Good Foundations Academy

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GFA ANTI-HARASSMENT AND ANTI-BULLYING POLICY

PURPOSE AND PHILOSOPHY

Good Foundations Academy believes it is important to instill the right values within the student body so that they 1) know the right behavior, 2) know how to discipline themselves to adhere to proper behavior, and 3) can be trusted in most situations to comply with the proper behavior.

Character education is intentionally and explicitly taught in order to build a school culture that is conducive to learning. It is an expectation that GFA school employees and students daily model the 7 Foundation Stones of Respect, Cooperation, Citizenship, Integrity, Perseverance, Self-Control, and Responsibility.

Normal Student Conflict

When normal student conflict occurs, students and staff are required to adhere to the following protocol:

1. Ask the person who is physically or verbally harassing you to stop. Don't joke around or make light of it. Look the person directly in the eye and state that you would like him or her to stop that behavior.
2. That student now has two choices. He or she can stop the behavior or continue it. If the behavior stops, that problem has been eliminated.
3. If the problem persists, the student needs to have the character to do what is right. This means reporting the problem to someone in control. This usually means the classroom teacher or teacher aide.
4. The teacher then should address the problem with both students and the students' parents. Expectations should be clearly defined for both students.
5. If the harassing continues, this will then become an Assistant Director or Executive Director concern. He or she should be informed of the history of the situation and then establish a behavior contract with the student.
6. If the student does not adhere to the behavior contract, then he or she is subject to additional disciplinary action.

POLICY

Bullying

Bullying, intimidating, tackling, or fighting is not allowed. For the purposes of this policy, "bullying" means student bullying and staff bullying.

Staff Bullying

For purposes of this policy, “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:

1. creates an environment that a reasonable person would find hostile, threatening, or humiliating; and

2. substantially interferes with a student’s or employee’s educational or professional performance, opportunities, or benefits.

Student Bullying

For purposes of this policy, “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:

1. creates an environment that a reasonable person would find hostile; and

2. interferes with a student’s educational performance, opportunities, or benefits.

“Staff bullying” and “student bullying” do 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.

Bullying is prohibited on school property, at school-sanctioned activities and events, when students are being transported in any vehicle dispatched by the school, or off school property when such conduct has a nexus to a school curricular or non-curricular activity or event.

A student who engages in any act of bullying is subject to appropriate disciplinary action. The severity and pattern, if any, of the bullying behavior shall be taken into consideration when disciplinary decisions are made.

Harassment

For the purposes of this policy, “harassment” includes communication and behaviors that demean and/or victimize a school employee or student. Harassment contributes to a hostile school environment and negatively impacts the victim’s ability to learn and/or work.

It is the policy of Good Foundations Academy to provide a learning environment and workplace free of harassment or intimidation based on age, race, color, religion, sex, national origin, physical or mental disability, sexual orientation, marital status, veteran status, or any other category protected by federal, state, or local law. GFA does not tolerate harassment or hostile actions and takes prompt action to correct any such situations. Any employee who violates this policy will be subject to disciplinary action, up to and including termination.

Good Foundations Academy does not tolerate sexual harassment. Sexual harassment may include unwelcome sexual advances, requests for sexual favors, or other unwelcome verbal or physical contact of a sexual nature when such conduct creates an offensive, hostile, and intimidating learning and working environment and prevents and individual from effectively performing the duties of his or her position.

Hazing

For the purpose of this policy, “hazing” means intentionally or knowingly committing an act that endangers the physical health or safety of a school employee or student. Hazing can involve:

- any brutality of a physical nature such as whipping, beating, branding, bruising, electric shocking, placing of a harmful substance on the body, or exposure to the elements;
- consumption of any food, liquor, drug, or other substance;
- forced or coerced actions or activities of a sexual nature or with sexual connotations;
- other physical activity that endangers the physical health and safety of a school employee or student; or
- physically obstructing a school employee's or student's freedom to move.

