

Policy 5270

Student Rights and Responsibilities

Bullying, Cyberbullying, Hazing, and Abusive Conduct

A. Purpose and Philosophy

1. Bullying, cyber-bullying, hazing, retaliation, and abusive conduct towards students and employees violates state law and local policy. Bullying based on a protected class violates federal civil rights laws. The purpose of this policy is to prohibit bullying, cyber-bullying, hazing, retaliation, and abusive conduct involving Box Elder School District's students and employees. Box Elder's Board has determined that a safe learning environment in which all members of the school community are treated with dignity and respect is necessary for students to learn and achieve high academic standards and that conduct constituting bullying, cyber-bullying, hazing, retaliation, and abusive conduct disrupts both a student's ability to learn and Box Elder School District's ability to educate its students in a safe environment.

B. Definitions

1. "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 is intended to cause intimidation, humiliation, or unwarranted distress. ~~A single act may not constitute abusive conduct.~~
2. "Action Plan" means a process to address an incident of bullying, cyberbullying, hazing, or retaliation that is prohibited.
3. "Allegation" means a claim or assertion that someone has engaged in disruptive student behavior that has not been confirmed through a formal process.
4. "Bullying" means student bullying or staff bullying (see definitions for student bullying and staff bullying) ~~intentionally committing a written, physical, or verbal act against a school employee or student that a reasonable person under the circumstances should know or reasonably foresee will have one of the following effects:~~
 - ~~a. Causing physical or emotional harm to the school employee or student;~~

~~b. Causing damage to the school employee or student's property;~~

~~c. Placing the school employee or student in reasonable fear of:~~

- ~~1) Harm to the school employee's or student's physical or emotional well-being;
or~~

~~C. Damage to the school employee's or student's property.~~

~~a. Creating a hostile, threatening, humiliating, or abusive educational environment due to:~~

- ~~1) The pervasiveness, persistence, or severity of the actions; or~~

~~D. A power differential between the bully and the target; or~~

~~a. Substantially interfering with a student having a safe school environment that is necessary to facilitate educational performance, opportunities, or benefits.~~

~~b. The foregoing conduct constitutes bullying regardless of whether the person against whom the conduct is committed directed, consented to, or acquiesced in the conduct.~~

~~2. "Communication" means the conveyance of a message, whether verbal, written, or electronic.~~

~~5. "Civil rights violation" means bullying, cyber-bullying, hazing, retaliation, or abusive conduct that is targeted at a student or employee upon the students' or employees' identification as part of any group protected from discrimination under the following federal laws:~~

~~a. Title VI of the Civil Rights Act of 1964, including discrimination based on race, color, or national origin;~~

~~b. Title IX of the Education Amendments of 1972, including discrimination based on sex; or~~

~~c. Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990, including discrimination based on disability.~~

~~6. "Cyberbullying" means:~~

- a. 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, regardless of whether the individual directed, consented to, or acquiesced in the conduct, or voluntarily accessed the electronic communication.
 - b. In addition, any communication of this form that is generated off-campus but causes or threatens to cause a material and substantial disruption at school or interference with the rights of students to be secure may also be considered cyberbullying.
7. "Hazing" means a student intentionally, knowingly, or recklessly committing an act or causing another individual to commit an act toward a school employee or student that:

~~a) Meets one of the following:~~

- b. Endangers the mental or physical health or safety of a school employee or student; ~~or~~
- c. Involves any brutality of a physical nature, including whipping, beating, branding, calisthenics, bruising, electric shocking, placing of a harmful substance on the body, or exposure to the elements;
- d. Involves consumption of any food, alcoholic product, drug, or other substance or other physical activity that endangers the mental or physical health and safety of a school employee or student; or
- e. Involves any activity that would subject a school employee or student to extreme mental stress, such as sleep deprivation, extended isolation from social contact, or conduct that subjects a school employee or student to extreme embarrassment, shame, or humiliation; and either
 - 1) Is committed for the purpose of initiation into, admission into, affiliation with, holding office in, or as a condition for membership in a school or school sponsored team, organization, program, club or event; or
 - 2) Is directed toward a school employee or student whom the student knows, at the time the act is committed, is a member of, or candidate for membership in, a school or school sponsored team, organization, program, club, or event in which ~~the individual who commits the act student~~ also participates.

