



# Kings County Board of Education

Area 1  
Mickey Thayer

Area 2  
Mary Gonzales-Gomez

Area 3  
Tawny Robinson

Area 4  
Adam T. Medeiros

Area 5  
Alicia Ramirez

## Kings County Board of Education

### Regular Meeting

Wednesday, April 14, 2021

4:00 p.m.

Kings County Office of Education, 1144 W. Lacey Blvd., Hanford, CA 93230

*On March 12, 2020, as part of a larger effort to address the outbreak of COVID-19, Governor Gavin Newsom issued an executive order allowing state and local legislative bodies to hold meetings via conference calls. Board members may attend regular, special, or emergency meetings by telephone (or video conference), and the Governor's executive order waives requirements which normally apply to teleconference attendance. Some or all board members may attend this meeting by phone.*

**Please join the meeting from your computer, tablet, or smartphone by clicking on the link below:**

<https://www.google.com/url?q=https://kingscoe.zoom.us/j/87879635140?pwd%3DcTRXeEs5M3ZxU3hNVkdPMld0SXdwUT09&sa=D&source=calendar&usg=AOvVaw0a9w3XTdG-8mO1TgR5621K>

1. Call to Order ~ *President Gonzales-Gomez*
2. Pledge of Allegiance ~ *President Gonzales-Gomez*

### COMMENTS FROM THE PUBLIC

Public comment on any item of interest to the public that is within the Board's jurisdiction will be heard. The Board may limit comment to no more than 3 minutes and the total time for public input on an agenda item shall not exceed 20 minutes.

### DISCUSSION:

1. Recognition of 2021 Academic Decathlon Winning Team-Speech by Clayton Lahodny ~ *Joy Santos*

### ACTION:

3. Approve Minutes of Budget Study Session ~ *President Gonzales-Gomez* (Pg. 1)
4. Approve Minutes of March 10, 2021, Regular Meeting ~ *President Gonzales-Gomez* (Pgs. 2-5)
5. Conduct Interdistrict Attendance Appeal Hearing ~ *President Gonzales-Gomez*

### DISCUSSION:

2. Review Board Policy 1100 Communication with Public (*1<sup>st</sup> reading*) ~ *Lisa Horne* (Pgs. 6-8)
3. Review Board Policy with Administrative Regulation 5131.2 Bullying (*1<sup>st</sup> reading*) ~ *Joy Santos* (Pgs. 9-26)
4. Superintendent's Report ~ *Todd Barlow*

### COMMENTS FROM THE BOARD

***Disclaimer: Public health officials recommend against large gatherings and that anyone attending today's meeting does so at their own risk. We may limit the number of attendees, and we will ensure social distancing is practiced. Effective December 5, 2020, and per CDPH guidelines masks are required to be worn.***

### Coming Events

Next Board Meeting: Regular Board Meeting ~ May 12, 2021 ~ 4:00 p.m.

**Minutes of  
Kings County Board of Education  
Budget Study Session  
March 10, 2021**

**CALL TO ORDER:**

Vice President Medeiros called the meeting of a Budget Study Session to order at 3:00 p.m. Mrs. Robinson led the group in the Pledge of Allegiance.

**MEMBERS PRESENT:**

Board members in attendance were: Ms. Alicia Ramirez, Mrs. Mickey Thayer, and Mrs. Tawny Robinson. President Mrs. Gonzales-Gomez was absent from today's meeting. Mr. Barlow served as ex officio secretary and a quorum was established.

**OTHER PARTICIPANTS:**

Others in attendance were Mr. Ivo Denham, Mrs. Jamie Dial, and Mrs. Lisa Horne. Mrs. Cathy Marroquin served as the recording secretary.

**COMMENTS FROM THE PUBLIC:**

None.

