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## Student Services

Laura Meusel, *Executive Director*

### PALM SPRINGS UNIFIED SCHOOL DISTRICT BULLYING and HARASSMENT POLICY

The Palm Springs Unified School District prohibits discrimination, harassment, intimidation, and bullying based on the actual or perceived characteristics set forth in Section 422.55 of the Penal Code and EC 220 and of a person's 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. This policy applies to all acts related to school activity or school attendance occurring within a district school. EC 234 & 234.1 and BP 5131.2

The Palm Springs Unified School District Board of Education is committed to providing all students with a safe and healthy school environment. To that end, the District, its schools, and the community have an obligation to promote mutual respect, tolerance and acceptance, and not tolerate behavior that infringes on the safety of any student, including bullying. Students and staff shall immediately report any suspected or observed bullying to site administration for investigation and appropriate action. For this reason, we are taking an active role in the movement against bullying in our schools and community such as: Educate parents, children and students, teachers, administrators, lawmakers, law enforcement groups, mental health groups, volunteers, and community members about the tragic consequences of bullying in public as well as some private schools. Bullying takes place in all age groups and at all levels of educations.

Bullying is defined as the harassment of students, intimidation, a hazing or initiation activity, ridicule, extortion, or any other verbal, written, electronic communication, or physical conduct, repeated over time, that causes or threatens to cause bodily harm or emotional suffering, creates a hostile learning environment, or disrupts the normal operation of a school, classroom, or school related activity. Bullying includes cyber bullying, which involves the use of electronic communications to post harassing messages, threats, social cruelty, or other harmful texts, sounds, or images on the Internet, social networking sites, or other digital technologies. Students who engage in bullying (including cyber bullying) on campus, traveling to or from school, at school activities, or in a manner otherwise related to school attendance, shall be subject to school district disciplinary procedures.

A student shall be subject to school district disciplinary action for off-campus expressions (including via electronic means), when such expressions are obscene, libelous, or slanderous, or when such expression poses a threat to the safety of other students, staff or school property, or disrupts the educational program. Education Codes 32261(f)(g), 48900, 48900.2, 48900.3, 48900.4, 48910, 48911, 48915, 48915.5, 48918, 48918.5

PALM SPRINGS UNIFIED SCHOOL DISTRICT  
BULLYING and HARASSMENT POLICY  
PARENT AND STUDENT NOTIFICATION

WHAT IS BULLYING/HARASSMENT?

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 or more acts committed by a pupil or group of pupils directed toward one or more pupils that has or can be reasonably 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.

REPORT IT

Any person that has been a victim of, or witnessed bullying or harassment 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 using the Bullying/Harassment Reporting form located at the school. Students have an option of reporting the incident anonymously using the Bullying/Harassment Anonymous Complaint form located online on the district's webpage. Retaliation and/or witness intimidation will not be tolerated.

INVESTIGATION

The principal or designee shall promptly investigate all complaints of bullying or sexual harassment. The student who filed the complaint shall have an 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 report to the student who filed the complaint and the accused individual. The report shall include his/her findings, decision, and reason for the decision.

TRANSFER REQUEST

A child that has been found to be 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 via Student Services Department.

## Bullying Prevention

Every student is entitled to a safe school environment free from discrimination, harassment, intimidations, and bullying. The Palm Springs Unified School District's Policy on Bullying can be accessed on the PSUSD website. Copies are available at each school site.

1. PSUSD 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.
4. You may make an anonymous complaint by contacting the principal. If there is sufficient corroborating information, the Palm Springs Unified School District will commence an investigation.
5. Complaints of bullying or discrimination will be considered confidential. However, it may be necessary to disclose certain information in order to effectively investigate.
6. Students who violate the Palm Springs School District's policies on bullying or discrimination may be subject to discipline, including suspension and expulsion.
7. The Palm Springs Unified School District prohibits retaliation against individuals who make complaints of bullying or provide information related to such complaints.

All school personnel who witness an act of discrimination, harassment, intimidation, or bullying must take immediate steps to intervene when safe to do so. Any student who engages in acts of discrimination, harassment, violence, intimidation, or bullying related to school activity or school attendance occurring within a school of the school district may be subject to disciplinary action up to and including expulsion.