- f. The conduct described above constitutes hazing, regardless of whether the ~~school employee or student person~~ against whom the conduct is committed directed, consented to, or acquiesce in, the conduct.

[Utah Admin. Rules R277-613-2 \(September 8, 2024\)](#)

[Utah Code § 76-5-107.5 \(2022\)](#)

[Utah Code § 53G-9-601\(1\) to \(5\) \(2023\)](#)

8. "Incident" means ~~a verified incident of bullying, cyberbullying, hazing or retaliation that is prohibited. one or more infractions committed by a student or a group of students acting in concert, at the same time and place.~~

~~[Utah Admin. Rules R277-613-2 \(May 24, 2022\)](#)~~

9. ~~"Infraction" means an act of prohibited behavior.~~

~~[Utah Admin. Rules R277-613-2 \(May 24, 2022\)](#)~~

10. ~~"LEA Designee" means a designated individual at the LEA level who can provide training to investigators, oversee implementation of any action plan, monitor implementation, assist with school case-specific needs, and act as a liaison to the state board regarding bullying, cyber-bullying, hazing, abusive conduct.~~

11. ~~"Parent" means a student's parent or guardian.~~

12. ~~"Restorative justice practice" means a discipline practice designed to enhance school safety, reduce school suspensions, and limit referrals to court, and is designed to help minors take responsibility for and repair the harm of behavior that occurs in school.~~

13. "Retaliation" means an act or communication intended:

- a. as retribution against a person for reporting bullying, cyberbullying, ~~abusive conduct,~~ or hazing; or
- b. to improperly influence the investigation of, or the response to, a report of bullying, cyberbullying, ~~abusive conduct,~~ or hazing.

[Utah Code § 53G-9-601\(9\) \(2023\)](#)

14. ~~"School" means a public elementary or secondary school, including a charter school.~~

15. "School Board" means:

- a. A local school board; or
- b. A charter school governing board.

16. "School Employee" means an individual working in the individual's official capacity as:

- a. ~~A school teacher; school administrators, teachers, and staff members, as well as others employed or authorized as volunteers, directly or indirectly, by the school, school board, or school district and who works on a school campus.~~
- b. A school staff member;
- c. An administrator; or
- d. An individual who is employed, directly or indirectly, by a school, school board, or a school district.

[Utah Code § 53G-9-601\(11\) \(2023\)](#)

17. "School designee" means a school administrator or designee assigned to receive and investigate allegations at that school, notify parents and/or persons involved, and oversee action plans.

18. "School-sponsored activity" means an activity, fundraising event, club, camp, clinic, or other event or activity that is authorized by a specific local education agency or public school, according to LEA governing board policy, and satisfies at least one of the following conditions:

- a. the activity is managed or supervised by a local education agency or public school, or local education agency or public school employee;
- b. the activity uses the local education agency's or public school's facilities, equipment, or other school resources; or
- c. the activity is supported or subsidized, more than inconsequentially, by public funds, including the public school's activity funds or Minimum School Program dollars. This includes preparation for and involvement in a public performance, contest, athletic competition, demonstration, display, or club activity.

19. "Staff bullying" means a school employee, with the intent to cause harm, repeatedly committing a written, verbal, or physical act against a student or another school employee, or engaging in a single egregious act toward another employee involving an imbalance of power, that:
- a. creates an environment that a reasonable person would find hostile, threatening, or humiliating; and
 - b. substantially interferes with a student's or employee's educational or professional performance, opportunities, or benefits.
 - c. "Staff bullying" does not mean instances of:
 - 1) ordinary teasing, horseplay, argument, or peer conflict;
 - 2) reasonable correction of behavior by a school employee; or
 - 3) reasonable coaching strategies and techniques by a school employee who is a coach.
20. "Student bullying" means one or more students, with the intent to cause harm, repeatedly committing a written, verbal, or physical act against another student, or engaging in a single egregious act toward another student involving an imbalance of power, that:
- a. creates an environment that a reasonable person would find hostile; and
 - b. interferes with a student's educational performance, opportunities, or benefits.
 - c. "Student bullying" does not mean instances of:
 - 1) ordinary teasing, horseplay, argument, or peer conflict;
 - 2) reasonable correction of behavior by a school employee; or
 - 3) reasonable coaching strategies and techniques by a school employee who is a coach.
21. "Verification" means that an alleged incident has been found to be substantiated through a formal investigation process.

