ENTHEOS ACADEMY

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# 5401 BULLYING, CYBER-BULLYING, HAZING, AND ABUSIVE CONDUCT POLICY

## Purpose

Entheos Academy is committed to providing a safe, respectful, and supportive learning and working environment. Bullying, cyber-bullying, hazing, abusive conduct, retaliation, false reports, and the creation or distribution of sexually explicit or nonconsensual intimate images are strictly prohibited.

This policy fulfills the requirements of Utah Code §§ 53G-9-601 through 607 and Utah Administrative Rule R277-613 and is reviewed regularly with input from parents, students, staff, and community stakeholders.

## Equal Protection

Protections apply to all students and employees regardless of legal status, race, color, national origin, sex, disability, religion, gender identity, sexual orientation, or other personal characteristics.

## Definitions

1. **Bullying:** Repeated aggressive behavior intended to harm, intimidate, or distress.
    a. "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:
        i. Creates an environment that a reasonable person would find hostile,

threatening, or humiliating; and
   ii. Substantially interferes with a student's or employee's educational or professional performance, opportunities, or benefits.

b. "Staff bullying" does not mean instances of:
   i. ordinary teasing, horseplay, argument, or peer conflict;
   ii. reasonable correction of behavior by a school employee; or
   iii. reasonable coaching strategies and techniques by a school employee who is a coach.

c. "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:
   i. creates an environment that a reasonable person would find hostile; and
   ii. interferes with a student's educational performance, opportunities, or benefits.

d. "Student bullying" does not mean instances of:
   i. ordinary teasing, horseplay, argument, or peer conflict;
   ii. reasonable correction of behavior by a school employee; or
   iii. reasonable coaching strategies and techniques by a school employee who is a coach.

2. **Cyber-bullying:** Bullying through digital means, including texts, applications, social media, electronic communications, or other technology.
3. **Hazing:** Acts that endanger a student for initiation, affiliation, membership, or participation in a group, team, organization, or activity.
4. **Abusive Conduct:** Verbal, nonverbal, or physical conduct of a parent or student directed toward a school employee that, based on its severity, nature, and frequency, a reasonable person would determine is intended to cause intimidation, humiliation, or unwarranted distress.
5. **Retaliation:** Any reprisal against a person who reports prohibited conduct or participates in an investigation or grievance process.
6. **False Report:** Knowingly making an untrue claim of prohibited conduct.
7. **Sexually Explicit or Nonconsensual Intimate Images:** Sexually explicit or intimate images created or distributed without the consent of the individual depicted, including images created, altered, or distributed through electronic or digital means.

# Policy

## I. Prohibited Conduct

A. No student, employee, coach, or volunteer may engage in:

1. Bullying, cyber-bullying, hazing, abusive conduct, or retaliation.
2. The creation or distribution of sexually explicit or nonconsensual intimate images.
3. Sharing or distributing recordings of bullying, hazing, abusive conduct, or other prohibited incidents for harmful purposes.
4. Knowingly making a false report of prohibited conduct.

B. Prohibited conduct may result in disciplinary action consistent with applicable school policies, student discipline procedures, employment policies, and state and federal law.

## II. Reporting

A. Any student, parent, employee, coach, or volunteer may report concerns regarding prohibited conduct in person, in writing, or anonymously.

B. Reports will be documented promptly.

C. Anonymous reports will be investigated but may not be the sole basis for disciplinary action.

D. A school employee who believes they have experienced abusive conduct may file a grievance in accordance with the Employee Grievance Process for Abusive Conduct described below and Entheos Academy Policy 4203, Employee Complaint Resolution.

E. Retaliation against any individual for making a good-faith report, filing a grievance, providing information, or participating in an investigation is strictly prohibited.

## III. Employee Grievance Process for Abusive Conduct

A. Entheos Academy provides a grievance process for any school employee who believes they have experienced abusive conduct.

B. Employee grievances involving abusive conduct will be handled in accordance with Entheos Academy Policy 4203, Employee Complaint Resolution.

C. Generally, an employee should make a good-faith effort to resolve an interpersonal

concern with the other party when appropriate.

D. If the matter cannot reasonably be resolved directly, the employee may bring the concern to their immediate supervisor.

E. If the complaint is not resolved by the immediate supervisor within five days, the employee may request review by the School Director or Executive Director.

F. **When a complaint involves abusive conduct, a violation of policy or law by the employee's supervisor, or circumstances in which addressing the matter directly with the other party or supervisor would not be appropriate, the employee may submit a written or verbal request for review directly to the School Director or Executive Director.**

G. The School Director or Executive Director will review the complaint and respond appropriately based upon the circumstances.

H. If the matter remains unresolved following review by the School Director or Executive Director, the employee may submit a written complaint to the Entheos Academy Board of Directors in accordance with Policy 4203.

I. Complaints and grievances will be handled as confidentially as reasonably possible and consistent with applicable law, due process requirements, and the school's obligation to investigate and respond.