“Hazing” also means the same as that term is defined in Utah Code § 53G-9-601.

Hazing 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. Hazing may also occur if the person committing the act against a school employee or student knows 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.

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

Cyberbullying

GFA’s electronic devices, computer networks, or other property, whether accessed on campus or off, during or after school hours, may not be used for the purpose of harassment. All forms of harassment over the Internet, commonly referred to as “cyberbullying,” are unacceptable and viewed as a violation of GFA’s acceptable computer-use policy and procedures.

Malicious use of GFA’s computer system to develop programs or to institute practices that harass other users or gain unauthorized access to any entity on the system and/or damage the components of an entity on the network is prohibited. Users are responsible for the appropriateness of the material they transmit over the system.

Hate mail, harassment, discriminatory remarks or other antisocial behaviors are expressly prohibited.

Cyberbullying includes, but is not limited to the following misuses of school technology: Harassing, teasing, intimidating, threatening or terrorizing another person by sending or posting inappropriate and hurtful email messages, instant messages, text messages, digital pictures or images, or website postings, including blogs and social media sites (e.g., Facebook, Twitter). It is also recognized that the author (poster or sender) of inappropriate material is often disguised (logged on) as someone else. “Cyberbulling” also means the same as that term is defined in Utah Code § 53G-9-601.

Students and community members who believe they have been the victim of such misuses of GFA-owned

technology, as described herein, should not erase the offending material from the system. A copy of the material should be printed or otherwise preserved and brought to the attention of the Executive Director.

For situations in which cyberbullying originates from a non-school computer, and is brought to the attention of school officials, any disciplinary action shall be based upon whether the conduct is determined to be severely disruptive of the educational process so that it markedly interrupts or severely impedes the day-to-day operations of the school and is in violation of a publicized school policy. Such conduct includes, but is not limited to, threats, or making a threat off school grounds, to harm an employee, student or Member of the Board of Directors of Good Foundations Academy.

Disciplinary action may include, but is not limited to, loss of computer privileges, detention, suspension or expulsion for verified perpetrators of cyberbullying.

Always feel free to confer with the Assistant Directors or Executive Director if you have any questions or concerns.

Abusive Conduct

For purposes of this policy, “abusive conduct” means verbal, nonverbal, or physical conduct of a parent/guardian or student directed toward a GFA 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 does not constitute abusive conduct.

Abusive conduct by students or parents/guardians against GFA school employees is prohibited and will not be tolerated in the school.

Incident

For the purpose of this policy, “incident” means a verified incident of bullying, cyberbullying, hazing, abusive conduct, or retaliation that is prohibited in Utah Code § 53G-9-601 *et seq.*

Verification

For the purpose of this policy, “verification” means that an alleged incident has been found to be substantiated through a formal investigation process done by the school as outlined in this policy.

Action Plan

For the purpose of this policy, “action plan” means a process to address an incident of bullying, cyberbullying, hazing, or retaliation.

Search and Seizure

Students possess the right of privacy as well as freedom from unreasonable search and seizure as guaranteed by the Fourth Amendment of the U.S. Constitution. This individual right, however, is balanced by the school’s responsibility to protect the health, safety, and welfare of all its students and to ensure compliance with school rules. School employees (usually administrators) may conduct searches of property or a person when they have reason to suspect the health, safety, or welfare of students or staff may be endangered. This includes, but is not limited to, searching students for controlled substances, weapons, and electronic cigarette products. GFA is not responsible for loss, theft, or breakage of items brought to school.

Retaliation

For the purposes of this policy, retaliation means an act or communication intended as retribution against a person for reporting bullying or hazing. This also includes improperly influencing the investigation of, or the response to, a report of bullying or hazing.

Gang Activity

At GFA, gang activity is prohibited. School faculty and personnel are trained to recognize early warning signs for youth in trouble. Faculty and personnel shall report suspected gang activity to school administration who, in turn, will refer suspected gang activity to law enforcement. Gang members are barred from extracurricular activities. Gang-related graffiti or damage to school shall result in parent/guardian notification and referral to law enforcement.

Prohibitions

No school employee or student may engage in bullying, harassment, hazing, gang activity or cyberbullying toward a school employee or student. Likewise, abusive conduct by students or parents/guardians against school employees is prohibited by the school and will not be tolerated in the school. These prohibitions apply on school property, at a school related or sponsored event or while the school employee or student is traveling to or from a location or event described above. No school employee or student may engage in retaliation against a school employee, student, or an investigator for, or witness of, an alleged incident of bullying, harassment, hazing, gang activity, cyberbullying, or retaliation. No school employee or student may make false allegations of bullying, harassment, hazing, cyberbullying, abusive conduct, or retaliation against a school employee or student.

No school employee or student may share a recording of an act of bullying, cyberbullying, hazing, abusive conduct, or retaliation in order to impact or encourage future incidents of such prohibited conduct. This restriction does not prevent a student or employee from sharing such a recording with a teacher or administrator as part of reporting the incident or in response to a request from a teacher or administrator for the recording.

No school employee or student may create or distribute sexually explicit or nonconsensual intimate images.

School Actions

<u>Reporting Prohibited Conduct</u>

Students who have been subjected to or witnessed bullying, cyberbullying, hazing, or retaliation, and students who have witnessed abusive conduct, are strongly encouraged to promptly report such prohibited conduct to any school personnel orally or in writing. School personnel who receive reports of such prohibited conduct should report them to the Executive Director.

School employees who have been subjected to or witnessed hazing, bullying, cyberbullying, abusive conduct, or retaliation must report such prohibited conduct to the Executive Director orally or in writing.

Each reported complaint should include:

- Name of the complaining party;

- Name of the person subjected to the prohibited conduct (if different than the complaining party);
- Name of perpetrator (if known);

- Date and location of the prohibited conduct; and

- Statement describing the prohibited conduct, including names of witnesses (if known).

All information received in a complaint, including names of complainants, shall be treated with the utmost confidence to the extent possible. Administrators shall notify the complainant before revealing his or her name.

GFA shall take reasonable steps to ensure that any person subjected to prohibited conduct will be protected from further hazing, bullying, cyberbullying, abusive conduct, and retaliation and that any student or GFA school employee who reports such prohibited conduct will be protected from retaliation.

GFA may involve parents/guardians of a student who was subjected to or caused bullying, cyberbullying, hazing, or retaliation in the process of responding to, and resolving, conduct prohibited in this policy to the extent permitted by federal and state law, including the federal Family Educational Rights and Privacy Act of 1974, as amended ("FERPA").

Each reported violation of the prohibitions noted previously shall be promptly investigated by a school administrator or an individual designated by a school administrator consistent with the Investigation of Alleged Incidents section below. Formal disciplinary action is prohibited based solely on an anonymous report of bullying, hazing, cyberbullying, abusive conduct, or retaliation.

<u>Investigation of Alleged Incidents</u>

The school shall investigate all allegations of bullying, cyberbullying, hazing, retaliation, and abusive conduct in accordance with this policy and applicable law. The Executive Director or his/her designee shall investigate such allegations, and the school shall ensure that the investigator is provided adequate training to conduct such an investigation. The Executive Director or his/her designee shall be the point person with training and expertise to assist, direct, and supervise training of other employees in the responsibilities set forth in this paragraph.

The school shall investigate these alleged incidents by interviewing:

1. the individual who was allegedly targeted;

2. the individual who is alleged to have engaged in the prohibited conduct;

3. the parents/guardians of the student who was allegedly targeted and the student who is alleged to have engaged in prohibited conduct;

4. any witnesses;

5. school staff familiar with the student who was allegedly targeted;

6. school staff familiar with the individual who is alleged to have engaged in prohibited conduct; or

7. other individuals who may provide additional information.

