

Policy Number: 108

Policy Section: 100 – Administration

Effective Date: October 22, 2026

Bullying, Cyber-Bullying, Hazing, Abusive Conduct, and Retaliation Policy

I. Purpose and Philosophy

DaVinci Academy is committed to providing a safe, respectful, and civil learning and working environment in which all members of the school community are treated with dignity. Bullying, cyber-bullying, hazing, retaliation, and abusive conduct involving students or employees are prohibited as provided by this policy, Utah law, and applicable federal law. Conduct based upon a protected class may also constitute unlawful discrimination or harassment under federal civil rights laws.

The purpose of this policy is to prevent prohibited conduct, establish procedures for reporting and investigating allegations, protect individuals from retaliation, provide appropriate responses when an incident is verified, and establish procedures for communication with parents. Nothing in this policy is intended to prohibit constitutionally protected expression or other conduct protected by state or federal law.

II. References

This policy is adopted in accordance with applicable law and regulation, including:

1. Utah Code Title 53G, Chapter 9, Part 6 – Bullying and Hazing;
2. Utah Code 53G-9-603 – Retaliation and false allegations;
3. Utah Code 53G-9-604 – Parental notification;
4. Utah Code 53G-9-605 – Bullying, cyber-bullying, hazing, abusive conduct, and retaliation policy;
5. Utah Code 53G-9-605.5 – Bullying incident action plans;
6. Utah Code 53G-9-606 and 53G-9-607 – State reporting, training, education, and prevention;
7. Utah Code 53G-8-205 – Grounds for suspension or expulsion;
8. Utah Administrative Rules R277-609 and R277-613;
9. Title VI of the Civil Rights Act of 1964;
10. Title IX of the Education Amendments of 1972;
11. Section 504 of the Rehabilitation Act of 1973;
12. Title II of the Americans with Disabilities Act;
13. Family Educational Rights and Privacy Act (“FERPA”);
14. DaVinci Academy Policy 101 – Student Conduct/Discipline;
15. DaVinci Academy Policy 401 – Employee Discipline;
16. DaVinci Academy Policy 403 – Personal and Confidential Information; and
17. DaVinci Academy Policy 106 – GRAMA.

III. Definitions

For purposes of this policy:

- A. Abusive Conduct – verbal, nonverbal, or physical conduct of a parent or student directed toward a school employee that, based on the 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.
- B. Accountability Practice – an evidence-based practice intended to increase appropriate behavior and academic outcomes, reduce behavior that disrupts the learning environment, and hold students accountable by requiring responsibility for and, when appropriate, repair of harm caused by their conduct.
- C. Action Plan – the individualized process developed following a verified incident to address the incident as required by Utah Code 53G-9-605.5.
- D. Allegation – a claim that an individual has engaged in prohibited conduct that has not yet been verified through an investigation.
- E. Bullying – student bullying or staff bullying as defined below.
- F. Civil Rights Violation – conduct that may violate applicable federal civil rights laws, including Title VI, Title IX, Section 504, or Title II of the Americans with Disabilities Act.
- G. Cyber-Bullying – using the Internet, a cell phone, or another device to send or post text, video, or an image with the intent, knowledge, or reckless disregard that the communication will hurt, embarrass, or threaten an individual, regardless of whether the individual directed, consented to, acquiesced in, or voluntarily accessed the communication.
- H. Hazing – an act by a student or school employee that intentionally, knowingly, or recklessly endangers another student's or employee's mental or physical health or safety as part of joining, participating in, or belonging to a school-sponsored team, club, organization, program, or event. Hazing may include physical abuse, forced or dangerous consumption of substances, dangerous physical activity, sleep deprivation, isolation, or extreme embarrassment or humiliation. Conduct may be hazing even if the person subjected to it agreed to participate.
- I. Incident – an allegation of bullying, cyber-bullying, hazing, or retaliation that has been verified through a formal investigation.
- J. LEA Designee – the Executive Director or another individual designated by the Executive Director who is responsible for LEA-level implementation of this policy, including investigator training, action-plan oversight, monitoring parent communication, assisting with case-specific needs, and acting as DaVinci Academy's liaison with the Utah State Board of Education.
- K. Restorative Justice Practice – a discipline or accountability practice intended to resolve conflicts, address harmful behavior, promote positive relationships, and allow individuals responsible for harm to take appropriate responsibility for repairing that harm.