22. "Volunteer" means a ~~person working under the direct supervision of a licensed educator non-employee with significant, unsupervised access to students in connection with a school assignment.~~

[Utah Admin. Rules R277-613-2 \(September 8, 2024\)](#)

E. Bullying and Abusive Conduct Prohibited

1. No student may engage in bullying of a student or school employee on school property, at a school related or sponsored event, on a school bus, at a school bus stop, or while the student is traveling to or from a school location or school related or sponsored event. No student may engage in abusive conduct.
2. Students who engage in bullying or abusive conduct are in violation of this policy and verified infractions shall result in disciplinary action up to and including expulsion, consistent with the District's [Safe Schools Policy 5005](#).
3. Anonymous reports of bullying or abusive conduct alone cannot constitute the basis for formal disciplinary action.
4. The school or District may also report infractions to law enforcement if that is permitted by [Utah Code § 53G-8-211](#).

[Utah Code § 53G-9-605 \(2019\)](#)

[Utah Admin. Rules R277-613-4\(1\)\(a\) \(September 8, 2024\)](#)

[Utah Admin. Rules R277-613-7 \(September 8, 2024\)](#)

F. Hazing and Cyberbullying Prohibited

1. No student may engage in hazing or cyberbullying of a student or of a school employee at any time or at any location.
2. Students who engage in hazing or cyberbullying are in violation of this policy and verified infractions shall result in disciplinary action up to and including expulsion as well as suspension or removal from a school-sponsored team or activity, including school sponsored transportation, consistent with the District's [Safe Schools Policy 5005](#).
3. The school may also determine to break up or dissolve a team, organization, or other school sponsored group for hazing violations by its members.

4. Anonymous reports of hazing or cyberbullying alone cannot constitute the basis for formal disciplinary action.
5. The school or district may also report infractions to law enforcement if that is permitted by [Utah Code § 53G-8-211](#).

[Utah Code § 53G-9-605 \(2019\)](#)
[Utah Admin. Rules R277-613-4\(1\)\(a\) \(September 8, 2024\)](#)

G. Retaliation Prohibited

1. No student may engage in retaliation against a school employee, a student, or an investigator for, or witness of, an alleged incident of bullying, cyberbullying, hazing, or retaliation ~~against a school employee or student, or an alleged incident of abusive conduct~~.
2. Students who engage in retaliation are in violation of this policy and for verified infractions are subject to disciplinary action up to and including expulsion, consistent with the District's [Policy 5005 Safe Schools – Student Discipline/Behavior](#).
3. Anonymous reports of retaliation alone cannot constitute the basis for formal disciplinary action.
4. The school shall inform students who have reported being subject to bullying, cyberbullying, or hazing and these students' parents that retaliation is prohibited and shall encourage the students and parents to be aware of and to report any subsequent problems or new incidents.

[Utah Code § 53G-9-605 \(2019\)](#)
[Utah Admin. Rules R277-613-4\(1\)\(a\) \(September 8, 2024\)](#)

H. ~~Making a~~ False ~~Report~~ Allegations Prohibited

1. No student may make a false allegation of bullying, ~~abusive conduct~~, cyberbullying, hazing, or retaliation against a school employee or student.
2. Students who engage in making such false allegations are in violation of this policy and verified violations shall result in disciplinary action up to and including expulsion, consistent with the District's [Policy 5005 Safe Schools – Student Discipline/Behavior](#).

[Utah Code § 53G-9-605\(3\)\(d\) \(2019\)](#)

Utah Admin. Rules R277-613-4(1)(a) (September 8, 2024)

I. Additional Prohibitions

1. Any bullying, cyber-bullying, or hazing that is found to be targeted at a federally protected class is further prohibited under federal anti-discrimination laws and is subject to compliance regulations from the Office for Civil Rights (see [Policy 5265](#)).
2. A student shall not share a recording of an act of bullying, cyber-bullying, hazing, abusive conduct, or retaliation, in order to impact or encourage future incidents.

