Drug, Alcohol and Tobacco Policy

Tobacco, alcohol, and drugs are strictly prohibited on all school property, including during school-sponsored events and activities.

Students

- Any student **possessing, using, or being under the influence of alcohol, illegal drugs, imitation substances, drug paraphernalia**, or **misusing any substance (including inhalants)** will face **immediate disciplinary consequences**, up to and including **expulsion**. See the *Table of Consequences* for details.

- The **possession or use of tobacco products or vaping devices** by students may result in **suspension or expulsion**, depending on the severity and frequency of the offense.

Staff

- The **use, possession, sale, or distribution of alcohol, drugs, or controlled substances** by staff members is **strictly forbidden** and constitutes grounds for **immediate suspension, expulsion, or termination of employment**, as applicable.

Harassment & Bullying Policy

The purpose of this policy is to prohibit bullying, cyberbullying, hazing, retaliation, and abusive conduct involving DIA's students and employees. We are committed to providing an educational environment free from illegal harassment and discrimination based on race, color, ethnic background, national origin, religion, sex (gender), sexual orientation, gender identity, creed, age, citizenship, or disability.

Policy Statement

Dual Immersion Academy prohibits harassment and bullying in any form. All students have the right to a safe and supportive school environment, and we are committed to promoting positive relationships and respect for all individuals.

No student of Dual Immersion Academy may engage in illegal harassment that creates a hostile learning environment for students or staff. It is the policy of Dual Immersion Academy to provide fair, expeditious, and uniform procedures for the investigation and resolution of claims of illegal harassment or discrimination.

Definitions

Bullying: Repeated aggressive behavior, either physical, verbal, or psychological, that intentionally harms or intimidates another individual or group. Bullying may include actions such as name-calling, exclusion, threats, or cyberbullying.

Student Bullying: 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 involving an imbalance of power — that creates an environment a reasonable person would find hostile and that interferes with a 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 and techniques.

Staff Bullying: 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 a single egregious act involving an imbalance of power — that creates an environment a reasonable person would find hostile, threatening, or humiliating, and that substantially interferes with a student's or employee's educational or professional performance, opportunities, or benefits. Staff bullying does not include ordinary teasing, horseplay, argument, or peer conflict; reasonable correction of behavior by a school employee; or reasonable coaching strategies and techniques by a coach.

Cyberbullying: is the use of electronic information and communication devices, including but not limited to, e-mail messages, instant messaging, text messaging, cell communications, gaming/internet communications, and defamatory websites that: deliberately threaten, harass, intimidate an individual or group of individuals; or places an individual in reasonable fear of harm to the individual or damage to the individual's property; or has the effect of substantially disrupting the orderly operation of the school

Hazing: A school employee or student intentionally, knowingly, or recklessly committing an act, or causing another individual to commit an act, toward a school employee or student that (a) endangers the mental or physical health or safety of a school employee or student — including physical brutality, forced consumption of food, alcohol, drugs, or other substances, or activity causing extreme mental stress such as sleep deprivation, isolation, or humiliation — and (b) is committed for purposes of initiation into, admission into, affiliation with, holding office in, or as a condition of participation in a school-sponsored team, organization, program, club, or event, regardless of whether the person against whom the conduct is committed consented.

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 of occurrence, a reasonable person would determine is intended to cause intimidation, humiliation, or unwarranted distress. A single act does not constitute abusive conduct.

Retaliation: An act or communication intended (a) as retribution against a person for reporting bullying, cyberbullying, or hazing, or (b) to improperly influence the investigation of, or response to, such a report.

Harassment: Unwelcome conduct of an offensive nature that is demeaning or derisive or occurs substantially because of race, color, ethnic background, national origin, religion, gender, sexual orientation, creed, age, citizenship or disability and which creates a hostile educational environment. Harassment shall include one or more of the three levels described below. If conduct is offensive only one incident may be necessary to establish harassment:

- **Level One—Generalized Harassment**: Includes intentional behavior directed at an entire group based on demeaning or derisive stereotypes, and is so severe or pervasive that it creates a hostile learning environment. Examples include comments or jokes,

physical gestures, or visual displays such as posters, etc.

- **Level Two—Individually Targeted Harassment**: Includes intentional, non-criminal behavior that is targeted at an individual or particular members of a group, which can be verbal, physical, or visual that is so severe or pervasive that it adversely affects the learning environment. Examples include negative or offensive comments, jokes, suggestions, or gestures directed to an individual's or group's race, ethnicity, or national origin.

