DLA

Employee Bullying and Hazing

Note--

Utah Code § 53G-9-605 requires that this policy be developed with input from students, parents, teachers, school administrators, school staff, or law enforcement agencies. Therefore, seek input from one or more of these groups prior to adopting this policy. This policy regulates employee conduct. There is a corresponding policy applicable to student conduct, Policy FGAD, and the policies should be considered together as part of the District's bullying and hazing policy. The current statutory deadline for updating the District bullying policy is September 1, 2018.

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.

   Utah Code § 53G-9-601(1) (2025)

2. "Action plan" means a process to address an "incident."

   Utah Code § 53G-9-601(2) (2025)
   Utah Admin. Rules R277-613-2(2) (October 8, 2025)

3. "Bullying" means staff bullying or student bullying.

   Utah Code § 53G-9-601(3) (2025)

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

   Utah Code § 53G-9-601(4) (2025)

5. "Cyber-bullying" 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 cyber-bullying.

   Utah Code § 53G-9-601(5) (2025)

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6. "Hazing" means a school employee 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:

      i. endangers the mental or physical health or safety of a school employee or student; or

      ii. 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;

      iii. 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

      iv. 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

   b. 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

   c. is directed toward a school employee or student whom the actor 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 also participates.

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

   Utah Code § 76-5-107.5 (2022)
   Utah Code § 53G-9-601(6) (2025)

7. "Incident" means an incident of bullying, cyber-bullying, hazing, or retaliation which has been substantiated through a formal investigative process as described in this policy. An incident occurs at the same time and in the same place and may involve one or more students to whom the incident is directed, one or more students who instigate the incident, or a student as both a target and a cause of the incident.

   Utah Code § 53G-9-601(7) (2025)
   Utah Admin. Rules R277-613-2(8), (19) (October 8, 2025)

8. "Retaliate" means an act or communication intended:

   a. as retribution against a person for reporting bullying, cyberbullying, abusive conduct, or hazing; or

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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(11) (2025)

9. "School employee" means:

   a. 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 or who works on a school campus.

   Utah Code § 53G-9-601(13) (2025)

10. "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 or employee's educational or professional performance, opportunities, or benefits.

    It 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.

    Utah Code § 53G-9-601(14) (2025)
    Utah Admin. Rules R277-613-2(17) (October 8, 2025)

11. "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.

    It 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.

    Utah Code § 53G-9-601(15) (2025)
    Utah Admin. Rules R277-613-2(18) (October 8, 2025)

12. "Volunteer" means a non-employee with significant, unsupervised access to students in connection with a school assignment.

    Utah Admin. Rules R277-613-2(20) (October 8, 2025)

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Bullying Prohibited—

No school employee may engage in bullying of a student or of a school employee.

School employees who engage in bullying are in violation of this policy and an incident of bullying shall result in disciplinary action up to and including termination, consistent with the District's Orderly Termination policy (DHA).

Anonymous reports of bullying alone cannot constitute the basis for formal disciplinary action.

The school or District may also report an incident of bullying to law enforcement.

Utah Code § 53G-9-602(1) (2024)
Utah Code § 53G-9-605(3)(b) (2024)
Utah Admin. Rules R277-613-4(1)(a) (October 8, 2025)

Hazing and Cyber-bullying Prohibited—

No school employee may engage in hazing or cyber-bullying of a student or of a school employee at any time or at any location.

School employees who engage in hazing or cyber-bullying are in violation of this policy and an incident of hazing or cyber-bullying shall result in disciplinary action up to and including termination, consistent with the District's Orderly Termination policy (DHA).

The school may also determine to break up or dissolve a team, organization, or other school-sponsored group for hazing violations by its members.

Anonymous reports of hazing or cyber-bullying alone cannot constitute the basis for formal disciplinary action.

The school or District may also report an incident of hazing or cyber-bullying to law enforcement.