**KINGS COUNTY OFFICE OF  
EDUCATION BUDGET STUDY SESSION  
2021-2022:**

Mrs. Dial reported the 2021-22 Budget for the Kings County Office of Education was prepared with the latest financial data available from federal, state, and internal resources. Review and discussion of the budget will be shared with special education teams, district CBO's, as well as other interested parties. Special thanks was extended to Mr. Denham and his staff for their tireless efforts and contributions to this report. Fiscal legislation mandates the county board receive opportunities to review its budget at four intervals throughout the fiscal year; initial budget adoption, first and second interim reporting periods, and the final review following closure of the fiscal year. For the 2021-2022 fiscal year, the budget proposes a General Fund Ending balance of \$13,542,945 with an Unrestricted General Fund Balance of \$11,146,350. Across the State is a concern that declining enrollment is expected to increase dramatically, which will result in revenue reductions. A bit of good news is that the Governor's budget proposes to reduce Cash Deferrals from \$12.9 B to \$3.7 B for 2021-22. Revenue from Federal and State COVID Relief provided \$1.478 M for one-time costs associated with COVID safety measures and learning loss mitigation. Negotiations with the teacher's union have been settled for 2020-21, while the classified union remains open. Unrepresented staff received a salary increase for 2020-21. As previously noted, ADA is the driving force of overall funding in both Special Education and the J.C. Montgomery programs and with anticipated low ADA in J.C. Montgomery it is predicted a reduction in staff is inevitable. Mr. Medeiros questioned the reduction of staff at J.C. Montgomery, which Mrs. Dial replied through staff attrition, retirement, multi-funding of positions, and transfer of positions, no employee was laid off. Mr. Barlow interjected he directed staff to be "creative" in retaining employment for employees assigned to J.C. Montgomery. A budget study session was also held with the JCM staff to allow transparency of the budget and to receive input regarding areas where budget reductions may occur and areas of reassignment in recognition of declining ADA.

Hearing no further questions, the Budget Study Session adjourned at 3:55 p.m.

**Minutes of  
Kings County Board of Education  
Regular Meeting  
March 10, 2021**

|   |  |
|---|--|
| <b>CALL TO ORDER:</b>   | Vice President Medeiros called the meeting of the Kings County Board of Education to order at 4:05 p.m. This meeting was held via Zoom with the option of attending in-person. Mr. Medeiros led in reciting the Pledge of Allegiance.  |
| <b>MEMBERS PRESENT:</b>   | Board members in attendance were: Ms. Alicia Ramirez, Mrs. Mickey Thayer, and Mrs. Tawny Robinson. Mrs. Mary Gonzales-Gomez was absent from today's meeting. Mr. Barlow served as ex-officio secretary and a quorum was established.   |
| <b>OTHER PARTICIPANTS:</b>  | Others participants include: Mrs. Jamie Dial, Mr. Ivo Denham, Mrs. Joy Santos, Mrs. Rebecca Jensen, Mrs. Michelle Shannon, Mrs. Dawn Sanger, Ms. Leana Cantrell, and Mrs. Lisa Horne. Mrs. Cathy Marroquin presided as the recording secretary. There were no Zoom participants.   |
| <b>COMMENTS FROM THE PUBLIC:</b>  | None.  |
| <b>APPROVE MINUTES OF<br/>FEBRUARY 10, 2021, REGULAR<br/>MEETING:</b>   | <p>On motion by Mrs. Thayer, seconded by Mrs. Robinson, the minutes of the February 10, 2021, regular meeting were approved as follows:</p> <p>AYES: 4, Ramirez, Robinson, Thayer, Medeiros<br/>NOES: 0<br/>ABSENT: 1, Gonzales-Gomez</p>  |
| <b>APPROVE RECOGNITION OF<br/>GENE BILLINGSLEY CLASSROOM<br/>AWARD:</b> | <p>Ms. Cantrell presented the recipients of the Gene Billingsley Classroom Award for 2019-2020 and the 2020-2021 school years. In memory of the former Kings County Superintendent of Schools, Gene Billingsley (1986-1998), an award program was established on behalf of educators serving in County Office programs. Congratulations to the 2019-2020 winner, Samantha Correa, a member of the After School Program at Lakeside School. The 2020-2021 recipient Samantha Barcellos is a Speech Language Pathologist. On motion by Ms. Ramirez, seconded by Mrs. Robinson, the motion was unanimously passed as follows:</p> <p>AYES: 4, Ramirez, Robinson, Thayer, Medeiros<br/>NOES: 0<br/>ABSENT: 1, Gonzales-Gomez</p> |



