

**PAUSD:** Staff recommends adoption of the new policy recommended by CSBA to reflect new law (AB 9) which requires policy prohibiting discrimination, harassment, intimidation, and bullying based on specified characteristics, new law (AB 1156) which encourages the inclusion of bullying prevention strategies in comprehensive safety plans, and new law (AB 746) which expands the definition of bullying committed by means of an electronic act to include posting of messages on social media networks. The policy contains material formerly in BP 5131 - Conduct re: strategies for prevention and intervention of bullying. Staff has made considerable modification to the Board Policy in conjunction with input from legal counsel, the BPRC and community members. The accompanying AR is also attached for reference.

## PAUSD Recommendation Board Policy Students

1 of X

BP 5131.2

### BULLYING PREVENTION

The Board of Education 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.

The Board will not tolerate discrimination, intimidation, harassment, bullying or any behavior that infringes on the safety or well being of students, or any other persons within the district's jurisdiction whether directed at an individual or group. This includes but is not limited to discrimination, intimidation, harassment, and bullying based on actual or perceived characteristics of race or ethnicity, color, nationality, national origin, ethnic group identification, age, religion, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or any other characteristic identified in Education Code 200 or 220, Penal Code 422.55, or Government Code 11135, or based on association with a person or group with one or more of these actual or perceived characteristics.

All complaints of unlawful discrimination based on the protected status' listed above **shall** utilize the Uniform Complaint Process AR- 1312.3. [This policy and regulation apply to complaints about bullying that is not based on one of the protected categories listed above.](#)

The Board recognizes that a positive school climate provides students with rich opportunities to safely resolve conflicts and practice good decision making skills. PAUSD staff are encouraged to promote student learning in the areas of social-emotional development by providing students with age appropriate opportunities to resolve conflicts, develop strong decision making skills and enhance empathy. The Board recognizes that some conflicts are part of the normal developmental process that children experience and that staff must ensure the safety of children while offering genuine opportunities to build resilience and strong social skills for children.

The Board of Education accepts responsibility for providing a means by which the public can quickly and expeditiously resolve issues of bullying/harassment without disrupting the educational process. Efforts to resolve bullying/harassment, other than discriminatory

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**Comment [1]:** There seems to be sufficient confusion about this right now that I think it would be important to set this off in a separate paragraph.

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bullying/harassment on a protected status<sup>1</sup>, shall be resolved at the lowest level whenever possible. Concerns/complaints shall be raised by the student/parent/guardian to the site administrators to try and resolve the issue. It is expected that the majority of such matters will be resolved at this level. If concerns/complaints are not resolved at this level, the parent/guardian may forward their concerns to the district Student Services office.

(c.f. 5137-Positive School Climate)

All complaints alleging unlawful discrimination, including discriminatory intimidation, harassment and bullying, should be reported to District Compliance Officer and are investigated and resolved at the district level in accordance with the district's Uniform Complaint Procedure, BP and AR 1312.2. If such reports or complaints of discrimination are reported to the site level, they will be forwarded to the district within two days and investigated and resolved by the District Compliance Officer within 60 calendar days of the district's receipt of the complaint. The District Compliance Officer can provide information about filing complaints under the UCP and can be contacted as follows:

Associate Superintendent – Educational Services  
25 Churchill Avenue, Palo Alto, CA 94306  
(650) 329-3709

When imposing disciplinary measures, the State of California defines “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 that constitutes sex harassment, hate violence or creates an intimidating or hostile educational environment, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following: (Education Code 48900(r))

1. Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
2. Causing a reasonable pupil to experience a substantially detrimental effect on her or her physical or mental health.
3. Causing a reasonable pupil to experience a substantial interference with his or her academic performance.
4. Causing a reasonable pupil to experience a substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

Cyber bullying includes the transmission of harassing communications, which originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager. Cyber bullying also includes creating a “burn page,” a “credible impersonation,” or a “false profile” of another student.

<sup>1</sup> As used in this policy, discriminatory intimidation, harassment and bullying based on a protected status include but are not limited to intimidation, harassment, and bullying based on actual or perceived characteristics 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. (Education Code 234.1)

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**Comment [2]:** It may not be necessary to repeat this but either way seems ok.