- L. Retaliation - an act or communication intended as retribution against an individual for reporting bullying, cyberbullying, or hazing, or intended to improperly influence an investigation or response to a report.
- M. School Designee – Program Director, administrator, or other employee designated by the Executive Director to receive and investigate allegations, provide required notifications, and oversee implementation of action plans.
- N. School Employee - an individual acting in an official capacity as a teacher, staff member, administrator, or other individual employed directly or indirectly by DaVinci Academy or working on a DaVinci Academy campus.
- O. School Grounds - includes a school building, school property, property owned, leased, or used by DaVinci Academy for a school-sponsored activity, and school-related transportation vehicles.
- P. School-Sponsored Activity – an activity, event, club, camp, clinic, competition, performance, program, instruction, or training authorized by DaVinci Academy and managed, supervised, supported, or conducted using DaVinci Academy personnel, facilities, equipment, or resources.
- Q. Staff Bullying – a school employee, with the intent to cause harm:
1. repeatedly committing a written, verbal, or physical act against a student or another school employee; or
 2. engaging in a single egregious act toward another employee involving an imbalance of power; that creates an environment a reasonable person would find hostile, threatening, or humiliating and substantially interferes with employee's personal or professional performance, opportunities, or benefits. Staff bullying does not include ordinary teasing, horseplay, argument or colleague conflict; reasonable correction of behavior by a school employee; or reasonable staff coaching strategies or techniques.
- R. Student Bullying – one or more students, with the intent to cause harm:
1. repeatedly committing a written, verbal, or physical act against another student; or
 2. engaging in a single egregious act toward another student involving an imbalance of power; that creates an environment a reasonable person would find hostile and interferes with the student's educational performance, opportunities, or benefits. Student bullying does not include ordinary teasing, horseplay, argument or peer conflict; reasonable correction of behavior by a school employee; or reasonable coaching strategies or techniques.
- S. Verification – an allegation that has been substantiated through a formal investigation.
- T. Volunteer – a nonemployee who has significant, unsupervised access to students in connection with a school assignment.

IV. Prohibited Conduct

- A. A school employee or student shall not engage in bullying of a school employee or student:
 - 1. on school grounds;
 - 2. at a school-sponsored activity;
 - 3. on a school bus or other school transportation;
 - 4. at a school bus stop; or
 - 5. while traveling to or from a school or school-sponsored activity.
- B. A school employee or student shall not engage in cyber-bullying or hazing of a school employee or student at any time or location when prohibited by law.
- C. A school employee or student shall not retaliate against a student, school employee, investigator, reporter, or witness related to an allegation or incident covered by this policy.
- D. A school employee or student shall not knowingly make a false report or allegation of bullying, cyber-bullying, hazing, abusive conduct, or retaliation.
- E. A parent or student shall not engage in abusive conduct toward a school employee.
- F. A student shall not share a recording of bullying, cyber-bullying, hazing, abusive conduct, or retaliation for the purpose of encouraging, promoting, or contributing to additional prohibited conduct. This restriction does not prohibit a student from providing a recording to a parent, school employee, administrator, law enforcement officer, or other appropriate individual for the purpose of reporting or documenting an incident.
- G. A school employee or student shall not create or distribute sexually explicit or nonconsensual intimate images in violation of law or school policy.
- H. Bullying, cyber-bullying, hazing, or other conduct directed at an individual because of a protected characteristic may additionally constitute prohibited discrimination or harassment and will be addressed under applicable federal law and DaVinci Academy policy.

V. Reporting

- A. Any student who experiences or witnesses conduct that may violate this policy is strongly encouraged to promptly report the conduct to a teacher, administrator, counselor, School Designee, or other school employee.
- B. A school employee who receives a report or otherwise becomes aware of conduct that may violate this policy shall promptly report the matter to the appropriate School Designee.
- C. Parents may report concerns to a School Designee or the Executive Director.
- D. Reports may be made verbally, in writing, through DaVinci Academy's incident-reporting process available via the school website, or through another reporting mechanism made

available by DaVinci Academy, including applicable statewide reporting resources such as SafeUT App.

E. DaVinci Academy shall maintain a method for anonymous reporting.

F. A report should include, when known:

1. the name of the reporting party, unless the report is anonymous;
2. the name of the individual alleged to have been targeted;
3. the name of the individual alleged to have engaged in prohibited conduct;
4. the date and location of the alleged conduct;
5. a description of what occurred; and
6. the names of witnesses or other relevant information.

