

VICTIM OF BULLYING

Subject to the provisions of the Individuals with Disability Education Act (IDEA), on the request of a parent or other person with authority to act on behalf of a student who is a victim of bullying, the Director of Student Support Services or designee shall transfer the victim to another classroom to which the victim was assigned at the time the bullying occurred.

“Bullying” means engaging in written or verbal expression or physical conduct that a board or its designee determines:

1. Will have the effect of physically harming a student, damaging a student’s property, or placing a student in reasonable fear of harm to the student’s person or of damage to the student’s property; or
2. Is sufficiently severe, persistent, or pervasive that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

The Director of Student Support Services or designee shall verify that a student has been a victim of bullying before transferring the student. The Director of Student Support Services or designee may consider past student behavior when identifying a bully.

The determination by the Director of Student Support Services or designee is final and may not be appealed. The procedures set forth at Education Code 25.034 do not apply to a transfer under this provision.

Education Code 25.0341

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Amended: