

Cache County School District

Bullying and Hazing Policy

(Final Version 4/30/10)

1. Definitions

A. “Bullying” means intentionally or knowingly committing an act that:

1. endangers the physical health or safety of a school employee or students;
 - a. 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;
 - b. involves forced or involuntary consumption of any food, liquor, drug, or other substance;
 - c. involves forced or coerced actions or activities of a sexual nature or with sexual connotations;
 - 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; 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. Bullying is also defined as any behavior meant to deliberately harass, threaten or intimidate a student or staff member.
4. The conduct described above constitutes bullying, regardless of whether the person against whom the conduct is committed directed, consented to, or acquiesced in, the conduct.

B. “Hazing” means intentionally or knowingly committing an act that:

1. endangers the physical health or safety of a school employee or student;
 - a. 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;
 - b. involves consumption of any food, liquor, drug, or other substance;
 - c. involves forced or coerced actions or activities of a sexual nature or with sexual connotations;
 - 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; and
2. 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

3. 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.
 4. The conduct described in above constitutes hazing, regardless of whether the person against whom the conduct is committed directed, consented to, or acquiesced in, the conduct.
- C. “Cyberbullying” means the use of email, instant messaging, chat rooms, cell phones, or other forms of information technology to deliberately harass, threaten, or intimidate a student or staff member.
- D. “Retaliate” means an act or communication intended:
1. as retribution against a person for reporting bullying or hazing; or
 2. to improperly influence the investigation of, or the response to, a report of bullying or hazing.
- E. “School Board” means the Cache County School Board of Education.
- F. “School Employee” means:
1. school teachers;
 2. school staff;
 3. school administrators; and
 4. all others employed or authorized as volunteers, directly or indirectly, by the school, school board, or school district.

II. Purpose

The purpose of this policy is to eliminate all types of bullying and hazing by and against students and employees of the Cache County School District. This will be accomplished through awareness efforts, training, identification, and disciplinary action (both students and employees) against those who violate this policy.

III. Publication

A copy of this policy shall be included in student handbooks and be available on the Cache County School District website.

IV. Prohibitions

- A. No school employee or student may engage in bullying or cyberbullying a school employee or student:
1. on school property,
 2. at a related or sponsored event,
 3. on a school bus,

4. at a school bus stop, or
 5. while the school employee or student is traveling to or from a location or event described above.
- B. No school employee or student may engage in hazing a school employee or student at any time or in any location.
- C. No school employee or student may engage in retaliation against:
1. a school employee;
 2. a student; or
 3. an investigator for, or witness of, an alleged incident of bullying, cyberbullying, hazing, or retaliation.
- D. No school employee or student may make a false allegation of bullying, cyberbullying, hazing, or retaliation against a school employee or student.

V. Actions Required of Each School

- A. Each school shall establish and publish in a handbook or other readily available format:
1. procedures allowing for anonymous reporting of bullying, hazing, or retaliation.
 2. names and positions of persons responsible for taking, investigating, and responding to reports of bullying, hazing, or retaliation. At least two school employees (preferably one male and one female) in appropriate positions or authority shall be identified to receive reports.
 3. a system of training school employees and students to recognize and prevent bullying, hazing, or retaliation.

VI. Actions Required if Prohibited Acts are Reported

- A. Each reported complaint shall include: (1) name of complaining party; (2) name of offender (if known); (3) date and location of incident(s); (4) a statement describing the incident(s), including names of witnesses (if known).
- B. Each reported violation of the prohibitions noted previously shall be promptly investigated by a school administrator or an individual designated by a school administrator. Formal disciplinary action is prohibited based solely on an anonymous report of bullying, hazing, or retaliation.
- C. Verified violations of the prohibitions noted previously shall result in consequences or penalties. Consequences or penalties may include but are not limited to:
1. student suspension or removal from a school-sponsored team or activity including school sponsored transportation;
 2. student suspension or termination for cause or lesser disciplinary action;
 3. employee suspension or termination for cause or lesser disciplinary action;
 4. employee reassignment; or
 5. other action against student or employee as appropriate.

D. Actions must also include, as appropriate:

1. procedures for protecting the victim and other involved individuals from being subjected to:
 - a. further bullying or hazing, and
 - b. retaliation for reporting the bullying or hazing.
2. prompt reporting to law enforcement of all acts of bullying, hazing, or retaliation that constitute suspected criminal activity.
3. prompt reporting to the Office of Civil Rights (OCR) of all acts of bullying, hazing, retaliation that may be violation of student(s)' or employee(s)' civil rights.
4. 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.
5. procedures for providing due process rights under Sections 53A-8-102 (licensed staff), local employee discipline policies or Sections 53A-11-903 and local policies (students) prior to long term (more than 10 days) student discipline or employee discipline.

VII. Training

- A. The training of school employees shall include training regarding bullying, hazing, and retaliation.
- B. To the extent possible, programs or initiatives designed to provide training and education regarding the prevention of bullying, hazing, and retaliation should be implemented.
- C. In addition to training for all students and school employees, volunteer coaches involved in any extra-curricular activity shall also participate in bullying and hazing prevention training.