J. Action Plan Reporting and Investigation

1. Students who have been subjected to or witnessed bullying, cyber-bullying, hazing, or retaliation, and students who have witnessed abusive conduct, are strongly encouraged to promptly report such incidents to any School employee. School employees who receive reports of such incidents must report them to the school designee. In connection with a report of an alleged incident, students and School employees who report incidents may request that their identity be kept anonymous, and reasonable steps shall be taken by the school designee and others involved in the reporting and investigation to maintain the anonymity of such individuals, if possible.
2. The school or LEA designee shall report to the Office of Civil Rights (OCR) all acts of bullying, hazing, cyber-bullying, abusive conduct, or retaliation that the individual reasonably determines may be violations of a student's or employee's civil rights.
3. Students, parents/guardians/families, and school staff are encouraged to submit written complaints to ensure the school administrator is adequately informed of all details relevant to the complaint.
4. Complaints may also be submitted through the SafeUT application.
5. School employees must implement preventative measures to protect students from retaliation, including assisting students who are targeted by incidents and the student's parent(s) in reporting subsequent problems and new incidents. Staff will promptly investigate each complaint of bullying in a thorough and confidential manner, including, to the extent possible, anonymous reports, and shall administer appropriate discipline to all individuals who violate this policy. Formal disciplinary action is prohibited based solely on an anonymous report.

6. ~~Upon receipt of a reported incident of bullying, cyberbullying, hazing, abusive conduct, or retaliation, the school principal or designee shall promptly review and investigate the allegations. This~~ At a minimum, an investigation shall include interviewing the alleged targeted individual, the individual alleged to have engaged in an incident ~~prohibited conduct, the parents of the alleged target and alleged perpetrator, any witnesses to the conduct, school staff familiar with the alleged victim, and school staff familiar with the alleged perpetrator.~~ The principal or school designee may also interview other individuals who may provide additional information, including the parents of the alleged target and alleged perpetrator, any witnesses to the conduct, and school staff. The principal or school designee may also review physical evidence, including but not limited to video or audio recordings, notes, email, text messages, social media, and graffiti. The principal or school designee shall inform any person being interviewed that the principal or school designee is required to keep the details of the interview confidential to the extent allowed by law and that further reports of bullying will become part of the investigation.

~~Utah Admin Rules R277-613-5(2), (3), (4) (September 8, 2024)~~

7. ~~When the available information indicates that an infraction may also constitute a civil rights violation, the principal or designee shall also investigate that possible violation and take such disciplinary or other action as may be warranted.~~

~~Utah Admin. Rules R277-613-5(6) (May 24, 2022)~~

8. ~~When it is determined that a student has been bullied, cyberbullied, or hazed, this plan of action should include consideration of what support, counseling, or other assistance the student may need to prevent such mistreatment from adversely affecting the student's ability to learn and function in the school setting.~~

~~Utah Code § 53G-9-605(3)(g) (2019)~~

9. ~~The plan of action may include supporting involved students through trauma-informed care practices, if appropriate, as defined in Utah Admin. Rules R277-613-2(15).~~

~~Utah Admin. Rules R277-613-5(7) (May 24, 2022)~~

10. ~~The plan of action may also include positive restorative justice practice action, if permitted. Restorative justice practice is a discipline practice that brings together students, school personnel, school families, and community members to resolve conflicts, address disruptive behaviors, promote positive relationships, and promote~~

~~healing. An alleged targeted student is *not* required to participate in a restorative justice practice with an alleged perpetrator. If the principal or designee desires to have a student participate, the principal or designee shall first inform that student's parent about the restorative justice practice and obtain the parent's consent prior to such participation.~~

~~*Utah Admin. Rules R277-613-2(12) (May 24, 2022)*~~

~~*Utah Admin. Rules R277-613-6(7) (May 24, 2022)*~~

- ~~11. If any retaliation occurs, the principal or designee shall take strong responsive action against it, including but not limited to providing assistance to any targeted individual and his or her parent in reporting subsequent problems and new incidents.~~