- **Level Three—Criminal Harassment**: Harassing behavior that violates state or federal criminal statutes. *Examples include criminal harassment, criminal assault, sexual assault, rape, criminal mischief, stalking, arson or trespass.*

Sexual Harassment: A form of sex (gender) discrimination. It consists of unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature that is based on one or more of the following conditions:

1. Submission to such conduct is made either explicitly or implicitly as a term or condition to educational benefit.

2. Submission to or rejection of such conduct by a student is used as the basis for decisions affecting the student's educational program.

3. Such conduct has the purpose or effect of unreasonably interfering with a student's educational performance or creating an intimidating, hostile, or offensive learning environment.

There are two types of sexual harassment:

- **Type One—Hostile Environment:** The three levels of hostile environment are the same as those listed for other harassment; e.g., generalized harassment, individually targeted harassment, and criminal harassment.
- **Type Two—Harassment that culminates in a tangible action that alters the conditions of the educational programs** (previously called quid pro quo).

In matters of sexual harassment, the complainant has the right to be informed of the status and process of the investigation, including information regarding the person or persons who are the alleged harassers, but only as it pertains to the complaint and investigation.

- The accused may not contact the alleged victim during an investigation without intervention by the Administration and with the permission of the complainant.

- When conducting investigations, the Compliance Officer(s) shall disclose his/her role as a neutral investigator rather than an advocate for any party. The extent of the investigation will be determined, among other factors, by the nature and severity of the charges.

- An investigation shall be completed as quickly as possible, but within *30 days of receipt* of the complaint, unless extenuating circumstances require a longer period. All parties shall be notified of the extension of time.

- Within *10 working days* of the conclusion of the investigation, the Compliance Officer(s) shall provide all parties a written disposition of the complaint.

- The parties will then have *10 working days* to provide written responses to the report and have them considered by the school board of directors.

Additional Definitions: For purposes of this policy, an "Action Plan" means the process DIA uses to address a verified incident of bullying, cyberbullying, hazing, or retaliation (see "Step 4: Resolution and Interventions" below); "Verification" means an alleged incident has been found to be substantiated through a formal investigation process; a "School Designee" is the DIA administrator or designee assigned to receive and investigate allegations, notify parents, and oversee action plans; an "LEA Designee" is the DIA-level individual who trains investigators, oversees action-plan implementation, and serves as liaison to the Utah State Board of Education; and a "Volunteer" is a non-employee with significant, unsupervised access to students in connection with a school assignment.

Reporting Procedures

Step 1: Reporting the Incident

1. **Reporting by Students**: Students who experience or witness harassment or bullying should immediately report it to a trusted staff member (teacher, counselor, administrator) or use an anonymous reporting system available in classrooms and shared spaces.
2. **Reporting by Staff or Families**: Staff members or parents/guardians who observe or become aware of harassment or bullying should also report the incident to the school principal or designated staff member.
3. **Types of Reporting Channels**:
    - In-person communication with staff
    - Written or digital reporting forms
    - School counselor or principal office
    - Parent/guardian phone calls or emails

Students and school employees who report an incident may request that their identity be kept

anonymous, and reasonable steps will be taken to maintain that anonymity where possible. Formal disciplinary action may not be based solely on an anonymous report. DIA prohibits knowingly false allegations of bullying, cyberbullying, hazing, or retaliation, and prohibits retaliation against anyone who reports an incident or participates in an investigation as a witness.

Step 2: Investigation of the Incident

1. **Initial Assessment**: Trained Administrative staff will assess the report, gather preliminary information, and determine the next steps.
2. **Investigation Process**:
    - **Interviews**: The designated investigator (usually the principal, counselor, or a trained staff member) will interview the involved students (victim(s), accused, and witnesses) individually. ○ **Documentation**: All incident details will be documented, including interviews, timelines, and any evidence (e.g., texts, emails, photos, or videos).
    - **Confidentiality**: Investigations will be conducted to respect the privacy of all parties involved. Information will be shared only with those who need to know.
3. **Timeline**:
    - An initial review of the incident will occur within 24-48 hours.
    - Investigation should be completed within 5-7 school days unless additional time is necessary for complex situations.
4. **Factors to Consider**: The investigator will consider the severity, frequency, and context of the behavior, as well as any patterns of bullying or harassment.
5. **Civil Rights Referral:** The School or LEA Designee will report to the U.S. Department of Education, Office for Civil Rights (OCR), any incident of bullying, hazing, cyberbullying, abusive conduct, or retaliation that is reasonably determined to potentially violate a student's or employee's civil rights under Title VI, Title IX, Section 504, or Title II of the ADA.
6. **Threat Assessment:** If a school employee, agent, or school resource officer believes a student is at risk of harming themselves or others, that individual may ask the student questions regarding thoughts of self-harm or harm to others, for the purpose of referring the student to appropriate prevention services and informing the student's parent.
7. **Technology and Search:** Students have a limited expectation of privacy on DIA's computer equipment and network system; routine monitoring may lead to discovery of prohibited conduct, and targeted searches will be conducted where reasonable suspicion exists. Personal electronic devices of a student suspected of violating this policy may be confiscated for investigation and may be turned over to law enforcement.
8. **Retaliation Prevention:** School employees must implement preventative measures to protect students from retaliation, including assisting targeted students and their parents in reporting subsequent problems or new incidents.

