

BULLYING PREVENTION POLICY (1 OF 3)

Policies and Procedures Manual

2000—Students and Parents

Item #	Board President Signature	Original Approval Date	Last Amendment Date
2203		November 7, 2012	November 6, 2024

I. PURPOSE

TECS is committed to providing all students and staff members with a safe and civil school environment in which they are treated with dignity and respect. All individuals are entitled to be educated in a safe environment, with minimal disruptions, that is free of harassment and assault.

Any behavior that interferes with this environment is prohibited at Thomas Edison Charter Schools (TECS). To that end, TECS has in place policies and procedures designed to reduce and eliminate unsafe behaviors. Annually, TECS will collect signed statements from every student age 8 up, parents, and faculty that they have received a copy of this policy.

II. DEFINITIONS

The following definitions summarize the terms used in this policy. For more complete definitions, please refer to Utah Code 53G-9-601.

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, is intended to cause intimidation, humiliation, or unwarranted distress.
2. “Bullying” means a school employee or student intentionally committing a written, verbal, or physical act against a school employee or student that might:
 - a. Cause physical harm, emotional harm, damage to property, or fear of these kinds of harm or damage
 - b. Create a hostile, threatening, humiliating, or abusive environment due to the pervasiveness, persistence, or severity of the actions or a power differential between the bully and the target
 - c. Substantially interfering with an individual having a safe school environment that facilitates educational performance.
3. “Cyberbullying” means using the Internet, a cell phone, or another device to send or post text, video, or an image that will hurt, embarrass, or threaten an individual, regardless of intent or knowledge / consent of an individual.
4. “Harassment” means repeatedly communicating to another individual, in a demeaning or disparaging manner, statements that contribute to a hostile learning environment.
5. “Hazing” means intentionally committing an act that endangers the physical or mental health of an individual for the purposes of initiation or admission to a team, office, program, or other organization.
6. “Retaliation” means an act intended as retribution against an individual for reporting bullying or to improperly influence the investigation of a report of bullying.
7. “Violent felony” is defined in Utah Code 76-3-203.5.
8. “Sexual crime” is defined in Utah Code 53-G-8-201.

This policy will be interpreted and applied so as to comply with state and federal legal requirements

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relating to civil rights violations of Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Title II of the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973).

III. PROHIBITIONS

1. Bullying, harassment, and abusive conduct are prohibited on school property, at a school related or sponsored event, or in transit to or from school or a school related or sponsored event.
2. Hazing or cyberbullying a student is prohibited at any time or in any location.
3. Retaliation against a student, or an investigator for, or witness of, an alleged incident of bullying, cyberbullying, harassment, hazing, or abusive conduct is prohibited. TECS will work with the victims to protect them from retaliation and provide assistance in reporting subsequent problems and new incidents.
4. False allegations of bullying, cyber-bullying, harassment, hazing, abusive conduct, or retaliation are prohibited. Formal disciplinary action will not be based solely on an anonymous report.
5. Making a false report about an emergency situation or threat to the school as described in Utah Code 76-9-202 is prohibited.
6. Sharing a recording of an act of bullying, cyberbullying, hazing, abusive conduct, or retaliation in order to impact or encourage future incidents is prohibited.
7. Violent felonies and sexual crimes are prohibited both on and off school property.

IV. NOTIFICATION

1. An administrator and/or school counselor/psychologist will notify a parent or guardian in a timely manner by verbal or electronic communication if a student threatens to commit suicide, or if the student is involved in an incident involving prohibited behaviors as defined in this policy.
2. TECS will maintain a confidential record of parental notification and communication in accordance with the Federal Educational Rights and Privacy Act (FERPA).
3. Parent notification records will be maintained securely by school administration for the duration of the students' enrollment and destroyed upon the student's departure from the school.

V. ACTION

The administration will create an action plan, consistent with the school's discipline policies, that will apply to individuals involved in prohibited actions.

V. TRAINING

Students, staff and volunteers will receive training regularly from sufficiently trained individuals regarding the topics defined in this policy.

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Reference Law:

Utah Admin. Rule 277-613: LEA Policies and Training Regarding Bullying, Cyber-Bullying, Hazing, Retaliation, and Abusive Conduct
Family Educational Rights and Privacy Act (FERPA)
Utah Code 53G-9-7 Suicide Prevention Utah Code 53G-9-6 Bullying and Hazing
Utah Code 53G-8: Discipline and Safety

Related Policies:

TECS Electronic Devices Policy
TECS Discipline Policy & Procedures
TECS Bullying Prevention Procedures
TECS Student Conduct
TECS Grievance
TECS Professional Teacher Conduct

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Procedures for Bullying Prevention Policy

TECS's prime goal is to prevent bullying from ever occurring; however, when such instances transpire, TECS will respond as outlined.

I. PREVENTION

1. TECS creates a positive culture of warmth and respect among students and staff according to principles of human behavior and applications thereof developed by Dr. Glenn Latham.
2. Staff acts quickly on early signs of bullying according to the "Levels of Discipline."
3. Subject to the parental consent requirements in Utah Code 53E-9-203, students are provided opportunities to report to school officials their feelings on the general school climate, as well as possible bullying violations and locations where students are unsafe and additional adult supervision may be required. Aside from traditional methods of reporting, other opportunities may also include surveys, class meetings, a box for written complaints, or other means deemed appropriate.