Utah Code § 53G-9-602(2) (2024)
Utah Code § 53G-9-605(3)(b) (2024)
Utah Admin. Rules R277-613-4(1)(a) (October 8, 2025)

Retaliation Prohibited—

No school employee may engage in retaliation against a school employee, a student, or an investigator for, or witness of, an alleged occurrence of bullying, cyber-bullying, hazing, retaliation, or abusive conduct.

School employees who engage in retaliation are in violation of this policy and an incident of retaliation shall result in disciplinary action up to and including termination, consistent with the District's Orderly Termination policy (DHA).

Anonymous reports of retaliation alone cannot constitute the basis for formal disciplinary action.

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The school shall inform students who have reported being subjected to bullying, cyber-bullying, 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 occurrences.

Utah Code § 53G-9-603(1) (2024)
Utah Code § 53G-9-605(3)(c) (2024)
Utah Admin. Rules R277-613-4(1)(a) (October 8, 2025)

Making a False Report Prohibited—

No school employee may make a false allegation of bullying, abusive conduct, cyberbullying, hazing, or retaliation against a school employee or student.

School employees who engage in making such false allegations are in violation of this policy and verified instances of false allegations shall result in disciplinary action up to and including termination, consistent with the District's Orderly Termination policy (DHA).

Utah Code § 53G-9-603(2) (2024)
Utah Code § 53G-9-605(3)(d) (2024)
Utah Admin. Rules R277-613-4(1)(a) (October 8, 2025)

Creation or Distribution of Intimate Images Prohibited—

No school employee may create or share (or otherwise distribute) a sexually explicit or nonconsensually intimate image of any student, employee, or other person associated with the school. School employees who violate this prohibition are in violation of this policy (and may be in violation of other policies) and for verified infractions are subject to disciplinary action up to and including termination, consistent with the District's Orderly Termination policy (DHA). This restriction does not prevent an employee from sharing such an image with an administrator as part of reporting the image or in response to a request from an administrator for the image.

Utah Admin. Rules R277-613-4(1)(a)(vii) (October 8, 2025)

Investigation and Action Plan—

Upon receipt of a reported incident of bullying, cyber-bullying, hazing, abusive conduct, or retaliation, the school principal or designee shall promptly review and investigate the allegations. This investigation shall include interviewing the individual targeted, the individual alleged to have engaged in prohibited conduct, the parents of the targeted student and alleged perpetrator, any witnesses to the conduct, school staff familiar with the targeted student, and school staff familiar with the alleged perpetrator. The principal or 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 designee shall inform any person being interviewed that the principal or 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.

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Utah Admin. Rules R277-613-5(2), (3), (4) (October 8, 2025)

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) (October 8, 2025)

When it is determined that an incident has occurred, the school shall create and implement an action plan. While parents should be involved in the development and implementation of the action plan, the school may develop and implement the plan without parent involvement when the parent chooses not to participate in the process.

The action plan shall include a communication plan designed to keep each parent updated on the implementation of the plan. The communication plan shall provide for regular updates and communication shall include explaining the process for addressing the incident, informing the parent about the outcome of the investigation, and discussing safety considerations for the student at whom the incident was directed.

For the targeted student and in direct coordination with that student's parent, the plan shall include (1) a tailored response to the incident that addresses the student's needs, (2) a mechanism to consider consequences or accommodations the student may need regarding decreased exposure or interactions with the student who caused the incident, (3) notification of the consequences and plan to address the behavior of the student who caused the incident, (4) supportive measures designed to preserve the student's access to educational services and opportunities, and (5) to the extent available, access to other resources the parent requests for the student. The action plan may not include a requirement that the student at whom the incident was directed change the student's education schedule or placement or participation in a school-sponsored sport, club, or activity.

For the student who caused the incident and in direct coordination with that student's parent, the plan shall include (1) a range of tailored and appropriate consequences, making reasonable effort to preserve the student's access to educational services and activities, (2) a process to determine and provide any needed resources related to the underlying cause of the incident, (3) 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 (4) a process to remove the student from school in an emergency situation, including a description of what constitutes an emergency.

