

Title: Bullying, Cyber-Bullying, Harassment, Hazing,
or Intimidation Policy

Effective Date: May 8, 2018

References: UCA 53A-11a-30; R277-613

Purpose

Ignite Entrepreneurship Academy (hereafter "IEA") is committed to a safe, civil, and inviting educational environment for all its students, employees, volunteers, and patrons. Such an environment must be free from harassment, intimidation, or bullying.

IEA expects students to conduct themselves in a manner in keeping with their levels of development, maturity, and demonstrated capabilities.

IEA expects students of all levels to demonstrate a proper regard for the rights, welfare, and intellectual freedom of other students, school staff, volunteers, and patrons.

Many behaviors that do not rise to the level of bullying, harassment, or intimidation may still be prohibited by other IEA policies, such as the *Discipline Policy*, or by general classroom, program, and facility rules.

Definitions

Bullying is defined as intentionally or knowingly placing a student or school employee in fear of physical harm or in fear of harm to their property by:

- Endangering the physical health or safety of a student or school employee
- Physical brutality
- Forced consumption of any food, liquid, drug, or other substance, or
- Physically obstructing freedom of movement

Bullying is also defined as repetitive, negative actions intended to harm, threaten, or frighten someone. Such behavior may include, but is not limited to, the following:

- Social targeting with intent to harm
- Emotional targeting with intent to harm
- Targeting on social media sites or "cyber-bullying" with intent to harm

Bullying always includes a *pattern* of negative behavior that is of significant intensity and duration, implies an imbalance of power, and continues even when the victim's distress is obvious.

Cyber-Bullying is defined as using the Internet, a cell phone, or any other device to send or post text, video, or images with the intent or knowledge that the text, video, or image will hurt, embarrass, or threaten another individual; or with a reckless disregard for the potential of such transmission to inflict

such hurt, embarrassment, or threats.

Harassment is defined as repeatedly communicating to another individual, in an objectively demeaning or disparaging manner, statements that contribute to a hostile work or learning environment.

Harassment is illegal when an employer, supervisor, co-worker, or student singles out another individual because of any of the following characteristics or when the content of derogatory remarks relates directly to any of these protected categories:

- Race
- Sex
- National Origin
- Gender Identity
- Marital Status
- Sexual Orientation
- Disability
- Religious Affiliation
- Ancestry
- Age
- Arrest or Conviction Record
- Military Service

Illegal harassment involves a pattern of abusive and degrading conduct directed against a person because of his or her protected class that is sufficient to interfere with work or school and creates an offensive and hostile work environment.

Hazing is bullying that occurs for the purpose of initiation or admission into, affiliation with, or as a condition of membership or acceptance into a group.

Intimidation is bullying by means of a written, verbal, or physical act intended to create an intimidating or threatening environment.

Policy

Prohibitions

1. IEA strictly prohibits bullying, harassment, cyber-bullying, hazing, intimidation or any other act that endangers the physical health or safety of a student or school employee, any brutality of a physical nature, any forced or unwilling consumption, any forced or coerced activity of a sexual nature, physically obstructing the freedom of movement of a student or school employee; as well as any intense, repetitive, negative patterns of behavior that are intended to harm, threaten, or frighten someone.
2. Infractions defined as bullying, harassment, and/or intimidation shall be handled in accordance with IEA's *Discipline Policy* and shall follow specified procedures as outlined in that policy.
3. IEA considers bullying a major infraction, in most cases, subject to the discretion of the Administration. Like other major infractions, bullying may be grounds for a suspension or an expulsion. Other consequences for bullying may include but are not limited to admonishment, work projects, classroom or administrative detentions, temporary removal from the classroom,

community enrichment, etc. Consequences for bullying or harassment may also include mandatory meetings with the Administration, mandatory meetings between students, parents, and administrators, as well as the establishment of a contract of behavior whose content will be determined by the Administration.

4. No school employee or 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, harassment, or retaliation.
5. No school employee or student may make a false allegation of bullying, cyberbullying, hazing, harassment or retaliation against a school employee or student.
6. Any bullying, harassing, 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 of the US Department of Education.

Actions Required of the School

1. The bullying policy will be available as part of the school policy manual and will include procedures allowing for anonymous reporting of bullying, cyberbullying, hazing, harassment or retaliation
2. In addition to the published procedures and notification above, the Director shall establish procedures and plans for the following in Administrative Rule:
 - a. involving parents or guardians of a perpetrator or victim of bullying, cyberbullying, hazing, harassment, or retaliation in the process of responding to, and resolving, conduct prohibited in this Policy;
 - b. referring a victim of bullying, cyberbullying, harassment or hazing to counseling following parental notice and consent;
 - c. to the extent permitted by federal and state law, including the federal Family Educational Privacy Right Act of 1974, as amended, informing the parents or guardians of a student who is a victim of bullying, cyberbullying, harassment or hazing of the actions taken against the perpetrators of the bullying, cyberbullying, harassment or hazing;
 - d. publicizing this policy, preferably including electronic publication and availability, to school employees, to students, and parents/guardians of students; and training school employees and students to recognize and prevent bullying, cyberbullying, harassment, hazing, or retaliation.

