

Bullying, Harassment, & Intimidation Prohibition Policy

In its commitment to provide all students and staff with a safe learning environment where everyone is treated with respect and no one is physically or emotionally harmed, the Board of Education along with the Innovation Middle School will not tolerate any student or staff member being bullied (including cyber-bullying), harassed, or intimidated in any form at school or school-related events, (including off-campus events, school-sponsored activities, school busses, any event related to school business), or outside of school hours with the intention to be carried out during any of the above.

Such acts include those that are reasonably perceived as being motivated either by an actual or perceived attribute that includes but is not limited to race, religion, creed, color, marital status, parental status, veteran status, sex, sexual orientation, gender expression or identity, ancestry, national origin, ethnic group identification, age, mental or physical disability or any other distinguishing characteristic.

The district further prohibits the inciting, aiding, coercing, or directing of others to commit acts of bullying or cyber-bullying, harassment, or intimidation. Any staff member that observes, overhears, or otherwise witnesses bullying (including cyber-bullying), harassment, or intimidation, or to whom such actions have been reported, must take prompt and appropriate action to stop the behavior and to prevent its recurrence as detailed in the applicable Administrative Procedure. Students who observe, overhear, or otherwise witness such actions must report such behaviors. Parents/district visitors are encouraged to report these behaviors to a staff member. At each school, the principal or principal's designee is responsible for receiving and promptly investigating complaints alleging violations of this policy. Any form of retaliation in response to a report of such acts is prohibited.

If you are a victim or witness to any act of bullying or cyberbullying, please do the following:

Fill out a Bullying Report Form available on our school website. Reports can be made anonymously, but this may interfere with the investigation. Please help keep our school a safe environment and report bullying.

OR Inform a staff member that you are (or someone you know is) being bullied.

A formal investigation with necessary disciplinary action will take place following any report of bullying, including cyberbullying. View the district's full bullying policy by searching for:

SDUSD Anti-bullying. Harassment. And Intimidation Policy.

****Innovation Middle School will provide training and assemblies in bullying awareness and prevention, and cultivate acceptance and understanding in all students and staff in an effort to build our school's capacity of maintaining a safe and healthy learning environment free from harassment, threats, embarrassment, or inappropriate targeting of others. Consequences will be given as appropriate to individuals who engage in bullying, threats, or intimidation; it simply will not be tolerated.***

SAN DIEGO UNIFIED SCHOOL DISTRICT

Student Nondiscrimination and Sexual Harassment Policy

NOTICE OF STUDENT NONDISCRIMINATION

San Diego Unified School District is committed to equal opportunity for all individuals in education. District programs, activities, and practices shall be free from discrimination based on race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, genetic information, or immigration status; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

EMPLOYEES

Employees who violate this policy shall be subject to discipline up to and including dismissal. Any disciplinary action shall be in accordance with applicable federal and state laws and/or collective bargaining agreements.

Students who violate this policy may be subject to discipline, up to and including expulsion, in accordance with district policy, administrative procedure and state law.

The district believes that it can resolve issues of harassment and discrimination at the school site.

Students who violate this policy may be subject to discipline, up to and including expulsion, in accordance with district policy, administrative procedure and state law.

Employees who violate this policy shall be subject to discipline up to and including dismissal. Any disciplinary action shall be in accordance with applicable federal, state and/or collective bargaining agreements.

STUDENT SEXUAL HARASSMENT POLICY

San Diego Unified School District is committed to making the schools free from sexual harassment and discrimination. Sexual harassment is a form of sex discrimination under Title IX of the Education Amendments of the Civil Rights Act of 1972 and is prohibited by both federal and state laws. The district prohibits sexual harassment of students by other students, employees or other persons, at school or at school-sponsored or school-related activities. Sexual harassment is defined in Education Code to mean unwelcome sexual advances; requests for sexual favors; or verbal, visual, or physical conduct of a sexual nature, made by someone from or in the educational setting. The superintendent or his/her designee shall ensure that district students receive age appropriate instruction about their rights to be free from sexual harassment, the district procedure for reporting and investigating complaints of sexual harassment including with whom a complaint should be filed.

The district prohibits conduct that has the purpose or effect of having a negative impact on the individual's work or academic performance, or that is sufficiently severe, persistent, or pervasive to create an intimidating, hostile, or offensive educational environment.