Utah Code § 53G-9-605.5 (2024)
Utah Code § 53G-9-605(3)(f), (h), (i) (2024)
Utah Admin. Rules R277-613-6(1), (2), (4) (October 8, 2025)

The student who caused the incident (or the student's parent) may appeal one or more of the consequences to that student which are included in the action

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plan through the same processes and procedures provided for appeal of other student disciplinary actions.

Utah Code § 53G-9-605.5(4) (2024)
Utah Admin. Rules R277-613-6(3) (October 8, 2025)

The action plan may include providing supportive services designed to preserve a student's access to educational opportunities and a sense of safety.

Utah Admin. Rules R277-613-5(8)(b) (October 8, 2025)

The action plan may also include accountability practices, if permitted, including restorative justice practice. 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. The student at whom the incident was directed is *not* required to participate in a restorative justice practice with the student who caused the incident. 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(13) (October 8, 2025)
Utah Admin. Rules R277-613-5(7), (8)(a), (9) (October 8, 2025)

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

Utah Admin. Rules R277-613-4(5) (October 8, 2025)

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(11) (October 8, 2025)

Training and Education—

Each school shall establish procedures for training school employees, coaches, volunteers and students on bullying, cyber-bullying, hazing, retaliation, and abusive conduct. The principal or designee shall be the point person to assist, direct, and supervise training on these matters.

Training to students, staff, and volunteers shall:

1. Include information on:

    a. Bullying, cyber-bullying, hazing, retaliation, and abusive conduct;

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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, cyber-bullying, hazing, retaliation, and abusive conduct are different from discrimination and may occur separately from each other or in combination,

d. How bullying, cyber-bullying, hazing, retaliation, and abusive conduct are prohibited based on race, color, national origin, sex, religion, or disability,

e. The right of free speech and how it differs for students, employees, and parents; and

f. Safe digital citizenship as defined in Utah Code § 53G-7-1202(1)(a);

2. Complement the suicide prevention program required for students and the suicide prevention training required for licensed educators; and

3. Include information on when issues relating to these standards may lead to employee or student discipline.

Utah Code § 53G-9-607(1), (2) (2024)
Utah Admin. Rules R277-613-4(6) (October 8, 2025)
Utah Admin. Rules R277-613-5(1)(d) (October 8, 2025)
Utah Admin. Rules R277-605-6(4) (August 7, 2026)

This training shall be provided to all new employees, coaches, and volunteers within the first year of service 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) (October 8, 2025)
Utah Admin. Rules R277-605-6(4) (August 7, 2026)

In addition to training school employees and educating students mentioned above, all volunteer coaches, employees, and students involved in any curricular athletic program or any extra-curricular club or activity shall:

1. Complete bullying, cyber-bullying, harassment, hazing, and abusive conduct prevention training prior to participation;

2. Repeat bullying, cyber-bullying, harassment and hazing prevention training at least every three years;

3. Be informed annually of the prohibited activities list provided previously in this Policy and the potential consequences for violation of this Policy.

The school shall obtain and keep signature lists of the participants in the activity training.

Utah Admin. Rules R277-613-7 (October 8, 2025)
Utah Admin. Rules R277-605-6(4) (August 7, 2026)

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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 cyber-bullying.

Utah Code § 53G-9-605(3)(j)(ii), (4) (2024)

The District may also offer voluntary training to parents and students regarding bullying, cyber-bullying, hazing, abusive conduct, and retaliation.

Utah Code § 53G-9-607(2)(c) (2024)

The principal or designee responsible for reviewing and investigating allegations of bullying, cyber-bullying, 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) (October 8, 2025)

District Coordinator—

The District shall designate at least one individual who can provide training to each school principal or designee responsible for school training and oversight. This individual also oversees implementation of action plans, monitors implementation of this policy regarding communication plans, acts as the District's liaison to the State Board of Education regarding bullying, cyber-bullying, hazing, abusive conduct, and retaliation, and assists with school case-specific needs.

