



NEBO SCHOOL DISTRICT BOARD OF EDUCATION POLICIES AND PROCEDURES

SECTION: J – Students
G - Personnel

POLICY TITLE: Prohibition of Bullying, Hazing, and Retaliation

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1. PURPOSE AND PHILOSOPHY

The Board of Education is committed to provide all students and District employees with a safe and secure learning and working environment. Bullying, hazing, and retaliation for reporting incidents of bullying or hazing reduce a student's ability to achieve academically and reduces an employee's ability perform their job responsibilities. In addition, bullying, hazing, and retaliation can directly affect a student's or an employee's health and well-being, and may contribute to excessive absences, physical illness, mental and emotional anguish, and long-term social and psychological consequences. The Board encourages educators, employees, students, and parents to develop procedures to stop and prevent bullying, hazing, and retaliation for reporting incidents of bullying or hazing in Nebo School District.

2. DEFINITIONS

2.1 "Bullying" means any behavior that is intended to cause personal harm or distress, exists in situation or a relationship in which there is an imbalance of power or strength, and may be repeated over time. It is intentionally or knowingly committing an act that endangers the wellbeing, health, or safety of a student or employee. Bullying may be physical, verbal/written, or psychological. The conduct described in this policy constitutes bullying, regardless of whether the person against whom the conduct is committed directed, consented to, or acquiesced in the conduct.

2.1.1 "Physical Bullying" involves physical activity that endangers the health and safety of a student or employee that includes, but is not limited to, pushing, grabbing, pinching, whipping, beating, branding, calisthenics, bruising, electric shocking, shoving, poking, tripping, kicking, hitting, placing a harmful substance on the body, exposure to the elements, and destroying property. Bullying may involve coerced consumption of any food, liquor, drug, or other substance. Bullying may also involve any forced or coerced act or activity of a sexual nature or with sexual connotations such as asking a person to remove articles of clothing or expose or touch private areas of the body. It may also involve the physical obstruction of a student's or employee's freedom to move if done for the purpose of creating fear of physical harm to the student or employee or to the property of the student or employee.

- 2.1.2 “Verbal/Written Bullying”** includes, but is not limited to, name calling, mean teasing, spreading false rumors, intimidation, sexual comments, harassing, and threatening comments and behavior that is communicated verbally or in writing, including the use of electronic media (i.e., “cyber bullying”).
- 2.1.2.1 “Cyber Bullying”** means using e-mail, web pages, text messaging, blogs, instant messaging, three-way calling or messaging, or any other electronic means for aggression, intimidation, or harassment against another person. Examples include, but are not limited to, sending mean, vulgar, or threatening messages or images; posting inappropriate pictures of or sensitive, private information about the victim; pretending to be someone else to hurt that person; rude comments; lies; stalking; threats; extortion; harassment; and transmission of unflattering or embarrassing photographs.
- 2.1.3 “Psychological Bullying”** includes, but is not limited to, socially isolating an individual, demeaning or sarcastic comments, gestures, and threatening comments and behavior.
- 2.2 “Hazing”** involves physical activity that endangers the health and safety of a student or employee that includes, but is not limited to, pushing, grabbing, pinching, whipping, beating, branding, calisthenics, bruising, electric shocking, shoving, poking, tripping, kicking, hitting, placing a harmful substance on the body, exposure to the elements, and destroying property. Hazing may involve coerced consumption of any food, liquor, drug, or other substance. Hazing may also involve any forced or coerced act or activity of a sexual nature or with sexual connotations such as asking a person to remove articles of clothing or expose or touch private areas of the body. It may involve the physical obstruction of a student’s or employee’s freedom to move if done:
- 2.2.1** for the purpose of initiation or admission into, affiliation with, holding office in, or a condition for, membership or acceptance, or continued membership or acceptance, in any school or school sponsored team, organization, program, or event; or
- 2.2.2** if the person committing the act knew that the student or employee 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.
- The conduct described in this policy constitutes hazing, regardless of whether the person against whom the conduct is committed directed, consented to, or acquiesced in the conduct.
- 2.3 “Retaliation”** means an act or communication intended as retribution against a person for reporting bullying or hazing; or to improperly influence the investigation of, or the response to, a report of bullying or hazing.

3. PROHIBITION OF BULLYING, HAZING, AND RETALIATION

- 3.1** Nebo School District prohibits bullying of students or employees by other students or employees at school/work, while on school or District property, at school/work-related activities and events, on a school bus, at a school bus stop, or while the student or employee is traveling to or from a school/work-related activity or event. The District encourages all victims of bullying, and all persons with knowledge of bullying, to report the incident(s) immediately.
- 3.2** Nebo School District prohibits the hazing of students or employees by other students or employees at any time or in any location. The District encourages all victims of hazing, and all persons with knowledge of hazing, to report the incident(s) immediately.

- 3.3** No student or employee may engage in retaliation against a student, employee, investigator, or a witness of an alleged incident of bullying, hazing, or retaliation. No student or employee may make a false allegation of bullying, hazing, or retaliation against a student or employee. The District encourages all victims of retaliation, and all persons with knowledge of retaliation, to report the incident(s) immediately.