**APPROVE TEMPORARY COUNTY  
CERTIFICATES:**

Mrs. Shannon submitted the Temporary County Certificates for January/February/March 2021. On motion by Mrs. Thayer, seconded by Mrs. Robinson, the motion was carried as follows:

**Temporary County Certificates  
January/February/March**

**Kings Co. District's Consortium (Substitutes)**

Espinoza, Jorge – Emergency Career Substitute Permit  
Jones, Garrett- Emergency Career Substitute Permit  
Portugal, Ryan – Emergency Career Substitute Permit, Renewal  
Tuman, Reagan – Emergency Career Substitute Permit, Renewal

**Central Union SD**

Conover, Taylor – Emergency Teaching Permit for Statutory Leave: Multiple Subject

**Corcoran Unified SD**

Retano Cardenas, Jose – Emergency Teaching Permit for Statutory Leave: Multiple Subject; Special Education

**Hanford Joint Union High SD**

Rodriguez, Ernest – Emergency GELAP Renewal, Physical Education  
Marez, Bernardo – Preliminary Designated Subjects Credential: Special Subject, Reserve Officers Training Corps (ROTC)

**Lemoore Elementary SD**

Roberts, Kevin – Waiver Designated Special Subjects: Driver's Education

**Kings County Office of Education**

Almanzar, Genevieve – Preliminary Administrative Service Credential  
Juarez, Vicky – Preliminary Career and Technical Education (CTE), Health Science and Medical Technology  
Juarez, Vicky – Waiver Certificate of Completion of Staff Development, CTE-Health Science and Medical Technology

AYES: 4, Ramirez, Robinson, Thayer, Medeiros  
NOES: 0  
ABSENT: 1, Gonzales-Gomez

**APPROVE DECLARATION OF  
NEED FOR FULLY QUALIFIED  
EDUCATORS:**

Mrs. Shannon discussed the Declaration of Need for Fully Qualified Educators for the 2021-22 school year. It is anticipated two educators will be needed in the area of CLAD/English Learner. On motion by Mrs. Robinson, seconded by Mrs. Thayer, the motion was carried as follows:

AYES: 4, Ramirez, Robinson, Thayer, Medeiros  
NOES: 0  
ABSENT: 1

**APPROVE 2021-2022 SCHOOL  
CALENDARS:**

Mrs. Horne submitted School Calendars for the Kings County Office of Education, J.C. Montgomery School, and Shelly Baird School for the 2021-2022 school year. On motion by Ms. Ramirez, seconded by Mrs. Robinson, the motion was carried as follows:

AYES: 4, Ramirez, Robinson, Thayer, Medeiros  
NOES: 0  
ABSENT: 1, Gonzales-Gomez

**APPROVE 2020-2021 SECOND  
INTERIM REPORT:**

Mrs. Dial reported the 2<sup>nd</sup> Interim Report reflects the financial position of the Kings County Office of Education for the current year 2020-21. The proposed General Fund Ending Balance is \$11,836,741 with an Unrestricted Fund Balance of \$8,888,602. A reserve for economic uncertainties has been established at \$1,500,000. The current reserve of 9.39% is progressing toward the goal of 17%, which is the equivalent of two months of payroll and expenditures. On motion by Mrs. Thayer, seconded by Ms. Ramirez, the motion was carried as follows:

AYES: 4, Ramirez, Robinson, Thayer, Medeiros  
NOES: 0  
ABSENT: 1, Gonzales-Gomez

**APPROVE DISCLOSURE OF  
COLLECTIVE BARGAINING  
AGREEMENT FOR 2020-2021  
FISCAL YEAR:**

Mr. Denham stated the Collective Bargaining Agreement for 2020-2021 has been approved and accepted by the Kings Teachers Association. Legislation requires a public school employer have on file a Disclosure of Collective Bargaining Agreement signed by the Superintendent and the President of the Board. On motion by Mrs. Robinson, seconded by Mrs. Thayer the motion was carried as follows:

AYES: 4, Ramirez, Robinson, Thayer, Medeiros  
NOES: 0  
ABSENT: 1, Gonzales-Gomez

**APPROVE BOARD POLICY 0420.4  
CHARTER SCHOOL  
AUTHORIZATION:**

Mrs. Santos presented Board Policy 0420.4 *Charter School Authorization* for second reading with no further changes since the initial reading. On motion by Mrs. Thayer, seconded by Mrs. Robinson, the motion was carried as follows:

AYES: 4, Ramirez, Robinson, Thayer, Medeiros  
NOES: 0  
ABSENT: 1, Gonzales-Gomez

**CONSOLIDATED APPLICATION:**

Mrs. Santos reviewed the Consolidated Application is annually presented to the board for informational purposes. Acknowledgement of the report serves as assurance that legal reporting requirements have been met for participation in Title I and Title II programs. No action is required.