Step 3: Involvement of Families

1. **Notification of Parents/Guardians**:
    - ○ Parents/guardians of the victim will be notified immediately after the report is made and informed about the steps the school will take.
    - ○ Parents/guardians of the accused will be informed once the investigation begins, and they will be allowed to discuss the situation with school staff.
    - ○ If a situation presents a serious threat to a student's well-being, the School Designee or a school employee will notify the student's parent without delay, before the end of the school day. Notification will be made by calling the parent and sending a follow-up email (the preferred method), or by phone with a voicemail and follow-up email if the parent cannot be reached.
    - ○ Notification of a student's involvement in an incident — including when a student expresses suicidal ideation — will also be documented in a written incident report, noting the date, time, and manner of notification and the type of incident. This report is disclosed only to the parents/students involved, except as required by a valid court order, and will be retained at least as long as the student is enrolled, consistent with Utah Code § 53G-9-604.
    - ○ In addition to notification, the School Designee will provide the parent or guardian with suicide prevention materials and information; information on ways to limit a student's access to fatal means, including firearms or medication; and information and resources on the healthy use of social media and online practices, consistent with Utah Code § 53G-9-604(2)(b) and R277-613.

2. **Collaborative Approach**:
    - ○ The school will schedule a meeting with both the victim's and accused's families to discuss the incident and explore possible interventions. These meetings may involve the principal, school counselor, and other relevant staff members.

4

    - ○ Families are encouraged to share any concerns, previous related incidents, or relevant background information.

Step 4: Resolution and Interventions

1. **Outcomes of the Investigation**:
    - ○ **No Bullying/Harassment Found**: If the investigation determines that bullying or harassment did not occur, the families will be informed, and the matter will be closed. If misunderstandings or conflict were present, the school may suggest conflict resolution strategies.
    - ○ **Bullying/Harassment Confirmed**: If bullying or harassment is confirmed, appropriate disciplinary action will be taken, in accordance with school policy. This may include counseling, warning letters, suspension, or other actions based on the severity of the behavior. 2. **Support for Victims**:
    - ○ Victims of bullying or harassment will be provided with appropriate support, including student services support, peer mediation, and monitoring.

○ The school will work with families to ensure that the victim feels safe and supported in the school environment.

3. **Support for the Perpetrator**:
   ○ The student accused of bullying will be offered opportunities to reflect on their behavior and engage in restorative practices (such as apology letters or behavior modification plans). ○ Student support services may also be provided to address underlying issues contributing to the behavior.

   ○A student to whom an incident is directed is not required to participate in a restorative justice practice with the accused individual. If the School Designee wishes to include the targeted student in such a process, the School Designee must first notify the student's parent and obtain the parent's consent

4. **Ongoing Monitoring**:
   ○ The school will follow up with both the victim and the accused at regular intervals to ensure that the bullying or harassment has stopped and that both students feel safe.
   ○ Monitoring will continue for at least one month after the resolution.

Step 5: Communication with the School Community

1. **Confidentiality**: While maintaining confidentiality, the school will ensure that the broader school community is educated about bullying prevention and the school's commitment to creating a safe environment for all students.
2. **Communication with Families**:
   ○ Regular updates will be provided to families on the steps taken and the resolution of cases where appropriate, while respecting student privacy.
   ○ The school will send out a letter or email to all families annually, outlining the school's anti-bullying policy and the procedures for reporting incidents.
3. **Promoting Prevention**:
   ○ The school will offer educational programs for students, parents, and staff on bullying prevention, cultural sensitivity, conflict resolution, and the importance of inclusion.
   ○ Awareness campaigns and assemblies will be held regularly to encourage positive behavior and discourage bullying.

Step 6: Review and Evaluation

1. **Policy Review**: The anti-bullying harassment policy will be reviewed annually to ensure that it remains effective and responsive to the needs of the school community.

2. **Evaluation of Response**: After each investigation, feedback will be gathered from the students and families involved to assess the effectiveness of the response and identify areas for improvement. ○ The school will maintain records of all harassment and bullying reports for analysis and continuous improvement of the school's environment.