4. COMPLAINTS

A student victim of bullying, hazing, or retaliation should inform his/her teacher or any of his/her school's administrators. An employee victim of bullying, hazing, or retaliation should inform his/her supervisor. A parent, teacher, or any other individual who is aware of bullying, hazing, or retaliation at school should inform school administration. A school teacher or administrator to whom a complaint is made shall, as soon as is reasonably possible after receiving the complaint, report it to the principal or his/her designee. If a victim of bullying, hazing, or retaliation so chooses, he/she may be allowed to report such incident(s) anonymously.

5. INVESTIGATION

The principal/supervisor, or his/her designee, to whom a complaint of bullying, hazing, or retaliation is reported shall promptly investigate the complaint. Procedures set forth in Nebo School District Policy No. JDC, Student Discrimination and Harassment regarding the investigation and resolution of complaints should be followed. In the event the principal/supervisor or designee finds that bullying, harassment, or retaliation has occurred, he/she shall take prompt, appropriate action to end the bullying, hazing, or retaliation and address its effects on the victim. The principal/supervisor or designee may refer the victim of bullying, hazing, or retaliation to the school counselor or psychologist or to appropriate counseling services provided by the District, as applicable. All acts of bullying, hazing, or retaliation that constitute criminal activity will be promptly reported to law enforcement. To the extent permitted by federal and state law, District policies, confidentiality and privacy rights, and to assure the integrity of the investigation and corrective action, parents or legal guardians of a student perpetrator or victim will be involved in the process of responding to, and resolving conduct, prohibited by this policy.

6. DISCIPLINE

- 6.1** Any student who engages in bullying, hazing, or retaliation, as described herein, is in violation of this policy and shall be subject to disciplinary action. Consequences should be firm and fair and correspond to the severity of the infraction. A continuum of consequences should be utilized. Disciplinary action may include, but is not limited to, suspension; expulsion; exclusion or loss of extracurricular activities; dissolution of a team, organization, or other group; probation; alternate educational placement; and/or a referral to law enforcement authorities. In imposing such discipline, all facts and circumstances of the incident(s) shall be taken into account. Formal disciplinary action may not be based solely on an anonymous report of bullying, hazing or retaliation. Disciplinary due process procedures shall be followed as set forth in Nebo School District Policy No. JD, Student Conduct and Discipline. To the extent permitted by federal and state law, District policies, and confidentiality and privacy rights, the parents or legal guardians of a student who is a victim of bullying or hazing are to be informed of the actions taken against the perpetrators of the bullying or hazing.
- 6.2** Any employee who engages in bullying, hazing, or retaliation, as described herein, is in violation of this policy and shall be subject to disciplinary action, up to and including employment termination. Consequences should be firm and fair and correspond to the severity of the infraction. Professionally licensed employees may be referred to the Utah Professional Practices Advisory Commission (UPPAC), along with any and all evidence, for investigation and possible disciplinary action against professional licensing. Illegal acts will also result in referral to law enforcement authorities. Disciplinary due process procedures shall be followed as set forth in the Certified Employees Agreement, Classified Employees Agreement, or Memorandum of Understanding, as applicable.

7. DISSEMINATION OF POLICY

This policy shall be posted on the District's Web site and may also be published in student registration materials, student and employee handbooks, parent information guides, and other appropriate school publications as directed by the District.

8. EDUCATION AND TRAINING

8.1 Nebo School District recognizes the importance of educating its employees and students regarding the prevention of bullying, hazing, and retaliation. To these ends, the District will provide ongoing training and education in this area. Notice of this policy will be distributed and training will be conducted for employees and students of the District. Training shall provide strategies for employees and students on how to recognize and be aware of Bullying and Hazing, and teach intervention and social skills. Training shall be specific as to the following areas:

- 8.1.1 Acts of overt aggression, such as physical fighting (i.e., punching, shoving, and kicking) and verbal threatening behavior (i.e., name calling);
- 8.1.2 Relational aggression or indirect, covert, or social aggression (i.e., rumor spreading, intimidation, enlisting a friend to assault another person, and social isolation);
- 8.1.3 Bullying or Hazing of a sexual nature or with sexual overtones; and
- 8.1.4 Cyber Bulling (i.e., e-mail, Web sites, text messaging, instant messaging, three-way calling or messaging, and other electronic means for aggression).

8.2 Prior to any employee, student, or volunteer coach participating in a District sponsored athletic program (curricular or extracurricular) or an extracurricular student club or activity, a student, coach, or advisor shall participate in Bullying and Hazing prevention training. Such training may be in collaboration with the Utah High Schools Activities Association (UHSAA). Student athletes and extracurricular student club members shall be informed of prohibited activities under Utah law and this policy, and notified of potential consequences for violations. The District shall provide annual training to all new students and employees who are involved with such athletic programs and extracurricular student clubs, and shall provide refresher training for all such involved students and employees at least once every three (3) years. Training curriculum outlines, training schedules, and participant lists or signatures shall be maintained by the District or each school, as applicable, and provided to the Utah State Office of Education upon request.

9. FIRST AMENDMENT RIGHTS

Nothing contained in this policy is intended to infringe upon the right of a student or employee to exercise their First Amendment right of free speech.

EXHIBITS

NONE

REFERENCES

Utah Code Ann., §53A-11a-101, et seq.

Utah Admin. Code, R277-613

Utah Admin. Code, R277-515

Nebo School District Policy No. JDC - Student Discrimination and Harassment

Nebo School District Policy No. JDA – Safe School Environment

Nebo School District Policy No. JD - Student Conduct and Discipline

FORMS

None
