




# Anti-Bullying Workshop



# What is Bullying?

 **Bullying is a severe or pervasive physical or verbal act or conduct intended to hurt another person physically or mentally.**

# Expected Outcomes

- ∞ To train a representative from each school site on best practices on Anti-Bullying, Suicide Prevention, Bullying Prevention, and Laws and Policies on Bullying so that the representative can then train the entire staff and student body on the appropriate material.
- ∞ To understand a common definition of bullying.
- ∞ To communicate to all employees that they must intervene if school personnel witness an act of discrimination, harassment, intimidation, or bullying, when safe to do so.

# Definitions

- ∞ **Education code has defined "Bullying"** as any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2 (sexual harassment), 48900.3 (hate violence), or 48900.4 (threats, intimidation, harassment), directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
  - ∞ (a) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
  - ∞ (b) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
  - ∞ (c) Causing a reasonable pupil to experience substantial interference with his or her academic performance.
  - ∞ (d) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

# Definitions Continued

- ∞ **"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.
- ∞ **"Reasonable pupil"** means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

# Employee Responsibilities – It's the Law

- ✎ If school personnel witness an act of discrimination, harassment, intimidation, or bullying, he or she shall take immediate steps to intervene when safe to do so. (Education Code 234.1(b)(1))
- ✎ Any employee who has knowledge of discrimination, harassment, intimidation or bullying shall inform the site administrator of the concern as soon as possible. The site administrator shall investigate accordingly.

# Employee Responsibilities – It's the Law

- ☞ Students may submit to a teacher or administrator a verbal or written complaint of conduct they consider to be bullying. Formal complaints of bullying shall be made pursuant to the District's General Complaint or Uniform Complaint procedures specified in BP 5145.7.
- ☞ 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.
- ☞ If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

# Jurisdiction & Discipline

- ∞ Pupils can be suspended or expelled for acts related to school activity or attendance that occur at any time.
- ∞ To support a suspension or expulsion, bullying is any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act that has or can be reasonably predicted to have the effect of one or more of the following:
  - Placing a reasonable pupil in fear of harm to the pupil's person or property.
  - Causing a reasonable pupil to experience a substantially detrimental effect on his physical or mental health.
  - Causing a reasonable pupil to experience substantial interference with academic performance or the ability to participate in or benefit from the services, activities, or privileges provided by the school.

- Orange County Department of Education Legal Services



# Jurisdiction & Discipline

☞ Our priorities are to keep students safe and maintain a safe learning environment.

# Freedom of Speech

- ✎ True threats and sexual harassment are not protected speech under the Freedom of Speech First Amendment of the U.S. Constitution.
- ✎ Free speech laws do not provide a valid defense for a student found to have engaged in discrimination, harassment, intimidation or bullying.

# Laws & Policies

∞ Penal Codes, Education Codes, and Board Policies support Anti-Bullying practices.

# California Penal Codes

- ☞ PC 422.55 – Hate crime law
- ☞ PC 528.5 – Misdemeanor to impersonate
- ☞ PC 653m – Misdemeanor to electronically threaten
- ☞ PC 653.2 – Misdemeanor to electronically distribute personal identifying information if a harassing nature
- ☞ PC 647 Use of camera or other instrument to invade person's privacy; misdemeanor

# California Education Codes

- ✎ EC 200 – Equal rights for all in educational institutions
- ✎ EC 201 – Students participate fully free of discrimination, harassment, etc.
- ✎ EC 212.5 – Sexual Harassment
- ✎ EC 220 – Prohibits discrimination on basis of many things.
- ✎ EC 234 – The Safe Place to Learn Act
- ✎ EC 48900 (r) – Bullying
- ✎ EC 48900.2 – Sexual Harassment
- ✎ EC 48900.3 – Hate Violence (grades 4-12 only)
- ✎ EC 48900.4 – Harassment, threat, or intimidation of school personnel

# IUSD Board Policies

- BP 5142 Student Safety
- BP 5144 Student Conduct
- BP 5145.6 Harassment & Hate Violence
- BP 5145.7 Sexual Harassment – Students
- BP 5145.8 Bullying/Cyberbullying

# Systematic Prevention

- ☞ Assess bullying at your site
- ☞ Increase adult supervision in “hot spots”
- ☞ Track increased supervision to determine impact
- ☞ Form site committee to coordinate prevention activities
- ☞ Establish and enforce policies and rules of conduct
- ☞ Publicize policies (in all schools and offices, staff lounges and government meeting rooms)
- ☞ Publicize rules
- ☞ Increase student reporting of bullying
- ☞ Develop system to track bullying and interventions
- ☞ Adopt a curriculum
- ☞ Focus some class time on bullying

# DOCUMENTATION

∞ Clear, concise, and detailed documentation is the key to keeping individuals, schools and districts out of litigation.



# Aeries Documentation

## ☞ Discipline Screen:

- 48900(o) Harassing a Witness
- 48900(q) Hazing
- 48900(r) Bullying
- 48900.2 Sexual Harassment
- 48900.3 Hate Violence
- 48900.4 Harassment/Intimidation School Personnel

## ☞ Documenting Victims and Witnesses

- View all Forms
- Add Filter: Vic
- Victims and Witnesses



## DISTRICT POLICY ON BULLYING

Every student is entitled to a safe school environment free from discrimination, harassment, intimidation and bullying.

The District's Policy on Bullying can be accessed on the District's website, [www.iusd.org](http://www.iusd.org). Copies are also available in the school office upon request.

1. The District prohibits bullying. This includes, but is not limited to, discrimination, harassment, intimidation and bullying based on the actual or perceived characteristics set forth in Penal Code section 422.55 and Education Code section 220, and disability gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics. Bullying is defined in Education Code section 48900(r).
2. School personnel must immediately intervene if they witness an act of discrimination, harassment, intimidation or bullying, provided it is safe to do so.
3. Acts of discrimination or bullying should be brought to the attention of the principal immediately.
4. Complaints of bullying or discrimination will be considered confidential. However, it may be necessary to disclose certain information in order to effectively investigate.
5. Students who violate the District's policies on bullying or discrimination may be subject to discipline, including suspension and expulsion.
6. The District prohibits retaliation against individuals who make complaints of bullying or provide information related to such complaints.
7. **You may make a confidential complaint by contacting the site principal and/or complete Complaint Form 1312.1 available under IUSD Complaint Procedures on any school or district website. If there is sufficient corroborating information, an investigation will commence.**

Signs are to be posted in main offices and student government rooms.

## Parent Resources or Student Services

### ○ Bullying/Cyberbullying

- Parents
- Students
- Staff
- Policies
- Resources

Parent Resources or Student Services [http://iusd.org/student\\_services/bullying/index.html](http://iusd.org/student_services/bullying/index.html)

# Summary

- ☞ Bullying is a severe or pervasive physical or verbal act or conduct intended to hurt another person physically or mentally.
- ☞ If school personnel witness an act of discrimination, harassment, intimidation, or bullying, you must intervene and report.
- ☞ Any employee who has knowledge of discrimination, harassment, intimidation or bullying shall inform the site administrator.
- ☞ Our priorities are to keep students safe and maintain a safe learning environment.
- ☞ Penal Codes, Education Codes, and Board Policies support Anti-Bullying practices.
- ☞ Document, document, document!

# Next Steps

- ✎ If you are not an administrator, meet with your administrator about next steps.
- ✎ Develop a school-wide plan to educate staff and students on the information presented today at the workshop.
- ✎ Send Shawn Wirth an email documenting the date you will be presenting to staff so that we can document on our end.