
ASCIP

RISK ALERT!

Date: *November 1, 2011*

Attention: *ASCIP Members*

Subject: *BULLYING & CYBERBULLYING LEGISLATION*

In light of the recent media attention given to acts of bullying occurring in public schools, government officials and law enforcement have called for swift action to control bullying incidents. During the current legislative session, Governor Brown chaptered three new bills which impose new requirements for the prevention of bullying in California public schools.

"Bullying" means any severe or pervasive physical or verbal act or conduct, including communications 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.
- (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."

Assembly Bill 9 amends Education Code Section 234.1, requiring districts to adopt bullying policies and to develop a process for receiving and investigating complaints of bullying.

Assembly Bill 746 amends the definition of cyberbullying and amends Education Code Section 32261 to define an "electronic act" as including the posting of information on a Social Network (for example, Twitter, Facebook, MySpace and LinkedIn).

Assembly Bill 1156 broadens the definition of bullying by amending Education Code Section 48900(r). In addition, AB1156 encourages Districts to include anti-bullying policies in their Comprehensive School Safety Plans (CSSP's).

ASCIP recommends that Members review and familiarize themselves with the new legislation and develop policies to address bullying in its schools.

ASCIP Staff is available to assist in answering any concerns you may have regarding bullying or the new legislation.