



All students, including English learners, have a right to feel safe in school and be free of discrimination.

State and federal laws prohibit discrimination based on students' identities, including discrimination based on: race, skin color, national origin, ability, sex or gender.

School districts across California are required to ensure that students are safe in school, free from discrimination, and fully able to access the educational opportunities available to them. California school districts are required to take the following steps to prevent bullying, harassment, discrimination, and intimidation:

Adopt an anti-bullying policy that prohibits bullying, harassment, discrimination, and intimidation and identifies the characteristics that are protected, such as race, gender, gender identity, gender expression, disability, national origin, and sexual orientation.

Adopt an anti-bullying complaint process to describe how they investigate complaints of bullying, harassment, discrimination,

and intimidation, which includes an investigation timeline and an appeals process.

Publish and post their anti-bullying policy and complaint process—including information on how to file a complaint.

Publish resources to support students who have experienced bullying, harassment, intimidation, or discrimination, and update them each year.

Schools have the responsibility to stop bullying and harassment under the law. Once a school knows—or should have known—of harassment of students, it must take prompt action to **investigate or otherwise find out what happened**; and **stop the harassment**, eliminate any hostile environment that may have been created, and prevent the harassment from recurring.

Who might bully or harass English Learners?

Students could be bullied or harassed by their classmates, a teacher, school administrator, or a third party, such as a visiting athletic coach.

What can bullying look like?

English learners have historically been targeted for the following: their race, the color of their skin, the language they speak at home or at school, the food they eat, their country of origin (where their family is from), their level of English proficiency and/or their status as an English learner or multilingual learner student, the way they speak English (their accent), for wearing cultural clothes, for identifying as a student with a disability, and/or for being a student who needs disability-related services.

Bullying could consist of verbal abuse, such as name-calling; physical abuse, such as pushing, shoving, spitting, or hitting; threats, which could be oral, written, or delivered via social media; written or graphic statements, such as hostile drawings, comics, or cartoons; contempt or ridicule; blocking the student from entering a room or program.

What impact does bullying, harassment, and discrimination have on students?

Increased absenteeism from school, withdrawal from activities that the student previously enjoyed, difficulty sleeping or eating, headaches, stomachaches, or other illnesses, anxiety, a drop in grades, depression, propensity for self-harm (including suicidal thoughts), disconnection from peers, feelings of guilt or shame, fear.

Please visit section 3 (page 24) of our full Resource Guide for Multilingual Learners for more detailed information: bit.ly/PA-MLRG

What are my options if a student is being bullied or harassed?

Solutions can vary depending on the situation and the school. Some options include:

Discuss your concerns with a teacher, counselor, or school/district staff member or administrator. Ask for a meeting and request interpretation if needed to fully participate, and provide specific information:

1. When and where was the incident?
2. Who was involved?
3. What did it look like and how did it impact your student?
4. What does your student need to feel safe at school?

Ask if there are "restorative" practices to both hold accountable and build community with the individual(s) involved.

File a uniform complaint procedure (UCP) within one year of the incident (find information on your district's website).

File a complaint with the Office for Civil Rights (OCR) at the US Department of Education: <https://ocrcas.ed.gov>.

Consult an attorney or legal services provider for guidance.

Legal citations:

- **Title VI of the Civil Rights Act of 1964:** Prohibits discrimination based on race, color, and national origin.
- **Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act:** Prohibits discrimination based on disability.
- **Title IX of the Education Amendments Act of 1972:** Prohibits discrimination based on sex or gender.

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