

Berryessa Union Elementary School District

Legal Notice for Pupils and Parents/Guardians

Bullying and Harassment

The Berryessa Union Elementary School District prohibits discrimination, harassment, intimidation and bullying based on the actual or perceived characteristics of a person's disability, gender, gender identity, gender expression, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics. This policy applies to all acts related to school activity or school attendance occurring within a district school.

Bullying is defined 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 directed toward one or more pupils that has or can be reasonable predicted to have the effect of causing a reasonable pupil to experience a substantially detrimental effect on the pupil's physical or mental health, academic performance, or ability to participate in school activities.

Board Policy 5131.2

REPORT IT

Students, parents, guardians or any person who has been a victim of, or witnessed bullying on school grounds, during school activities, or going to and coming from school is highly encouraged to report the incident immediately to a counselor, administrator, or other adult personnel on campus. Individuals have an option of reporting the incident through the *Bullying/Harassment Complaint Form* located in the school office or online on the District's webpage. Forms can be turned in and or mailed to the school or Student Services Department at the District Office. The district address is 1376 Piedmont Rd., San Jose, CA 95132.

INVESTIGATION

The principal or designee shall promptly investigate all complaints of bullying or sexual harassment. The student who filed the complaint shall have the opportunity to describe the incident, present witnesses and other evidence of the bullying or harassment, and put his/her complaint in writing. Within 10 school days of the reported incident, the principal or designee shall present a written response to the student who filed the complaint. The report shall include his/her findings, decision and reason for the decision. If the student is in disagreement with the outcome of the response/investigation, an appeal can be filed at the Student Services Department located at 1376 Piedmont Rd., San Jose, CA 95132.

TRANSFER REQUEST

A child that has been reported as the victim of a violent offense or bullying as defined by state law is entitled to transfer to another school within or outside the District, under California Education Code 46600§ (b). Placement at a requested school is contingent upon space availability. Transfer requests can be obtained at the Student Services Department located at 1376 Piedmont Rd., San Jose, CA 95132.