The district further prohibits sexual harassment that conditions a student's status, progress, benefits, services, honors, program or activities based on submission to such conduct.

Any student who feels that he/she is being, or has been, sexually harassed by a school employee, another student, or a non-school employee at school or at a school-related event, shall immediately contact his/her teacher or any other district employee. An employee who receives such a complaint shall report it in accordance with administrative procedures/regulations.

TO FILE A FORMAL DISCRIMINATION OR SEXUAL HARASSMENT COMPLAINT

1. **Filing a complaint:** A complaint may be filed by a student or parent/guardian by obtaining a copy of the Uniform Complaint Form (AP 1700) and Administrative Regulation 0410 from the school or the district's Uniform Complaint Compliance Office. Remedies available outside of the district are listed in this procedure.
2. **Investigation:** San Diego Unified School District will immediately undertake an effective, thorough, and objective investigation of the harassment and/or discrimination allegations and provide a written report within sixty (60) days from the date the complaint is filed. The Superintendent or his/her designee shall ensure that any complaint received is investigated in accordance with district administrative procedures and that school personnel take immediate steps to intervene, when safe to do so, when they witness any act of harassment.
3. **Action:** When an allegation of sexual harassment is validated by the investigation and disciplinary action is necessary, the superintendent will determine the appropriate course of action, to prevent reoccurrence and follow up with the harassed student, depending upon whether the harasser is a student, staff member or agent of the district. If the complaint of sexual harassment is validated the superintendent and/or designee shall take prompt, appropriate action to end the harassment and to address the effects on the victim.

Complaints will be kept confidential. The person filing the complaint may also pursue action in civil court.

The district prohibits retaliation against any person who complains, testifies, assists or participates in district complaint procedures.

A student who has a complaint of sexual harassment or discrimination shall immediately contact his/her teacher or any other district employee. If the complaint cannot be resolved, or at any time the student may contact:

Anna Ward, Title IX Coordinator Eugene Brucker Education Center 4100 Normal St., Room 2129 San Diego, CA 92103

For questions or additional information, call 619-725-7225.

Prohibited Items & Behaviors

ASSAULT

Any student who is involved in an unprovoked attack or an assault on any student or adult (verbal or physical threat or action) in school or on the way to and from, will be suspended from school and will be referred to School Police Services Department, which may conduct an investigation for possible expulsion proceedings (Penal Code 240.242.E.C. 44014).

BLANKETS

Blankets must be put away during instructional time, unless allowed by the teacher.

GUM

Gum is not permitted on campus.

DEFIANCE

Any student who defies any staff member or refuses to follow his/her directions or refuses to give their name will be referred to the appropriate authority for disciplinary action. A minor or major disruption to instruction will lead to disciplinary action.

DETENTION-District Procedure 6270

Teachers are specifically authorized to keep students after school to make up work and to meet other school obligations. In such cases, courtesy should be extended by attempting to contact parents to let them know students will be late in arriving home. (2) Students may be detained in school for disciplinary or other reasons for periods of up to one hour after the close of the maximum school day.

DISRUPTION

Any student who deliberately disturbs or hampers classroom instruction or school activities will be immediately referred for disciplinary action (Education code 10609, District Procedure 2619). Any disruption could result in a suspension for 1-5 days.

DRUGS/ ALCOHOL

Possession or use of narcotics, dangerous drugs, or alcohol is a violation of the law. Students involved with or possessing narcotics or alcohol will be suspended and referred to School Police Services and/or San Diego Police Department for further disciplinary action and support (Education code 48904).

EXPLOSIVE/INFLAMMATORY OBJECTS

Possession or use of any explosive such as firecrackers, poppers, bomb bags, stink bombs, or similar items may result in an immediate suspension from school. This section applies to the possession/usage of matches and lighters as well. Be advised that the Municipal Code of San Diego, Section 53.10(b) (2) states that "It is a misdemeanor to possess or explode firecrackers on campus." A referral may be made to School Police Services for violations.

EXTORTION OR THREATS

Any students involved in obtaining money or other possessions of value through the use of intimidation or violence will be suspended. An investigation by School Police Services may be required (Extortion: Penal Code 518. Threats: Penal Code 519).