**REVIEW DISPOSAL OF FIXED  
ASSETS:**

Mr. Denham stated in accordance with BP 3270, the county superintendent has certified the listed items slated for disposal are valued at less than \$25,000. The review is for informational purposes and no action is required.

**SUPERINTENDENT'S REPORT:**

Mr. Barlow provided the Superintendent's Report:

- Recent legislation, AB/SB 86 was adopted granting schools statewide a total of \$2 B for in-person instruction and \$4.6 B for expanded learning opportunities. The legislation also directs for 10% of COVID vaccines be set aside specifically for educators;
- The traditional Legislative Action Week will be held virtually this year due to the COVID pandemic. Zoom meetings to speak with Assemblyman Salas, and Senator Hurtado are scheduled for the week of March 15.

**BOARD COMMENTS:**

Mrs. Thayer shared constituent concerns were discussed during a recent Stratford school meeting, which she attended. The community expressed frustration over the lack of communication(s) from the Central Union School District board members in relying COVID information and protocols for the students of Stratford School;

Ms. Ramirez reported the vaccination event for educators held at Sierra Pacific High School was successful. She also expressed the willingness of the Assemblyman's office to assist in whatever capacity is necessary to reopen schools.

**ADJOURN:**

There being no further comments, the meeting adjourned at 5:03 p.m.

Sincerely,



Todd Barlow, Ex officio Secretary

**Interdistrict Attendance Appeal Documents  
Mailed Under Separate Cover**

COVER SHEET  
FOR  
BOARD MEETING AGENDA ITEM  
April 14, 2021

TOPIC: BP 1100 Community Relations

ISSUE: This Board Policy was originally adopted by the Board in 1975. It was last revised in May of 2007.

BACKGROUND: Board Policies are periodically reviewed and revised, if needed, to conform to current code, statute, and practice. Language recommended for deletion has been lined out and language recommended for addition or update is indicated in bold italics.

RESOURCE: CA School Boards Association, GAMUT  
Lisa Horne, Assistant Superintendent Human Resources  
Kings County Office of Education  
1144 West Lacey Boulevard  
Hanford, CA 93230  
Phone: (559) 589-7094  
FAX: (559) 589-7000

RECOMMENDATION: The KCOE administration recommends this optional policy be updated to reflect the most up to date code, statutes, and our current practice. We respectfully submit this policy update as a first read for your consideration.



# Kings County Board of Education

## Board Policy

BP 1100

Community Relations

### COMMUNICATION WITH PUBLIC

The County Board of Education and the County Superintendent of Schools recognize their responsibility to keep the public well informed believes that maximum possible public information about educational regarding the goals, processes, quality and quantity of services and programs of education conducted by the Kings County Office of Education is essential for the development of excellence in the education of children. programs, achievements, and needs of schools. The Board of Education and the Superintendent of Schools intend to be responsive to the concerns and interests of the community. The Superintendent or designee shall use all available means of communication to keep the public aware of the goals, programs, achievements, and needs of our schools. establish strategies for effective two-way communications between the Board, the Superintendent, and the public, and shall consult with the Board regarding the role of Board members as advocates for the students, programs, and policies impacting schools and public education.

The Superintendent or designee shall provide the Board and staff with communications protocols and procedures to assist in presenting a consistent, unified message on issues related to the Board and/or the Superintendent.