The individual who investigates an alleged incident shall inform an individual being interviewed that 1) to the extent allowed by law, the individual is required to keep all details of the interview confidential; and 2) further reports of bullying will become part of the review. However, the confidentiality requirement described in this paragraph does not apply to conversations with law enforcement, requests for information pursuant to a warrant or subpoena, a state or federal reporting requirement, or other reporting required by R277-613.

In conducting this investigation, the school may 1) review disciplinary reports of involved students; and 2) review physical evidence, including video or audio, notes, email, text messages, social media, or graffiti.

The school shall keep a written record of the date and time individuals were interviewed; which individuals were interviewed (unless the individual requests to remain anonymous); and disciplinary reports and physical evidence reviewed as part of the investigation.

The school shall report alleged incidents of bullying, cyberbullying, hazing, retaliation, and abusive conduct to law enforcement when the Executive Director reasonably determines that the alleged incident may have violated criminal law.

The school shall follow up with the parents/guardians of all parties to:

1. inform parents/guardians when an investigation is concluded;

2. inform parents/guardians what safety measures will be in place for their child, as determined by the investigation;

3. provide additional information about the investigation or the resolution consistent with FERPA; and

4. inform parents/guardians of the school's Parent Grievance Policy if the parents/guardians disagree with the resolution of the investigation.

If the investigation results in a verification of an incident of bullying, cyberbullying, hazing, retaliation, or abusive conduct, the school shall create and implement an action plan for each such incident in accordance with Utah Code § 53G-9-605.5 and R277-613.

In addition, following verification of an incident of bullying, cyberbullying, hazing, retaliation, or abusive conduct the Executive Director may, if he/she determines it is appropriate:

1. use accountability practices (as defined in R277-100) in accordance with policies established by the school; and
2. provide supportive services designed to preserve the student's access to educational opportunities and a sense of safety.

However, a student to whom an incident of bullying, cyberbullying, hazing, retaliation, or abusive conduct is directed is not required to participate in a restorative justice practice (as defined in R277-613) with an individual who is alleged to have engaged in prohibited conduct. If the school would like any student to participate in a restorative justice practice, the school shall notify the student's parent/guardian of the restorative justice practice and obtain consent from the student's parent/guardian before including the student in the process.

Parental Notification

The Executive Director or his/her designee shall timely notify a student's parent/guardian if:

1. the student threatens suicide; or
2. the student is involved in an incident of bullying, cyberbullying, hazing, abusive conduct, or retaliation (including if the student is subjected to the incident or is the individual who caused the incident) and of the action plan to address the incident.

If the Executive Director or his/her designee believe that a situation exists which presents a serious threat to the well-being of a student, the Executive Director or his/her designee shall notify the student's parent or guardian without delay, before the end of the school day.

The Executive Director or his/her designee shall attempt to contact the parent/guardian by telephone to provide this notification and to discuss the matter. If the parent/guardian is not available by telephone, the Executive Director or his/her designee shall leave a voicemail and then also provide the parent/guardian the required notification by email.

The Executive Director or his/her designee shall produce and maintain a record that:

1. verifies that the school notified each parent/guardian as required above. If an in-person meeting takes place, the Executive Director or his/her designee may ask the parent/guardian to sign the record acknowledging that the notification was provided. If a telephone conversation takes place, the Executive Director or his/her designee may document on the record such details as the date and time of the telephone call, who was spoken to, and brief notes regarding the notification that was provided and the content of the conversation. If an email is sent, the Executive Director or his/her designee shall retain a copy of the email; and

2. tracks implementation of the action plan addressing the incident, if applicable.

The school shall retain the record for at least as long as the student is enrolled at the school and will provide or expunge the record in accordance with Utah Code § 53G-9-604. The school shall maintain the confidentiality of the record in accordance with the state and federal data privacy laws referenced in Utah Code § 53G-9-604.

