



BULLYING COMPLAINT PROCESS FOR YUBA & SUTTER COUNTIES

(Protocol for private and charter schools differs slightly from that of public schools)

1. Document Everything (If needed, see “Bullying and the Law” for additional information)

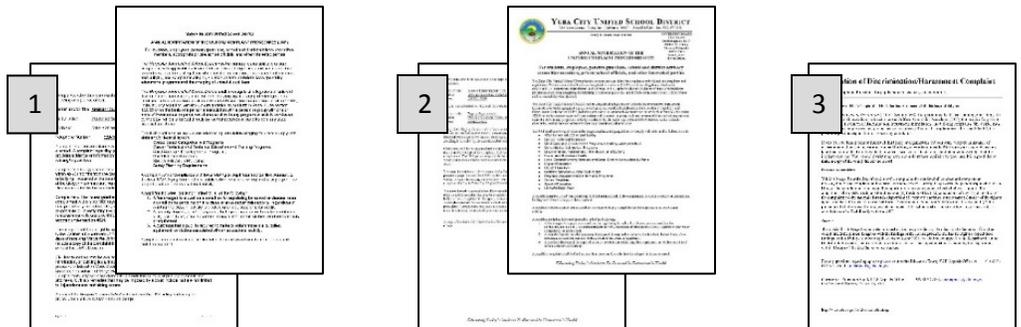
Include:

- Dates/times** - if you can, list the dates and times in a timeline, showing how long it’s been happening and the time of day
- Names** of ALL persons doing the bullying (include bystanders who appear to support the bully, even if they say nothing)
- Location** where the bullying is occurring (on the bus, at school, during after-school activities, online, etc. – be specific)
- Frequency** - how often is the bullying occurring?
- Basis** for the bullying (race, ethnicity, gender, sexual orientation, disability, appearance, etc.)
- Nature** of the bullying (verbal taunts, physical abuse, sexual harassment, social exclusion, online threats, rumors, etc.)
- Severity of harm** - what effect does the bullying have on your child? (Missed school, depression, anxiety, insomnia, etc.). If the bullying was physical or there was a credible threat to your child, you may want to consider looking into filing a Civil Harassment Restraining Order (CHRO). Not all CHROs require a police report and not all CHROs cost money. Contact the court within the county in which you reside to get more information. See #8 below for more information on Restraining Orders.
- Third-party involvement** - active or passive bystanders, supporters of the bullying behavior, IE: "egging" the bully on
- Witnesses** - be sure to list ALL witnesses, even those who walked away and pretended not to notice
- Backstory** - if there is one (be sure to list this, EVEN IF you have done something to contribute – IE: retaliated, etc.)
- Evidence** – gather and show evidence, especially if the bullying has been done electronically (cyber). Take screenshots of all text messages, social media posts and/or email messages. If video evidence is available, include that, as well. Some YouTube videos may be pulled due to content or the user wishing to avoid disciplinary action. You may want to download free or low-cost software to convert any video evidence to an MP4 before it gets pulled and, therefore, evidence erased. If your child has been physically assaulted, take pictures of the injuries.

A. Also document all dates/times you have spoken with a parent, teacher or school administrator about the bullying AND all the dates/times you or your child has met with the school counselor and/or an outside counselor, therapist, psychiatrist or doctor related to the bullying. Include a statement from your child about what happened, in his or her own words. If you can get a statement from a doctor or therapist, include it as well. You may want to keep a blank calendar and use that to keep track of when all related important events occurred (bullying, contact with school, counseling appointments, etc.). If you haven’t done so yet, you can go back and recreate the timeline as best as possible and then use this calendar going forward. This is extremely helpful, especially if and/or when you bring your complaints to an attorney.

B. Familiarize yourself with your school and district policy on bullying. Schools are required to have a written bullying policy and complaint process. These are often found in the student handbooks. California Code of Regulations requires school districts to provide Uniform Complaint Procedures (UCP) that allow for prompt and equitable resolution of discrimination, harassment, intimidation and bullying complaints. Utilize your school district’s UCP, and remember that there are time limits for filing a UCP (usually 6 months from the date of the incident). Samples of the UCP for MJUSD and YCUSD are attached, as well as the California Department of Education (CDE) policy regarding the requirement for California school districts to have a UCP. Private or charter schools may fall under a different policy. Contact us if you need help locating your school’s bullying policy or complaint procedures. We’ve also included a document released by the ACLU of California (American Civil Liberties Union) titled, “How to File a Complaint with your School Related to Bullying, Harassment or Discrimination.”

1. MJUSD Sample UCP
2. YCUSD Sample UCP
3. CDE UCP Policy Requirement



For a current copy of the Universal Complaint Procedures for your school district and local district policies on bullying, go to one of the following websites (type 'Universal Complaint Procedure' or 'UCP' into the search bar*):

SUTTER COUNTY PUBLIC SCHOOLS

Yuba City Unified School District
<http://www.ycusd.k12.ca.us>

Sutter County Superintendent of Schools
<http://www.sutter.k12.ca.us>

Franklin Elementary School District
<http://www.franklin.k12.ca.us>

Nuestro Elementary School District
<http://nuestroschool.org>

Sutter Union High School District
http://www.edline.net/pages/sutter_high

Brittan Elementary School District
<http://www.brittan.k12.ca.us>

Meridian Elementary School District
<http://www.meridiantigers.com>

East Nicolaus Joint Union High School District
<http://www.eastnicolaus.k12.ca.us>

Marcum-Illinois Union School District
<http://www.marcum-illinois.org>

Browns Elementary School District
<http://www.brownschool.org>

Winship-Robbins Elementary School District
<http://winship-robbins.sutter.k12.ca.us>

Pleasant Grove Joint Union School District
<http://www.pgroveschool.org>

Live Oak Unified School District
http://www.lousd.k12.ca.us/pages/Live_Oak_Unified

Feather River Academy
<http://www.sutter.k12.ca.us/Departments/EdServices/FRA/fra.shtml>

YUBA COUNTY PUBLIC SCHOOLS

Marysville Joint Unified School District
<http://www.mjusd.k12.ca.us>

Yuba County Office of Education
<http://www.yubacoe.org>

Plumas Lake Elementary School District
<http://www.plusd.org>

Wheatland School District
<http://www.wheatlandsd.com>

Wheatland Union High School
<http://www.wheatlandhigh.org>

Camptonville School District
<http://cville.k12.ca.us>

Yuba Community College District
<http://www.yccd.edu>

Private and site-based charter schools may not be required to follow the same guidelines or provide the same Uniform Complaint Procedures that California public schools do; therefore, you will want to visit the individual school websites or call the schools to find this information. If you would like help, please call us and we would be happy to assist you.

SUTTER COUNTY PRIVATE SCHOOLS

Grace Christian Academy & Preschool
<http://gracechristianyc.com>

Adventist Christian School
<http://www.acselementary.org>

Faith Christian School
<http://www.fcs-k12.org>

St. Isidore Catholic School
<http://www.stisidoreschool.org>

Basics & Beyond Private Ed.
<https://www.facebook.com/Basics-Beyond-Private-Ed>

YUBA COUNTY PRIVATE SCHOOLS

New Life Christian School
<http://www.newlifeassembly1.com>

SUTTER COUNTY CHARTER SCHOOLS (SITE-BASED)

Yuba City Charter School
<http://www.yubacitycharter.com>

Twin Rivers Charter School
<http://www.twinriverscharterschool.org>

YUBA COUNTY CHARTER SCHOOLS (SITE-BASED)

Marysville Charter Academy for the Arts
<http://mjusdcharter.ss4.sharpschool.com>

Paragon Collegiate Academy
<http://www.paragoncollegiateacademy.org>

Wheatland Charter Academy
<http://charter.wheatlandsd.com>

Yuba County Career Preparatory Charter
<http://www.yubacoe.org/Domain/11>

Yuba Environmental Science Charter Academy
<http://yescharteracademy.org>

**The Uniform Complaint Procedure is not the same as a Williams Complaint. Be sure you are submitting the correct form. If information on this page needs to be updated or added, please let us know at yssfsts@yahoo.com. Thank you.*

Definition of bullying from the California Department of Education (CDE):

Bullying is a form of violence. It can be physical, verbal, psychological, or sexual. Here are some examples of bullying:

- *Physical: hitting, kicking, spitting, pushing*
- *Verbal: teasing, threatening, name-calling*
- *Psychological: excluding someone, spreading rumors, intimidating*
- *Sexual: touching, assault, exhibitionism, and many of the actions listed above*

Bullying may also occur through the Internet or other forms of technology. This is known as cyberbullying. It is sending or posting hurtful material.

Bullying is common, but it should not be viewed as a normal part of growing up. It is more damaging to children than previously thought. Bullying has a negative effect on a student's ability to learn.

Schools are responsible for creating safe environments for all students. They must work to prevent bullying, and they must respond to it when it happens.

The California Department of Education offers information and resources for parents, administrators, and students about bullying: <http://www.cde.ca.gov/ls/ss/se/bullyingprev.asp>

Definition of bullying from stopbullying.gov:

Bullying is unwanted, aggressive behavior among school aged children that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. Both kids who are bullied and who bully others may have serious, lasting problems.

For more information regarding bullying at the Federal level, visit: <http://www.stopbullying.gov>

C. If you believe your child's federal civil rights have been violated (federal law specifically prohibits discrimination based on race, color, national origin, sex [including sexual orientation], disability and age), you may also want to file a federal discrimination complaint with the Office for Civil Rights (OCR), **IN ADDITION** to filing the UCP, and follow the procedures in this packet if the UCP doesn't cover any of them. Please note that the OCR filing may be contingent upon resolution of the UCP, so there may be a hold on that process. These decisions may be made on a case-by-case basis, so be sure to file both anyway. See #7 for more information on filing a complaint with the OCR. State law is broader than federal law and prohibits discrimination based on disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation or association with a person from one of the above categories or who is perceived to fall within one of these categories. For example, if a student is bullied using anti-gay slurs because that student is perceived as gay or lesbian, that bullying behavior would be covered or if a student is bullied because the student has a friend who is gay or perceived to be gay, that would also be covered.

2. Write a Letter to your School Principal or Vice-Principal

Student disciplinary matters are often the responsibility of the Vice-Principal. Be sure to ask who the appropriate person is before you write your letter. See: Sample Letter to the Principal at the back of this packet, and follow the instructions at the bottom. Don't forget to keep a copy of the letter for yourself. In order to make sure the letter is received by the Principal or Vice-Principal, you can hand-deliver it to the Principal or Vice-Principal yourself, or send it by USPS Priority AND Certified Mail, Return Receipt Requested (RRR). If you hand-deliver, make note of the name of the person you gave it to, as well as the time and date. It is recommended you also send a copy to your Superintendent at the district office by the same means. If you would like a copy of the sample letter in Word format, a downloadable copy is available on our website at: www.yssfts.org or you may send an email request to: yssfts@yahoo.com.

3. Schedule a Meeting with the Principal or Vice-Principal

Bring a copy of your letter with you. If there have been more incidents since you wrote the letter, bring a follow-up letter with the additional incidents documented. You may also want to bring a copy of your timeline document (if you have one) to give to whomever you meet with. Some things to remember:

- Show up on time
- Be respectful and calm
- Do not be confrontational
- Remove emotion from your conversation
- Stick to the facts
- Ask how you can work together to ensure your child and others are safe from bullying
- Repeat what you are both going to do together
- Take detailed notes (more documentation)

4. Write a Thank You Letter

Send a thank you letter to the Principal or Vice-Principal for meeting with you and reiterate what the action steps they shared with you will be. Mail or hand-deliver a copy of your thank you letter, original complaint letter (if you haven't sent one yet) and a follow-up letter documenting additional incidents (if there are any) to the Superintendent at the district office. If you mail the letter to the Superintendent rather than hand-deliver, send it by USPS Priority AND Certified Mail – Return Receipt Requested (RRR), so you have proof their office received it. If you hand-deliver, make note of the name of the person you gave it to, as well as the time and date.

