

15.2. Report on Bullying Complaints for the 2014-2015 School Year

Rationale:

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Donald Evans, Ed.D., Superintendent
FROM: Susan Craig, Ed.D., Director, Student Services
DATE: December 9, 2015
SUBJECT: Report on Bullying Complaints for the 2014-2015 School Year

BACKGROUND INFORMATION:

California Assembly Bill 9, also known as Seth's Law (named after a 13 year old California student who committed suicide after being bullied at school), became effective July 1, 2012. Prior to the passage of AB9, existing law required school districts to adopt policies to protect students who are targets of discrimination and harassment. Seth's Law expanded to scope to include complaints alleging harassment and/or bullying due to actual or perceived characteristics, such as ethnicity, disability or gender expression.

In accordance with Seth's Law, the Berkeley Unified School District's Governing Board approved the District's Anti-Bullying Policy (5131.2) in January 2012. The Policy states that the Director of Student Services will report to the Board at a fall Board meeting on bullying within the District and make recommendations as to how this policy can be more effectively implemented.

DEFINITION OF BULLYING

BUSD'S policy defines bullying as follows: Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, that inflicts physical hurt or psychological distress on one or more students or employees. It is further defined as: unwanted purposeful written, verbal, nonverbal, or physical behavior, including but not limited to any threatening, insulting, or dehumanizing gesture, by an adult or student, that has the potential to create an intimidating, hostile, or offensive educational environment or cause long term damage; cause discomfort or humiliation; or unreasonably interfere with the victim's school performance or participation. Bullying is often characterized by an imbalance of power.

The Education Code for bullying, 48900(r), includes the following acts as defined in Section 48900.2 sexual harassment, 48900.3 hate violence, and 48900.4 harassment, threats, or intimidation. For purposes of categorizing incidents in this report, the primary bullying behavior the student engaged in in each incident is noted in the report, as determined by the school administrator.

ANTI-BULLYING POLICY OBJECTIVES

BUSD'S Anti-Bullying Policy has three objectives:

1. Cultivation of a culture of empathy, kindness, respect, and mutual trust among students and between students and staff
2. Creation of a school climate which encourages students to disclose and discuss incidents of bullying, both in their roles as victims, perpetrators and bystanders
3. Demonstration of a commitment to address incidents of bullying by outlining the school response to any such behaviors

In accordance with the policy's objectives, during the 2014-2015 school year, BUSD strengthened efforts to cultivate caring school communities as follows:

- BUSD implemented the social-emotional curriculum, Toolbox, at all BUSD schools in grades kindergarten through six. Toolbox provides students with a variety of "tools" that they can choose from, such as the breathing tool and the patience tool, to help them regulate their emotions. Staff received professional development in the use and instruction of Toolbox in the classroom and several well-attended Toolbox information events for parents/guardians were held.
- The implementation of Positive Behavior Implementation and Support (PBIS) was continued at all BUSD elementary and middle schools.
- Restorative Justice training and support through SEEDS was continued at all three middle schools during the 2014-2015 school year. Additionally, the Board approved a significant expansion of RJ in the District's LCAP plan in June 2015. The expansion of RJ which is currently being implemented includes increased support at all three middle schools, RJ support at Berkeley Technology Academy (BTA) and BHS, and an RJ pilot program at one elementary school (Washington Elementary).

- A session in sexual harassment awareness education was provided at all BUSD schools to students in grades four through 12 during September.
- An informational letter from the Superintendent and Board President regarding sexual harassment was sent to all middle and high school students and households.
- Training in sexual harassment awareness, provided by Peace Over Violence, was offered to all BUSD seniors in May 2015.
- Professional development regarding sexual harassment was provided to some BUSD staff.
- Professional development regarding LGBTQ awareness and gender identity was provided to some BUSD staff by Gender Spectrum.
- The LifeLines Academy, a weekly violence prevention group for middle and high school students facilitated by the Omega Boys Club, was offered for the fourth year in a row, and the LifeLines Prep Academy, for 4th and 5th grade students, was offered for the second year (The LifeLines Academy was replaced with the Peacekeepers Academy this school year). The Omega Boys Club also provided weekly sessions of the Alive and Free violence prevention program to students at BTA on a voluntary basis.
- A teacher on special assignment position was added at Berkeley Technology Academy to provide positive school climate support.

