

5000 Students

5200 Student Welfare

5203 Hate-Motivated Behavior and Bullying Prevention

The Marin County Board of Education (Board) and the Marin County Superintendent of Schools (Superintendent) affirm the right of all students, 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, culture, heritage, immigration status, sexual orientation, physical/mental attributes, gender, religious beliefs and practices. 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 students and staff. The Board and the Superintendent will take reasonable steps to ensure that all students, parents and staff will be treated with fairness and justice.

The Board and the Superintendent will make reasonable efforts to provide a safe environment enabling students to realize their full academic potential and to develop an understanding and appreciation of society's diversity. Programs to enhance self-esteem, raise awareness and sensitivity and foster respect for all individuals shall be developed and implemented in all appropriate programs.

The Board and Superintendent believe that all students have a right to a safe and healthy school environment. The County Office, its schools, students, 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 students, 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.

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

Reporting

The Board and Superintendent expect students and/or staff to immediately report incidents of bullying to the school principal or designee. All staff are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or become aware of bullying or harassing behavior, they are expected to immediately intervene, call for assistance, and report such incidents. Each complaint of bullying must be promptly investigated.

This policy applies to students on school grounds, while traveling to and from school or a school-sponsored activity, during the lunch period, whether on or off campus, and during a school-sponsored activity.

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 an anonymous report. Prompt and reasonable investigation of the alleged acts is expected.

Students are expected to report all incidents of bullying, teasing, or other verbal or physical abuse. Any student who feels she/he is a victim of such behavior should immediately contact a teacher, counselor, or staff person. If a student and/or parent believes that their report has not been remedied, she/he may file a complaint in accordance with the Superintendent's Uniform Complaint policy and procedures. Students are to be informed annually of the process by which they may make a report of bullying or harassment.

To ensure bullying does not occur on school campuses, the Board and Superintendent will provide staff development training in bullying prevention and cultivate acceptance and understanding in all students and staff to build each school's capacity to maintain a safe and healthy learning environment. Teachers should discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of bullying.

Retaliation

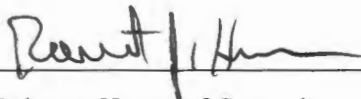
Retaliation against a student for filing a bullying complaint or assisting in a bullying investigation or proceeding is prohibited. Students who knowingly file false bullying or Harassment complaints or give false statements in an investigation shall be subject to discipline by measures up to and including suspension and expulsion, as shall any student who is found to have retaliated against another in violation of this policy.

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

Approved as to form:



Robert J. Henry, of Counsel

Revised and Approved by Marin County Board of Education: 12/7/2010
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