

FRESNO COUNTY SUPERINTENDENT OF SCHOOLS  
FRESNO COUNTY BOARD OF EDUCATION**Students**  
**BULLYING**

This policy shall apply to all acts constituting bullying related to school activity or to school attendance occurring within a County Superintendent-operated school or program, to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school, and to all acts of the County Superintendent and County Board in enacting policies and procedures that govern County Superintendent and County Board schools and programs.

The County Superintendent and County Board recognize the harmful effects of bullying on student well-being, student learning, and school attendance, and desire to provide a welcoming, safe school environment that protects students from physical, mental, and emotional harm. No individual or group shall, through physical, written, verbal, visual, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

The County Superintendent or designee shall develop strategies for addressing bullying in County Superintendent/County Board schools with the involvement of students, parents/guardians, and staff. As appropriate, the County Superintendent or designee may also collaborate with social services, mental health services, law enforcement, courts, and other agencies and community organizations in the development and implementation of effective strategies to promote safety in schools and the community.

Such strategies shall be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan and other applicable school plans.

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the County Superintendent's uniform complaint procedures specified in AR 1312.3. If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the County Superintendent or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

Adopted: 03/21/2013

Amended: 10/15/2020, 03/21/2024

**Legal Reference**Education Code

200-262.4 Prohibition of discrimination

32282 Comprehensive safety plan

32283.5 Bullying; online training

35181 Governing board policy on responsibilities of students

FRESNO COUNTY SUPERINTENDENT OF SCHOOLS  
FRESNO COUNTY BOARD OF EDUCATION

35291-35291.5 Rules  
46600 Student transfers  
48900-48925 Suspension or expulsion  
48985 Translation of notices  
52060-52077 Local control and accountability plan

Penal Code

422.55 Definition of hate crime  
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

Code of Regulations, Title 5

4600-4670 Uniform complaint procedures

United States Code, Title 47

254 Universal service discounts (e-rate)

Code of Federal Regulations, Title 28

35.107 Nondiscrimination on basis of disability; complaints

Code of Federal Regulations, Title 34

104.7 Designation of responsible employee for Section 504  
106.8 Designation of responsible employee for Title IX  
110.25 Notification of nondiscrimination on the basis of age

Court Decisions

Wynar v. Douglas County School District, (2013) 728 F.3d 1062  
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

School Safety: Bullying and Cyberbullying, Policy Brief, October 2023  
Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022  
Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014  
Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014  
Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012  
Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011  
Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009

**FRESNO COUNTY SUPERINTENDENT OF SCHOOLS  
FRESNO COUNTY BOARD OF EDUCATION**California Department of Education Publications

## Bullying Module

California's Social and Emotional Learning: Guiding Principles, 2018

Social and Emotional Learning in California: A Guide to Resources, 2018

Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008

Bullying at School, 2003

Online Bullying Training Module

California Office of the Attorney General Publications

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California K-12 Schools in Responding to Immigration Issues, April 2018

U.S. Department of Education, Office for Civil Rights Publications

Dear Colleague Letter: Discrimination, Including Harassment, Based on Shared Ancestry or Ethnic Characteristics, November 2023

Creating Inclusive and Nondiscriminatory School Environments for LGBTQI+ Students, June 2023

Dear Colleague Letter: Addressing Discrimination Against Jewish Students, May 2023

Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014

Guidance to America's Schools: Bullying of Students with Disabilities, October 2014

Dear Colleague Letter: Guidance on Schools' Obligations to Protect Students from Student-on-Student Harassment on the Basis of Sex; Race, Color and National Origin; and Disability, October 26, 2010

Dear Colleague Letter: Harassment and Bullying, October 2010

U.S. Department of Health and Human Services Publications

Social Media and Youth Mental Health: The U.S. Surgeon General's Advisory, 2023

Our Epidemic of Loneliness and Isolation: The U.S. Surgeon General's Advisory on the Health Effects of Social Connection and the Community, 2023

WebsitesCSBA: <http://www.csba.org>California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lr/ss>California Office of the Attorney General: <http://oag.ca.gov>Center on Great Teachers and Leaders: <http://gtlcenter.org>Collaborative for Academic Social and Emotional Learning: <http://casel.org>Common Sense Media: <http://www.common Sense Media.org>National School Safety Center: <http://www.schoolsafety.us>Partnership for Children and Youth: <http://www.partnerforchildren.org>U.S. Department of Education: <http://www.ed.gov>U.S. Department of Health and Human Services, Stop Bullying: <https://www.stopbullying.gov>