2014-2015 SCHOOL YEAR BULLYING REPORT

ELEMENTARY SCHOOLS:

At the eleven BUSD elementary schools, a total of 25 incidents of bullying were reported, 12 incidents of sexual harassment, and 4 incidents of harassment/intimidation (note: Per Education Code, sexual harassment, harassment/intimidation, and hate violence apply to students in grades 4 and above). Five elementary school students were involved in multiple incidents; additional resources were provided for the students.

The bullying behaviors that occurred at elementary schools included teasing, threats, intimidation, social exclusion, physical aggression, and verbal sexual harassment.

Action taken to address bullying in elementary schools included counseling the students individually, parent contact and/or meetings, loss of privileges, a referral to the LifeLines Prep Academy, restorative justice, conflict resolution/mediation, District level behavior contract

justice, conflict resolution/mediation, District-level behavior contract meeting, referral to SST/Rtl, change of school per the request of a targeted student's parent (one instance), increased support through the IEP process (for students eligible for Special Education), Behavior Specialist support, and a recommendation for a psycho-educational assessment. In almost all instances, no further bullying was reported after the site interventions. One elementary school student was suspended for sexual harassment and one elementary school student received an in-school suspension for harassment/threats.

MIDDLE SCHOOLS:

At the three BUSD middle schools, a total of 16 incidents of bullying, 25 incidents of sexual harassment, and 37 incidents of harassment/threats were reported. Forty-five middle school students engaged in bullying behavior in the 78 reported incidents. Seven middle school students participated in three or more incidents involving bullying behavior.

The bullying behaviors that occurred at middle schools included teasing, social exclusion, threats, name calling, mean looks, physical aggression, sexual harassment, and cyber-bullying.

Action taken to address bullying in middle schools included counseling the students individually, parent contacts and/or meetings, formal meetings with student, parent, teachers, counselors, and administrators, referral to SST/Rtl, parent shadowing, a referral to student court, community service, detention, additional support through the IEP process (for students eligible for Special Education) and a change of school for the student who was targeted, per parent's request (two instances). There were 36 suspensions due to bullying behavior (Including two students who were placed on suspended expulsions and transferred to another school due to additional, more serious behavior that occurred along with the bullying in which expulsion was mandatory.) and five in-school suspensions.

HIGH SCHOOLS:

At the two BUSD high schools (Berkeley High School and Berkeley Technology Academy), a total of 21 students were reported to have engaged in sexual harassment (Including one incident of sexual battery and one incident of sexual assault; in both cases, discipline was imposed in accordance with law.) and 27 students were reported to have engaged in harassment/threats towards other students. A total of 41 students engaged in bullying behavior in the 46 reported incidents. Five students participated in two incidents and no students participated

Five students participated in two incidents and no students participated in more than two incidents.

The bullying behaviors that occurred at high schools included teasing, threats, name calling, physical aggression, sexual harassment, cyber-bullying, and cyber-sexual harassment/sexting.

Action taken to address bullying that occurred at high schools included counseling the students individually, parent contacts/meetings, mediation/conflict management, community service, restorative justice, suspension, referral to LifeLines Academy, and a police report. There were 33 suspensions (including the two incidents that resulted in expulsion) and two in-school suspensions due to bullying behavior.

BULLYING BEHAVIOR BY ADULTS TOWARDS STUDENTS

Four incidents of bullying by parents/adult family members towards students were reported on BUSD campuses. Action taken in these incidents included stay-away warnings, 7-day stay-away orders from BUSD, and Berkeley Police involvement. In all instances, the adults who engaged in bullying behavior towards students went up to a student at school with whom their child was having problems, and addressed the student in an intimidating, inappropriate manner.

Four complaints of bullying behavior towards students by staff were made. The complaints were investigated and followed up on in accordance with District procedures.

NEXT STEPS

Recommended next steps to strengthen bullying prevention efforts in BUSD include:

- Continue to expand the use of positive school climate initiatives, including Toolbox and restorative practices, in BUSD schools.
- Continue to expand training for students and professional development for staff regarding sexual harassment, bullying related to gender identity, and hate violence.

POLICY/CODE:

BP 5131.2

FISCAL IMPACT:

None

STAFF RECOMMENDATION:

Receive the information regarding the bullying report, and provide feedback and direction to District staff regarding the annual bullying report