G. Individuals reporting an incident may request that their identity remain confidential. DaVinci Academy will take reasonable steps to maintain confidentiality to the extent permitted by law and consistent with conducting an adequate investigation.

H. An anonymous report shall be reviewed and investigated as appropriate. Formal disciplinary action, however, shall not be based solely upon an anonymous report.

VI. Investigation and Verification

A. DaVinci Academy shall promptly and reasonably investigate allegations of bullying, cyber-bullying, hazing, retaliation, and abusive conduct.

B. Investigations shall be conducted by a trained School Designee, the Executive Director, or another trained individual designated by the Executive Director.

C. The investigator should normally be assigned within five working days of receipt of a complaint. Investigations should normally be completed within fifteen working days after assignment unless the nature or complexity of the matter reasonably requires additional time.

D. At a minimum, an investigation will include an opportunity to interview:

1. the individual alleged to have been targeted; and
2. the individual alleged to have engaged in prohibited conduct.

As appropriate, the investigator may also interview parents, witnesses, relevant school employees, and other individuals with relevant information.

E. The investigator may review relevant evidence, including:

1. video or audio recordings;
2. written notes or documents;
3. email;
4. text or electronic messages;
5. social media;
6. photographs;

7. graffiti;
 8. disciplinary or school records, when legally permissible; and
 9. other relevant physical or electronic evidence.
- F. Individuals interviewed should be informed that information regarding the investigation should be kept confidential to the extent permitted by law. This requirement does not prohibit required disclosures to parents, law enforcement, government agencies, or others as required by law.
- G. The investigator shall maintain appropriate documentation of the investigation, including individuals interviewed, evidence considered, investigative findings, and the basis for determining whether an allegation was verified.
- H. Before discipline is imposed, an individual accused of prohibited conduct shall be provided with a fair and timely opportunity to respond to the allegation and applicable due-process protections.
- I. When an allegation is not verified under the definitions in this policy, DaVinci Academy may nevertheless take appropriate action under other school policies if the underlying conduct violated another rule, policy, or standard of conduct.

VII. Civil Rights and Law-Enforcement Considerations

- A. When information indicates that alleged conduct may have been based on race, color, national origin, sex, religion, disability, or another characteristic protected by applicable law, the School Designee shall consult with the Executive Director who is responsible for civil-rights compliance.
- B. DaVinci Academy shall investigate and address potential civil-rights violations in accordance with applicable federal law and shall make reports to the Office for Civil Rights or another governmental agency when required or appropriate under applicable law.
- C. DaVinci Academy shall promptly contact law enforcement when there is reasonable cause to believe conduct constitutes suspected criminal activity, presents an immediate safety threat, or otherwise requires law-enforcement involvement under applicable law or DaVinci Academy policy.
- D. Nothing in this section prevents immediate safety measures or mandatory reporting required by law.

VIII. Parent Notification and Documentation

- A. DaVinci Academy shall notify parents as required by Utah Code 53G-9-604 when:
1. a student threatens suicide;

2. the parent's student is involved in an incident covered by this policy; or
 3. an action plan is developed to address an incident involving the parent's student.
- B. Notifications shall be made in a timely manner. When school personnel reasonably believe a situation presents a serious threat to a student's safety or well-being, the student's parent shall be notified without unreasonable delay.
- C. When practicable, parent notification may be made by telephone followed by written or electronic confirmation.
- D. DaVinci Academy shall maintain a record documenting required parent notification, including the date, time, method of notification, and general type of incident or concern.
- E. Records shall be maintained and disclosed in accordance with FERPA, Utah student privacy and data-protection requirements, GRAMA, and applicable DaVinci Academy policies.
- F. When required in connection with a suicide threat or related safety concern, parents shall also be provided with applicable suicide-prevention information, information regarding limiting access to fatal means, and resources regarding healthy use of social media and online practices.
- G. Following completion of an investigation, DaVinci Academy shall follow up with parents of the involved students, as applicable, to:
1. notify them that the investigation has concluded;
 2. provide the outcome to the extent permitted by FERPA and other law;
 3. discuss safety measures applicable to their students;
 4. explain the process for addressing the incident;
 5. provide information concerning applicable appeal rights; and
 6. When an incident has been verified, provide regular updates regarding implementation of the action plan.

IX. Action Plans for Verified Incidents

When an investigation verifies an incident of bullying, cyber-bullying, hazing, retaliation, or abusive conduct for which an action plan is required, DaVinci Academy shall create and implement an action plan.

