

NUAMES School Policy: Bullying, Cyber-bullying, Harassment, and Hazing

Bullying, cyber-bullying, harassment, and hazing of students and employees are against federal law, state law, and NUAMES school policy, and are not tolerated by NUAMES Early College High School. It is the intent of NUAMES to respond to school-related incidents by implementing prevention efforts where victims can be identified and assessed, and perpetrators educated, in order to create a safer school that provides a positive learning environment. School Administration has the authority to discipline students and employees that participate in bullying, cyber-bullying, harassment, and hazing.

Definitions

[a] "Bullying" means intentionally or knowingly committing an act that:

(i) endangers the physical health or safety of a school employee or student and:

(1) involves any brutality of physical nature such as whipping, beating, branding, calisthenics, bruising, electric shocking, place of a harmful substance in the body, or exposure to the elements;

(2) involves consumption of any food, liquor, drug, or other substance;

(3) involves physically obstructing a school employee's or student's freedom to move; and

(ii) is done for the purpose of placing a school employee or student in fear of:

(1) physical harm to the school employee or student; or

(2) harm to property of the school employee or student.

(iii) Bullying is commonly understood as aggressive behavior that:

(1) is intended to cause distress and harm;

(2) exists in a relationship in which there is an imbalance of power and strength; and

(3) is repeated over time.

[b] "Cyber-bullying" means using the Internet, a cell phone, or another 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.

[c] "Harassment" means repeatedly communicating to an individual, in an objectively demeaning or disparaging manner, statements that contribute to a hostile learning or work environment for the individual.

[d] "Hazing" means intentionally or knowingly committing an act that endangers the physical health or safety of a school employee or student and:

(i) 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;

(ii) involves consumption of any food, liquor, drug, or other substance;

(iii) involves other physical activity that endangers the physical health and safety of a school employee or student; or

(iv) involves physically obstructing a school employee's or student's freedom to move; and

(v) 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

(vi) if the person committing the act against a school employee or student knows 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.

[e] "Retaliation" means an act or communication intended:

(i) as retribution against a person for reporting bullying, cyber-bullying, hazing and harassment; or

(ii) to improperly influence the investigation of, or the response to a report of bullying, cyber-bullying, hazing and harassment.

[f] The conduct defined herein constitutes bullying, cyber-bullying, hazing or harassment, regardless of whether the person against whom the conduct is committed directed, consented to, or acquiesced in, the conduct.

(H) "Parent," for purposes of this rule, means a student's guardian consistent with Section 53A-11a-203(1)

No NUAMES school employees or student may:

[a] engage in any form of bullying or harassing a school employee or student, on or about school property, on a school bus, at a school bus stop, or while

Traveling to or from the school location or a school event, or at any school-related or sponsored activity regardless of location or circumstance;

[b] engage in hazing or cyber-bullying a school employee or student at any time or in any location;

[c] engage in retaliation against a school employee; a student; or an investigator for, or witness of, an alleged incident of bullying, harassing, cyber-bullying, hazing, or retaliation; or

[d] make a false allegation of bullying, cyber-bullying, harassment, hazing, or retaliation against a school employee or student.

Investigation and Discipline

Each reported violation of the prohibitions noted above shall be promptly investigated and discipline determined in accordance with this policy.

Reporting Requirement

[a] NUAMES School employees who become aware of bullying, harassment, hazing, or related initiation activity, shall report such incident immediately to school administrators so that prompt and appropriate action can be taken. School personnel who fail to report incidents of bullying, harassment, or hazing to school or school administrators may face disciplinary action.

[b] Students who observe hazing activities and fail to intervene or report the hazing to school officials may face disciplinary action for conspiring to engage in hazing.

Coordination with other Policies

[a] School employees who engage in any of these prohibited behaviors may be subject to individual investigation resulting in employment action.

[b] Bullying, harassing, or hazing that is found to be based on a protected class is further prohibited under federal anti-discrimination laws and is subject to provisions of School Nondiscrimination Policy and Complaint Procedure.

Parental Notification of Certain Incidents and Threats

A school administrator shall promptly notify a parent/guardian personally of:

[a] a parent/guardian's student's threat to commit suicide; or

[b] an incident of bullying, cyber-bullying, hazing, harassment, or retaliation involving the parent/guardian's student.

Record of Notification

When a parent/guardian has been notified by a school administrator of a threat or incident, the school administrator shall record parent notification in the SIS system and if the student threatens to harm self, complete the *NUAMES Intervention Plan Release Form*.

[a] This record shall be securely and confidentially maintained by the school consistent with state and federal law.

[b] A school shall provide the parent and student a copy of the *NUAMES Suicide Intervention Plan Release Form* related to the student if the student requests a copy of record; and expunge the record maintained in accordance with this section if the student has graduated from high school and requests the record be expunged.

A. Prior to any student, employee or volunteer coach participating in a public school sponsored athletic program, both curricular and extracurricular, or extracurricular club or activity, the student, employee or coach shall participate in bullying, cyber-bullying, hazing and harassment prevention training. This training shall be offered to new participants on an annual basis and to all participants at least once every three years.

B. LEAs may collaborate with the Utah High School Activities Association to develop and provide training.

C. Student athletes and extracurricular club members shall be informed of prohibited activities under this rule and notified of potential consequences for violation of the law and the rule.

D. Training curriculum outlines, training schedules, and participant lists or signatures shall be maintained by each LEA and provided to the Utah State Office of Education upon request.

Responsibilities of NUAMES Club Advisors

A. All NUAMES school club advisors shall act consistent with professional standards of R277-515 in all responsibilities and activities of their assignments.

B. Failure of a NUAMES club Advisor to act consistently with R277-515 toward students, colleagues and parents may result in discipline against the educator's license, disciplinary action by NUAMES administration and/or termination.

Prevention

- School faculty and staff: 1) teach, remind, and rehearse appropriate behavior, including proper reporting; 2) take appropriate disciplinary action with consideration to the totality of the circumstances and the individual; 3) maintain up-to-date records of incidents and action taken; 4) communicate with parents regarding behavior issues; 5) provide supervision during school hours; 6) regularly assess times and locations when and where issues arise
- The school counselors: 1) teach regular scheduled seminars and classroom lessons to build social skills; 2) address bullying, cyber-bullying, harassment, sexual harassment, civil rights violations, etc. with faculty and staff. 2) meets with students individually and in small groups; 3) assists teachers and other staff in the development of bullying and harassment prevention
- Parents can help by: 1) setting an example of positive social interactions; 2) report incidents to the teacher first, then administration, as early as possible; 3) explain and practice with students how to deal with confrontational situations and difficult people; 4) encourage prompt and accurate reporting over retaliation

*Note – many NUAMES Early College High School policies are copied and adapted from Davis School District as stated in NUAMES original charter.