

## Part 2 Prohibitions

### **53A-11a-201 Bullying, cyber-bullying, harassment, hazing, sexual battery, and sexual exposure prohibited.**

- (1) No school employee or student may engage in bullying or harassing a school employee or student:
  - (a) on school property;
  - (b) at a school related or sponsored event;
  - (c) on a school bus;
  - (d) at a school bus stop; or
  - (e) while the school employee or student is traveling to or from a location or event described in Subsections (1)(a) through (d).
- (2) No school employee or student may engage in hazing or cyber-bullying a school employee or student at any time or in any location.

Amended by Chapter 235, 2011 General Session

### **53A-11a-202 Retaliation and making false allegation prohibited.**

- (1) No school employee or student may engage in retaliation against:
  - (a) a school employee;
  - (b) a student; or
  - (c) an investigator for, or a witness of, an alleged incident of bullying, cyber-bullying, harassment, hazing, or retaliation.
- (2) No school employee or student may make a false allegation of bullying, cyber-bullying, harassment, hazing, or retaliation against a school employee or student.

Amended by Chapter 235, 2011 General Session

### **53A-11a-203 Parental notification of certain incidents and threats required.**

- (1) For purposes of this section, "parent" includes a student's guardian.
- (2) A school shall:
  - (a) notify a parent if the parent's student threatens to commit suicide; or
  - (b) notify the parents of each student involved in an incident of bullying, cyber-bullying, harassment, hazing, or retaliation, of the incident involving each parent's student.
- (3)
  - (a) If a school notifies a parent of an incident or threat required to be reported under Subsection (2), the school shall produce and maintain a record that verifies that the parent was notified of the incident or threat.
  - (b) A school shall maintain a record described in Subsection (3)(a) in accordance with the requirements of:
    - (i) Chapter 1, Part 14, Student Data Protection Act;
    - (ii) Sections 53A-13-301 and 53A-13-302;
    - (iii) Federal Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; and
    - (iv) 34 C.F.R. Part 99.
- (4) A local school board or charter school governing board shall adopt a policy regarding the process for:

- (a) notifying a parent as required in Subsection (2); and
  - (b) producing and retaining a record that verifies that a parent was notified of an incident or threat as required in Subsection (3).
- (5) At the request of a parent, a school may provide information and make recommendations related to an incident or threat described in Subsection (2).
- (6) A school shall:
- (a) provide a student a copy of a record maintained in accordance with this section that relates to the student if the student requests a copy of the record; and
  - (b) expunge a record maintained in accordance with this section that relates to a student if the student:
    - (i) has graduated from high school; and
    - (ii) requests the record be expunged.

Amended by Chapter 221, 2016 General Session