

EXHIBIT

**STUDENT BULLYING / HARASSMENT /
INTIMIDATION**

**(To be displayed in school buildings
and in student handbooks)**

The Governing Board of the Mammoth-San Manuel Unified School District believes it is the right of every student to be educated in a positive, safe, caring, and respectful learning environment. The Governing Board further believes a school environment that is inclusive of these traits maximizes student achievement, fosters student personal growth, and helps a student build a sense of community that promotes positive participation as citizens in society.

To assist in achieving a school environment based on the beliefs of the Governing Board, bullying, harassment, or intimidation in any form will not be tolerated.

Bullying: Bullying may occur when a student or group of students engages in any form of behavior that includes such acts as intimidation and/or harassment that

- A. has the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm or damage to property,
- B. is sufficiently severe, persistent or pervasive that the action, behavior, or threat creates an intimidating, threatening, or abusive environment in the form of physical or emotional harm,
- C. occurs when there is a real or perceived imbalance of power or strength, or
- D. may constitute a violation of law.

Bullying of a student or group of students can be manifested through written, verbal, physical, or emotional means and may occur in a variety of forms including, but not limited to

- A. verbal, written/printed or graphic exposure to derogatory comments, extortion, exploitation, name calling, or rumor spreading either directly through another person or group or through cyberbullying,
- B. exposure to social exclusion or ostracism,
- C. physical contact including but not limited to pushing, hitting, kicking, shoving, or spitting, and
- D. damage to or theft of personal property.

Cyberbullying: Cyberbullying is, but not limited to, any act of bullying committed by use of electronic technology or electronic communication devices, including telephonic devices, social networking and other Internet communications, on school computers, networks, forums and mailing lists, or other District-owned property, and by means of an individual's personal electronic media and equipment.

Harassment: Harassment is intentional behavior by a student or group of students that is disturbing or threatening to another student or group of students. Intentional behaviors that characterize harassment include, but are not limited to, stalking, hazing, social exclusion, name calling, unwanted physical contact and unwelcome verbal or written comments, photographs and graphics. Harassment may be related, but not limited to, race, religious orientation, sexual orientation, cultural background, economic status, size or personal appearance. Harassing behaviors can be direct or indirect and by use of social media.

Intimidation: Intimidation is intentional behavior by a student or group of students that places another student or group of students in fear of harm of person or property. Intimidation can be manifested emotionally or physically, either directly or indirectly, and by use of social media.

Students are prohibited from bullying, harassment, or intimidation on school grounds, school property, school buses, at school bus stops, at school-sponsored events and activities, and through the use of electronic technology or electronic communication equipment on school computers, networks, forums, or mailing lists.

Disciplinary action may result for bullying, harassment, or intimidation which occurs outside of the school and the school day when such acts result in a substantial physical, mental, or emotional negative effect on the victim, while on school grounds, school property, school buses, at school bus stops, or at school-sponsored events and activities, or when such act(s) interfere with the authority of the school system to maintain order. All suspected violations of law will be reported to local law enforcement.

Students who believe they are experiencing being bullied, harassed, or intimidated or suspect another student is bullied, harassed, or intimidated should report their concern to any staff member of the School District. School personnel are to maintain appropriate confidentiality of the reported information.

Reprisal by any student directed toward a student or employee related to the reporting of a case or a suspected case of bullying, harassment, or intimidation shall not be tolerated, and the individual(s) will be subject to the disciplines set out in applicable District policies and administrative regulations.

Students found to be bullying, harassing, or intimidating others will be disciplined up to and including suspension or expulsion from school.

Knowingly submitting a false report under Policy JICK or this exhibit shall subject the student to discipline up to and including suspension or expulsion. Where disciplinary action is necessary pursuant to any part of Policy JICK or this exhibit, relevant District policies shall be followed.

Law enforcement authorities shall be notified any time District officials have a reasonable belief that an incidence of bullying, harassment, or intimidation is a violation of the law.

EXHIBIT

**STUDENT CONCERNS, COMPLAINTS,
AND GRIEVANCES**

**(To be displayed in school buildings
and in student handbooks)**

Students may present a complaint or grievance regarding one (1) or more of the following:

- A. Violation of the student's constitutional rights.
- B. Denial of an equal opportunity to participate in any program or activity for which the student qualifies not related to the student's individual capabilities.
- C. Discriminatory treatment on the basis of race, color, religion, sex, age, national origin, or disability.
- D. Concern for the student's personal safety.

Complaints and grievances related to allegations of student violence, harassment, intimidation or bullying are to be filed in accordance with Board Policy JICK.

Provided that:

- A. The topic is not the subject of disciplinary or other proceedings under other policies and regulations of this District, and
- B. The procedure shall not apply to any matter for which the method of review is prescribed by law, or the Governing Board is without authority to act.

The guidelines to be followed are:

- A. The accusation must be made within thirty (30) calendar days of the time the student knew or should have known that there were grounds for the complaint/grievance.
- B. The complaint/grievance shall be made only to a school administrator or a school staff member.
- C. The person receiving the complaint will gather information for the complaint form.
- D. All allegations shall be reported on forms with the necessary particulars as determined by the Superintendent. *Forms are available in the school office.*
- E. The person receiving the complaint shall preserve the confidentiality of the subject, disclosing it only to the appropriate school administrator or next higher administrative supervisor or as otherwise required by law.

Any question concerning whether the complaint or grievance falls within this policy shall be determined by the Superintendent.

A student or student's parent or guardian may initiate the complaint process by completing Exhibit JII-EA.

A complaint or grievance may be withdrawn at any time. Once withdrawn, the process cannot be reopened if the resubmission is longer than thirty (30) calendar days from the date of the occurrence of the alleged incident. False or unproven complaint documentation shall not be maintained.

Retaliatory or intimidating acts against any student who has made a complaint under the District policy and its corresponding regulations, or against a student who has testified, assisted or participated in any manner in an investigation relating to a complaint or grievance, are specifically prohibited and constitute grounds for a separate complaint.

Knowingly submitting a false report under Policy JII and this exhibit shall subject the student to discipline up to and including suspension or expulsion. Where disciplinary action is necessary pursuant to any part of Policy JII and this

exhibit, relevant District policies shall be followed.

When District officials have a reasonable belief or an investigation reveals that a reported incident may constitute an unlawful act, law enforcement authorities will be informed.