

**Effective 5/14/2019**

**53G-9-605 Bullying, cyber-bullying, hazing, abusive conduct, and retaliation policy.**

- (1) On or before September 1, 2018, an LEA governing board shall update the LEA governing board's bullying, cyber-bullying, hazing, and retaliation policy to include abusive conduct.
- (2) A policy shall:
  - (a) be developed only with input from:
    - (i) students;
    - (ii) parents;
    - (iii) teachers;
    - (iv) school administrators;
    - (v) school staff; or
    - (vi) local law enforcement agencies; and
  - (b) provide protection to a student, regardless of the student's legal status.
- (3) A policy shall include the following components:
  - (a) definitions of bullying, cyber-bullying, hazing, and abusive conduct that are consistent with this part;
  - (b) language prohibiting bullying, cyber-bullying, hazing, and abusive conduct;
  - (c) language prohibiting retaliation against an individual who reports conduct that is prohibited under this part;
  - (d) language prohibiting making a false report of bullying, cyber-bullying, hazing, abusive conduct, or retaliation;
  - (e) as required in Section 53G-9-604, parental notification of:
    - (i) a student's threat to commit suicide; and
    - (ii) an incident of bullying, cyber-bullying, hazing, abusive conduct, or retaliation, involving the parent's student;
  - (f) a grievance process for a school employee who has experienced abusive conduct;
  - (g) an action plan to address a reported incident of bullying, cyber-bullying, hazing, or retaliation; and
  - (h) a requirement for a signed statement annually, indicating that the individual signing the statement has received the LEA governing board's policy, from each:
    - (i) school employee;
    - (ii) student who is at least eight years old; and
    - (iii) parent of a student enrolled in the charter school or school district.
- (4) A copy of a policy shall be:
  - (a) included in student conduct handbooks;
  - (b) included in employee handbooks; and
  - (c) provided to a parent of a student enrolled in the charter school or school district.
- (5) A policy may not permit formal disciplinary action that is based solely on an anonymous report of bullying, cyber-bullying, hazing, abusive conduct, or retaliation.
- (6) Nothing in this part is intended to infringe upon the right of a school employee, parent, or student to exercise the right of free speech.

Amended by Chapter 293, 2019 General Session