

1000 COMMUNITY RELATIONS

1500 COMPLAINTS

1503 HATE-MOTIVATED BEHAVIOR AND BULLYING PREVENTION

Please note: The policy applicable to students is Board Policy 5203.

The Marin County Board of Education (Board) and the Marin County Superintendent of Schools (Superintendent) affirm the right of all staff, parents and volunteers to be free from abusive statements and any activities which degrade the unique qualities of an individual such as, but not limited to, race, ethnicity, immigration status, culture, heritage, color, national origin or ancestry, sexual orientation, physical disability, mental disability, medical condition, genetic condition, marital status, sex, gender, gender identity, gender expression, religious beliefs and practices, or age. Verbal or physical attacks will not be tolerated.

The Board and the Superintendent recognize that threats, physical assaults and inflammatory statements jeopardize the safety and well-being of all staff. The Board and the Superintendent will take reasonable steps to ensure that all parents and staff will be treated with fairness and justice.

The Board and Superintendent believe that all have a right to a safe and healthy school/work environment. The County Office, its schools, parents/guardians and community have an obligation to promote mutual respect, tolerance, and acceptance.

The Board and Superintendent will not tolerate bullying or any behavior that infringes on the safety or well-being of staff, or any other persons within the County Office's jurisdiction. Bullying is defined as aggressive or unwanted and unwelcome behavior by an individual or groups of individuals, who ridicule, harass, humiliate, or intimidate another. Typically, the behavior is repeated over time and includes the use of harmful words and/or acts.

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 harmful 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, "pantsing", pinching, slapping, 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.
- Cyber Bullying: Transmission of communications, posting of harassing messages, direct threats, or other harmful texts, sounds, or images on the Internet,

social networking sites, or other digital 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.

Employee behavior contrary to this policy shall be subject to disciplinary action and referral to law enforcement agencies as appropriate.

Reporting

All members of the school community, including staff, 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 an anonymous report. Prompt and reasonable investigation of the alleged acts is expected. Such reports should be made within a reasonable time of when the member knew or should have known of any act that may be a violation of this policy.

If a person believes that his/her report has not been remedied, he/she may file a complaint in accordance with the Superintendent's Uniform Complaint policy and procedures.

To ensure bullying does not occur, the Board and Superintendent will provide staff development training in bullying prevention and cultivate acceptance and understanding.

Retaliation


Retaliation against a person for filing a bullying complaint or assisting in a bullying investigation or proceeding is prohibited. Staff who knowingly file false bullying or harassment complaints or give false statements in an investigation shall be subject to discipline.

Confidentiality

An allegation of bullying and the results of the investigation shall be kept confidential pursuant to Board and Superintendent policies and to the extent required by law.

References: Education Code 234.1, 200 et seq.; 32230-32239; 35160; 35160.1; 44806; 48900; 48900.2; 48900.3; 48904; 48980
 Penal Code 422.6
 Title 5 of the California Code of Regulations sections 4600 & 4900
 Government Code Section 12920, 12940

Approved as to form:


 Robert J. Henry, of Counsel

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