To report an incidence and/or to receive a copy of the district's anti-discrimination, anti-harassment, anti-intimidation, and anti-bullying policies, please contact **Student Services at (760) 883-2703**.

**Resources:**

StopBullying.gov

<https://www.stopbullying.gov/>

Are You Being Bullied? How to Deal With Bullies

<https://www.stompoutbullying.org/get-help/about-bullying-and-cyberbullying/are-you-being-bullied>

Boo2Bullying - Outreach, Mentoring, Inspiration & Support

<https://boo2bullying.org/>

Delete Cyberbullying

<http://endcyberbullying.net/what-to-do-if-youre-a-victim/>

National Safe Place

<https://www.nationalsafeplace.org/bullying>

GLSEN.org

<https://www.glsen.org/research/strategies-prevent-bullying-lgbt-youth>

LGBT Youth - Stopbullying.gov

<https://www.stopbullying.gov/at-risk/groups/lgbt/index.html>

Bullying and Cyberbullying Resources

<https://www.safekids.com/bullying-cyberbullying-resources/>

SafeHouse What's Up App - 24/7 Youth Crisis Line

Download the app or text our toll-free number 844.204.0880 to text with a trained counselor

<https://safehouseofthedesert.com/whatsup-app/>

CA Youth Crisis Line

<https://calyouth.org/cycl/>

Sprigeo - Report Bullying

<https://app.sprigeo.com/>

The BULLY Project

[http://www.thebullyproject.com/tools\\_students](http://www.thebullyproject.com/tools_students)

**PALM SPRINGS UNIFIED SCHOOL DISTRICT**  
**BULLYING and HARASSMENT ADMINISTRATOR GUIDANCE**

The Board of Trustees prohibits bullying at any location or activity under the jurisdiction of the school system. Any student who engages in bullying may be subject to disciplinary action up to and including expulsion, in accordance with applicable Board Policy and Education Code sections. In addition to disciplinary action, any student who engages in cyberbullying using the district network, or district-owned equipment on or off school premises, may have their user privileges revoked.

Students and/or staff shall immediately, or when it is safe to do so, report incidents of bullying to the principal or designee. Each complaint of bullying shall be investigated. If the complainant or the parent of the student feels that appropriate resolution of the investigation or complaint has not been reached, the student or the parent of the student should contact the Principal.

Retaliatory behavior against any complainant or any participant in the complaint process is prohibited. Teachers should discuss the policy with their students in age-appropriate ways.

1) Bullying Defined

Bullying includes verbal, written, physical conduct, or electronic communication, repeated over time, that causes or threatens to cause bodily harm, emotional suffering, creates a hostile learning environment, or disrupts the normal operation of a school, classroom, or school related activity. These incidents will be acted upon when they are related to school activity, including but not limited to while students are on school grounds at any time, in route to and from school or a school-sponsored activity, during the lunch period whether on or off campus, or through social or electronic communications that impacts a school activity or school attendance. Bullying may include, but is not limited to making unsolicited written, verbal, physical and/or visual contact, including but not limited to:

1. Direct physical contact such as hitting or shoving.
2. Verbal assaults such as teasing or name-calling, intimidating/threatening comments, slurs, innuendos, teasing, jokes, epithets, racial slurs, or spreading rumors.
3. Intimidating/threatening letters, notes, messages or electronic communications
4. Leering or gestures
5. Socially isolating or manipulating a student
6. Harassment of students or staff
7. Intimidation, hazing or initiation activity
8. Ridicule
9. Extortion
10. Making reprisals, threats of reprisals, or implied threats of reprisal

11. Engaging in implicit or explicit coercive behavior to control, influence or affect the health and well-being of a student
12. Breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation or friendships.

## 2) Bullying Prevention

- i) 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. The district may provide students with instruction in the classroom, or other educational settings, that promote 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.
- ii) School staff may receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies. 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, etc.