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**Comment [3]:** I recommended placing this paragraph at the beginning in my prior comments. Again, because of the level of confusion about this point, it is important to stress this information at the beginning. It is somewhat buried and stated several different ways below.

**Penal Code 653.2** makes it a crime for a person to distribute personal identity information electronically with the intent to cause harassment by a third party and to threaten a person's safety or that of his/her family (e.g., placing a person's picture or address online so that he/she receives harassing messages). **Penal Code 288.2** makes it a crime to send a message to a minor if the message contains matter that is sexual in nature with the intent of seducing the minor (i.e., sexting).

*(cf. 5145.2 - Freedom of Speech/Expression)*

Consequences and appropriate remedial actions for a student who commits an act of intimidation, harassment, or bullying of any type may range from behavioral intervention and education up to and including suspension or expulsion. This policy applies to all acts related to school activity or attendance occurring within a school under the jurisdiction of the superintendent of the school district.

*(cf. 5145.3- Nondiscrimination/Harassment)*  
*(cf. 5411. -Discipline)*

In addition to the grounds specified in Education Code sections 48900, sections 48900.2, 48900.3, and 48900.4 provide additional authority to discipline a pupil for conduct that amounts to bullying. (Education Code 48900, 48900.2, 48900.3 and 48900.4)

The district's policies and procedures must be disseminated annually to staff, students, and parents/guardians. These policies shall be publicized to students, parents, and employees, agents of the Board of Education, and the general public.

### Expectations of Conduct

The Board of Education expects students to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program that occurs at any time, including, but not limited to, while on school grounds or PAUSD property, while going to or coming from school, during lunch period whether on or off campus, during, or while going to or coming from, a school-sponsored activity.

PAUSD prohibits all forms of, intimidation, harassment, or bullying of any student:

1. During any educational program or activity conducted by the PAUSD;
2. During any PAUSD-related or PAUSD-sponsored program or activity or on a PAUSD school bus;
3. Through the use of any electronic device or data while on PAUSD school grounds or on a PAUSD school bus, computer software that is accessed through a computer, computer system, or computer network of the PAUSD. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action initiated under this section;
4. Through threats using the above to be carried out on PAUSD grounds. This includes threats made outside of school hours, which are intended to be carried out during any school-related or school-sponsored program or activity or on a PAUSD school bus.

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**Comment [4]:** I suggested removing this last time. Every time the word discrimination is repeated as distinct from bullying etc., it creates confusion about the application of this policy and the fact that some intimidation harassment and bullying IS discrimination, not something separate. The general word "bullying" is used in number of places farther in. I don't think it's necessary to keep repeating and trying to alter this phrase all the way through.

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**Comment [5]:** Or the whole sentence could be deleted and substituted with "The above expectations apply....."

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5. Though an incident of alleged intimidation, harassment, or bullying in any form may occur outside a district program or activity, if the effects of the incident result in intimidation, harassment, or bullying at school that is sufficiently serious to interfere with or limit the targeted students ability to participate in or benefit from the educational program, the school must respond promptly and effectively to eliminate the harassment, prevent it's recurrence, and address it's effects. Such responses may include discipline of the alleged harasser in accordance with applicable law and as provided in Board Policy and Administrative Regulation 5144.

*cf 1312.3-Uniform Complaint Procedure*

### **Bullying Prevention**

The district is committed to providing 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. 6163.4 - Student Use of Technology)*  
*(cf. 6142.8 - Comprehensive Health Education)*  
*(cf. 6142.94-Alternative Programs/Curriculum)*

The district is committed to providing school staff with related professional development, including 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)*

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. 5131 - Conduct)*  
*(cf. 5136 - Gangs)*  
*(cf. 5145.3 - Nondiscrimination/Harassment)*  
*(cf. 5145.7 - Sexual Harassment)*  
*(cf. 5145.9 - Hate-Motivated Behavior)*  
*(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)*

To the extent possible, district and school wide strategies for effective bullying prevention and intervention shall focus on establishing clear rules for student conduct and strategies to establish a positive and collaborative school climate.

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

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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, cafeterias.

