



BULLYING, HAZING AND RETALIATION POLICY

The purpose of this policy is to prohibit bullying, hazing, harassment and intimidation of students and school personnel. The Board of Directors (the ‘Board’) of Beehive S & T Academy School (the “School”) has determined that a safe environment in school is necessary for students to learn and achieve high academic standards and that conduct constituting bullying, cyber bullying, hazing, harassment, abusive conduct and intimidation disrupts both a student’s ability to learn and the School’s ability to educate its students in a safe environment. This policy is intended to be consistent with the provisions of applicable laws, including Utah Code Ann. § 53A-11a-101, et seq., R277-609, and R277-613.

In order to promote a safe learning environment, the School prohibits all forms of bullying of students and School personnel (a) on School property, (b) at a School-related or sponsored event, or (c) while the student or school personnel is traveling to or from School property or a School related or sponsored event. The School prohibits all forms of hazing and cyber-bullying of students and School personnel at any time and any location. The School Students and School personnel are prohibited from retaliating against any student, School personnel or individual investigating an allegation of bullying, hazing or retaliation. False reporting of bullying and hazing incidents will result in notification to parents and school consequences in detention or suspension keeping with the student handbook for Students and for staff discipline up to and including termination.

Students and School personnel are prohibited from making false allegations of bullying, cyber-bullying, hazing and retaliation against a student or School personnel.

Anyone who purposefully makes a false report will be subject to disciplinary action that may include loss of privileges, in-school suspension, or out-of-school suspension.

In addition, School personnel, coaches, sponsors and volunteers shall not permit, condone or tolerate any form of hazing or bullying and shall not plan, direct, encourage, assist, engage or participate in any activity that involves hazing or bullying.

The LEA or his designee will ensure student assessments are conducted to ensure identification of prevalence of bullying, cyber-bullying, hazing and harassment in school and to identify specific locations these incidents might occur such as playgrounds, hallways, and lunch areas. This information will be utilized by the Assistant Principal and Safety Committee in order

to take proactive measures to prevent bullying and hazing at school.

The procedures consistent with this policy and applicable law will be as follows:

Administrative Procedures

Bullying and Hazing Procedures

These procedures are established pursuant to the Bullying and Hazing Policy adopted by the Board of Directors

Definitions:

Bullying – For purposes of this policy, “bullying” means intentionally or knowingly committing an act that:

- (1) (a) endangers the physical health or safety of a school employee or student; (b) involves any brutality of a physical nature such as whipping, beating, branding, calisthenics, bruising, electric shocking, placing of a harmful substance on the body, or exposure to the elements;
- (c) involves consumption of any food, liquor, drug, or other substance; (d) involves other physical activity that endangers the physical health and safety of a school employee or student; or
- (e) involves physically obstructing a school employee’s or student’s freedom to move; (f) overt aggression (physical fighting such as punching, shoving, kicking, and verbal threatening behavior such as name calling, or both physical and verbal aggression or threatening behavior)
- (g) relational aggression or indirect, covert, or social aggression (rumor spreading, intimidation, enlisting a friend to assault a child, and social isolation)
- (h) sexual aggression or acts of sexual nature or sexual overtones.

and

- (2) is done for the purpose of placing a school employee or student in fear of:
 - (a) physical harm to the school employee or student; or
 - (b) harm to property of the school employee or student.

- (3) The conduct described in R277-613-1B constitutes bullying, regardless of whether the person against whom the conduct is committed directed, consented to, or acquiesced in, the conduct.

Cyber Bullying – For purposes of this policy, ‘cyber-bullying’ means using the Internet, a cell phone, or any other device to send or post text, video, or an image with the intent or knowledge, or with reckless disregard, that the text, video, or image will hurt, embarrass, or threaten an individual, regardless of whether the individual directed, consented to, or acquiesced in the conduct, or voluntarily accessed the electronic communication.

Harassment – For purposes of this policy, “harassment” means repeatedly communicating to another individual, in an objectively demeaning or disparaging manner, statement that contribute to a hostile learning or work environment for the individual.

Hazing – For purposes of this policy, “hazing” means intentionally or knowingly committing an act that:

- (1) (a) endangers the physical health or safety of a school employee or student; (b) involves any brutality of a physical nature such as whipping, beating, branding, calisthenics, bruising, electric shocking, placing of a harmful substance on the body, or expose to the elements; (c) involves consumption of any food, liquor, drug, or other substance; (d) involves other physical activity that endangers the physical health and safety of a school employee or student; or (f) (i) is done for the purpose of initiation or admission into, affiliation with, holding office in, or as a condition for, membership or acceptance, or continued membership or acceptance, in any school or school sponsored team, organization, program, or event; or (ii) if the person committing the act against a school employee or student knew that the school employee or student is a member of, or candidate for, membership with a school ,or school sponsored team, organization, program, or event to which the person committing the act belongs to or participates in.
- (2) The conduct described above constitutes hazing, regardless of whether the person against whom the conduct is committed directed, consented to, or acquiesced in, the conduct.

Abusive Conduct

“Abusive conduct” means verbal, nonverbal, or physical conduct of a parent or student directed toward a school employee that, based on its severity, nature, and frequency of occurrence, a reasonable person would determine:

1. is intended to cause intimidation, humiliation, or unwarranted distress;
- 2.results in substantial physical or psychological harm as a result of intimidation, humiliation, or unwarranted distress; or
- 3.exploits an employee's known physical or psychological disability
 - a. a single act does not constitute abusive conduct, unless it is an especially severe and egregious act that meets the standard under **53G-9-601** definition of abusive conduct: Subsection (A)(1),(2), or (3).