The Superintendent or designee shall utilize a variety of methods to provide information to the public. Such methods may include, but are not limited to, newsletters, websites, social media, electronic communications, mailings, notices sent home with students, recorded telephone messages, community forums and public events, news releases, meetings with education reporters, presentations at parent organization meetings, and meetings with representatives of local governments, community organizations, and businesses. The county office shall seek to communicate in ways that accommodate the needs of all members of the public, including the visually or hearing impaired, those who do not understand English and those who do not read. Communication methods shall consider the needs of all members of the public, including individuals with disabilities and those whose primary language is not English.

The Superintendent or designee shall ensure that staff members effectively respond to requests for information or assistance from members of the public and shall provide multiple avenues and opportunities for members of the public to give input on issues and operations. Community members are encouraged to participate on committees, attend events, and to provide input at Board meetings, submit suggestions to staff, and to use the complaint procedures as appropriate.

The County Board of Education recognizes that state law prohibits mass mailings or distributions at public expense which aggrandize elected offices. The name, signature, or

~~photograph of elected officers may be included in mass mailings only as permitted by the Code of Regulations, Title 2, 18901.~~

~~— In order to promote open communication between Board members and the public, district newsletters and other mass mailings shall include a roster of all Board members' names in accordance with law.~~

Legal Reference:

#### EDUCATION CODE

[35172](#) Promotional activities

#### GOVERNMENT CODE

[82041.5](#) Mass mailing

[89001](#) Newsletter or mass mailing

#### CODE OF REGULATIONS, TITLE 2

[18901](#) Mass mailings sent at public expense

Adopted by Board: December 3, 1975

Reviewed by Board: November 2, 1988

Revised by Board: March 6, 1991

Reviewed by Board: August 4, 1993

Revised by Board: November 1, 1995

Reviewed by Board: July 1, 1998

Reviewed by Board: November 5, 2003

Revised by Board: May 2, 2007

~~Reviewed by Board: April 14, 2021~~

~~Revised by Board: \_\_\_\_\_~~

## BOARD DISCUSSION ITEM

DATE: April 14, 2021

TOPIC: Board Policy/Administration Regulation 5131.2:  
BULLYING

ISSUE: Revision of BP/AR 5131.2 and First Read

BACKGROUND: Education Code 234.4 mandates districts to adopt procedures for preventing acts of bullying, including cyberbullying. The following policy and accompanying administrative regulation contain procedures that fulfill this mandate and have been revised to reflect district practice. This Policy was last updated in 2013.

RESOURCE: Joy Santos  
Interim Assistant Superintendent, Ed Services  
[joy.santos@kingscoe.org](mailto:joy.santos@kingscoe.org)  
559-589-7068

RECOMMENDATION: This policy and administrative regulation was recently reviewed and revised in accordance to CSBA BP 5131.2 Students.

# **Kings County Board of Education and County Superintendent of Schools Board/Superintendent Policy**

**BP/SP 5131.2  
Students**

## **BULLYING**

The Kings County Office 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 County Office employees shall establish student safety as a high priority and shall not tolerate bullying of any student. **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.**

**(cf. 5131 - Conduct)**

**(cf. 5136 - Gangs)**

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

**(cf. 5145.7 - Sexual Harassment)**

**(cf. 5145.9 - Hate-Motivated Behavior)**

~~The County Office prohibits discrimination, harassment, intimidation, and bullying based on the actual or perceived characteristics described in section 422.55 of the Penal Code and Section 220, and mental or physical disability, gender, gender identity, gender expression, national origin, race or ethnic group identification, religion, age, ancestry, color, sex or sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics. This applies to all acts related to school activity or school attendance occurring within a school under the jurisdiction of the Superintendent of the County Office.~~

**The Superintendent or designee shall develop strategies for addressing bullying in district schools with the involvement of students, parents/guardians, and staff. As appropriate, the 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.**

**(cf. 1220 - Citizen Advisory Committees)**

**(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)**

**(cf. 6020 - Parent Involvement)**



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

**(cf. 1312.3 - Uniform Complaint Procedures)**

**If the Superintendent or designee believes it is in the best interest of a student who has been the victim of an act of bullying, as defined in Education Code 48900, the Superintendent or designee shall advise the student's parents/guardians that the student may transfer to another school. If the parents/guardians of a student who has been the victim of an act of bullying requests a transfer for the student pursuant to Education Code 46600, the Superintendent or designee shall allow the transfer in accordance with law and district policy on intradistrict or interdistrict transfer, as applicable.**