~~*Utah Admin. Rules R277-613-4(5) (May 24, 2022)*~~

- ~~12. The principal or designee shall follow up with parents of all students involved (victim or perpetrator), informing parents when an investigation is concluded, what safety measures will be in place for their child as determined by the investigation, of additional information about the investigation to the extent consistent with the Family Educational Rights and Privacy Act of 1974 ("FERPA"), and of any available appeal options if a parent disagrees with the resolution of the investigation.~~

~~*Utah Admin. Rules R277-613-5(10) (May 24, 2022)*~~

- ~~13. If a school employee, agent, or school resource officer believes a student is at-risk of harming others, the school employee, agent, or school resource officer may intervene and ask a student questions regarding the student's thoughts of harming others for the purposes of referring the student to appropriate prevention services and informing the student's parent.~~

- ~~14. Box Elder School District shall establish and post on each school's webpage under the student tab:~~

- ~~a. procedures allowing for anonymous or in-person reporting of bullying, cyber-bullying, hazing, retaliation, or abusive conduct; and~~
- ~~b. the name and position of the school designee to receive reports.~~

- ~~15. Each reported complaint should include:~~

- ~~a. name of the complaining party, unless anonymous;~~
- ~~b. name of the offender if known;~~

- c. date and location of incident(s); and
 - d. a statement describing the incident(s), including the names of any witnesses.
16. All information received in the complaint, including the name of the complaining party, shall be treated with the utmost confidence to the extent possible. Administrators shall notify the complaining party before revealing the complaining party's name.
17. It is Box Elder School District's policy, in compliance with state and federal law, that students have a limited expectation of privacy on Box Elder School District's computer equipment and network system, and routine monitoring or maintenance may lead to discovery that a user has engaged in prohibited conduct. Also, individual targeted searches under this policy will be conducted if there is reasonable suspicion that a user has violated this policy. Personal electronic devices of any student suspected of violating this policy may be confiscated for investigation and may be turned over to law enforcement.

K. Parent Notification/Documentation

1. The School Administrator (or their designee) must notify parents that their student was involved in an incident of bullying, cyberbullying, hazing, abusive conduct, or retaliation, including incidents that result in a student expressing suicidal ideation. Timeliness of notification may vary depending on the circumstances of an incident. If a school employee or agent believes that a situation exists which presents a serious threat to the well-being of a student, that employee or agent shall notify the student's parent without delay.
 - a. A phone call with a follow-up email is the preferred method for delivering this notification; however, if the administrator has left a voicemail message but has been unable to connect telephonically with the parent, an email will be sufficient.
 - b. The school administrator who notifies parents/guardians/families under this section shall keep an incident report which includes a record verifying that notification was provided to the parents/guardians/families of each student involved.
 - c. It is recommended that the parent be informed of the threat or incident with two school people present.

2. The administrator's record of notification must include the date and time of notification, manner of notification (phone call, in-person meeting, etc.), and an indication of the type of incident. The incident report may be disclosed to the parents/guardians and/or students involved, 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.
3. Following the investigation of an incident, An LEA shall follow up with the parents of all parties to:
 - a. inform parents of the outcome when an investigation is concluded;
 - b. provide additional information about the investigation or the resolution consistent with the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g; and
 - c. inform parents of appeal options, if available, if the parents disagree with the resolution of the investigation.
4. If an incident is verified, the school will inform parents what safety measures will be in place for their child and regularly update the parents regarding the implementation of an action plan.

L. Action Plan

1. Verified violations of the prohibitions noted previously may result in:
 - a. use a discipline plan consistent with [Admin Rule R277-609](#);
2. Use of restorative justice practices consistent with [Admin Rule R277-613](#);
 - a. A student to whom an incident is directed, is not required to participate in a restorative justice practice with an individual who is alleged to have engaged in an incident. If the school designee would like a student to participate in a restorative justice practice, the school designee shall notify the student's parent of the restorative justice practice and obtain consent from the student's parent before including the student in the process.
3. The provision of supportive services designed to preserve the student's access to educational opportunities and a sense of safety.
4. Other actions against student or employee as appropriate; and

