

NOVATO UNIFIED SCHOOL DISTRICT

Administrative Rules and Regulations

Series 5000

AR 5131.2

BULLYING - HARASSMENT

School behavior standards shall be coordinated districtwide, with particular attention to applying the standards for bullying behavior fairly and consistently among schools at the same grade level. Schools will follow District guidelines and policies according to the Education Code and school rules pertaining to related matters such as bullying, suspension and expulsion, student expression, and the rights and responsibilities of students.

(Education Code 35291.5)

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.
- **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, pinching, slapping, “pantsing”, 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.

NOVATO UNIFIED SCHOOL DISTRICT

Administrative Rules and Regulations

Series 5000

AR 5131.2

Administrative Responsibilities

- Communicate and ensure staff, students, and parents are informed annually of the District policy and school procedures regarding bullying, and all other related policies.
- Develop and incorporate anti-bullying procedures into behavior or discipline codes. Review and revise these annually, as appropriate.
- Create an environment where the school community understands that bullying is inappropriate and will not be tolerated.
- Develop interventions to address bullying at all levels, school-wide, classroom, and individual.
- Provide staff training to certificated and classified staff to ensure that staff is able to identify the indicators of bullying and understand their individual responsibilities to appropriately respond to and report bullying behavior.
- Provide training for new staff, as needed, on identification of and response to bullying as well as on the use of District adopted materials related to bullying and violence prevention.
- Designate a site coordinator for oversight of the anti-bullying program including student instruction, implementation of prevention and intervention strategies, and dissemination of bullying and harassment information to students, staff, and parents. The Coordinator shall act as a contact for reporting incidents of bullying and serve as a liaison for districtwide efforts to promote respect and a positive school climate in our schools.
- Enforce bullying/harassment procedures for disciplinary action fairly and consistently per the school behavior expectations/guidelines and the District Discipline Matrix.
- Assess or collect information from students regarding the extent of bullying they witness or experience at school (e.g., anonymous survey, focus group input, or incident report analysis).

Staff Responsibilities

- Create an environment where students understand that bullying is unacceptable and will not be tolerated.
- Discuss with all students all aspects of the bullying/harassment policy and strategies to prevent bullying.
- Encourage students to report bullying incidents.
- Learn to recognize the indicators of bullying behavior.
- Intervene immediately and take corrective action when bullying is observed.
- Understand individual responsibility not only to intervene when bullying is observed, but also, to report incidents and actions to appropriate administrators, District offices, or outside agencies, as required.

Student Responsibilities

- Take responsibility for helping create a safe school environment.
- Do not engage in or contribute to bullying behaviors, actions, or words.
- Treat everyone with respect. Be sensitive to how others might perceive your actions or words.

NOVATO UNIFIED SCHOOL DISTRICT

Administrative Rules and Regulations

Series 5000

AR 5131.2

- Students are expected to report all incidents of teasing, bullying, harassment, intimidation, or other verbal or physical abuse.
- Understand the bullying policy and guidelines about bullying and model it for others.
- Report bullying behavior directed at oneself or others to a trusted adult.
- Never engage in retaliatory behavior or ask of, encourage, or consent to anyone's taking retaliatory actions on your behalf.
- Learn ways to protect oneself from bullying and how to help others who have been bullied.

Parent Responsibilities

- Understand and discuss this policy and school rules with your child.
- Report incidents of bullying or harassment to your student's teacher, counselor, principal, or principal's designee.
- Learn the warning signs that your child might be a victim of bullying or a bully.

Responding to Bullying Complaints

The District's response to bullying or harassment shall be comprehensive and involve staff, students, parents/guardians, and the community, as appropriate, in order to address bullying at all school levels. Such a program shall:

- Take reports of bullying seriously.
- Provide all parties involved with assurances regarding District policies on confidentiality and non-retaliation in the complaint investigation.
- Encourage individuals who witness bullying to report such incidents per the District report procedures.
- Obtain specific information relevant to any bullying complaint such as: the date, time, location, witness(s), and whether this was an isolated incident or related to previous incidents.
- Obtain a written statement from the complainant. If the complainant is unable to provide a written statement, school personnel shall assist in writing a statement as dictated by the complainant. It is important to note that any oral report of bullying is to be considered a complaint and, as such, must be investigated.
- Obtain a written statement from the student alleged to have committed the bullying act. If the student is unable to provide a written statement, school personnel shall assist in writing a statement as dictated by the student.
- Obtain statements from any witnesses, if necessary.
- Assure the student reporting bullying that steps will be taken to monitor that the bullying behavior does not continue. Provide the individual with the names of school personnel who can help if the situation continues, escalates, or arises again.
- Determine what type of action or consequences will resolve the situation. Follow the school behavior guidelines and the District Discipline Matrix (See the District Protocol and Procedures). Consequences for a student who commits an act of bullying shall be appropriate according to:

NOVATO UNIFIED SCHOOL DISTRICT

Administrative Rules and Regulations

Series 5000

AR 5131.2

- the nature of the behavior
- the developmental age of the student
- the student's history of problem behaviors and performance
- consistent with related Board policies and schools' codes of conduct
- Inform the parents of both the victim and the child who committed the bullying of:
 - the nature of the incident
 - the results of the investigation
 - the type of action(s), consequences, and follow-up steps that will be taken to resolve the situation (as appropriate to ensure confidentiality)

Other Considerations

- 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 and parents are to be informed annually of the process by which they may make a report of bullying or harassment or file a subsequent complaint.
- It is important to note that bullying may, at times, be part of a continuum of violence and that some bullying actions can and do constitute other categories of misconduct such as sexual harassment, hate-motivated behavior, assault, or child abuse, and as such, they would violate other District policies. When bullying behavior does escalate to the level of violating other District policies, District personnel are obligated to adhere to appropriate District reporting guidelines and protocols and may be required to report to one or more offices or outside agencies, as appropriate.

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