## 3) Retaliation Prohibited

- i) The initiation of a report of bullying should not reflect on the reporting student or witnesses in any way. It should not affect the student's future relationship with the school system, grades, class section or other matters pertaining to his/her status as a student in any program.

## Investigation Procedures

### 1. Reporting Allegations of Bullying

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously. If direct communication with the person whose conduct is offensive has been ineffective or would be impracticable, the aggrieved student should communicate his/her concern to a teacher, counselor, principal or assistant principal. All complaints of bullying shall be forwarded to a site administrator. As appropriate, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators. He/she also may involve school counselors, mental health counselors, and/or law enforcement.

### 2. Responsibilities of Employees

When it is safe to do so, employees who receive reports of bullying or observe an act of bullying should immediately stop the behavior and inform the principal or designee at the school the student attends. It is the responsibility of the employee, regardless of whether a student has complained, asked the school to take action, or identified the harassment as bullying to report the incident.

### 3. Administrative Review and Procedure

a. Investigation All matters regarding bullying should be thoroughly investigated within ten days of the initial report. The student accused of bullying should be informed of the investigation and given the opportunity to present his/her version of the situation and to identify witnesses on his/her behalf. Parents of both the accused and the student filing the complaint should be contacted as appropriate.

b. Establishing School Jurisdiction School jurisdiction shall be established for an allegation of bullying when it is determined to be related to school activity and one of the following conditions is met:

-The incidents occurred at school

-The incidents occurred at a school activity

-The incidents occurred while en route to or from school or a school activity.

-The incidents occurred via electronic communications and resulted in: (a) A disruption of the school's educational program (b) The creation of a hostile learning environment for one or more students. (c) A negative impact on one or more students' attendance

-The incidents occurred off campus, and the Superintendent or designee document the activity and identify specific facts or circumstances that explain the impact or potential impact on school activity, school climate, school attendance, or the targeted student's educational performance.

When the circumstances involve cyberbullying, 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 cyberbullying 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.

#### Confidentiality

Reasonable efforts will be made to keep a report of bullying and the results of the investigation confidential. Witnesses should be informed of the confidential nature of the investigation and should be asked to refrain from disclosing the nature of the investigation to others.

#### Corrective Action/Discipline

Upon completion of the investigation, the principal or designee should determine the appropriate action, if any, to take. Corrective action may include, but not be limited to, counseling, warning, or initiating disciplinary procedures up to and including suspension, involuntary transfer or expulsion against the offending student. Corrective action should be designed to prevent reoccurrence of the bullying. All corrective actions shall be recorded in the Student Information System.

### 4. Follow-up

The site administrator will ensure that students and their families know how to report subsequent problems, and conduct follow-up inquiries to determine if there have been any instances of retaliation and respond promptly to address continuing or new problems. A bullying resolution may be appealed consistent with Board policy, administrative regulation and law.

## Mandated Notification

At the beginning of the school year, each family should receive a summary of the policy prohibiting bullying. This policy and administrative regulation shall be annually reviewed with each staff member.

### **California Education Code 48900(r)**

(r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:

(1) "Bullying" means 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, 48900.3, or 48900.4, 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.

(2)(A) "Electronic act" means the creation or transmission 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, of a communication, including, but not limited to, any of the following:

(i) A message, text, sound, video, or image

(ii) A post on a social network Internet Web site, including, but not limited to: (I) Posting to or creating a burn page. "Burn page" means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1).

(II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonable believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

(iii) An act of cyber sexual bullying. (I) For the purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonable predicted to have one or more of the effects described in subparagraphs (A) to (D), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction



of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

(II) For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

(B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

(3) "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.