### **Intervening, Reporting and Investigation of Bullying**

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, an anonymous reporting link is on the district website as a means of affording individuals a way to report any incidences confidentially. (<http://pausd.org/parents/BullyingPrevention/index.shtml>)

School staff who witness or become aware of such acts of bullying as defined within this policy shall immediately intervene to stop the incident when it is safe to do so and report such incidents to the site administrator within 24 hours. (Education Code 234.1)

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

At each school or PAUSD location, the principal/designee is responsible for receiving oral or written complaints alleging violations of this policy, as well as any infractions of the Student Conduct policy.

All non-staff members of the school community, including students, parents/guardians, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy. Complaints 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 discrimination, intimidation, harassment, or bullying is expected.

*(cf 1312.3-Uniform Complaint Procedure)*  
*(cf 5144.1-Suspension and Expulsion/Due Process)*

If the report is about the principal the Superintendent/Designee or appropriate administrator shall be asked to address the report.

### **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.

When conducting hearings related to discipline, attendance and other student matters, the PAUSD shall afford students their due process rights in accordance with law.

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**Comment [6]:** This is now stated at the top of p.2; also, I believe this paragraph is not a correct statement.

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Retaliation against a student because the student has filed a report or assisted or participated in a discrimination, intimidation, harassment, or bullying investigation or proceeding is also prohibited. Students who knowingly file false discrimination, intimidation, harassment, or bullying complaints or give false statements in an investigation shall be subject to discipline 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.

(cf. 5144 - Discipline)  
(cf. 5144.1 - Suspension and Expulsion/Due Process)  
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

*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

*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

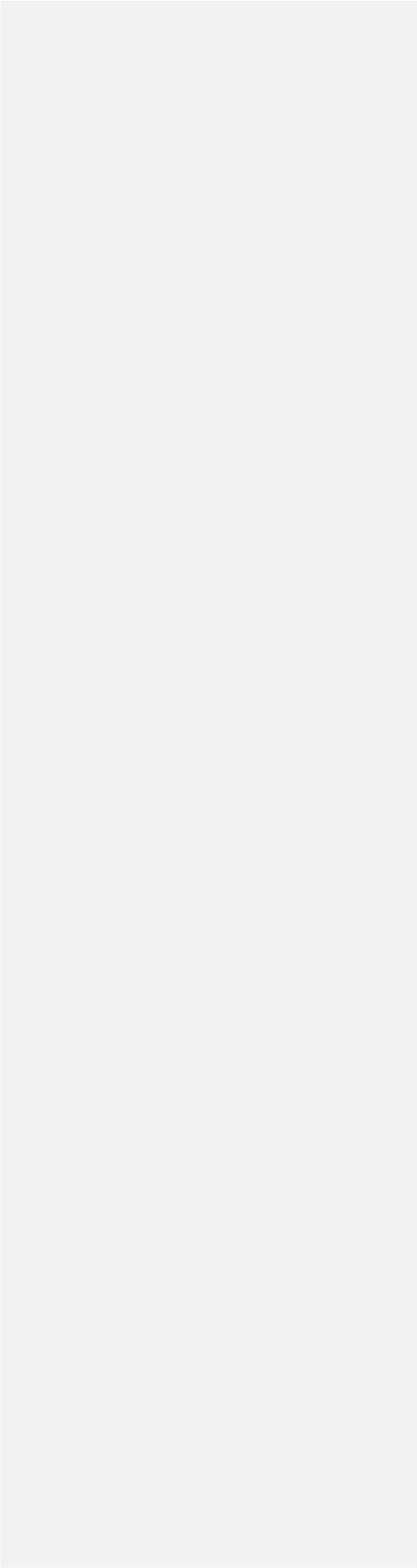
CSBA: <http://www.csba.org>  
California Cybersafety for Children: <http://www.cybersafety.ca.gov>  
California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lss>  
Center for Safe and Responsible Internet Use: <http://cyberbully.org>  
National School Boards Association: <http://www.nsba.org>  
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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# DRAFT

(Revised 3.4.14)

7



## Proposed Administrative Regulation

Students

AR 5131.2

### BULLYING PREVENTION

School behavior standards shall be coordinated fairly and consistently district-wide, with particular attention to applying district standards, guidelines and policies for all forms of intimidation, harassment, and bullying behavior, including discriminatory intimidation, harassment and bullying behavior, and related matters including suspension and expulsion.

