

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.

LYNWOOD UNIFIED SCHOOL DISTRICT ANTI-BULLYING PROCEDURES

The Lynwood Unified School District recognizes the harmful effects of bullying on student learning and school attendance. Our district's commitment is to provide safe environments by establishing a collaborative school climate that protects students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student. Every employee of the Lynwood Unified School District is committed to protecting students from bullying, harassment, or discrimination for any reason and of any type. All students and employees are entitled to a safe, equitable, and harassment-free school experience. Bullying, discrimination, or harassment, will not be tolerated and shall be just cause for disciplinary action.

The Lynwood Unified School District has adopted policies and administrative procedures that: (1) prohibit bullying; (2) prohibit retaliation against any person, witness, or another person who in good faith provides information regarding bullying; (3) establish a procedure for providing notice of an incident of bullying to a parent or guardian within a reasonable period; (4) establish the actions a student should take to obtain assistance and intervention in response to bullying; (5) set out available counseling options for a student who is a victim of, is a witness to, or engages in bullying; (6) establish reporting and investigation procedures; (7) prohibit school officials from disciplining a student who is the victim of bullying, for the student's use of reasonable self-defense in response to bullying; and (8) require that the discipline of a student with disabilities for bullying complies with federal law, including the Individuals with Disabilities Education Act (IDEA). To effectively address bullying and cyber-bullying, parents and students must be partners with district administrators. Only by working together will we be able to reduce the incidents of bullying in our school.

BULLYING PROHIBITED LUSD BOARD POLICY 5131.2

The District prohibits bullying as defined in the Lynwood Unified School District Board Policy 5131.2. The following excerpts from LUSD BP 5131 prohibit bullying:

“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.”

“To the extent possible, district and school strategies shall focus on 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.”

“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 regulation.”

WHAT IS BULLYING?

Bullying is exposing a person to abusive actions repeatedly over time. Bullying becomes a concern when hurtful or aggressive behavior toward an individual or group appears to be unprovoked, intentional, and (usually) repeated. Bullying occurs when a student or group of students engage in written or verbal expression, expression through electronic means, or physical conduct that occurs on school property, at a school-sponsored or school-related activity, or in a vehicle operated by the District and that: (1) has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; or (2) is sufficiently severe, persistent and pervasive enough that the action or threat creates an intimidating, threatening or abusive educational environment for a student.

Bullying is also one or more acts by a pupil or group of pupils directed against another pupil that constitutes sexual harassment, hate violence, or severe or pervasive intentional harassment, threats, or intimidation that is disruptive, causes disorder, and invades the rights of others by creating an intimidating or hostile educational environment, and includes acts that are committed personally or by means of an electronic act, as defined.

EXAMPLES OF BULLYING

Student conduct is considered bullying if it (1) exploits a real or perceived imbalance of power between the student perpetrator and the student victim through written or verbal expression or physical conduct; and (2) interferes with a student's education or substantially disrupts the operation of a school. Bullying is a form of violence which may manifest as physical (hitting, kicking, spitting, pushing), verbal (taunting, malicious teasing, name calling, threatening), or emotional (spreading rumors, manipulating social relationships, extorting, or intimidating). Bullying can occur face-to-face or through many channels of Social Media and the online world. Bullying of a student may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name-calling, rumor spreading, or ostracism.

WHAT IS CYBER-BULLYING?

Cyber-bullying involves an "electronic act" defined as transmission of a communication, including, but not limited to, a message, text, sound, or image by means of an electronic device, including but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager. 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 communications 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.

Cyber-bullying is evident when information and communication technologies are used to support deliberate, repeated, and hostile behavior by an individual or group, which is intended to harm others. For example, Cyber-bullying is when a child, preteen or teen is tormented, threatened, harassed, humiliated, embarrassed or otherwise targeted by another child, preteen or teen using the Internet (Social Media), interactive and digital technologies or mobile phones.

Cyber-bullying must have a minor on both sides, or at least have been instigated by a minor against another minor. Once adults become involved, it is plain and simple cyber-harassment or cyber-stalking. Adult cyber-harassment or cyber-stalking is never called cyber-bullying.