FIGHTING

Fighting, **including play fighting**, slap boxing, "body shots," and pushing, is strictly forbidden. Students who fight will be referred to the Administration for disciplinary action, which may result in a suspension. Self-defense is not an excuse to engage in a fight. Therefore, both parties who engage in a mutual combat fight will be given appropriate consequences such as suspension as determined by the administration. Conflict resolution will always be the expected method of avoiding a fight at Innovation Middle School.

GAMBLING AND SELLING ITEMS

Gambling in any form is prohibited by state law. Gambling is defined as wagering or betting money on the outcome of any activity. Students who are involved in this activity may be suspended. Students should not have dice, cards, or anything that can be considered a gambling device in their possession at school. These will be taken from students (Administration Code 301. Education Code 10601-10609). The sale of items (e.g. candy, chips, clothing/attire, etc.) at school is also prohibited.

MISBEHAVIOR GOING TO AND FROM SCHOOL

Students are subject to disciplinary action for any form of misbehavior in the process of going to and from school (District Procedure 2619).

PERMANENT MARKERS/ AEROSOL CANS/ SCENTED SPRAYS

Permanent markers and aerosol cans are not permitted on campus. Scented sprays and perfumes (aerosol or glass bottles) are not permitted on campus.

PERSONAL ELECTRONICS

Personal computers and gaming devices are not allowed for use during the school day. Students may keep them in their backpacks, however, if they are seen out or being used, they will be confiscated until the end of the day.

PROFANITY/ PORNOGRAPHY

The use of offensive words or profanity is unacceptable. Obscene actions, possession of pornographic materials, or habitual profanity can lead to suspension.

THEFT

Any student involved in theft or attempted theft of school or personal property will face disciplinary action. This includes receiving stolen property. Contacting School Police Services may be required. Innovation Middle School administration and staff **strongly encourage** students **not** to bring any valuables to school due to the risk of loss or theft. Students are discouraged from bringing large amounts of money to school, or from leaving backpacks/purses/netbooks unattended. Thefts should be reported immediately to the Administration, **but may not be investigated**.

TOBACCO/VAPE PENS

Students involved in the use of tobacco on any part of the school grounds will face disciplinary action. Possession of tobacco on campus is also grounds for disciplinary action. Students are not to have any form of tobacco (smokeless tobacco, chew

packets, vape pens, and betel) in their possession at school or during school activities. This policy may also extend to the possession and/or use of matches, lighters, and vape pens (Education Code 48900-20). Please refer to district policy.

TOUCHING AND HARASSMENT

Public displays of affection, or "PDA", (e.g. kissing, romantically embracing, etc.) are never allowed on school grounds. Inappropriate touching of another's body is forbidden and will be dealt with as a serious matter requiring an investigation for disciplinary action. The rule is "Keep your hands off others at all times." Harassment includes actions such as unwelcome sexual advances, requests for sexual favors, or verbal, visual, or physical conduct of a sexual nature. **BULLYING WILL NOT BE TOLERATED** and will be handled with swift and appropriate intervention and/or disciplinary action. *See district policy Student Nondiscrimination and Sexual Harassment for more details.

TOYS

Toys or anything distracting to the learning environment or serves as a disruption to others is not to be brought to school and may be confiscated from students. Confiscated items may be held up to two weeks by staff and may require a parent/guardian to retrieve them from the office.

VANDALISM

Anyone who maliciously damages or defaces school property, or the property of another person, is required by law to pay for the damages. This includes defacing school property with a permanent marker or felt-tipped pen. Immediate suspension and possible police contact may be required (Penal code 594). Permanent pens are not allowed on campus.

WEAPONS

Weapons such as, but not limited to, paintball guns, nunchucks, chains, firearms, knives, ninja stars, and pellet guns are forbidden by law. Knives of any size, even Swiss army knives, razor blades, and pocket knives are never to be brought on campus for any reason. San Diego Unified School District has adopted a Zero Tolerance (ZT) Policy for students who possess weapons or are engaged in repeated fights and/or acts of violence. Any student who has an object considered to be a weapon will be referred to the Administration for immediate suspension and investigation by School Police Services Department and/or San Diego Police Department for possible expulsion (Penal Code 626.10) (Education Code 48910).