



AP 3431 Bullying

References: Education Code Sections 234 et seq.

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Last Reviewed:

As an institution of higher learning, the Butte Glenn Community College District is committed to working toward an ever more supportive and safer environment for all members of the campus community. Anyone who believes they have been bullied is strongly encouraged to report the incident to District officials so that appropriate support and action may be taken. It is only through reporting that the incidence of bullying can be reduced.

The District is committed to ensuring that students, employees, or other persons who have been bullied receive treatment, assistance, and information. They will also be treated with sensitivity, care, and confidentiality to the extent permitted by law.

These written procedures and protocols are designed to ensure both victims of bullying as well as those accused of bullying, as described in BP 3431 Bullying, receive fair and equitable treatment and information.

All students or employees who allege they are the victims of bullying or are accused of bullying will be provided with information regarding options and assistance available to them. Information will be available from the office of human resources or the office of the vice president for student services, which will maintain the identity and other information about alleged bullying victims and those accused as confidential until authorized to release such information.

Bullying is defined as any severe or pervasive physical or verbal act, including electronic communications, directed at one or more individuals that causes or can reasonably be predicted to cause:

- Fear or harm to person or property
- Substantial detriment to physical or mental health
- Interference with academic or work performance
- Interference with participation in college activities or programs

Bullying can be based on any actual or perceived characteristics, such a disability, gender, gender identity, gender expression, race, ethnicity, religion, nationality, sexual orientation, or association with protected groups.

The distinction between bullying and harassment is when the bullying behavior directed at the target is also based on a protected class, that behavior is then defined as harassment and investigated under AP 3435 Discrimination Harassment Complaints and Investigations.

Education and Prevention Information

The vice president for student services or designee will:

- Provide, as part of each campus's established on-campus orientation program, education and prevention information about bullying. The information will be developed in collaboration with appropriate campus departments.
- Post bullying prevention and education information on the campus internet website.

The vice president for human resources, training, and employee development or designee will:

- Provide, as part of each employee's on-campus orientation program, education and prevention information about bullying. The information will be developed in collaboration with appropriate campus departments.
- Post bullying prevention and education information on the campus internal website.
- Provide ongoing bullying prevention and detection training to all employees.

Reporting Bullying

A District employee who receives a report of bullying will not discuss the details of the event or the identity of the victim or suspect except as is necessary to initiate or investigate the allegation.

All inquiries from reporters or other media representatives about alleged bullying on District property will be referred to the District public information officer, who will work with the office of the president and human resources to assure that all confidentiality rights are maintained.

The District will assume all parties to be innocent until the investigation is concluded.

- **Student Disciplinary Option:** Reporting to the office of the vice president for student services

Any member of the Butte College campus community who believes that they have been bullied by a Butte College student (on or off District property) may report the bullying to the vice president for student services, 530-895-2239. The vice president for student services will thoroughly investigate alleged violations of campus policy and take appropriate action under Butte College student disciplinary procedures. The vice president for student services is responsible for ensuring fair administration of the student disciplinary process and maintaining confidential disciplinary records.

- **Personnel Disciplinary Option:** Reporting to the office of human resources

Any member of the Butte College community who believes that they have been bullied by a staff or faculty member of the campus may contact the vice president for human resources, training, and employee development or designee at 530-895-2400. In

accordance with campus policies and practices and collective bargaining agreements, a thorough personnel investigation, separate from any police investigation, may be initiated.

As noted previously, whenever possible, the wishes of the victim will be respected regarding whether to pursue a campus policy violation investigation. However, the campus reserves the right to initiate a thorough administrative investigation and when applicable, take appropriate disciplinary action.

- **Student Organizations:** Reporting to the office of the vice president for student services

The office of the vice president for student services will receive and thoughtfully investigate reports of organizations alleged to have condoned, promoted, or been involved in activities relating to bullying. Such organizations may have their campus recognition withdrawn and/or other sanctions imposed.

Bullying may also be reported to:

- Student Health Clinic: 530-895-2441
- Butte College Police: 530-895-2351 (Non-emergency phone number)

Investigation Procedure

Upon receiving a report, the appropriate vice president will acknowledge receipt within five days of receipt of a report.

The vice president for human resources, training, and employee development or the vice president for student services will initiate an assessment to determine if immediate interim measures or supports are necessary (e.g. non-contact orders, schedule changes) to protect the complainant or for both parties.

A prompt, fair, and impartial inquiry or investigation will occur, involving interviews and review of the evidence. If warranted, the investigation will fall under Administrative Procedure 3435 Discrimination Harassment Complaints and Investigations.

Appropriate action may include notification of law enforcement or other public service agencies.

Investigations are typically completed within 60-90 days.

Resolution and Disciplinary Action

Persons found to be responsible for bullying as described in BP 3431 Bullying will be disciplined and/or prosecuted as noted in AP 7360 Discipline and Dismissal – Academic Employees, AP 7365 Discipline and Dismissal – Classified Employees, and AP 7365.1 Discipline and Dismissal - Permanent Peace Officers and applicable collective bargaining agreements.

The District may also implement restorative or educational remedies for both parties.

The outcome is communicated to both the complainant and the respondent, respecting privacy requirements.

Assistance and Support Options

Human resources or student services will provide all parties with the following support(s), upon request:

- A copy of the District's policy and procedure regarding bullying;
- A list of personnel on campus who will be notified of the bullying and procedures for such notification (chief of police; vice president for human resources, training, and employee development; and superintendent/president);
- A description of available services, and the persons on campus available to provide those services if requested. Services and those responsible for providing or arranging them include the vice president for human resources, training, and employee development; vice president for student services; vice president for administrative services; and chief of police;
- Transportation to a hospital, if necessary;
- Counseling, or referral to a counseling center;
- Notice to the police, if desired;
- A list of other available campus resources or appropriate off-campus resources;
- Information regarding the following options:
 - Criminal prosecution;
 - Civil prosecution (i.e., lawsuit);
 - District disciplinary procedures, both student and employee;
 - Modification of class schedules and tutoring;
 - Workplace considerations.

All parties will be kept informed of any ongoing investigation.

Confidentiality

All reports and investigations are handled as confidentially as possible. Information is only shared on a need-to-know basis in compliance with all federal and state laws.

Victims of bullying may seek confidential counseling or advocacy by contacting the Student Health Clinic at 530-895-2441, <http://www.butte.edu/shc>.

Intimidation and Retaliation against Involved Parties

Retaliation against any involved parties and/or witnesses is prohibited. This includes threats, stalking, harassment, or any conduct that endangers the health or safety of any potential witness. Attempts to intimidate, contact, or dissuade parties or witnesses from participating in any proceeding related to a bullying allegation, or in any criminal and/or student disciplinary process, whether in person, by telephone, by regular or electronic mail, through associates or by any other means are prohibited. Such actions violate Penal Code 136.1 and could result in arrest and/or felony criminal charges.