EFFECTIVE PRACTICES AND INTERVENTIONS FOR SCHOOLS

The Lynwood Unified School District promotes the following practices and interventions for all schools to address bullying on campus:

1. Implement bullying prevention and anti-bullying programs, strategies, and procedures.
2. Teach students to understand bullying and the consequences.
3. Reinforce a school culture of respect for all students and staff.
4. Take immediate action when bullying is observed.
5. Respond in a timely manner to all reports of bullying.
6. Provide protection for students who are bullied.
7. Establish support programs and resources for both the target and bully.
8. Develop policies and procedures that define bullying and provide appropriate responses to the problem.
9. Apply school rules, policies, and sanctions fairly and consistently.
10. Establish an effective system for reporting bullying, including adults who can be relied on to respond responsibly and sensitively.
11. Teach parents to understand bullying and the consequences.
12. Partner with law enforcement and mental health agencies to identify and address cases of serious bullying.
13. Promote the norm for a bully-free school throughout the entire school community.
14. Engage students to help promote the norm of a bully-free school.
15. California Education Code Section 48900(r) allows for the suspension or recommended expulsion of a student engaged in an act of bullying.

RETALIATION

The District prohibits retaliation by a student or District employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.

Examples of Retaliation:

Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

FALSE CLAIM

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action.

TIMELY REPORTING

A “report” of bullying means to verbally inform the principal or designee and documentation of the allegation in the Lynwood Unified School District Bullying Incident Report. Reports of bullying shall be made as soon as possible after the alleged act or as soon as there is knowledge of the alleged act. A failure to immediately report may impair the District’s ability to investigate and address the prohibited conduct.

WHO SHOULD REPORT BULLYING ALLEGATIONS?

Preventing, reporting, and responding to school bullying is the responsibility of every administrator, teacher, school staff member, student and parent.

REPORTING OF SUSPECTED BULLYING

Student Report:

To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, counselor, principal, or any other adult district employee.

Employee Report:

Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or designee. If the principal or designees are not available, employees may contact the Student Services Department at (310) 886-1618 for assistance.

REPORT FORMAT

A written report will be filled out using the Lynwood Unified School District Bullying Incident Report (see LUSD Incident Report Form). The principal or designee must submit the completed form to the Lynwood Unified School District Student Services Department and the appropriate district officials designated in the incident report. For assistance with completing the incident report, staff should contact the Student Services Department at (310) 886-1618.

INVESTIGATION OF REPORT

The principal or designee shall conduct an appropriate investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.

CONCLUDING THE INVESTIGATION

Absent extenuating circumstances, the investigation should be completed and documented in the Lynwood Unified School District Bullying Incident Report within **ten school days from the date of the initial report** alleging bullying; however, the principal or designee shall take additional time if necessary to complete a thorough investigation for incidents that are more complex.

The principal or designee shall document the details of the investigation in the Lynwood Unified School District Bullying Incident Report. The report shall include a determination of findings that indicates whether bullying occurred or not; or if another inappropriate behavior (e.g., harassment, hate-motivated incident; etc.) occurred. If self-defense was used by the victim, a determination should also be made if the victim used reasonable self-defense in response to the bullying. A copy of the report shall be sent to the Director of Student Services.

NOTIFICATION TO PARENTS

If an incident of bullying is confirmed, the principal or designee shall promptly notify the parent/guardian of the victim; and parent/guardian of the student who engaged in bullying the same day of confirming the allegation. If parent(s)/guardian(s) are not available when notification is made, the principal or designee must make additional attempts to notify the parents and document each attempt made to inform the parents.

NOTIFICATION TO COUNSELORS AND LAW ENFORCEMENT AS APPROPRIATE

The principal or designee may also involve school counselors, mental health counselors, and/or law enforcement when appropriate.

DISCIPLINARY ACTION AND CONSEQUENCES

Accused Person of Bullying Allegation:

If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the District's Discipline Board policy and may take corrective action or impose disciplinary consequences reasonably calculated to address the conduct when bullying occurs: (1) While on school grounds; (2) While going to or coming from school; (3) During the lunch period whether on or off the campus; or 4) During, or while going to or coming from, a school-sponsored activity.

The discipline of an accused student with a disability is subject to applicable state and federal law in addition to the District Discipline Board Policy.

Victim of Bullying Allegation:

A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action. School counseling or referral for higher level of counseling may be considered for cases in which the bullying incident severely impacts the physical, social, or emotional welfare of the victim.

CORRECTIVE ACTION

Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where bullying has occurred, and reaffirming the District's policy against bullying.

