



FULLERTON
SCHOOL
DISTRICT

Great Schools
Successful Kids

January 21, 2012

The Honorable Thomas J. Borris
Presiding Judge of the Superior Court
700 Civic Center Drive West
Santa Ana, CA 92701

REGARDING: The Fullerton School District's Response to 2011-12 Orange County Grand Jury Report, "Anti-Bullying Programs in Orange County Schools"

In accordance with California Penal Code section 933.05, a response is required from the Fullerton School District to Findings 1-4 and Recommendations 1-3, 6-7.

Finding 1:

Not all Orange County schools use the same technology, procedure and codes to record bullying or harassment incidents.

Fullerton School District does not have enough information to agree or disagree with this finding. The schools of this District use the same technology, procedures and codes to record incidences of bullying or harassment. The definition of bullying currently used was developed from Education Code 48900(r) and Education Code sections referenced therein.

Finding 2:

New legislation takes effect July 1, 2012, and broadens the definition of "Bullying."

Fullerton School District agrees that AB 1156 provides a broader definition of "bullying" than was contained in prior law.

Finding 3:

Education Code 234.1 requiring posting of anti-bullying/anti-harassment policies in prescribed areas was not evident in all schools visited.

Fullerton School District cannot comment on the policies that are posted in all schools throughout Orange County. The schools of this District have posted anti-harassment policy in prescribed areas for many years.

The requirement for school districts to post anti-bullying policy in all schools and offices, including staff lounges and public government meeting rooms, was new as of July 1, 2012. The District must disagree with the relevancy of this finding with regard to posting its anti-bullying policy in prescribed areas prior to July 1, 2012. As of July 1, 2012, the anti-bullying policy has been posted in all prescribed areas.

The Grand Jury report does not identify districts or schools found out of compliance. Fullerton School District, therefore, cannot agree or disagree with this finding.

Finding 4:

Based on witness testimony, confidentiality was not maintained in a bullying incident as prescribed in California Education Code section 234.1.

Fullerton School District cannot agree or disagree to this finding, as the Grand Jury does not identify which school district was involved in the alleged breach of confidentiality. The schools of this District have not been involved in any alleged breaches of confidentiality.

Recommendation 1:

Recommend a countywide compatible information system for reporting incidents of bullying be explored by all school districts.

Fullerton School District will not implement this recommendation because it is not warranted or reasonable. The District tracks incidents of bullying as follows: It is the District's policy that any staff member observes, overhears, witnesses, or receives a report of bullying (including cyber-bullying), harassment, or intimidation must take prompt and appropriate action to stop the behavior or any further reoccurrences. The principal of each school or their designee is responsible for receiving and promptly investigating complaints alleging violation of the anti-bullying or anti-harassment policies. All discipline matters regarding a violation of this policy are recorded into the District's data management system (PowerSchool). At the district level, the Uniform Complaint Officer receives, tracks, and resolves all complaints of discrimination, harassment, intimidation, and bullying.

Different districts use different procedures and technology that reflect the unique needs of each district. Fullerton School District, like all other districts, complies with State mandated reporting, such as the California Longitudinal Pupil Data System (CALPADS). The aggregation of countywide data as prescribed in this recommendation can be done through CALPADS. Therefore, it is not necessary that each school district use the same procedures and technology to track incidents of bullying.

Recommendation 2:

Recommend all countywide schools agree upon the same definition of bullying.

Fullerton School District is required by law to apply the definition of "bullying" contained in Education Code section 48900(r) in suspending and expelling students. The District will also use this definition of "bullying" in tracking complaints of bullying.

Recommendation 3:

Each district review standardized procedures to protect a bully victim and bystanders' confidentiality as stated in Education Code section 234.1.

Fullerton School District has implemented policies regarding retaliation and confidentiality. Principals were trained and provided materials for site staff training. Those policies specify the confidentiality requirements and staff that may have access to information. The policies also require timely follow up to ensure that the involved parties have not been subjected to any adverse repercussions or conduct in regards to a report or complaint of bullying.

The District intends to regularly remind staff of these policies by: displaying them in offices, staff lounges, and pupil government meeting rooms, placing them in employee handbooks, and during staff meetings.

Recommendation 6:

Recommend each district explore the development of a countywide standard information system for recording incidents of bullying.

Fullerton School District will not implement this recommendation because it is not warranted or reasonable. The District tracks incidents of bullying as follows: It is the District's policy that any staff member who observes, overhears, witnesses, or receives a report of bullying (including cyber-bullying), harassment, or intimidation must take prompt and appropriate action to stop the behavior or any further reoccurrences. The principal of each school or their designee is responsible for receiving and promptly investigating complaints alleging violation of the anti-bullying or anti-harassment policies. All discipline matters regarding a violation of this policy are recorded into the District's data management system (PowerSchool). At the district level, the Uniform Complaint Officer receives, tracks, and resolves all complaints of discrimination, harassment, intimidation, and bullying.

Different districts use different procedures and technology that reflect the unique needs of each district. Fullerton School District, like all other districts, complies with State mandated reporting, such as the California Longitudinal Pupil Data System (CALPADS). The aggregation of countywide data as prescribed in this recommendation can be done through CALPADS. Therefore, it is not necessary that each school district use the same procedures and technology to track incidents of bullying.


Recommendation 7:

All schools post anti-bullying/anti-harassment policy in offices, staff lounges and student government meeting areas as prescribed in Education Code section 234.1

Fullerton School District has updated and posted anti-bullying/anti-harassment policy posters in accordance with Education Code 243.1(d).

If you have any further questions or need for additional information, please contact Dr. Craig Bertsch at 714-447-7528 or craig_bertsch@fsd.k12.ca.us.

Sincerely,



Robert Pletka, Ed.D.
Superintendent

Cc: Orange County Grand Jury
700 Civic Center Drive West
Santa Ana, CA 92701