

San Dieguito Union High School District

Bullying

BP 5131.2

Students

The Governing Board recognizes the harmful effects of bullying on student well-being, student learning, and school attendance and desires to provide a safe school environment that protects students from physical 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 Superintendent or designee shall develop strategies for addressing bullying in district schools with the involvement of students, parents/guardians/educational rights holders, and staff. As appropriate, the 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.

Such strategies shall be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan and other applicable district and school plans.

Formal, written complaints of bullying based on a student's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on the student's association with a student or group with one or more of these actual or perceived characteristics shall be processed under AR 1312.3 - Uniform Complaint Procedures. (See California Education Code section 33315.)

Complaints of bullying that are not based on a protected group shall be investigated by the responsible school site in accordance with the law and the procedures set forth in Administrative Regulation 5131.2 - Bullying.

If the 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 Superintendent or designee shall advise the student's parents/guardians/educational rights holders that the student may transfer to another school. If the parents/guardians/educational rights holders 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 district policy on intradistrict or interdistrict transfer, as applicable.

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.

State	Description
5 CCR 4600-4670	Uniform complaint procedures
Ed. Code 200-262.4	Prohibition of discrimination
Ed. Code 32280-32289.5	School safety plans
Ed. Code 32283.5	Bullying; online training
Ed. Code 35181	Governing board authority to set policy on responsibilities of students
Ed. Code 35291-35291.5	Rules
Ed. Code 46600	Student transfers
Ed. Code 48900-48925	Suspension and expulsion
Ed. Code 48985	Notices to parents in language other than English
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 p privacy; punishment
Pen. Code 653.2	Electronic communication devices; threats to safety
Federal	Description
28 CFR 35.107	Nondiscrimination on basis of disability; complaints
34 CFR 104.7	Section 504; Designation of responsible employee and adoption of grievances procedures
34 CFR 106.8	Designation of coordinator; dissemination of policy, and adoption of grievance procedures

State

34 CFR 110.25

47 USC 254

Description

Notification of nondiscrimination on the basis of age

Universal service discounts (E-rate)

Management Resources**Description**

CA Office of the Attorney General Publication

Promoting Safe & Secure Learning Environment for All: Guidance & Model Policies to Assist CA K-12 Schools in Responding to Immigration Issues, 4/2018

California Department of Education Publication

Bullying at School, 2003

California Department of Education Publication

Bullying Module

California Department of Education Publication

California's Social and Emotional Learning: Guiding Principles, 2018

California Department of Education Publication

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

California Department of Education Publication

Social and Emotional Learning in California: A Guide to Resources, 2018

Court Decision

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

Court Decision

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

Court Decision

Wynar v. Douglas County School District, (2013) 728 F.3d 1062

CSBA Publication

Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012

CSBA Publication

Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009

Management Resources	Description
CSBA Publication	Cyberbullying: Policy Considerations for Boards, Policy Brief, rev. July 2010
CSBA Publication	Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014
CSBA Publication	Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
CSBA Publication	Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014
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: Guidance on Schools' Obligations to Protect Students from Student-on-Student Harassment on Basis of Sex, Race, Color, Oct 2010
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Harassment and Bullying, October 2010
Website	CSBA District and County Office of Education Legal Services
Website	National School Safety Center
Website	Partnership for Children and Youth
Website	Center on Great Teachers and Leaders

Management Resources	Description
Website	Collaborative for Academic Social and Emotional Learning
Website	Common Sense Media
Website	California Department of Education, Safe Schools
Website	California Office of the Attorney General
Website	CSBA
Website	U.S. Department of Education

Board Adopted: August 22, 2019

Revised: June 4, 2020

Revised: October 26, 2023