TRANSFERS

Students who are Victims of Bullying

On the request of a parent or other person with authority to act on behalf of a student who is a victim of bullying:

1. The principal or designee shall transfer the victim to another classroom at the campus to which the victim was assigned at the time the bullying occurred; or
2. The Student Services Director shall transfer the victim to another campus in the District other than the campus to which the victim was assigned at the time the bullying occurred.

Students Who Engage in Bullying

Based on the findings of the investigation and in the best interest of the victim:

1. The principal or designee may transfer the student who engaged in bullying to another classroom at the campus to which the victim was assigned at the time the bullying occurred; or
2. The Director of Student Services may transfer the student who engaged in bullying to

another campus in the District. The transfer to another campus shall be different than the campus to which the victim was assigned at the time the bullying occurred, in consultation with a parent or other person with authority to act on behalf of the student who engaged in bullying.

The transfer of a student with a disability who receives special education services and who engaged in bullying may be made only after a manifestation determination meeting is held and in conjunction with input from the Special Education Director. A student with a disability may only be transferred to a school that is able to provide the appropriate program for the student as indicated in the Individualized Education Program (IEP).

COUNSELING

The principal or designee shall notify the victim, the student who engaged in bullying, and any students who witnessed the bullying of available counseling options.

INAPPROPRIATE CONDUCT

If the investigation reveals inappropriate conduct that did not rise to the level of prohibited conduct or bullying, the District may take action in accordance with Education Code 48900, District Discipline Board Policy, or any other appropriate interventions, consequences or corrective action to address the specific behavior

CONFIDENTIALITY

Bullying allegations, reports, investigations, and findings are confidential is for school/district purposes only. The incident report and its contents are not to be shared or copied for any person who is not listed as a recipient of the report. To the greatest extent possible, the administration and District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.

APPEAL

A person having lawful control of the student who is dissatisfied with the outcome of the investigation may appeal through the LUSD Student Services Department.

RECORDS RETENTION AND ACCESS TO POLICY AND PROCEDURES

Retention of records shall be in accordance with California Educational Code. This policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's Web site, to the extent practicable, and shall be readily available at each campus and the District's administrative offices.

The Lynwood Unified School District Bullying Incident and Investigation Report Form can be obtained electronically from the Student Services Department. The following page is a copy of the LUSD Bullying Incident and Investigation Report Form.



**LYNWOOD UNIFIED SCHOOL DISTRICT
EDUCATIONAL SERVICES DIVISION
STUDENT SERVICES DEPARTMENT**

BULLYING INCIDENT AND INVESTIGATION REPORT

Confidential—For School/District Recording Purposes Only

Email a copy of the completed Incident and Investigation Report to the LUSD Student Services Department

School	Date of Incident	Time of Incident	Location of Incident
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Name and Title of Reporting Party →	Name	Title	Phone #
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LIST NAMES OF PARTIES INVOLVED (indicate if person is a student, teacher, parent, etc.)

BRIEF DESCRIPTION OF INCIDENT: (attach additional sheet if necessary)

LIST NAMES OF WITNESSES (indicate if person is a student, teacher, administrator, etc.)

CATEGORY OF INCIDENT/COMPLAINT (Check all that apply)			
Discrimination/Harassment	<input type="checkbox"/> Yes <input type="checkbox"/> No	Hate-Motivated Incident/Crime	<input type="checkbox"/> Yes <input type="checkbox"/> No
Bullying	<input type="checkbox"/> Yes <input type="checkbox"/> No	Inappropriate Behavior	<input type="checkbox"/> Yes <input type="checkbox"/> No

If yes is indicated above, the Investigation Record (#I-V) in this report **MUST** be used to document the investigation, findings, and actions taken to address the complaint and to monitor or assess the effectiveness of those actions.

REPORTED TO DISTRICT, LUSD SCHOOL SECURITY, OR LAW ENFORCEMENT (ONLY IF APPLICABLE)	NAME OF CONTACT/PERSON TAKING REPORT
Student Services Director (310) 886-1618	
Assistant Superintendent, Ed. Services (310) 886-1695	

Sheriff's Department (323) 568-4800 (Must contact if crime is committed)	Officer Name and Badge #: Report#		
Secondary Director (310) 886-1638			
Elementary Director (310) 886-1512			
LUSD School Security Department (310) 886-1445 (24hr. Dispatch) (310) 886-1440	Officer:		
I. RECORD OF INVESTIGATION:			
Interviewed alleged target of incident/crime	Date	Interviewed accused person	Date
Interviewed witnesses (if any)	Date		
Received assistance from administrator, other district offices, or other sources, as needed:			
Person/Office			Date
Person/Office			Date
Person/Office			Date