- A. Every action plan shall include a communication plan designed to keep each parent appropriately updated regarding implementation of the plan.
- B. For the student to whom the incident was directed, and in coordination with the student's parent, the action plan shall include:
1. a tailored response addressing the student's individual needs;
 2. consideration of appropriate measures to decrease exposure to or interaction with the student who caused the incident;

3. information regarding the plan for addressing the behavior of the student who caused the incident, to the extent permitted by FERPA and other applicable law;
 4. supportive measures designed to preserve access to educational services and opportunities; and
 5. to the extent reasonably available, access to other resources requested by the parent.
- C. For the student who caused the incident, and in coordination with the student's parent, the action plan shall include:
1. tailored and appropriate consequences, while making reasonable efforts to preserve the student's access to educational services and activities;
 2. a process to identify and provide appropriate resources addressing underlying causes of the behavior;
 3. supportive measures designed to preserve educational access while protecting the safety and well-being of other students; and
 4. a process for emergency removal from school when circumstances constitute an emergency under applicable law and policy.
- D. An action plan may not require the student to whom the incident was directed to change the student's:
1. educational schedule or placement; or
 2. participation in a school-sponsored sport, club, or activity.
- E. If DaVinci Academy has made reasonable efforts to involve a parent in the development or implementation of an action plan and the parent elects not to participate, DaVinci Academy may develop and implement the action plan without the parent's participation.
- F. The School Designee shall document and monitor implementation of the action plan. The LEA Designee shall provide oversight and assistance as needed.
- G. An action plan may include appropriate accountability practices, disciplinary interventions, counseling or other supportive services, increased supervision, safety planning, training, or other reasonable measures.
- H. A student to whom an incident was directed shall not be required to participate in a restorative justice practice with the individual alleged to have caused the incident. If DaVinci Academy proposes such participation, the student's parent must first be notified and provide consent.

X. Appeals and Employee Grievances

- A. Action-Plan Consequences – Students determined to have caused an incident, or the student's parent, may appeal one or more consequences contained in an action plan in accordance with DaVinci Academy's applicable student discipline and grievance procedures.

- B. Investigation Procedure – A complainant or respondent who believes that the investigative procedures required by this policy were not followed, or who has material new evidence that was not reasonably available during the investigation, may seek review through DaVinci Academy's applicable grievance or appeal process. An appeal is not a new investigation solely because a party disagrees with the investigator's interpretation of the available evidence.
- C. Employee Abusive-Conduct Grievance – A school employee who believes the employee has experienced abusive conduct shall submit a written report to the School Designee or LEA Designee. If the employee is dissatisfied with the investigation or resulting response, the employee may pursue the matter through DaVinci Academy's established employee grievance process. If the individual who would ordinarily receive the grievance is alleged to have engaged in the conduct, the grievance shall be directed to the next appropriate administrator or Board representative under DaVinci Academy's grievance procedures.

XI. Discipline and Corrective Action

- A. Students – a student who is found to have violated this policy is subject to appropriate discipline in accordance with DaVinci Academy Policy 101 and applicable law. Consequences shall be determined based upon the circumstances and may consider:
1. the age, development, and maturity of the students involved;
 2. the nature and impact of the conduct;
 3. surrounding circumstances;
 4. prior incidents or patterns of conduct;
 5. the relationship between the individuals involved;
 6. the presence of an imbalance of power;
 7. the degree of disruption to the educational environment; and
 8. the need to protect students and preserve access to educational opportunities.
- Consequences may include interventions, accountability practices, loss of privileges, removal from activities, suspension, or expulsion when authorized by law and policy.
- B. Employees – an employee found to have engaged in prohibited conduct is subject to appropriate corrective or disciplinary action in accordance with DaVinci Academy Policy 401 and applicable law, up to and including termination. Licensed employees may also be referred to the Utah Professional Practices Advisory Commission when appropriate or required.
- C. Volunteers, Contractors, Parents, and Visitors – Nothing in this policy limits DaVinci Academy's authority to terminate a volunteer or contractor assignment, restrict access to school property, remove an individual from an activity, or take other lawful action in response to conduct that threatens safety, substantially disrupts school operations, or violates applicable school policies.