5. Follow Up

Follow up with the Principal or Vice-Principal after a week (you might need to make another appointment). Reiterate what has or will be done to continue ensuring your child's safety. Write another follow up thank you letter with the same information you discussed with the Principal or Vice-Principal. Send another copy of this letter to the district Superintendent by USPS Priority AND Certified Mail - RRR.

6. Send a Letter to the California Department of Education

If the bullying continues, and you have no luck with the district, go to the CDE website, <http://www.cde.ca.gov/index.asp>, and follow their suggestions regarding Prohibition of discrimination, harassment, intimidation and bullying in California Public Schools. They may have you write a letter requesting that they address your concerns. If so, be sure to include:

- The fact that your child is being bullied
- The fact that the school has an anti-bullying policy
- The fact that the Principal and Superintendent have both been notified about the bullying (a violation of the policy)
- The fact that your child is STILL being bullied
- The fact that your child has suffered/been damaged as a result of the continued bullying
- The fact that the bullying continues, even though the Principal agreed to do particular things to ensure it wouldn't

Attach copies of all correspondence between you, the school and the district. Also be sure to include any new notes you have taken that are not listed on any of the other letters. If you mail your letter, send it by USPS Priority AND Certified Mail - RRR.

7. File a Complaint with the U.S. Office for Civil Rights

At the same time you file a complaint with the school and/or district office, or if you have not received satisfactory resolution, and your child's civil rights have been violated (race, color, national origin, sex, disability, age), contact the U.S. Office for Civil Rights (OCR). Programs or activities (including schools) that receive federal funding from the Department of Education are prohibited from discrimination on the basis of race, color, national origin, sex, disability, and age. You MUST file a complaint within a certain amount of days after the last action taken in the district's grievance (UCP) process. It's important to know the time limits and processes for filing a complaint with the OCR. It is also best to file this alongside the district complaint process, as there are strict time limits (based on incident dates) for filing these complaints. Be aware that the OCR may need to wait to take action until a UCP is complete. File the complaint anyway, as these decisions are sometimes made on a case-by-case basis, and completion of a UCP may not be necessary. A fillable copy of the Discrimination Complaint Form can be found at: <http://www2.ed.gov/about/offices/list/ocr/complaintform.pdf>. Please visit the OCR website for detailed instructions and more information: <http://www2.ed.gov/about/offices/list/ocr/index.html>.

8. Talk to a Lawyer or the Courts

If you have done all that you can with the school (including the district and Board of Education), you may wish to talk to a lawyer who specializes in or has expertise in education law. The best place to search is the California State Bar Association (<http://calbar.ca.gov/>). Yuba-Sutter Stand for the Silent (YSSFTS) has also partnered with **California Rural Legal Assistance (CRLA)** who offers income-eligible families assistance with civil matters. If they are unable to accept your case, they may be able to refer you to an attorney who could. Another nonprofit group, called **Public Justice for Legal Assistance (AKA: Public Justice)**, pursues high impact lawsuits to combat social and economic justice, protect the earth's sustainability and challenge predatory corporate conduct and government abuses. They have an anti-bullying campaign and may also be able to help. Contact either organization for more information:

California Rural Legal Assistance
Phone: 530-742-5191
Laura Clauson Ferree – Marysville Directing Attorney
E-Mail: lferree@crla.org
[Website: http://www.crla.org](http://www.crla.org)