BULLYING INCIDENT AND INVESTIGATION REPORT

II. FINDINGS/DETERMINATION (CHECK ALL THAT APPLY)											
<input type="checkbox"/>	Nature of incident/complaint (check all that apply):	<input type="checkbox"/> Race	<input type="checkbox"/> Ethnicity	<input type="checkbox"/> Gender	<input type="checkbox"/> National Origin	<input type="checkbox"/> Religion	<input type="checkbox"/> Group Affiliation	<input type="checkbox"/> Disability	<input type="checkbox"/> Sexual Orientation	<input type="checkbox"/> Gender Identity	<input type="checkbox"/> Other
<input type="checkbox"/>	Findings indicate that bullying OR harassment occurred										
<input type="checkbox"/>	Findings indicate that a hate-motivated incident/crime occurred										
<input type="checkbox"/>	Findings indicate inappropriate behavior occurred but not bullying, harassment, or hate motivated incident										
<input type="checkbox"/>	There are no findings of bullying, harassment, hate motivated incident, or inappropriate behavior										
III. ACTIONS TAKEN (Check all that apply)											
	Involving Accused Person(s)	Date		Involving Alleged Target(s)	Date						
<input type="checkbox"/>	Review/discuss District Nondiscrimination & Harassment Policy		<input type="checkbox"/>	Review/discuss District Nondiscrimination & Harassment policy/procedures							
<input type="checkbox"/>	Review/discuss District policy "Hate-Motivated Incidents and Crimes"		<input type="checkbox"/>	Review/discuss District policy "Hate-Motivated Incidents and Crimes"							
<input type="checkbox"/>	Review/discuss District policy and procedures on "Bullying"		<input type="checkbox"/>	Review/discuss District policy and procedures on "Bullying"							
<input type="checkbox"/>	Disciplinary Conference		<input type="checkbox"/>	Administrative Conference (or meeting with counselor)							
<input type="checkbox"/>	Parent Informed of Incident <input type="checkbox"/> Conference <input type="checkbox"/> Letter <input type="checkbox"/> Telephone		<input type="checkbox"/>	Parent Informed of Incident <input type="checkbox"/> Conference <input type="checkbox"/> Letter <input type="checkbox"/> Telephone							
<input type="checkbox"/>	Behavior Contract		<input type="checkbox"/>	** Caution: In incidents involving sexual orientation or gender identity, consult with the student to determine an appropriate way to inform the student's parent(s) or guardian(s) of the incident or harassing conduct. Student sexual orientation and/or gender identity cannot be divulged without permission of the student.							
<input type="checkbox"/>	Detention Assigned or Community Service		<input type="checkbox"/>								
<input type="checkbox"/>	Class Schedule Change		<input type="checkbox"/>								
<input type="checkbox"/>	Referral for Counseling (Health Collaborative)		<input type="checkbox"/>								
<input type="checkbox"/>	Suspension		<input type="checkbox"/>		Referral for Counseling (Health Collaborative)						
<input type="checkbox"/>	Accused Person's Parents Notified of Resolution of Incident		<input type="checkbox"/>	Target 's Parents Notified of Resolution of Incident							
<input type="checkbox"/>	Opportunity Transfer		<input type="checkbox"/>	Monitor to Check that Unwanted Behavior Has Stopped							
<input type="checkbox"/>	Expulsion (Referral & Placement Process)		<input type="checkbox"/>	<input type="checkbox"/> After One Week <input type="checkbox"/> After Two Weeks							
IV. DESCRIBE OTHER ACTIONS OR FURTHER INTERVENTIONS WITH THE ACCUSED PERSON(S) TO PREVENT RECURRENCE OF THE INCIDENT/BEHAVIOR AND FOLLOW-UP WITH THE ALLEGED TARGET(S):											

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V. PARENT NOTIFICATION AND FINDINGS OF ACTIONS TAKEN

<input type="checkbox"/>	Targeted Person	Date			<input type="checkbox"/>	Parents	Date
<input type="checkbox"/>	Accused Person	Date			<input type="checkbox"/>	Parents	Date

Signature of Person Completing Report	Date Report Signed
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