

# ENTERPRISE ELEMENTARY SCHOOL DISTRICT BOARD POLICY

## STUDENTS

BP 5131.2

### BULLYING

The Enterprise Elementary School District is committed to a safe and civil educational environment for all students, employees, volunteers, and patrons, free from harassment, intimidation, or bullying. “Harassment, intimidation, or bullying” means any intentional written, verbal, or physical act, or transmission or circulation of images when the intentional written, verbal, or physical act or transmission or circulation of images does any of the following:

- Physically harms a student or damages the student’s property
- Has the effect of substantially interfering with a student’s education
- Is severe, persistent, or pervasive that it creates an intimidating or threatening educational environment
- Has the effect of substantially disrupting the orderly operation of the school.

The Governing Board recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel.

(cf. 5131 - Conduct)

(cf. 5136 - Gangs)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

Cyberbullying includes the transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other 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.

(cf. 5145.2 - Freedom of Speech/Expression)

Strategies for bullying prevention and intervention shall be developed with involvement of key stakeholders in accordance with law, Board policy, and administrative regulation governing the development of comprehensive safety plans and shall be incorporated into such plans.

(cf. 0420 - School Plans/Site Councils)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 1220 - Citizen Advisory Committees)

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

(cf. 6020 - Parent Involvement)

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT  
BOARD POLICY**

**STUDENTS**

**BP 5131.2**

**BULLYING (continued)**

Bullying Prevention

To the extent possible, district and school strategies shall focus on educational strategies to teach what bullying is and is not, and the prevention of bullying by establishing clear rules for student conduct and strategies to establish a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for perpetrators of bullying.

(cf. 5137 - Positive School Climate)  
(cf. 6164.2 - Guidance/Counseling Services)

The district may provide students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

(cf. 6142.8 - Comprehensive Health Education)  
(cf. 6142.94 - History-Social Science Instruction)  
(cf. 6163.4 - Student Use of Technology)

School staff shall receive related information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies.

(cf. 4131 - Staff Development)  
(cf. 4231 - Staff Development)  
(cf. 4331 - Staff Development)

Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias.

Intervention

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized.

School staff who witness bullying shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When appropriate, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators. He/she also may involve school counselors, mental health counselors, and/or law enforcement.

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT  
BOARD POLICY**

**STUDENTS**

**BP 5131.2**

**BULLYING (continued)**

Complaints and Investigation

Students may submit to a teacher or administrator a verbal or written complaint of conduct they consider to be bullying. Complaints of bullying shall be investigated and resolved in accordance with the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

When a student is reported to be engaging in bullying off campus, the Superintendent or designee shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

Discipline

Any student who engages in bullying on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline, which may include suspension or expulsion, in accordance with district policies and regulations.

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT  
BOARD POLICY**

**STUDENTS**

**BP 5131.2**

**BULLYING (continued)**

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination  
32282 Comprehensive safety plan  
35181 Governing board policy on responsibilities of students  
35291-35291.5 Rules  
48900-48925 Suspension or expulsion  
48985 Translation of notices

PENAL CODE

647 Use of camera or other instrument to invade person's  
privacy; misdemeanor  
647.7 Use of camera or other instrument to invade person's  
privacy; punishment  
653.2 Electronic communication devices, threats to safety

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

COURT DECISIONS

J.C. v. Beverly Hills Unified School District, (2010) 711  
F.Supp.2d 1094  
Lavine v. Blaine School District, (2002) 279 F.3d 719

Management Resources:

CSBA PUBLICATIONS

Addressing the Conditions of Children: Focus on Bullying,  
Governance Brief, December 2012  
Safe Schools: Strategies for Governing Boards to Ensure  
Student Success, 2011

Providing a Safe, Nondiscriminatory School Environment for  
All Students, Policy Brief, April 2010  
Cyberbullying: Policy Considerations for Boards, Policy Brief,  
July 2007

CALIFORNIA DEPARTMENT OF EDUCATION  
PUBLICATIONS

Health Education Content Standards for California Public  
Schools: Kindergarten Through Grade Twelve, 2008  
Bullying at School, 2003

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR  
CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter: Harassment and Bullying, October  
2010

WEB SITES

CSBA: <http://www.csba.org>  
California Cybersafety for Children:  
<http://www.cybersafety.ca.gov>  
California Department of Education, Safe Schools Office:  
<http://www.cde.ca.gov/lr/ss>  
Center for Safe and Responsible Internet Use:  
<http://cyberbully.org>  
National School Boards Association: <http://www.nsba.org>  
National School Safety Center: <http://www.schoolsafety.us>  
U.S. Department of Education, Office for Civil Rights:  
<http://www.ed.gov/about/offices/list/ocr>

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