**(cf. 5116.1 - Intradistrict Open Enrollment)**

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

**(cf. 4118 - Dismissal/Suspension/Disciplinary Action)**

**(cf. 4119.21/4219.21/4319.21 - Professional Standards)**

**(cf. 4218 - Dismissal/Suspension/Disciplinary Action)**

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

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

Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014

~~AB 1156 amends Education Code section 48900, subdivision (r), to define “bullying” as:~~

~~Severe or pervasive physical or verbal act or conduct, including communication 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; or~~
- ~~(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~~

~~For purposes of the definition of a victim of bullying and the act of bullying under section 48900, “reasonable pupil” is defined to mean 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.~~

~~AB 1156 also established a “priority consideration” for interdistrict transfer for students who are/were victims of bullying as now defined.~~

~~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.~~

~~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 communication 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.~~

~~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.~~

### **Bullying Prevention**

~~To the extent possible, Kings County Office of Education’s 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 County Office and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for perpetrators of bullying.~~

~~The County Office may provide 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.~~

~~School staff shall 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.~~

### **Intervention**

~~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.~~

~~School staff who witness bullying shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)~~

~~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.~~

### Complaints and Investigation

~~Students may submit to a teacher or administrator a verbal or written complaint of conduct they consider to be bullying. Complaints of bullying shall be investigated and resolved in accordance with site-level grievance procedures specified in AR 5145.7—Sexual Harassment.~~

~~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.~~

~~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.~~

### Complaint Process

~~Students shall be informed that they should immediately contact a staff member if they feel they are being bullied. Within 24 hours, staff shall report complaints of bullying to the principal or designee or to another district administrator. Staff shall similarly report any such incidents they may observe, even if the bullied student has not complained. Any school employee who observes any incident of bullying involving a student shall report this observation to the principal or designee, whether or not the victim files a complaint.~~

~~In any case of bullying involving the principal or any other district employee to whom the complaint would ordinarily be made, the employee who receives the student's report or who observes the incident shall report to the nondiscrimination coordinator or the~~



~~Superintendent or designee.~~

### ~~Investigation and Complaints~~

~~1. The principal or designee shall promptly investigate all complaints of bullying. In so doing, he/she shall talk individually with:~~

- ~~a. The student who is complaining~~
- ~~b. The person accused of bullying~~
- ~~c. Anyone who witnessed the conduct complained of~~
- ~~d. Anyone mentioned as having related information~~

~~2. The student who is complaining shall have an opportunity to describe the incident, present witnesses and other evidence of the bullying, and put his/her complaint in writing.~~

~~3. The principal or designee shall discuss the complaint only with the people described above. When necessary to carry out his/her investigation or for other good reasons that apply to the particular situation, the principal or designee also may discuss the complaint with the following persons:~~

- ~~a. The Superintendent or designee~~
- ~~b. The parent/guardian of the student who complained~~
- ~~c. If the alleged bully is a student, his/her parent/guardian~~
- ~~d. A teacher or staff member whose knowledge of the students involved may help in determining who is telling the truth~~
- ~~e. Child protective agencies responsible for investigating child abuse reports~~
- ~~f. Legal counsel for the County Office~~

~~4. When the student who complained and the alleged bully so agree, the principal or designee may arrange for them to resolve the complaint informally with the help of a counselor, teacher, administrator or trained mediator. The student who complained shall never be asked to work out the problem directly with the accused person unless such help is provided and both parties agree.~~

~~5. In reaching a decision about the complaint, the principal or designee may take into account:~~

- ~~a. Statements made by the persons identified above~~
- ~~b. The details and consistency of each person's account~~
- ~~c. Evidence of how the complaining student reacted to the incident~~
- ~~d. Evidence of any past instances of bullying by the alleged harasser~~
- ~~e. Evidence of any past bullying complaints that were found to be untrue~~

~~6. To judge the severity of the bullying, the principal or designee may take into consideration:~~

- ~~a. How the misconduct affected one or more students' education~~
- ~~b. The type, frequency and duration of the misconduct~~
- ~~c. The number of persons involved~~
- ~~d. The age and gender of the person accused of bullying~~
- ~~e. The subject(s) of bullying~~
- ~~f. The place and situation where the incident occurred~~
- ~~g. Other incidents at the school, including incidents of bullying that were not related to gender~~