Public Justice for Legal Assistance
Phone: 202-797-8600
E-Mail: caseintake@publicjustice.net
Website: [http://www.publicjustice.net/what-we-do/anti-](http://www.publicjustice.net/what-we-do/anti-bullying-campaign)

If there was any physical contact, injury or credible threat made to your child, you may want to consider filing for a Civil Harassment Restraining Order (CHRO). For more information regarding restraining orders, see <http://www.courts.ca.gov/1044.htm>. When you request a CHRO, the court will decide if you have enough evidence to issue an immediate temporary restraining order (TRO). If a TRO is granted, it will go into effect within 24 hours of filing the CHRO documents and last until the hearing date, which will be scheduled in approximately 2-3 weeks. At the hearing, the court will decide if you have enough evidence to obtain a “permanent” restraining order which can last up to five (5) years. Even if the court does not issue a TRO, you will still have a hearing scheduled to see if you can prove that your child needs a “permanent” restraining order. If your child has been threatened with violence, stalked, or there is a credible fear of violence there, you will qualify to pay no fees for filing the court paperwork. If you have filed a police report, your county's victim-witness office may be able to help you file your paperwork. Your initial documentation and timeline will come in very handy for filling out the court paperwork and also when you appear in court. Be sure to always bring three (3) copies of your documents/evidence to court: one for you/your child, one for the court/judge and one for the person the TRO was issued against. *Please note: You are responsible for having the TRO served to its recipient. A valid current physical address for the TRO recipient is required in order to serve the TRO. This may be your greatest challenge in the entire TRO process, especially if you don't know the address. TROs must be served to the recipient by a Process Server, Sheriff's Officer or a party not related to or connected to either party or parties listed on the TRO. The Sheriff's office or any other Process Server is not authorized to provide addresses, even though they may have them; you are required to provide this information to them. Process Servers and the Sheriff's office charge a minimal fee to serve documents (IE: \$15-\$30), but if the court waived the TRO fees, the Sheriff's office should waive their service fee, as well. For additional information on obtaining a TRO and process server requests, contact your county court house and local Sheriff's office.*

9. Seek Counseling and Find Support

If your child needs additional counseling beyond what the school provides, you might want to consider seeking outside help from an unbiased person not connected to the school district in which they are employed. Your medical insurance provider may have coverage for behavioral services. Most insurance plans have an online search option to find a qualified provider in your area and within your coverage network. Another option would be to contact **Sutter-Yuba Mental Health Preventative Services** or **Yuba County Victim Witness**, and ask their assistance. Yuba County Victim Witness has a grant to offer counseling for victims of bullying as well as the bullies themselves who also need counseling to ensure bullying behavior does not recur. There may be occasion, on a case-by-case basis, they may be able to offer services to those who reside outside of Yuba County. It is best to contact them directly to find out if their services are available and can benefit you or your child. **Sutter County Victim Witness** offers similar services but because of limited funding, they may not be able to offer the same vast services or availability Yuba County Victim Witness does. If support specifically for members of the LGBTQIA community would be beneficial, **Tri-County Diversity** can also help with additional resources.

Sutter-Yuba Behavioral Health
Phone: 530-674-1885
John Floe, MAOM – Prevention Services Coordinator
E-Mail: JFloe@co.sutter.ca.us
Website: www.sutter.networkofcare.org
Website: www.yuba.networkofcare.org

Yuba County Probation, Victim and Program Services
("Yuba County Victim Witness")
Phone: 530-741-6275
Jason Roper – Program Manager (all staff can assist)
E-Mail: jroper@co.yuba.ca.us
Website:
www.co.yuba.ca.us/departments/probation/victimserv.aspx

Tri-County Diversity
Ameya Scanlon – Youth Group Facilitator
Phone: 530-491-8759
TCD: 530-763-2116, Youth Phone: 530-763-2414
E-Mail: ameyascanlon@icloud.com
Website: www.tricountydiversity.org