II. TRAINING

Bullying Prevention training shall be offered to new employees within a year of hire and to all employees at least once every three years. Training shall also be provided to all students, employees, and volunteers participating in school-sponsored athletic programs or extracurricular clubs in accordance with Administrative Code R277-613-7. Employee training will complement existing suicide prevention training and include information about recognizing, preventing, and reporting bullying, cyberbullying, hazing, retaliation, and abusive conduct, including the items identified below:

1. Overt aggression (e.g., physical fighting and/or verbally threatening behavior)
2. Relational or social aggression (e.g., rumor spreading, intimidation, isolation)
3. Sexual aggression (e.g., acts of a sexual nature or with sexual overtones)
4. Cyberbullying (e.g., acts using electronic devices etc.)
5. Civil rights violations and discrimination (e.g. recognition, investigation, reporting, and compliance with Title VI of the Civil Rights Act of 1964 , Title IX of the Education Amendments of 1972, Title II of the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973)
6. Prohibited behaviors and their possible relation to discrimination
7. How bullying, cyberbullying, hazing, retaliation, and abusive conduct are prohibited based on actual or perceived characteristics, including race, color, national origin, sex, disability, religion, gender identity, sexual orientation, or other physical or mental attributes or conformance or failure to conform to stereotypes
8. The right of free speech and how it differs for students, employees, and parents
9. How to conduct an investigation for allegations of incidents covered by this policy
10. When issues relating to this rule may lead to student or employee discipline

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11. Awareness and intervention skills (e.g., social skills training etc.)

III. RESPONSE

1. Bullying Prevention Coordinator - TECS will designate an individual to oversee the implementation of this policy by:
 - a. providing or overseeing training for those who investigate violations of this policy
 - b. overseeing the implementation of the bullying incident action plans and parental communication
 - c. acting as a liaison with the state board regarding this policy
 - d. complying with state reporting requirements
2. Each reported violation will be promptly and thoroughly investigated in accordance with Administrative Rule R277-613-5. This includes reports from students, parents of students, and employees who have experienced abusive conduct. The investigation will determine whether or not the actions of the individual(s) were in violation of this policy, which would result in the creation of a bullying incident action plan.
3. Bullying Incident Action Plan - When an allegation has been verified through the process described in R277-613-5, a *bullying incident action plan* will be created in coordination with the individuals and parents of involved students. The plan will contain separate sections for the victim and the perpetrator.
4. The plan for the victim will include:
 - a. agreed upon communication channels to keep individuals and parents updated about the plan's implementation;
 - b. a description of how the school will address the victim's needs;
 - c. consideration of accommodations necessary to reduce the victim's exposure to the individual who caused the incident, if necessary. These accommodations cannot require or direct:
 - i. a change in the victim's educational schedule or placement;
 - ii. a change in the victim's participation in a school sponsored sport, club, or activity;
 - iii. participation in a restorative justice practice with the individual who engaged in prohibited conduct unless permission is given by the victim's parent;
 - d. notification of the consequences and plan to address the behavior of the student who caused the incident;
 - e. supportive measures designed to preserve the student's access to educational opportunities;
 - f. access to other resources an individual or their parent may request, to the extent that they are available.
5. The plan for the individual who caused the incident will include:
 - a. a range of tailored and appropriate consequences, making reasonable effort to preserve students' access to educational resources 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 students' access to educational services and

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- opportunities while protecting the safety and well-being of other individuals;
 - d. a process to remove the individual from school in an emergency situation, including a description of what constitutes an emergency;
 - e. procedures for proper transitional reinstatement of the individual back into the school community, as appropriate;
6. As appropriate, actions may also include:
- a. creating procedures for protecting the victim and other involved individuals;
 - b. situational evaluation to prevent future incidents, if the incident occurred on school property;
 - c. reporting to law enforcement acts that constitute suspected criminal activity or that occur off of school property;
 - d. receiving input from law enforcement regarding safety risks or threats posed upon reintegration of the offender;
 - e. investigating and reporting civil rights violations for incidents related to an individual's identification as part of a group protected from discrimination under federal law;
7. If a student has committed a violent felony or sexual crime, they shall be expelled. The student may not be reintegrated into the same school as the victim of their crime unless the victim consents. An alternative placement for the students will be determined on an individual basis, as necessary.
8. Parents and staff may appeal a resolution in accordance with the school's grievance policy.

IV. NOTIFICATION

1. An administrator and/or school counselor/psychologist will notify a parent or guardian in a timely manner by verbal or electronic communication if a student threatens to commit suicide, or if the student is involved in a prohibited incident either as a victim or alleged perpetrator.
2. The person investigating a prohibited incident will follow up with the parents of all parties to inform them when an investigation is concluded, how the school will proceed based on the results of the investigation, and what their appeal options are if they disagree with the resolution of the investigation
3. TECS will verify parent notification by maintaining a confidential record protected under the Federal Educational Rights and Privacy Act (FERPA).
4. Parent notification records will be maintained securely by school administration for the duration of the students' enrollment and destroyed in accordance with the school's data governance policies and procedures.