Utah Admin. Rules R277-613-5(1)(c) (October 8, 2025)

Assessment—

Each school shall regularly (and at least once per year) assess 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) (October 8, 2025)
Utah Code § 53E-9-203 (2024)

Publication and Acknowledgment—

A copy of this policy shall be included in employee handbooks, shall be provided to the parent of each student enrolled in the District, and shall be available on the District website.

Each employee shall annually provide a signed statement stating that the employee 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)(j), (4) (2024)
Utah Admin. Rules R277-613-4(1)(d), (2) (October 8, 2025)

Parental Notification of Incidents and Suicide Threats—

The school shall promptly notify a student's parent when the student is involved in an incident (whether as a target or as a perpetrator) or when a student

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threatens suicide. When the student is involved in an incident, the parent shall also be notified of the action plan. In addition to giving notice of the incident or threat, the school shall also provide the parent with (1) suicide prevention materials and information as recommended by the State Superintendent, (2) information on ways to limit a student's access to fatal means (including firearms and medication), and (3) information and resources on the healthy use of social media and online practices. (*See* Policy FDACE.)

The school shall produce and maintain a record that verifies that the parent was notified of the threats or incidents listed above and provided the required information. If applicable, the record shall also track implementation of the action plan. The record is a private record for purposes of the Government Records Access and Management Act.

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.
2. Contact with the parent must be documented in a "Verification of Parent Contact Regarding Threat or Incident." When there is an action plan, the documentation shall be supplemented to track implementation of the action plan.

(A copy of the "Verification of Parent Contact Regarding Threat or Incident" is attached below.) Subject to laws regarding confidentiality of student educational 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 (2024)
Utah Admin. Rules R277-613-4(3) (October 8, 2025)

The record of parental notification shall be maintained in accordance with Policy FE, Policy FEA, 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)(iii), (4) (2024)

Report to State Superintendent—

Each year, on or before June 30, the District shall submit a report to the State Superintendent which includes (1) a copy of the District's bullying policy; (2) confirmation of compliance with the requirement to obtain a signed acknowledgment of the policy from students, parents, and employees; (3) verification of required

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training regarding bullying, cyber-bullying, hazing, retaliation, and abusive conduct; (4) the number of verified incidents of student bullying, cyber-bullying, hazing, retaliation, and abusive conduct; and (5) the number and type of those incidents that included a student who was allegedly bullied, cyber-bullied, hazed, or retaliated against because of the student's actual or perceived disability, race, national origin, religion, sex, gender identity, sexual orientation, or other characteristic, including the federal reporting requirements for civil rights violations.

Utah Admin. Rules R277-613-5(12) (October 8, 2025)

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VERIFICATION OF PARENT CONTACT REGARDING THREAT OR INCIDENT

I, [Name] , principal or principal's designee, contacted [Name of parent or guardian] on [Date] and notified him or her that [Name of student] has made suicidal threats or was involved in an incident of bullying, hazing, cyber-bullying, 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:

[ ] suicide threat [ ] bullying [ ] cyber-bullying [ ] abusive conduct [ ] hazing [ ] retaliation

If notice was given of a suicide threat, information was provided as required regarding suicide prevention, ways to limit student access to lethal means, and healthy use of social media and online practices.

If notice was given of an incident, the parent was informed that retaliation is prohibited and should be reported, of the process for addressing the incident, was updated on the progress of the process, was informed of the action plan, and was informed of the result of the process as follows:

Date: _____ Nature of contact: _____

Date: _____ Nature of contact: _____

Date: _____ Nature of contact: _____

[Attach additional pages as needed to document communication with parent]

[Name of school staff member]_____ , witnessed the contact and confirmed that information was provided.

_____ _____ _____

Principal or Principal's Designee Title Date

_____ _____ _____

School Staff Member Title Date

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