5. Additionally, an LEA shall create an action plan for verified incidents:
- a. An action plan shall include:
 - 1) a communication plan designed to keep each parent updated on the implementation of the action plan;
 - 2) with respect to the student to whom the incident was directed and in direct coordination with the student's parent:
 - a) a tailored response to the incident that addresses the student's needs
 - b) a mechanism to consider consequences or accommodations the student may need regarding decreased exposure or interactions with the student who caused the incident
 - c) notification of the consequences and plan to address the behavior of the student who caused the incident;
 - d) supportive measures designed to preserve the student's access to educational services and opportunities; and
 - e) to the extent available, access to other resources the parent requests for the student; and
 - 3) with respect to the student who caused the incident and in direct coordination with the student's parent:
 - a) A range of tailored and appropriate consequences, making reasonable efforts to preserve the student's access to educational services and activities;
 - b) a process to determine and provide any needed resources related to the underlying cause of the incident;
 - c) supportive measures designed to preserve the student's access to educational services and opportunities while protecting the safety and well-being of other students; and
 - d) a process to remove the student from school in an emergency situation, including a description of what constitutes an emergency.

6. An action plan may not include a requirement that the student to whom the incident was directed change the student's:
 - a. Educational schedule or placement; or
 - b. Participation in a school sponsored sport, club, or activity.
7. If, after the school attempts to involve a parent in the development and implementation of an action plan, the parent chooses not to participate in the process, the school may develop and implement an action plan without the parent's involvement.
8. Actions must also include, as appropriate:
 - a. Prompt reporting to law enforcement of all acts of bullying, cyber-bullying, hazing, or retaliation that constitute suspected criminal activity;
 - b. Procedures for a fair and timely opportunity for the accused to explain the accusations and defend his/her actions prior to student or employee discipline; and
 - c. Procedures for providing due process rights under [Utah Code § 53G-11-501](#).
9. In determining the appropriate response to students who have been found to have engaged in a verified incident, the following factors should be considered:
 - a. The development and maturity levels of the parties involved;
 - b. The level of harm;
 - c. The surrounding circumstances;
 - d. Past incidents or past continuing patterns of behavior;
 - e. The relationships between the parties involved;
 - f. The level of disruption in or interference with the orderly operation of the school.

M. Training and Education

1. Each school shall establish procedures for training school employees, coaches, volunteers and students on bullying, cyberbullying, hazing, retaliation, or abusive conduct. The principal or designee shall be the point person to assist, direct, and supervise training on these matters.
 - a. Training to students, staff, and volunteers shall:
 - 1) Include information on:
 - a) Bullying, cyberbullying, hazing, retaliation and abusive conduct;
 - b) Discrimination under Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990;
 - c) How bullying, cyberbullying, hazing, retaliation, and abusive conduct are different from discrimination and may occur separately from each other or in combination,
 - d) How bullying, cyberbullying, hazing, retaliation, and abusive conduct are prohibited based on the students' or employees' actual or perceived characteristics, including race, color, national origin, sex, disability, religion, gender identity, sexual orientation, or other physical or mental attributes, or conformance or failure to conform with stereotypes, and
 - e) The right of free speech and how it differs for students, employees, and parents;
 - 2) **The training will also** complement the suicide prevention program required for students **under** [R277-620](#) and the suicide prevention training required for licensed educators **consistent with** [§ 53G-9-704\(1\)](#); and **also**
 - 3) Include information on when issues relating to these standards may lead to employee or student discipline.

[Utah Admin. Rules R277-613-4\(6\) \(September 8, 2024\)](#)
[Utah Admin. Rules R277-613-5\(1\)\(c\) \(September 8, 2024\)](#)
[Utah Admin. Rules R277-605-6\(4\) \(July 22, 2022\)](#)
 - b. This training shall be **required of** ~~provided to all~~:

- 1) new employees, coaches, and volunteers within the first year of **employment or service**;
- 2) ~~and shall be provided to~~ all employees, coaches, and volunteers at least once every three years after the initial training.

