A Guide to Resources, October 2018
CDE Publication	Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008
CDE Publication	California's Social and Emotional Learning: Guiding Principles, 2018
CDE Publication	Online Bullying Training Module and Bullying Module
Court Decision	Bullying at School, 2003
Court Decision	Wynar v. Douglas County School District, (2013) 728 F.3d 1062
Court Decision	Lavine v. Blaine School District, (2002) 279 F.3d 719
CSBA Publication	J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094
CSBA Publication	School Safety: Bullying and Cyberbullying, Policy Brief, October 2023
CSBA Publication	Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022
CSBA Publication	Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
CSBA Publication	Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014
CSBA Publication	Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014
CSBA Publication	Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009

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CSBA Publication	Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012
U.S. Dept of Health and Human Services Publication	Social Media and Youth Mental Health: The U.S. Surgeon General's Advisory, 2023
U.S. Dept of Health and Human Services Publication	Our Epidemic of Loneliness and Isolation: The U.S. Surgeon General's Advisory on the Health Effects of Social Connection and the Community, 2023
U.S. DOE Publication	Creating Inclusive and Nondiscriminatory School Environments for LGBTQI+ Students, June 2023
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Discrimination, Including Harassment, Based on Shared Ancestry or Ethnic Characteristics, November 2023
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Addressing Discrimination Against Jewish Students, May 2023
U.S. DOE, Office for Civil Rights Publication	Guidance to America's Schools: Bullying of Students with Disabilities, October 2014
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Harassment and Bullying, October 2010
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Guidance on Schools' Obligations to Protect Students from Student-on-Student Harassment on Basis of Sex, Race, Color, Oct 2010
Website	U.S. Department of Health and Human Services, Stop Bullying
Website	U.S. Department of Education
Website	Partnership for Children and Youth
Website	National School Safety Center
Website	CSBA
Website	Common Sense Media
Website	Collaborative for Academic Social and Emotional Learning
Website	Center on Great Teachers and Leaders
Website	California Office of the Attorney General
Website	California Department of Education, Safe Schools

State	Description
5 CCR 4600-4670	Uniform complaint procedures
Bus. and Prof. Code 22589-22589.4	Cyberbullying Protection Act
Ed. Code 200-262.4	Educational equity; prohibition of discrimination on the basis of sex
Ed. Code 32282	School safety plans
Ed. Code 35181	Governing board policy on responsibilities of students
Ed. Code 35291-35291.5	School discipline rules
Ed. Code 46600	Student transfers
Ed. Code 48900-48925	Suspension and expulsion
Ed. Code 48985	Notices to parents in language other than English

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Ed. Code 52060-52077	Local control and accountability plan
Pen. Code 422.55	Definition of hate crime
Pen. Code 647	Use of camera or other instrument to invade person's privacy; misdemeanor
Pen. Code 647.7	Use of camera or other instrument to invade person's privacy; punishment
Pen. Code 653.2	Electronic communication devices, threats to safety

Cross References

Code	Description
0410	Nondiscrimination In County Office Programs And Activities
0460	Local Control And Accountability Plan
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
1312.3-E(3)	Uniform Complaint Procedures
5141.52	Suicide Prevention
5145.12	Search And Seizure
5145.12-E(1)	Search And Seizure
5145.3	Nondiscrimination/Harassment
5145.7	Sexual Harassment
5145.7-E(1)	Sexual Harassment
6173.1	Education For Foster Youth