

NUMBER:	PS 418
EFFECTIVE:	09/13/2006
REVISION:	02/10/2010
PAGES:	6

Statement of.....

## Policy and Responsibility

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SUBJECT: BULLYING AND HAZING

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### Statement of Purpose

The Murray City Board of Education recognizes that school bullying, hazing, relational aggression, harassment and intimidation greatly reduce a student's or an employee's ability to achieve. In addition, bullying, hazing, relational aggression, harassment and intimidation can directly affect a student's or an employee's health and well-being, contributing to negative consequences in both academic and personal areas. The purpose of this policy is to stop and prevent bullying, hazing, relational aggression, harassment, and intimidation in district schools.

### Definitions

- A. "Bullying" 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 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. 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 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 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. "Relational Aggression" means the use of behavior that is intended to harm someone by damaging or manipulating his or her relationships with others. This can include verbal acts of aggression, such as threats, putdown and name calling. It can also include hidden acts of aggression such as body language, exclusion and spreading rumors. Relational Aggression is to deliberately harass, threaten, or intimidate someone for the purpose of placing a school employee or student in fear or isolation.
- D. "Cyber bullying" means the use of email, instant messaging, chat rooms, cell phones, or other forms of information technology to deliberately harass, threaten, or intimidate someone for the purpose of placing a school employee or student in fear of:
1. physical harm to the school employee or student; or
  2. harm to property of the school employee or student.
- E. "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.

**Publication**

A copy of this policy shall be included on the Murray City School District website under board policies. Specific school policies that are part of this bullying and hazing policy will be included in school handbooks, newsletters, and/or the school website.

**Prohibitions**

- A. No school employee or student may engage in bullying, hazing, relational aggression or cyber bullying a school employee or student;
  1. on school property;
  2. at a school 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.
  6. Incidences which occur outside of the school day or school grounds may be considered for school and/or district consequences if the effect of such behavior has a direct influence upon the learning environment. All students and employees have the right to feel safe in Murray City School District Schools.

- 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, cyber bullying, hazing, relational aggression, or retaliation.
- D. No school employee or student may make a false allegation of bullying, cyber bullying, hazing, relational aggression or retaliation against a school employee or student.

**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, relational aggression or retaliation;
  - 2. names and/or positions of persons responsible for taking, investigating, and responding to reports of bullying, hazing, relational aggression or retaliation. At least two school employees (preferably one male and one female) in appropriate positions of authority shall be designated to receive reports.
- B. In addition to the published procedures and notification above, each school shall establish procedures and plans for:
  - 1. involving parents or guardians of a perpetrator or victim of bullying, hazing, relational aggression or retaliation in the process of responding to, and resolving, conduct prohibited in this Policy;
  - 2. 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, relational aggression or hazing of the actions taken against the perpetrators of the bullying or hazing;
  - 3. publicizing this policy, preferably including electronic publication and availability, to school employees, to students, and parents/guardians of students; and
  - 4. training school employees and students to recognize and prevent bullying, hazing, relational aggression or retaliation.

**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.
- C. Formal disciplinary action is prohibited based solely on an anonymous report of bullying, hazing, relational aggression or retaliation. In other words, sufficient facts must be found in investigating such reports to warrant formal disciplinary action.
- D. 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 expulsion from school 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.
- E. 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. procedures for a fair and timely opportunity for the accused to explain the accusations and defend his or her actions prior to student or employee discipline.
4. procedures for providing due process rights under Section 53A-8-102 (licensed staff), local employee discipline policies or Section 53A-11-903 and local policies (students) prior to long term (more than 10 days) student discipline or employee discipline.

### **Training**

- A. The training of school employees shall include training regarding bullying, relational aggression, hazing, and retaliation.
- B. To the extent possible, programs or initiatives designed to provide training and education regarding the prevention of bullying, hazing, relational aggression and retaliation should be implemented.
- C. In addition to training for all students and school employees, students, employees, and volunteer coaches involved in any extra-curricular activity shall:
  1. participate in bullying, relational aggression and hazing prevention training prior to initial participation and at least every three years thereafter;
  2. be informed annually of the prohibited activities list provided previously in this policy and the potential consequences for violation of this policy.

## Bullying and Hazing Complaint Form

Date of Complaint: \_\_\_\_\_

### **Complainant Information**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ E-mail (parent): \_\_\_\_\_

Position/school (if employee): \_\_\_\_\_

School (if student, or parent): \_\_\_\_\_

### **Alleged Offender Information**

Name of Alleged Offender: \_\_\_\_\_

Building/School/other affiliation of Alleged Offender: \_\_\_\_\_

Grade/Position of Alleged Offender: \_\_\_\_\_

### **Describe incident or occurrence as accurately as possible:**

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(Attach additional sheet if necessary)

\_\_\_\_\_  
Signature of Person Filing Complaint

\_\_\_\_\_  
Date

\*By signing above, the complainant affirms that the information included is accurate and true.

Date received by Building Administrator: \_\_\_\_\_

Disposition by Building Administrator (check one):

\_\_\_\_\_ FOUNDED      \_\_\_\_\_ NOT FOUNDED      \_\_\_\_\_ INCONCLUSIVE

Disposition date: \_\_\_\_\_

Keep this on file until one year after student all students involved are no longer students.

## Bullying and Hazing Witness Form

Confidential: Please do NOT share this information with Complainant, Reporter, or Offender.

Date of Interview: \_\_\_\_\_

Name of Witness: \_\_\_\_\_

Building/School of Witness: \_\_\_\_\_

Grade/Position of Alleged Offender: \_\_\_\_\_

Description of Incident: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I agree that all of the information on this form is accurate and true to the best of my knowledge.

\_\_\_\_\_

Signature of Witness

\_\_\_\_\_

Date

Disposition by Building Administrator of Witness (check one):

\_\_\_\_\_ Allegation supported \_\_\_\_\_ Allegation not supported \_\_\_\_\_ Inconclusive