The district will not tolerate intimidation, harassment, bullying in any form or any behavior that infringes on the safety or well-being of students, or any other persons within the district's jurisdiction whether directed at an individual or group. This includes but is not limited to discrimination, including discriminatory intimidation, harassment, and bullying based on actual or perceived characteristics of race or ethnicity, color, nationality, national origin, ethnic group identification, age, religion, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or any other characteristic identified in Education Code 200 or 220, Penal Code 422.55, or Government Code 11135, or based on association with a person or group with one or more of these actual or perceived characteristics.

When imposing disciplinary measures, the State of California defines "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 that constitutes sex harassment, hate violence or creates an intimidating or hostile educational environment, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following (Education Code 48900(r)):

1. Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
2. Causing a reasonable pupil to experience a substantially detrimental effect on her or her physical or mental health.
3. Causing a reasonable pupil to experience a substantial interference with his or her academic performance.
4. Causing a reasonable pupil to experience a substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

"Electronic act" means the creation of a transmission, originating on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager, of a communication, including but not limited to, any of the following:

1. A message, text, sound, or image.
2. A post on a social network internet web site including, but not limited to:
  - a. Posting to or creating a burn page. "Burn page" means an Internet web site created for the

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**Comment [7]:** Am suggesting this revision to avoid having to re-state the phrase twice.

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- purpose of having one or more of the effects listed above
- b. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed above. “Credible impersonation” means to knowingly and without consent impersonates a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
  - c. Creating a false profile for the purpose of having one or more of the effects listed above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

“Reasonable pupil” is defined as a pupil, including, but not limited to, an exceptional needs pupil, who exercises 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. (Education Code 48900(r))

The school district has jurisdiction to respond to bullying behavior that is related to school activity or school attendance and that occurs at any time, including, but not limited to, while on school grounds, at a school sponsored activity, while traveling to or from school, on a school bus, or during the lunch period whether on or off campus. (Education Code 48900(s))

#### Indicators of Discriminating, Intimidating, Harassing, and Bullying Behavior

- Behaviors **may** include, but are not 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, blocking egress, 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 that is related to school activity or attendance.

#### **Notifications**

1. Students, parents, employees, agents of the Board of Education, and the general public shall be informed annually, through student handbooks and/ or 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.

2. A copy of the district's bullying policy and regulation shall:
  - a. Appear in any school or district publication that sets forth the schools or district's comprehensive rules, regulations, procedures and standards of conduct.
  - b. Be included in the notifications that are sent to parents/guardians at the beginning of each school year.
  - c. Be posted in all schools and offices, including staff lounges and student government meeting rooms.
  - d. Be provided to employees and employee organizations.

## Reporting

1. At each school or PAUSD location, the principal/designee is responsible for receiving oral or written complaints alleging violations of this policy, as well as any infractions of the Student Conduct policy.

*(cf. 5131 - Student Conduct)*

2. Any student (or a parent or guardian on behalf of the reporter who is a minor) who believes he/she is a victim of bullying, has witnessed an act of bullying, or has knowledge of any incidents involving acts of bullying are strongly encouraged to report the incidents to a school official.

3. All complaints alleging unlawful discrimination, including discriminatory intimidation, harassment and bullying, should be reported to District Compliance Officer and are investigated and resolved at the district level in accordance with the district's Uniform Complaint Procedure, BP and AR 1312.2. If such reports or complaints of discrimination are reported to the site level, they will be forwarded to the district within two days and investigated and resolved by the District Compliance Officer within 60 calendar days of the district's receipt of the complaint. The District Compliance Officer can be contacted as follows:

[Associate Superintendent – Educational Services](#)  
[25 Churchill Avenue, Palo Alto, CA 94306](#)  
[\(650\) 329-3709](#)

3. School staff who witness or become aware of such acts of bullying as defined within this regulation shall immediately intervene to stop the incident when it is safe to do so and report such incidents to the site administrator within 24 hours.
4. Any non-staff member of the school community who may have credible information about an act of bullying that may have taken place may file a report of bullying either as a witness or a victim.