~~7. The principal or designee shall write a report of his/her findings, decision, and reasons for the decision and shall present this report to the student who complained and the person accused.~~

~~8. The principal or designee shall give the Superintendent or designee a written report of the complaint and investigation. If the principal or designee verifies that bullying occurred, this report shall describe the actions taken to end the bullying, address the effects of the bullying on the student bullied, and prevent retaliation or further bullying.~~

~~9. Within two weeks after receiving the complaint, the principal or designee shall determine whether or not the student who complained has been further harassed. The principal or designee shall keep a record of this information and shall continue this follow-up.~~

~~The County Office prohibits retaliatory behavior against any complainant or any participant in the complaint process. Information related to a complaint of bullying shall~~

~~be confidential to the extent possible, and individuals involved in the investigation of such a complaint shall not discuss related information outside the investigation process.~~

### ~~Enforcement~~

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

- ~~1. Providing staff inservice and student instruction or counseling.~~
- ~~2. Notifying parents/guardians of the actions taken.~~
- ~~3. Notifying child protective services.~~
- ~~4. Taking appropriate disciplinary action. In addition, the principal or designee may take disciplinary measures against any person who is found to have made a complaint of bullying which he/she knew was not true.~~

### ~~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 County Office policies and regulations. If the complainant disagrees with the resolution, he/she can appeal the decision.~~

~~The Superintendent also prohibits retaliatory behavior or action against Kings County Office of Education employees or students who complain, testify or otherwise participate in the complaint process established pursuant to this policy. The Assistant Superintendent of Human Resources ensures that all complainant identities will remain confidential as appropriate.—~~

### ~~Legal References:~~

#### ~~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)~~

~~Legal References (con't):~~

~~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~~

Adopted by Board: June 12, 2013



## **Kings County Board of Education Exhibit**

E 5131.2

Students

### **Bullying Report**

To: ~~Kings County Superintendent of Schools~~  
~~114 West Lacey Blvd.~~  
~~Hanford, CA 93230~~

From: Name(s) \_\_\_\_\_

\_\_\_\_\_ Address \_\_\_\_\_

\_\_\_\_\_ Telephone Number (s) \_\_\_\_\_

Name of Person(s) against whom report is made:

\_\_\_\_\_  
\_\_\_\_\_

Nature of Report — In your own words, please describe the incident(s) that occurred. Please include all names, dates, and places necessary for a complete understanding of the incident(s).

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(You may attach additional paper as necessary)

Have you discussed this incident(s) with any one else? \_\_\_\_\_

If so, please list those you have spoken to: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Were there witnesses to the incident(s)? \_\_\_\_\_ If so, please list those who were witnesses.

\_\_\_\_\_  
\_\_\_\_\_

I/We understand that the Superintendent or designee may request further information about this complain and as such information is available, I/We will provide it upon request.

I/We certify under penalty of perjury that the above documentation is true and correct.

AR 5145.7

Sexual Harrassment

Page ~ 11 ~

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_,  
California.

Signature(s): \_\_\_\_\_

\_\_\_\_\_

## **Administrative Regulation Bullying**

### **AR 5131.2 Students**

#### **Examples of Prohibited Conduct**

**Bullying is an aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and may involve a single severe act or repetition or potential repetition of a deliberate act. Bullying includes, but is not limited to, any act described in Education Code 48900(r).**

**Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images. Cyberbullying also includes breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.**

**(cf. 5145.2 - Freedom of Speech/Expression)  
(cf. 6163.4 - Student Use of Technology)**

**Examples of the types of conduct that may constitute bullying and are prohibited by the district include, but are not limited to:**

- 1. Physical bullying: An act that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures**
- 2. Verbal bullying: An act that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm**
- 3. Social/relational bullying: An act that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public**
- 4. Cyberbullying: An act such as sending demeaning or hateful text messages or emails, spreading rumors by email or by posting on social networking sites, or posting or sharing embarrassing photos, videos, web site, or fake profiles**