[Utah Admin. Rules R277-613-4\(7\) \(September 8, 2024\)](#)

[Utah Admin. Rules R277-605-6\(4\) \(July 22, 2022\)](#)

- c. In addition to training school employees and educating students mentioned above, **any student, employee, or all** volunteer coaches, ~~employees, and students involved participating in a school sponsored athletic program, both curricular and extracurricular, in any curricular athletic program~~ or any extra-curricular club or activity shall ~~;~~ **prior to participating in the athletic program or activity, participate in Complete** bullying, cyberbullying, harassment, **and retaliation**, hazing, and abusive conduct prevention training ~~prior to participation~~;
- d. Repeat bullying, cyberbullying, harassment and hazing prevention training at least every three years;
- e. **Box Elder School District will inform student athletes and extracurricular club members** ~~Be informed annually~~ of the prohibited activities list provided previously in this policy **under R277-613** and the potential consequences for violation of **the law and the rule this policy**.
- f. The content of this activity training shall be developed in collaboration with the Utah High School Activities Association (UHSAA) and the training shall also be provided in collaboration with UHSAA. The school shall obtain and keep signature lists of the participants in the activity training.

[Utah Admin. Rules R277-613-6 \(September 8, 2024\)](#)

[Utah Admin. Rules R277-605-6\(4\) \(July 22, 2022\)](#)

- g. Teachers should discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of bullying, harassment, hazing, or cyberbullying.

[Utah Code § 53G-9-605 \(2019\)](#)

- h. The District may also offer voluntary training to parents and students regarding abusive conduct.

[Utah Code § 53G-9-607\(1\)\(b\) \(2020\)](#)

- i. The principal or designee responsible for reviewing and investigating allegations of bullying, cyberbullying, hazing, retaliation, and abusive conduct shall receive training on conducting a review and investigation as provided for in this policy.

[Utah Admin. Rules R277-613-5\(1\)\(b\) \(September 8, 2024\)](#)

N. Assessment

1. Subject to the requirements of [Utah Code § 53E-9-203](#) regarding parental consent for certain types of inquiries of students, each school shall regularly (and at least once per year) ~~conduct assessment through student input (surveys, reports, or other methods) of~~ the prevalence of bullying, cyberbullying, and hazing in the school, and specifically in locations where students may be unsafe and adult supervision may be required such as playgrounds, hallways, and lunch areas.

[Utah Admin. Rules R277-613-4\(4\) \(September 8, 2024\)](#)

[Utah Code § 53E-9-203 \(2022\)](#)

O. Publication and Acknowledgment

1. A copy of this policy shall be included in student conduct handbooks, shall be provided to the parent of each student enrolled in the District, and shall be available on the District's ~~publicly accessible~~ website ~~for faculty, staff, administrators, volunteers, students, parent(s), and community to access.~~
2. Each student 8 years of age and older and a parent of each student enrolled in the District shall annually provide a signed statement stating that the student and parent has received a copy of this policy; however, such a statement is not a substitute for having met the training requirements of this policy.

[Utah Code § 53G-9-605\(3\)\(h\), \(4\) \(2019\)](#)

[Utah Admin. Rules R277-613-4\(1\)\(d\), \(2\) \(September 8, 2024\)](#)

P. Parental Notification of Incidents

1. ~~The school shall notify the parent or a student who is involved in an incident of bullying, hazing, cyberbullying, abusive conduct, or retaliation (whether as a target or as a perpetrator).~~

2. ~~The school is also required to notify and provide suicide prevention information to the parent of a student who threatens suicide. In addition, the school shall produce and maintain a record that verifies that the parent was notified of the threats or incidents listed above. The record is a private record for purposed of the Government Records Access and Management Act.~~

a. ~~The process for notifying a parent shall consist of:~~

- 1) ~~The school principal or designee shall attempt to make personal contact with a parent when the school has notice of a threat or incident listed above. It is recommended that the parent be informed of the threat or incident with two school people present. If personal contact is not possible, the parent may be contacted by phone. A second school person should witness the phone call.~~

Q. ~~Contact with the parent must be documented in a "Verification of Parent Contact Regarding Threat or Incident".~~

1. ~~(A copy of the "Verification of Parent Contact Regarding Threat or Incident" is attached below.) Subject to laws regarding confidentiality of student education records, at the request of a parent, a school may provide information and make recommendations related to an incident or threat.~~