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5. When the circumstances involve cyber bullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages sent to them that they feel constitute cyber bullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. 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.
6. A student, school employee, school volunteer, contractor, parent/guardian, or other persons who report in good faith an act of bullying to the appropriate school official, and who makes this report in compliance with the procedures set forth in the policy, is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident. Submission of a good faith complaint or report of bullying will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments within the PAUSD.
7. The principal/designee shall document in writing, all disciplinary reports regarding bullying to ensure that incidents of bullying, or any other infractions, are appropriately addressed in a timely manner, whether the original complaint of bullying is made verbally or in writing.
8. Anonymous complaints of bullying may be made to the school principal or designee. An anonymous reporting link is on the district website as a means of affording individuals a way to report any incidences confidentially.  
<http://pausd.org/parents/BullyingPrevention/index.shtml>

### Investigation of Reports

Complaints of bullying shall be impartial and promptly investigated and resolved in accordance with the procedures specified below.

The principal/designee shall document all disciplinary complaints of bullying in writing to ensure that problems are addressed and documented. This process is to be followed with all anonymous complaints as well.

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.

*(cf. 1312.1 Complaints Concerning District Employees)*

The Superintendent/designee or appropriate administrator will make the determination if a reported act of bullying or harassment falls within the scope of PAUSD policies and regulations.

*(cf. 1312.3-Uniform Complaint Procedure)*

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**Comment [8]:** Just noting that if the general terms can be used here, it would seem fine to use it throughout instead of repeating discrimination, intimidation, etc.

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**Comment [9]:** Not necessary – already stated twice above.

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## Investigation Procedures

1. The principal/designee shall investigate all complaints of bullying, other than complaints of unlawful discrimination based on a protected status.
2. The investigator may not be the accused or the alleged victim.
3. The principal or designee shall begin a thorough investigation with the alleged victim and accused upon receiving a report of bullying.
4. During the investigation, the principal or designee shall take appropriate action necessary to protect the reporter, alleged victim, other students or employees consistent with the requirements of applicable regulations and statutes.
  - a. Interviews of the alleged victim, alleged perpetrator, and all relevant witnesses are conducted privately, separately, and are confidential. Each individual (victim, alleged perpetrator, and witnesses) will be interviewed separately and at no time will the alleged perpetrator and victim to be interviewed together.
  - b. At no time during the investigation will the investigator reveal the name of the complainant.
  - c. In general, student complainants and/or alleged victims will continue attendance at the same school and pursue their studies as directed while the investigation is conducted and the complaint is pending resolution. Any legal order of a court will prevail.
  - d. When necessary to carry out the investigation, or for other good reasons, and consistent with federal and state privacy laws, the principal/designee or appropriate administrator may discuss the complaint with any school district employee, the parent of the alleged victim, the parent of the complainant or accused, if one or both is a minor (or has given consent or is an adult who has been determined to be incompetent or unable to give informed consent due to disability), and/or child protective agencies responsible for investigating child abuse. The Principal or designee will inform all relevant parties of the resolution.
5. No retaliation of any kind is permitted in connection with individuals having made a bullying report and if it occurs, it shall be deemed an additional act of bullying as stated herein this Policy.
6. The school site administrator shall maintain all bullying complaints, including documentation of witness interviews and complaint resolutions.
7. A student may be transferred to another classroom or school placement based on the circumstances of the case.

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8. A student who has been determined by school personnel to have been the victim of an act of bullying shall be given priority and/or additional consideration for an intra-district transfer if the parent/guardian of that student requests such a transfer.

9. It is important to note that any form of bullying may, at times, be part of a continuum of violence and that some acts of bullying can and do constitute other categories of misconduct such as discrimination, including sexual or disability-based 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.

### External Investigation

If the act is outside the scope of the PAUSD, and determined a criminal act, referral to appropriate law enforcement shall be made immediately, the parent will be notified, and the referral documented by the principal/designee in the specified format.

While PAUSD does not assume any liability for incidences that must be referred for external investigation, it encourages the provision of assistance and intervention as the principal/designee deems appropriate. The principal/designee shall log all complaints and interventions.

### Enforcement

The Superintendent or designee shall take appropriate actions to reinforce the district's bullying policy. As needed, these actions may include any of the following:

1. Providing student instruction
2. Providing student counseling
3. Providing staff training
4. Notifying parents/guardians of actions taken
5. Taking appropriate disciplinary action

Regulation  
approved:

**PALO ALTO UNIFIED SCHOOL DISTRICT**  
Palo Alto, California

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