Actions Required if Prohibited Acts are Reported

1. Each reported complaint shall include: (a) name of complaining party; (b) name of offender (if known); (c) date and location of incident(s); (d) a statement describing the incident(s), including names of witnesses (if known). All complaints will be reviewed and considered for appropriate action.
2. Each reported violation of the prohibitions noted previously shall be promptly investigated by the Director or an individual designated by a school administrator. Formal disciplinary action is prohibited based solely on an anonymous report of bullying, cyberbullying, harassment, hazing, or retaliation.

3. Verified violations of the prohibitions noted previously shall result in consequences or penalties. Consequences or penalties will be in accordance with IEA's Discipline Code Policy for students or Employee Conduct Policy for staff.

4. Compliance with the Office for Civil Rights when Civil Rights Violations are reported:

- a. Once IEA knows or reasonably should know of possible student-on-student bullying, cyberbullying, harassment or hazing, the school must take immediate and appropriate action to investigate or otherwise determine what occurred.
- b. If it is determined that the bullying, cyberbullying, harassment or hazing did occur as a result of the student-victim's membership in a protected class, IEA shall take prompt and effective steps reasonably calculated to (a) end the bullying, cyberbullying, harassment, or hazing; (b) eliminate any hostile environment; and (c) prevent its recurrence.
- c. These duties are IEA's responsibilities even if the misconduct also is covered by a separate anti-bullying policy and regardless of whether the student makes a complaint, asks the school to take action, or identifies the bullying, cyberbullying, harassment or hazing as a form of discrimination.

Discretionary Privilege of the Administrators and Faculty of IEA

1. In the interest of their students' development and growth, the Administration and Faculty of IEA retain the privilege and acknowledge the obligation to determine disciplinary consequences based on the following factors related to student infractions
 - a. The age of the child or children involved
 - b. The degree of harm inflicted
 - c. The surrounding circumstances
 - d. The nature and severity of the behavior(s)
 - e. The relationship between the parties involved
 - f. The context in which the alleged incident(s) occurred
 - g. The pattern of behavior demonstrated by an individual student
2. The Administration will always respond to confirmed allegations of bullying and/or harassment.
3. The Administration's response will be in accordance with IEA's Discipline Policy, this *Bullying Policy*, and school procedures and precedents. Although IEA will always address any reports of bullying by an investigation, and where appropriate, disciplinary action, IEA will not take disciplinary action on unconfirmed allegations of bullying.

Parental Notification of Certain Incidents and Threats

1. The Director or other authorized school employee will notify a parent if the parent's student threatens to commit suicide; or, notify the parents of each student involved in an incident of bullying, cyberbullying, hazing, harassment, or retaliation, of the incident involving each parent's student.
2. If the Director or other authorized school employee notifies a parent of an incident or threat required

to be reported as stated above, the school will produce and maintain a record that verifies that the parent was notified of the incident or threat.

3. IEA may disclose a record as described above, including any information obtained to prepare the record to (a) the parent or the parent's student, or (b) to a person if required to disclose the record or information to a person pursuant to the terms of a court order.

4. IEA will not disclose a record as described above, including any information obtained to prepare the record, to a person other than a person authorized to receive the record.

5. IEA will not use a record as described above, including any information obtained to prepare the record, for the school's own purposes, including (1) for a report or study, (2) for a statistical analysis, or (3) to conduct research.

6. The Director will take appropriate action to protect the victim of substantiated bullying, cyberbullying, harassment or hazing reports, regardless of the student's legal status.

7. The Director will also report any significant incidents to appropriate local and state authorities. At the request of a parent, the Director may provide information and make recommendations related to an incident of bullying, cyberbullying, harassment, hazing, retaliation or threat of suicide.

Investigations

1. IEA will promptly and reasonably investigate allegations of bullying, cyberbullying, harassment, and/or hazing.

2. At least two school employees (preferably one male and one female) in appropriate positions of authority shall be identified to receive reports through Administrative rule of this policy and will be responsible for handling all complaints by students and employees alleging bullying, cyberbullying, harassment, or hazing.

3. It is IEA's policy, in compliance with state and federal law, that students have a limited expectation of privacy on the school's Internet system, and routine monitoring or maintenance may lead to discovery that a user has violated policy or law. Also, individual targeted searches will be conducted if there is reasonable suspicion that a user has violated policy or law. Personal electronic devices of any student suspected of violation of the above policy will be confiscated for investigation and may be turned over to law enforcement.

Training

1. The training of school employees shall include training regarding bullying, cyberbullying, harassment, hazing, and retaliation.

2. The training should include training on civil rights violations and compliance when civil rights violations are reported.

3. In addition to training for all students and school employees, students, employees, and volunteer

coaches involved in any extra-curricular activity shall:

(a) Participate in bullying, cyberbullying, harassment and hazing prevention training prior to participation.

(b) Repeat bullying, cyberbullying, harassment and hazing prevention training at least every three years.

(c) Be informed annually of the prohibited activities list provided previously in this policy and the potential consequences for violation of this Policy.

4. Training may take place through an online program provided that there is documentation to prove participation.

Date originally approved: May 8, 2018