In addition to notifying the parent or guardian as set forth above, the Executive Director or his/her designee will provide the parent or guardian with the following:

1. suicide prevention materials and information as recommended by the Utah State Board of Education in accordance with Utah Code § 53G-9-604(2)(b);

2. information on ways to limit a student's access to fatal means, including firearms or medication; and

3. information and resources on the healthy use of social media and online practices as provided in R277-613.

Action Plan to Address Incidents

Following verification of an incident of bullying, cyberbullying, hazing, retaliation, or abusive conduct, the school shall develop and implement an action plan. The action plan shall include:

1. with respect to the targeted student and in direct coordination with the student's parent or guardian:
    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, to the extent allowed by FERPA;
    d. support 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

2. with respect to the student who caused the incident and in direct coordination with the student's parent or guardian:
    a. a range of tailored and appropriate consequences, making reasonable effort 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.

The school may not include in an action plan a requirement that the student to whom the incident was directed change the student's:

1. educational schedule or placement; or

2. participation in a school-sponsored sport, club, or activity.

The school shall try to involve the parent or guardian of a student who was involved in an incident of bullying, cyberbullying, hazing, retaliation, or abusive conduct in the development and implementation of an action plan. However, if, after the school attempts to involve a parent or guardian in the development and implementation of an action plan, the parent or guardian chooses to not participate in the process, the school may develop and implement an action plan without the parent or guardian's involvement.

Communication Plan

The school shall communicate with the parent or guardian of each student involved in an incident of bullying, cyberbullying, hazing, retaliation, or abusive conduct about the implementation of the action plan. Specifically, the school shall provide regular updates on the implementation of the action plan to each such parent or guardian. The updates shall include:

1. the outcome of the school's investigation (if not already provided at the conclusion of the investigation);

2. a discussion of safety considerations for the student who is the subject of the incident; and

3. an explanation of the school's process for addressing the incident.

The Executive Director or his/her designee shall oversee the implementation of the action plan, monitor the

implementation of the communication plan/requirements within the action plan, and assist the school with case-specific needs when the school is addressing an incident of bullying, cyberbullying, hazing, retaliation, or abusive conduct.

Consequences for Engaging in Prohibited Conduct

Verified violations of the prohibitions noted previously shall result in consequences or penalties for students as listed in the GFA Student Discipline Policy. The school has 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. In determining the appropriate disciplinary or other responsive action for such a student, the school shall consider all relevant circumstances, including the involved students' respective ages and development and maturity levels, the nature and impact of the prohibited conduct, the surrounding circumstances, any prior incidents or patterns of behavior, the relationship between the parties involved, and the extent to which the prohibited conduct disrupted or interfered with the orderly operation of the school. Discipline may only be imposed on a student after appropriate due process has been provided.

If a school employee is found to have engaged in prohibited conduct in violation of this policy, the employee shall be disciplined by appropriate measures, which may include termination, reassignment, or other appropriate action.

The Executive Director may report to OCR all incidents of bullying, hazing, cyberbullying, abusive conduct, or retaliation that he/she reasonably determines may be violations of a student's or employee's civil rights.

The school shall take strong responsive action to prevent retaliation, including assisting students who are subjected to prohibited conduct and their parents/guardians in reporting subsequent problems and new instances of prohibited conduct.

Grievance Process for School Employees

As explained above, a GFA school employee who has experienced abusive conduct must report the abusive conduct to the Executive Director orally or in writing. If the employee is not satisfied with the Executive Director or designee's investigation of the abusive conduct and/or the resulting disciplinary action (or recommended disciplinary action) against the perpetrator, the employee may address/raise the issue in accordance with the school's Staff Grievance Policy.

Grievance Process for Parents/Guardians

A parent or guardian of a student who caused an incident of bullying, cyberbullying, hazing, retaliation, or abusive conduct may appeal one or more of the consequences included in an action plan in accordance with the school's Parent Grievance Policy.