**Palm Springs Unified School District**  
*Bullying Incident Reporting Form*

<b>Name of Student Targeted:</b>		<b>Grade:</b>	<b>School:</b>
<b>Name of Person who was bullying/harassing:</b>		<b>Grade:</b>	<b>School:</b>
<b>Were there any witnesses? Please list their names:</b>			
<b>Where did the incident occur? (choose all that apply)</b>			
<input type="checkbox"/> On school property <input type="checkbox"/> On the way to/from school <input type="checkbox"/> Other: _____			
<b>Type of bullying: (choose all that apply)</b>			
<input type="checkbox"/> Teasing	<input type="checkbox"/> Threat	<input type="checkbox"/> Stalking	<input type="checkbox"/> Theft
<input type="checkbox"/> Social Exclusion	<input type="checkbox"/> Intimidation	<input type="checkbox"/> Physical Violence	<input type="checkbox"/> Other:
<input type="checkbox"/> Retaliation	<input type="checkbox"/> Sexual Harassment	<input type="checkbox"/> Public Humiliation	
<b>Describe what happened and when it took place? (Include dates and times.)</b> (Attach separate sheet if necessary.)			
<b>Did physical injury occur?</b>			
<input type="checkbox"/> No <input type="checkbox"/> Yes, but did not require medical attention. <input type="checkbox"/> Yes and it required medical attention.			
<b>Provide additional information if necessary: Attach a separate sheet if necessary.</b>			
<b>Name of Person Reporting Incident: (optional) Anonymous reports are always accepted.</b>			
<input type="checkbox"/> Parent <input type="checkbox"/> Student <input type="checkbox"/> Other _____			

Note: Completion of this form will initiate an investigation of the alleged incident of bullying or harassment outlined in this form. All information will be confidential except for that which must be shared as a part of the investigation.

**School Use Only: Date Received by Administration:** \_\_\_\_\_





## NOTICE of STUDENT POLICY PROHIBITING SEXUAL HARASSMENT

BP/AR 5145.7 - Sexual Harassment; BP/AR 1312.3 - Uniform Complaint Procedures

Examples of types of conduct which are prohibited and which may constitute sexual harassment include:

1. Unwelcome leering, sexual flirtations, or propositions
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions
3. Graphic verbal comments about an individual's body or overly personal conversation
4. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class
7. Massaging, grabbing, fondling, stroking, or brushing the body
8. Touching an individual's body or clothes in a sexual way
9. Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex
10. Displaying sexually suggestive objects
11. Sexual violence, including sexual assault, sexual battery, or sexual coercion
12. Electronic communications, such as through social media or text messaging, that contain comments, words, or images described above

**To Report a Complaint of Sexual Harassment or Obtain Additional Information Related to this Posting,  
You May Contact the Below or Any School Site Administrator:**

**Dr. Simone Kovats, Assistant Superintendent of Educational Services  
(760)883-2703**

### **Any Student Reporting Incidents of Sexual Harassment (Complainant and/or Victim):**

- Has the right to file a formal written complaint with the District.
- Will be provided support services by the District/school site upon receipt of their complaint, which may include counseling, academic support services, and/or a "no contact" order.
- May agree to engage in procedures to informally resolve their complaint, as appropriate under AR 1312.3.
- Will be given the opportunity to explain and provide evidence related to their complaint.
- Will receive notice of the outcome of their complaint, as described in AR 1312.3.
- Will receive information about how to appeal the outcome of their complaint to the California Department of Education, should they disagree with it, as described in AR 1312.3.
- May file their complaint directly with the US Department of Education, Office for Civil Rights.

### **The Individual Named in the Complaint (Respondent/Alleged Offender):**

- Will be informed of the claims brought forth against them.
- Will be provided support services by the District/school site, while any complaint is pending against them, which may include counseling, academic support services, and/or a "no contact" order.
- May agree to engage in procedures to informally resolve the complaint brought forth against them, as appropriate under AR 1312.3.
- Will be given the opportunity to respond to and provide evidence related to the complaint.
- Will receive notice of the outcome of the complaint brought forth against them, as described in AR 1312.3.

### **The District/School Site:**

- Will report complaints of sexual harassment to the District's Title IX Coordinator or designee for processing. The designee will initiate an investigation into the complaint. At the conclusion of the investigation, the designee will issue notice of the outcome to the Complainant/Victim and Respondent/Alleged Offender, in accordance with AR 1312.3.
- Will assist in providing support services for the Complainant/Victim and Respondent/Alleged Offender while any complaint is pending.
- Will keep all complaints and allegations of sexual harassment confidential, except as necessary to carry out the investigation or take other subsequent necessary action.