XII. Training and Education

A. DaVinci Academy shall ensure that students, employees, coaches, and volunteers receive appropriate training regarding:

1. bullying and the distinctions between student and staff bullying;
2. cyber-bullying;
3. hazing;
4. abusive conduct;
5. retaliation;
6. discrimination and applicable federal civil-rights laws;
7. the difference between bullying and unlawful discrimination;
8. free-speech rights and how those rights may differ for students, employees, and parents;
9. safe digital citizenship;
10. reporting and investigation procedures;
11. recognizing and responding to prohibited conduct; and
12. circumstances that may result in student or employee discipline.

B. DaVinci Academy will provide regular training and education consistent with Utah law and R277-613. DaVinci Academy may provide training more frequently than the minimum frequency required by law.

C. New employees, coaches, and volunteers shall receive required training within the first year of service, and employees, coaches, and volunteers shall receive refresher training at least as frequently as required by state rule.

D. DaVinci Academy intends to provide annual prevention information and training to students and employees as part of its broader school-safety efforts.

E. Before participating in a school-sponsored athletic program or extracurricular club or activity, participating students, employees, and volunteer coaches shall receive the prevention training required by R277-613.

F. DaVinci Academy shall maintain required training records, participant lists, or signatures and make such records available to USBE when required.

XIII. Assessment and Prevention

The LEA Designee shall periodically assess the prevalence of bullying, cyber-bullying, hazing, and retaliation throughout DaVinci Academy, including identifying locations or circumstances in which students may feel unsafe or additional adult supervision may be necessary.

The assessment may consider areas such as playgrounds, hallways, restrooms, locker rooms, lunch areas, transportation areas, online environments connected to school activities, and other locations identified through reports or student feedback. Assessment results may be used to modify supervision, training, prevention programs, school procedures, and other safety practices.

XIV. Publication and Annual Acknowledgment

- A. DaVinci Academy shall make this policy and related reporting procedures available through:
1. DaVinci Academy's publicly accessible website;
 2. student conduct handbooks;
 3. employee handbooks; and
 4. communications to parents as required by law.
- B. Each year, DaVinci Academy shall obtain a signed acknowledgment indicating receipt of this policy from:
1. each school employee;
 2. each student who is at least eight years old; and
 3. a parent of each enrolled student.
- C. Receipt or acknowledgment of the policy does not substitute for required training.

XV. Annual Reporting

On or before June 30 of each year, DaVinci Academy shall submit information required by USBE and R277-613, including:

1. the current bullying policy;
2. implementation of the annual acknowledgment requirement;
3. verification of required employee training;
4. verified incidents of student bullying, cyber-bullying, hazing, and retaliation; and
5. required information regarding incidents involving actual or perceived student characteristics, consistent with state and federal student-privacy requirements.

DaVinci Academy shall maintain sufficient records to complete required state and federal reporting accurately.

XVI. Confidentiality and Records

- A. Investigation records, parent-notification records, action plans, disciplinary records, and related documentation shall be maintained in accordance with FERPA, Utah student privacy and data-protection laws, GRAMA, and DaVinci Academy policies.

- B. Information regarding another student's education or disciplinary record shall not be disclosed except as permitted by law.
- C. DaVinci Academy shall maintain records verifying required parent notifications and tracking implementation of action plans.
- D. Students may have a limited expectation of privacy when using DaVinci Academy-owned equipment or networks. Searches or reviews of school technology shall be conducted consistent with applicable law and DaVinci Academy policy.
- E. Personal electronic devices may be temporarily secured or reviewed only as permitted by applicable law and policy and may be provided to law enforcement when legally appropriate.

XVII. Retaliation Protection

DaVinci Academy prohibits retaliation against an individual who makes a good-faith report, participates in an investigation, serves as a witness, assists another person in reporting an incident, or participates in implementation of an action plan.

DaVinci Academy shall take reasonable responsive measures to protect individuals from retaliation and shall assist students and parents in reporting subsequent conduct or additional concerns.

XVIII. Free Speech and Off-Campus Conduct

This policy does not prohibit expressive activity protected by the First Amendment or other applicable law. Off-campus or online conduct may be subject to school intervention or discipline when permitted by law, including circumstances in which the conduct causes or reasonably threatens a substantial disruption of school operations, creates significant interference with a student's educational performance or participation, involves a true threat, or otherwise falls within the school's lawful authority.

XIX. Policy Review

DaVinci Academy shall review this policy regularly and update it as necessary to comply with changes in state or federal law, Utah State Board of Education rules, and identified school needs. DaVinci Academy will seek stakeholder input consistent with Utah Code 53G-9-605 when adopting or materially revising this policy.