Training

The Executive Director shall ensure that school students, employees, coaches, and volunteers receive training on bullying, cyberbullying, hazing, retaliation, and abusive conduct from individuals qualified to provide such training. The training shall meet the standards established by the Utah State Board of Education's rules and include information on:

1. bullying, cyberbullying, hazing, abusive conduct, and retaliation;

2. discrimination under the following federal laws:
   (a) Title VI of the Civil Rights Act of 1964;
   (b) Title IX of the Education Amendments of 1972;
   (c) Section 504 of the Rehabilitation Act of 1973; and
   (d) Title II of the Americans with Disabilities Act of 1990;

3. how bullying, cyberbullying, hazing, retaliation, and abusive conduct are different from discrimination and may occur separately from each other or in combination;

4. how bullying, cyberbullying, hazing, retaliation, and abusive conduct are prohibited based upon race, color, national origin, sex, disability, or religion;

5. the right of free speech and how it differs for students, employees, and parents/guardians; and

6. safe digital citizenship.

The training will complement the suicide prevention program required for students under R277-620 and the suicide prevention training required for licensed educators consistent with Section 53G-9-704(1), and also include information on when issues relating to R277-613 may lead to student or employee discipline.

The training shall be offered to:

1. new school employees, coaches, and volunteers within the first year of employment or service;

2. all school employees, coaches, and volunteers at least once every three years after the initial training; and

3. all students (regardless of whether they are involved in athletics or extracurricular activities or clubs) at a frequency determined by the Executive Director.

In addition to the training requirements described above, any student, employee, or volunteer coach participating in a school-sponsored athletic program, both curricular and extracurricular, or extracurricular club or activity, shall, prior to participating in the athletic program or activity, participate in bullying, cyberbullying, hazing, retaliation, and abusive conduct prevention training. This training shall be offered to new participants on an annual basis and to all participants at least once every three years. The school shall inform student athletes and extracurricular club members of prohibited activities under R277-613 and potential consequences for violation of the law and the rule.

The school shall maintain training participant lists or signatures and provide them to the Utah State Board of Education upon request.

Student Assessment

The Executive Director or his/her designee will assess the prevalence of bullying, cyberbullying, hazing, and retaliation in the school, specifically locations where students are unsafe and additional adult supervision may be required, such as playgrounds, hallways, and lunch areas.

Liaison to Utah State Board of Education

The Executive Director or his/her designee shall act as the school's liaison to the Utah State Board of Education regarding bullying, cyberbullying, hazing, abusive conduct, and retaliation.

Annual Reporting

In accordance with Utah Code 53G-9-606 and R277-613, the School shall annually report the following information to the Utah State Board of Education on or before June 30:

1. a copy of this policy;

2. the school's implementation of the signed statement requirement described in Utah Code § 53G-9-605;

3. verification of the school's training of its employees relating to bullying, cyber-bullying, hazing, retaliation, and abusive conduct described in Utah Code § 53G-9-607;

4. incidents of student bullying, cyber-bullying, hazing, and retaliation; and

5. the number and type of incidents described in subsection (4) immediately above that include a student who was alleged bullied, cyber-bullied, hazed, or retaliated against based on the student's actual or perceived characteristics, including disability, race, national origin, religion, sex, gender identity, or sexual orientation, including the federal reporting requirements for civil rights violations.

Distribution of Policy and Signed Acknowledgement

GFA shall inform students, parents/guardians, and employees that hazing, bullying, cyberbullying, abusive conduct, and retaliation are prohibited by distributing a copy of this policy to such individuals annually. A copy of this policy shall also be posted on the school's website and included and/or referenced in any student conduct or employee handbooks issued by the school.

On an annual basis, GFA school employees, students who are at least eight years old, and parents/guardians of students shall sign a statement indicating that they have received this policy.

By signing this acknowledgment, it indicates that you have read the above information regarding GFA's anti-harassment and anti-bullying policy

Parent Name: _____ Parent Signature: _____ Date: _____

Student Name: _____ Student Signature: _____ Date: _____

Board Reviewed and Approved: 10/12/2026