

# NOVATO UNIFIED SCHOOL DISTRICT

## Board Policy

Series 5000

BP 5131.2

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### **INSTRUCTION**

#### **BULLYING - HARASSMENT**

The Governing Board of the Novato Unified School District affirms the right of every student to attend a school that is safe and secure. Therefore, the District, schools, students, parents/guardians and community have an obligation to promote mutual respect and safe, harmonious relations that support dignity and equality. To that end, the school District has in place policies, procedures, and practices that are designed to reduce and eliminate bullying and harassment as well as processes and procedures to address incidents of bullying and harassment when they occur.

These policies and procedures must be disseminated annually to staff, students, and parents/guardians.

The Novato Unified School District will not tolerate bullying or any behavior that infringes on the safety or well-being of students, staff, or any other persons within the District's jurisdiction whether directed at an individual or group. This includes but is not limited to bullying or harassment based on race, color, creed, national origin, ethnicity, religion, gender, language, sexual orientation, political affiliation, physical or mental disability, academic or athletic ability, physical appearance, or economic status.

(Education Code 48900.2, 48900.3, and 48900.4)

### **Guidelines**

#### **Definition**

Bullying is defined as aggressive or unwanted and unwelcome behavior by an individual or groups of individuals who ridicule, harass, humiliate, or intimidate another while on school grounds, at a school sponsored activity, while traveling to or from school, or on a school bus or during any activity related to school attendance. Typically, the behavior is repeated over time and includes the use of hurtful words and/or acts.

#### **Indicators of Bullying Behavior**

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 hurtful rumors.

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- **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**: Sending insulting or threatening messages by phone, e-mail, Web sites, or any other electronic or written communication. This policy pertains to cyber bullying which takes place while on school grounds, at a school sponsored activity, while traveling to or from school, during lunch whether on or off campus, on a school bus, or through the use of school property such as a district computer or other electronic or wireless device. Acts of cyber bullying that are not related to school activity or school attendance are not within the jurisdiction of this policy.

The Board of Trustees recognizes that some acts of bullying, harassment, or intimidation may be isolated and/or unintentional incidents requiring that the school respond appropriately to the individuals committing the acts. Other acts may indicate a larger pattern of bullying that require a response either at the classroom, school site, or District levels or by law enforcement officials. Consequences and appropriate remedial actions for a student who commits an act of bullying may range from behavioral intervention and education up to and including suspension or expulsion.

(Education Code 48900 and Board Policies 5132 and 5144.1)

### **Reporting Violations of this Policy**

The principal or principal’s designee at each school shall be responsible for receiving complaints alleging violations of this policy. 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, to immediately intervene, call for assistance, and report such incidents. The Board requires that staff follow District and school procedures for reporting alleged acts of bullying.

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. While

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submission of the report form is not required, the reporting party is encouraged to use the report form available from the principal of each school or at the District office. Oral reports shall also be considered official reports. Reports may be made anonymously, but formal disciplinary action may not be based solely on an anonymous report. Prompt and reasonable investigation of alleged acts of bullying 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, principal, or staff person. If the student who was bullied (or parent on behalf of the student) believes the situation has not been remedied, she/he may file a complaint in accordance with District Uniform Complaint policy and procedures. Students are to be informed annually of the process by which they may make report of bullying or harassment.

### **Retaliation is Prohibited**

Retaliation against a student because the student has filed a bullying complaint or assisted or participated in a bullying or harassment investigation or proceeding is also 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 that involves sexual harassment, and the results of the investigation, shall be kept confidential to the extent reasonably possible.

### **Legal Reference**

#### **EDUCATION CODE**

- 200-262.4 Prohibition of discrimination on the basis of sex
- 48900.2 Additional grounds for suspension or expulsion; sexual harassment
- 48904 Liability of parent/guardian for willful student misconduct
- 48980 Notice at beginning of term
- (cf. 5137 – Positive School Climate)
- (cf. 5145.3 – Nondiscrimination/Harassment)
- (cf. 5145.7 – Sexual Harassment)
- (cf. 5145.9 – Hate-Motivated Behavior)
- (cf. 3515.4 – Recovery for Property Loss or Damage)
- (cf. 5131.5 – Vandalism, Theft, and Graffiti)
- (cf. 5144.1 – Suspension and Expulsion/Due Process)
- (cf. 5144.2 – Suspension and Expulsion/Due Process (Students with Disabilities))

**Board Adopted: June 26, 2007**