

Sacramento City USD

Board Policy

Anti-Bullying

BP 5145.4

Students

The Governing Board desires to provide an orderly, caring and nondiscriminatory learning environment and specifically prohibits acts of harassment or bullying. The Governing Board has determined that a safe and civil environment in school is necessary for students to learn and achieve high academic standards. Harassment or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe environment. Demonstration of appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment or bullying is expected of administrators, faculty, staff, parents, students and volunteers to provide positive examples for student behavior.

(cf. 0200 - Goals for the School District)

(cf. 5137 - Positive School Climate)

(cf. 5142 - Safety)

Harassment or bullying is any gesture or written, verbal, graphic, physical or electronic act (i.e. including, but not limited to, internet, cell phone, personal digital assistant (pda), or wireless hand held device) that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race; color; religion; ancestry; national origin; gender; sexual orientation; gender identity and expression; socioeconomic status; academic status; mental, physical, development or sensory disability or impairment; creed; political belief; age; linguistic or language differences; height; weight; marital status; parental status; or by any other distinguishing characteristic; or because of an association with a person who has or is perceived to have one or more of these characteristics. Such behavior is considered harassment or bullying whether it takes place on or off school property, at any school-sponsored function, in a school vehicle, or by students, family members or staff.

Students shall be assured that they need not endure, for any reason, any harassment which impairs the educational environment or a student's emotional well-being at school. Harassment involves unwelcome comments (written or spoken) or conduct which violates an individual's dignity, and/or creates an intimidating, hostile, degrading, humiliating or offensive environment.

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

Students shall be assured that they need not endure, for any reason, bullying behavior, including electronic or cyber bullying, which impairs the educational environment or a student's emotional well-being. Bullying is a comprehensive term that describes conduct that meets all of the following criteria:

- is directed at one or more persons;
- substantially interferes with educational opportunities, benefits, or programs of one or more students;
- adversely affects the ability of a student to participate in or benefit from the school district's educational programs or activities by placing the student in reasonable fear of physical harm or by causing emotional distress;
- is based on a student's actual or perceived distinguishing characteristic (see above), or is based on an association with another person who has or is perceived to have any of these characteristics;
- involves an imbalance of power or strength; and

- involves a pattern of behavior repeated over time

Electronic bullying or cyber bullying is the use of electronic communication technology such as, but not limited to, e-mail, instant messages, text messages, mobile phones, and web sites, to send or post messages or images to embarrass, humiliate, spread rumors, threaten or intimate. Sending sexually explicit images electronically, even consensually, may be considered as distribution of child pornography, and is to be referred to district security and/or law enforcement.

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Use of Electronic Signaling Devices)

(cf. 5131.4 - Campus Disturbances)

(cf. 5145.2 - Freedom of Speech/Expression: Publications Code)

(cf. 5145.9 - Hate-Motivated Behavior)

The District prohibits bystander support of harassment or bullying as it can encourage and/or reinforce the behavior. Bystander support may be active actions such as, but not limited to, laughter or calling attention to the situation; or through passive actions such as, but not limited to, watching the situation and doing nothing. Staff should therefore support students who walk away from harassment or bullying when they see the acts occurring, who constructively attempt to stop such acts, or who report the acts to a designated authority.

The Board requires school administrators to develop and implement procedures that ensure both the appropriate consequences and remedial responses to a student or staff member who commits acts of harassment or bullying. Staff should provide services or supports to students who engage in acts of bullying and/or harassment to educate them on the impact of these behaviors on others. Administrators should ensure that appropriate services or supports are provided to students who report being victims of bullying or harassment.

The Board requires the principal and/or the principal's designee at each school to be responsible for receiving complaints alleging violations of this policy. All school employees are required to report alleged violations of this policy to the principal or the principal's designee. All other members of the school community, including students, parents, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

The Board requires the principal and/or the principal's designee to be responsible for determining whether an alleged act constitutes a violation of this policy. In so doing, the principal and/or the principal's designee shall conduct a prompt, thorough, and complete investigation of each alleged incident. Depending upon the extent and complexity of the investigation, within a reasonable period of time (approximately one week) after receiving the complaint, the principal or designee shall determine whether or not the student who complained was bullied against and/or harassed

The Board prohibits reprisal or retaliation against any person who reports an act of harassment or bullying. The consequences and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature, severity, and circumstances of the act.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 5144 - Discipline)

The Board requires school officials to annually disseminate the policy to all school staff, students, and parents, along with a statement explaining that it applies to all applicable acts of harassment and bullying whether it takes place on or off school property, electronically, at any school-sponsored function, in a school vehicle, or by students, family members or staff. The chief school administrator shall develop an annual process for discussing the school district policy on harassment and bullying with students and staff.

The school district shall incorporate information regarding the policy against harassment or bullying into each school employee training program and handbook.

(cf. 4131 - Staff Development)

(cf. 5145.6 - Parental Notifications)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex, especially:
221.5 Prohibited sex discrimination
221.7 School-sponsored athletic programs; prohibited sex discrimination
32211 Threatened disruption or interference with classes
35160 Authority of governing boards
35160.1 Broad authority of school districts
35181 Governing board policy on responsibilities of students
35291 - 35291.5 Rules
48900.3 Suspension or expulsion for act of hate violence
48900.4 Suspension or expulsion for threats or harassment
44806 Duty concerning instruction of students
44807 Duty concerning conduct of students
44810 Willful interference with classroom conduct
44811 Disruption of classwork or extracurricular activities
48900 Grounds for suspension or expulsion
48900(r) Grounds for suspension or expulsion: bullying
48907 Student exercise of free expression
51512 Prohibited use of electronic listening or recording device

PENAL CODE

243.5 Assault or battery on school property
311 Child Pornography
403-420 Crimes against the public peace, especially:
415 Fighting; noise; offensive words

CIVIL CODE

1714.1 Liability of parents and guardians for willful misconduct of minor

CODE OF REGULATIONS, TITLE 5

300 - 307 Duties of pupils

UNITED STATES CODE, TITLE 42

2000d-2000e-17 Title VI & VII Civil Rights Act of 1964 as amended
2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

Policy SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
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