Sutter County Victim Witness Assistance Program
446 Second Street, Yuba City, CA 95991
Phone: 530-822-7345
Website: http://www.co.sutter.ca.us/doc/government/depts/da/vw/da_vw

For any and all emergencies, call 9-1-1

10. Build Self-Esteem

Bullies tend to pick on those with a disadvantage of some sort. Perhaps bullying victims have a learning, mental or physical disability, or possibly their victim is in transition –parents divorcing, questioning their sexuality or changes are being made to their environment or home life, etc. Most of the time, victims of bullying suffer from low self-esteem. They feel as if somehow they did something to deserve being treated poorly. While fighting back against the bullying and seeking counsel for your child do help to solve some of the problem, the feelings of low self-esteem tend to stick around and most-likely will cause additional issues, many of them behavioral problems or psychological challenges. Your child might greatly benefit from participating in an outside non-school activity where they can begin to feel safe again and develop feelings of self-worth, discipline and empowerment. Research also shows that most, if not all, victims AND bullies lack problem-solving skills. Ask around and look into local programs and activities your child might enjoy that could help build self-esteem and offer the ability to learn and practice effective problem-solving. If your child has shown an interest in martial arts, for example, **Han Mi Tae Kwon Do** in Marysville offers all members of Yuba-Sutter Stand for the Silent a discount of \$10 off their monthly tuition just by showing their YSSFTS membership PLEDGE card upon registration. Contact Han Mi Tae Kwon Do for more information. **Playzeum Children's Play Museum of Yuba-Sutter** offers a hands-on interactive play area designed to support learning and creative thinking. Playzeum gives a \$1 discount off admission for showing your YSSFTS membership PLEDGE card. **Yuba-Sutter California Highway Patrol (CHP)** offers their Explorer Program, which is designed for young men and women, 15 to 21 years of age, allowing them to develop the skills and knowledge needed to serve the people of California through discipline and a commitment to serving their community. We have worked closely with the Yuba-Sutter area CHP CORE officers and have partnered with Officer Greg Gomez to combat bullying in our schools. His information is listed below. The above-mentioned local resources are listed, as well as a few others. You may also send an email to yssfts@yahoo.com for more ideas or suggestions.

Han Mi Tae Kwon Do
424 D Street, Marysville, CA 95901
Phone: 530-743-9029
DeAnna Borjesson – Owner
E-Mail: borjessonrus@yahoo.com
Website: <http://han-mi-taekwondo.com>

Yuba-Sutter California Highway Patrol (CHP)
1619 Poole Blvd., Yuba City, CA 95993
Phone: 530-674-5141
Greg Gomez – CORE Officer
E-Mail: GrGomez@chp.ca.gov

Hope Point Nazarene Church Youth Groups:
600 N. George Washington Blvd., Yuba City, CA 95993
High School Pastor: Charvis Franklin
Phone: 530-755-6044
E-Mail: charvis.franklin@gmail.com
Middle School Pastor: Hannah Maddalena
Phone: 530-440-8574
E-Mail: hrrsmitty5@gmail.com
4th/5th Grade Pastor: Open
Phone: N/A
E-Mail: N/A
Elementary Ministry Director: Kathleen Trimble
Phone: 530-671-1130
E-Mail: lvnjust4him@aol.com

Playzeum Children's Play Museum of Yuba-Sutter
613 B Bogue Road, Yuba City, CA 95991
Phone: 530-673-9085
Jackie Tam - PLAYzeum Co-Founder and Board Member
E-Mail: jmtam61@yahoo.com
Website: <http://www.yubasutterplay.org>

This form is intended to act as a suggested action process and is not a legal document. Information listed here will change and, therefore, will alter the process in which listed action steps are handled. Yuba-Sutter Stand for the Silent assumes no legal responsibility for the information provided. If at any time, during your own research, you are able to utilize a process or valuable resource that is not listed or that we may wish to modify, please inform us so that we may make appropriate changes and share this information with others. Thank you.