Retaliate or Retaliation – For purposes of this policy, ‘retaliate or retaliation’ means an act or communication intended:

- (1) As retribution against a person for bullying or hazing; or
- (2) To improperly influence the investigation of, or the response to, a report of bullying or hazing.

Reporting and Investigation

Students who have been subjected to or witnessed hazing or bullying must promptly report such incidents to any School personnel orally or in writing. School personnel must report to the Principal incidents of hazing and bullying, including both oral and written reports as well as conduct that they witness themselves. In connection with a report of bullying, hazing or retaliation, students and School personnel may request that their identity be kept anonymous, and reasonable steps shall be taken by the Principal and others involved in the reporting and investigation to maintain the anonymity of such individuals, if possible. School personnel will take strong responsive action to prevent retaliation, including assisting a harassed student and his or her parents in reporting subsequent problems and new incidents.

The Principal shall promptly make a reasonably thorough investigation of all complaints of hazing and bullying, including, to the extent possible, anonymous reports, and shall administer appropriate discipline to all individuals who violate the Bullying and Hazing Policy.

The Principal will report to law enforcement all acts of bullying, hazing or retaliation that constitute criminal activity.

Consequences of Prohibited Behavior

Students and School personnel participating in or encouraging conduct prohibited by the Bullying and Hazing Policy will be disciplined. For students, such discipline may include, but is not limited to, suspension or expulsion from the School and removal from participation in School activities.

School personnel that violate the Bullying and Hazing Policy will be disciplined, which may include termination.

Often students who are victims of bullying become suicidal, as well as teens who are struggling emotionally. Youth suicide is a genuine health concern and schools must act to prevent this tragedy. The LEA will ensure staff and parents receive training annually on suicide prevention and proper reporting criteria for staff. Staff will inquire with a student when this student is reported to be having emotional difficulties or a victim of bullying and are possibly suicidal. The determining factors may include statements by the victim of wanting to die or commit suicide, drawings indicating a death or suicide theme, or reports by friends that the student is making suicidal statements.

The results of this inquiry will be reported to the Assistant Principal, Principal or their designee when absent for possible further investigation and reporting to parents. The Assistant Principal or designee will contact parents as soon as possible and notify them of the details of their student's suicidal tendencies by phone, Coolsis, email or in person. The details of this communication will be documented in a Coolsis communication log. This record will be maintained until archived. This policy does not limit or restrict any staff member from directly reporting to parents if they believe the situation requires immediate contact.

Parental/Guardian Notification

Pursuant to Utah Code (53G-9-504), each school administrator who finds that an incident of bullying, cyber-bullying, harassment, hazing, or retaliation has occurred shall notify the parent(s)/guardian(s) of each student involved. Likewise, each school administrator shall notify the parent(s)/guardian(s) of any student who threatens to commit suicide. The school administrator who notifies parent(s)/guardian(s) under this section shall keep a record verifying that the parent(s)/guardian(s) were notified using the *Parent/Guardian Notification* form. This form shall contain the date, time, manner of notification, and indicate the type of threat or incident. This form, along with any related written communication, must be kept separate from the student's educational records. The form may be disclosed to the parent(s)/ guardian(s) and/or student(s), but it may not be disclosed to any other person or entity except when required by a valid court order as provided in Utah Code. The form prepared pursuant to this section is categorized as a "private record" as per Utah Code under the Government Records Access and Management Act (GRAMA). In addition, the form and any accompanying written communication may not be used for the school's own purposes, such as for a report or study, statistical analysis, or to conduct research. These forms and others pertaining to bullying, cyber-bullying, harassment, hazing, or retaliation will be kept until the student graduates and will then be destroyed.

Additional Provisions

The Principal will take reasonable steps to ensure that any victim of hazing or bullying will be protected from further hazing or bullying and that any student or School personnel who reports such incidents will be protected from retaliation.

If the Principal believes that any victim or perpetrator of conduct prohibited by the Bullying and Hazing Policy would benefit from counseling, the Principal may refer such individuals for counseling.

To the extent allowable under applicable privacy laws, the Principal will inform the parents or guardians of a student who is a victim of conduct prohibited by the Bullying and Hazing Policy

of the actions taken against the perpetrator of such conduct.

If the Principal believes that it would be in the best interests of the individuals involved, the Principal may involve the parents or guardians of a perpetrator or victim of hazing, bullying or retaliation in the process of responding to and resolving conduct prohibited by the Bullying and Hazing Policy.

The Principal will inform students, parents, School personnel and volunteers that hazing and bullying are prohibited and will distribute a copy of the Bullying and Hazing Policy and these procedures to such individuals. A copy of the Bullying and Hazing Policy and these procedures may be included in student, parent, and employee handbooks for the School.

The Principal will provide for appropriate training designed to assist parents, school personnel, coaches, sponsors, and volunteers in identifying, preventing and responding to incidents of hazing and bullying. Students will receive training regarding bullying, cyber-bullying, hazing and anti-suicide in keeping with the Utah based Hope Squad curriculum and made aware of the School Safety and Crisis line provided for by 53-A11-1503 (3).

I have received and read this policy

Name (printed) _____

Signature _____

Date _____

* ADOPTED: June 23, 2012

REVISED: December 14, 2016

Revised: October 6, 2018

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