

BP 5131.2-Bullying

Discipline-First Revision

Any student who engages in bullying **while on school grounds, while going to or coming from school, during the lunch period whether on or off the campus, during, while going to or coming from a school-sponsored activity**, 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 district policies and regulations, **and California Education Code section 489000.**

Feedback from Counsel:

The law is that a pupil may be disciplined for actions (occurring at any time) that are related to a school activity or school attendance, including but not limited to acts occurring while on school grounds, while going and coming from school, during lunch period, or during or while going to or coming from a school sponsored activity. (48900(s))

*Our Discipline section captures this, stating that "Any student who engages in bullying **on school premises, or off campus in a manner that causes a substantial disruption of a school activity or school attendance** shall be subject to discipline."*

Essentially, under both the law and our policy, the boundaries of jurisdiction are established in two ways: (1) by virtue of the location and timing of the conduct; and (2) by virtue of the impact of the conduct.

Since this is accurately described, I'm not sure I could improve upon the language.

However, if you wanted to make a modification you could spell it out a bit more as follows:

Discipline-Second Revision

Corrective actions for a student who commits an act of bullying of any type may include without limitation counseling, behavioral intervention, and education. A student shall be subject to discipline, which may include suspension or expulsion, in accordance with district policies and regulations, and California Education Code section 489000, 48900.2, 48900.3, and 48900.4, where the student:

- (a) engages in bullying while on school grounds, while going to or coming from school, during the lunch period whether on or off campus, or during, or while going to or coming from, a school sponsored activity; or
- (b) engages in bullying, on or off campus, in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance; or
- (c) engages in bullying using harassment, threats, or intimidation in a manner that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or pupils by creating an intimidating or hostile educational environment.