#### **Measures to Prevent Bullying**

**The Superintendent or designee shall implement measures to prevent bullying in district schools, including, but not limited to, the following:**

**1. Ensuring that each school establishes clear rules for student conduct and implements strategies to promote a positive, collaborative school climate**

**(cf. 5131 - Conduct)**

**(cf. 5137 - Positive School Climate)**

**2. Providing information to students, through student handbooks, district and school web sites and social media, and other age-appropriate means, about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying**

**3. Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously**

**4. Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as playgrounds, hallways, restrooms, and cafeterias**

**5. Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so**

#### **Staff Development**

**The Superintendent or designee shall annually make available to all certificated staff and to other employees who have regular interaction with students the California Department of Education (CDE) online training module on the dynamics of bullying and cyberbullying, including the identification of bullying and cyberbullying and the implementation of strategies to address bullying. (Education Code 32283.5)**

**(cf. 4131 - Staff Development)**

**(cf. 4231 - Staff Development)**

**(cf. 4331 - Staff Development)**

**The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:**

- 1. Discuss the diversity of the student body and school community, including their varying immigration experiences**
- 2. Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims**
- 3. Identify the signs of bullying or harassing behavior**
- 4. Take immediate corrective action when bullying is observed**
- 5. Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior**

#### **Information and Resources**

**The Superintendent or designee shall post on the district's web site, in a prominent location and in a manner that is easily accessible to students and parents/guardians, information on bullying and harassment prevention which includes the following: (Education Code 234.6)**

- 1. The district's policy on student suicide prevention, including a reference to the policy's age appropriateness for students in grades K-6**

**(cf. 5141.52 - Suicide Prevention)**

- 2. The definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8**
- 3. Title IX information included on the district's web site pursuant to Education Code 221.61, and a link to the Title IX information included on CDE's web site pursuant to Education Code 221.6**
- 4. District policies on student sexual harassment, prevention and response to hate violence, discrimination, harassment, intimidation, bullying, and cyberbullying**

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

**(cf. 5145.7 - Sexual Harassment)**

**(cf. 5145.9 - Hate-Motivated Behavior)**

- 5. A section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media**
- 6. A link to statewide resources, including community-based organizations, compiled by CDE pursuant to Education Code 234.5.**

**7. Any additional information the Superintendent or designee deems important for preventing bullying and harassment**

**(cf. 1113 - District and School Web Sites)**

#### **Student Instruction**

**As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes social-emotional learning, effective communication and conflict resolution skills, character development, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.**

**(cf. 6142.8 - Comprehensive Health Education)**

**(cf. 6142.94 - History-Social Science Instruction)**

**The district shall also educate students about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, or any other individual bias or prejudice.**

**Students should be taught the difference between appropriate and inappropriate behaviors, how to advocate for themselves, how to help another student who is being bullied, and when to seek assistance from a trusted adult. As role models for students, staff shall be expected to demonstrate effective problem-solving and anger management skills.**

**To discourage cyberbullying, teachers may advise students to be cautious about sharing passwords, personal data, or private photos online and to consider the consequences of making negative comments about others online.**

#### **Reporting and Filing of Complaints**

**Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee.**

**When a report of bullying is submitted, the principal or a district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with AR 1312.3 - Uniform Complaint Procedures. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.**



**(cf. 1312.3 - Uniform Complaint Procedures)**

**Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report such observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.**

**Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in AR 1312.3.**

**When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.**

#### **Discipline/Corrective Actions**

**Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.**

**(cf. 5116.2 - Involuntary Student Transfers)**

**(cf. 5138 - Conflict Resolution/Peer Mediation)**

**(cf. 5144 - Discipline)**

**(cf. 5144.1 - Suspension and Expulsion/Due Process)**

**(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))**

**(cf. 6159.4 - Behavioral Interventions for Special Education Students)**

**When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.**

#### **Support Services**

**The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate. (Education Code 48900.9)**

**(cf. 6164.2 - Guidance/Counseling Services)**

**If any student involved in bullying exhibits warning signs of suicidal thought or intention or of intent to harm another person, the Superintendent or designee shall, as appropriate, implement district intervention protocols which may include, but are not limited to, referral to district or community mental health services, other health professionals, and/or law enforcement.**

**(5/19) 12/19**