~~Utah Code § 53G-9-604 (20232)~~

~~Utah Admin Rules R277-613-4(2) (May 24, 2022)~~

2. ~~The record of parental notification shall be maintained in accordance with the Utah Code Title 53E, Chapter 9, Part 3 Student Data Protection, Title 53E, Chapter 9, Part 2, Student Privacy, and the Federal Family Educational Rights and Privacy Act ("FERPA"). A copy of the record of parental notification shall upon request be provided to the student to whom the record relates. After the student has graduated, the District shall expunge the record of parental notification upon request of the student.~~

~~Utah Code § 53G-9-604(2)(a)(ii) (2023)~~

R. Annual Reporting to State Superintendent

1. ~~Box Elder School District is required by Utah Code § 53E-3-401(3) and Admin Rule R277-613 to report the following annually Each year, on or before June 30, the District shall submit a report to the State Superintendent which includes in accordance with the Superintendent's submission requirements:~~

- a. a copy of the District's bullying policy ~~required in~~ [R277-613-4](#);
- b. ~~implementation of the signed statement requirement described in~~ [Utah Code §53G-9-605\(3\)\(g\)](#) ~~confirmation of compliance with the requirement to obtain a signed acknowledgment of the policy from students, parents, and employees;~~
- c. verification of required training ~~of school employees~~ regarding bullying, cyberbullying, hazing, retaliation, and abusive conduct ~~described in~~ [Utah Code § 53G-9-607](#);
- d. ~~the number of verified and alleged~~ incidents of ~~student~~ bullying, cyberbullying, hazing, and retaliation; and
- e. the number ~~and type~~ of ~~those~~ incidents that ~~either~~ included ~~ed~~ a student ~~or employee~~ who ~~is part of a federally protected class or~~ was bullied, cyberbullied, hazed, or retaliated against ~~due to or based on because of~~ the student's ~~or employee's~~ actual or perceived characteristics, including disability, race, national origin, religion, sex, gender identity, sexual orientation, or other characteristic.

[Utah Admin. Rules R277-613-5\(11\) \(September 8, 2024\)](#)

S. Employee Grievance

- 1. A School employee who has experienced abusive conduct must report the incident to the School or LEA designee in writing. If the school employee is not satisfied with the school or designee's investigation of the abusive conduct and/or the resulting disciplinary action (or) recommended disciplinary action against the perpetrator, the school employee may address/raise the issue in accordance with the school's grievance policies.
- 2. A school employee found to have committed an act of bullying, cyberbullying, hazing, or retaliation will be disciplined in accordance with district policy.
- 3. This policy applies to bullying that:
 - a. Takes place at school or on school grounds, meaning: a school building; property on which a school building or facility is located; and property that is owned, leased or used by a school for a school-sponsored activity, function, program, instruction or training. "School grounds" also includes school-related transportation vehicles.

- b. Takes place while students are being transported to or from schools or school-sponsored events;
 - c. Takes place at any school-sponsored event, activity, function, program, instruction or training; or
 - d. Takes place through the use of technology. School officials have the authority to discipline students for off-campus or online speech that causes or threatens a substantial disruption to School operations, including violent altercations or a significant interference with a student's educational performance and involvement in School activities.
4. This policy does not prohibit expressive activity protected by the First Amendment of the United States Constitution. However, if off-campus speech that may constitute a bullying, cyber-bullying, or hazing incident creates a substantial disruption to the school environment, Box Elder School District may take disciplinary action against the student who initiated the speech.

VERIFICATION OF PARENT CONTACT REGARDING THREAT OR INCIDENT

I, [Name] , principal or principal's designee, contacted [Name of parent] on [Date] and notified him or her that [Name of student] was involved in an incident of bullying, hazing, cyberbullying, abusive conduct, or retaliation. Contact was made:

[] in person
[] by telephone (number used: _____)
[] by email (email address used: _____)
[] by other method (specify): _____

Notice was given of:

[] bullying incident
[] cyberbullying incident
[] abusive conduct incident
[] hazing incident
[] retaliation incident
[] suicide threat

[Name of school staff member] _____ , witnessed the contact.

This form was scanned and uploaded into Educator's Handbook

Date

Principal or Principal's Designee Title Date

School Staff Member Title Date