J. Retaliation against an employee for making a good-faith complaint, participating in an investigation, or utilizing the grievance process is strictly prohibited and may result in disciplinary action.

## IV. Investigation

A. An investigation will begin within 10 school days of receiving a report.

B. Investigators must be appropriately trained in conducting lawful and confidential investigations.

C. Interviews and evidence, including notes, texts, electronic communications, devices, photographs, video, and other records, will be handled confidentially to the extent permitted by law.

D. Parents of involved students will be notified as required by law at the appropriate stages of an investigation and will be informed of available appeal options.

E. If evidence suggests a potential civil rights violation, the matter will be referred and addressed in accordance with applicable state and federal requirements.

F. Law enforcement or other appropriate authorities will be notified when required by law or when suspected criminal behavior warrants notification.

## V. Response to Recordings

A. If a student creates or shares a recording of bullying, hazing, abusive conduct, or another prohibited incident:

1. The school will take reasonable steps to secure and preserve relevant digital content or other evidence, including securing devices when permitted and necessary.
2. Students may be interviewed to determine the circumstances, intent, and impact of the recording or distribution.
3. A victim or other student who creates or shares a recording for the purpose of reporting prohibited conduct or seeking assistance will not be disciplined solely for making the report.
4. A student who creates or distributes a recording for the purpose of humiliating, intimidating, harassing, or otherwise harming another individual may be subject to disciplinary action.
5. The school's response and relevant actions will be documented.

## VI. Action Plans

A. When an incident is verified, administrators will create and implement an appropriate written Action Plan, which may include:

1. **Victim Support:** Safety measures, accommodations, decreased exposure to the aggressor, access to appropriate resources, and preservation of the student's educational placement when appropriate.
2. **Perpetrator Accountability:** Assessment of contributing factors, appropriate and individualized consequences, supportive or corrective measures, and emergency removal when necessary to address an imminent threat of harm.
3. **Parent Communication:**
   a. Initial notification as required by law.
   b. Ongoing communication regarding implementation of the Action Plan.
   c. Notification when the investigation or Action Plan is concluded.

d. Maintenance of required records of communication.

4. **Restorative Practices:** Restorative practices may be offered when appropriate and with required consent.
5. **Monitoring:** Action Plans will be monitored and reviewed for effectiveness until the matter is appropriately resolved.

## VII. Suicide-Related Provisions

A. If a student threatens suicide, the student's parent or guardian will be notified as required by law.

B. Parents or guardians will be provided with appropriate suicide prevention information and guidance regarding reducing access to lethal means.

C. At parent request, the school will provide available resources and recommendations.

D. Records relating to bullying will be provided or expunged as required by applicable Utah law.

## VIII. Retaliation Prohibited

A. Retaliation against any person who reports prohibited conduct, files a grievance, provides information, or participates in an investigation is strictly prohibited.

B. Entheos Academy will take reasonable steps to address reported retaliation and assist students, parents, and employees with the reporting process.

## IX. Training and Prevention

A. Training will be provided as required by law to students, employees, coaches, and volunteers regarding:

1. Bullying, cyber-bullying, hazing, abusive conduct, retaliation, and false reporting.
2. The differences between bullying and discrimination or civil rights violations.
3. The impact of prohibited conduct involving protected characteristics and applicable free speech protections.
4. Suicide prevention, respectful school culture, and safe digital citizenship.
5. Prohibited conduct and potential consequences applicable to student athletes and extracurricular participants.

6. Reporting procedures and circumstances that may result in student or employee discipline.

B. Training will be provided to new employees, coaches, and volunteers within the first year of employment or service and to all employees, coaches, and volunteers at least once every three years, or more frequently when required.

C. The LEA designates the School Directors to supervise training, oversee Action Plans, monitor required communications, assist with case-specific needs, act as liaison with the Utah State Board of Education, and identify school locations or circumstances requiring additional supervision or preventive measures.

## X. Records and Documentation

A. Required parent notifications, investigation documentation, Action Plans, communications, grievances, and training records will be maintained in accordance with applicable law and Entheos Academy record-retention requirements.

B. Signed statements acknowledging receipt of the policy will be obtained annually as required by Utah law.

C. This policy will be posted on the Entheos Academy website and made available to students, parents, employees, coaches, and volunteers.

## XI. Annual Reporting

A. Entheos Academy will provide required information to the Utah State Board of Education annually, including:

1. A copy of the Board-approved policy.
2. Documentation regarding required signed acknowledgments.
3. Verification of required staff training.
4. Required data regarding verified bullying, cyber-bullying, hazing, and retaliation incidents, including demographic information required by state or federal law.

## XII. Policy Review

A. This policy will be reviewed regularly with input from students, parents, employees, and community stakeholders and will be updated as necessary to comply with applicable state and federal law and Utah State Board of Education rules.

## References

Utah Code §§ 53G-9-601 through 53G-9-607
Utah Administrative Rule R277-613
Entheos Academy Policy 4203 – Employee Complaint Resolution