Student Discrimination and Harassment Policy

I. Administration Policy

Dual Immersion Academy is committed to providing an educational environment that is free from illegal harassment and other forms of discrimination based upon sex, race, color, ethnic background, national origin, religion, gender, creed, age, citizenship, or disability.

No student, employee, nor volunteer of Dual Immersion Academy may engage in illegal harassment that creates a hostile learning environment for students or staff. It is the policy of Dual Immersion Academy to provide fair, expeditious and uniform procedures for investigation and resolution of claims of illegal harassment or discrimination.

II. Definitions

A. Clearly Offensive Conduct: That conduct, be it verbal or nonverbal, which when perceived in its overall context, would be taken by a reasonable person, similarly situated, to be strongly objectionable.

B. Complainant: A person who files a written or oral complaint about illegal harassment.

C. Compliance Officer: Person, or persons, designated by the Administration to receive and process complaints of discrimination.

D. Confront: To have a face-to-face discussion and/or contact regarding specific claims of harassment.

E. Demeaning or Derisive Behavior: Behavior which substantially lowers the status, dignity or standing of another individual, or which insults or otherwise belittles or shows contempt for another individual.

F. Disability: An individual's physical or mental impairment that substantially limits one or more major life activities, a record of such an impairment, or being regarded as having such an impairment.

G. Discrimination: Conduct, including words or gestures and other actions, which adversely affects a student's learning environment or results in disparate treatment based upon their immutable characteristics such as sex, race, color, ethnic background, national origin, religion, gender, creed, age, citizenship, or disability.

H. Harassment: Unwelcome conduct of an offensive nature that is demeaning or derisive or occurs substantially because of the race, color, ethnic background, national origin, religion, gender, creed, age, citizenship or disability and which creates a hostile educational environment. Harassment shall include one or more of the three levels described below. If conduct is clearly offensive only one incident may be necessary to establish harassment:

1. Level One—Generalized Harassment: Includes intentional behavior directed at an entire group which is based on demeaning or derisive stereotypes, and is so severe or pervasive that it creates a

hostile learning environment.
Examples include comments or jokes, physical gestures or visual displays such as posters, etc.

2. Level Two—Individually Targeted Harassment: Includes intentional, non-criminal behavior which is targeted at an individual or particular members of a group, which can be verbal, physical or visual that is so severe or pervasive that it adversely affects the learning environment.
Examples include negative or offensive comments, jokes, suggestions or gestures directed to an individual's or group's race, ethnicity or national origin.

3. Level Three—Criminal Harassment: Harassing behavior which violates state or federal criminal statutes.
Examples include criminal harassment, criminal assault, sexual assault, rape, criminal mischief, stalking, arson or trespass.

I. Respondent: A person named in a discrimination complaint as having engaged in or being responsible for, a discriminatory act.

J. Retaliation: Any form or sanction, restraint, coercion, discrimination or adverse treatment against a person because that person has asserted, or has assisted another person to assert, a discrimination complaint in either a formal or informal manner with the district, or with any state or federal agency, or because that person has testified, assisted or participated in any manner in an investigation, proceeding or hearing related to a discrimination complaint.

K. Sexual Harassment: A form of sex (gender) discrimination. It consists of unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature that is based on one or more of the following conditions.

1. Submission to such conduct is made either explicitly or implicitly as a term or condition to educational benefit.
2. Submission to or rejection of such conduct by a student is used as the basis for decisions affecting the student's educational program.
3. Such conduct has the purpose or effect of unreasonably interfering with a student's educational performance or creating an intimidating, hostile, or offensive learning environment.

There are two types of sexual harassment:

a. Hostile Environment: The three levels of hostile environment are the same as those listed for other harassment; e.g., generalized harassment, individually targeted harassment, and criminal harassment.

b. Harassment that culminates in a tangible action which alters the conditions of the educational programs (previously called quid pro quo).

III. Complaint Procedure

A. Any student or employee who knows of a violation of this policy is obligated to report such conduct to a teacher, staff, administrator or the Compliance Officer(s).

B. The initial allegation of harassment may be submitted either orally or in writing.

C. Complaints must be made to the immediate supervisor/administrator or the Compliance Officer(s) within *45 calendar days* after the date of the alleged act of discrimination.

IV. Complaint and Investigative Procedures

A. The following procedure is available for those who believe they are victims of harassment or discrimination, or who witness such acts:

1. Report incidents of harassment to a teacher, staff, or Administration.
2. Register a formal complaint with the Compliance Officer(s) who will initiate an investigation.

B. If an investigation reveals evidence of criminal conduct, the matter will be referred to local law enforcement. *The Administration will conduct its own internal investigation independent of law enforcement officials.*

C. All investigations will be treated with discretion to protect the privacy of those involved. All efforts will be made to treat the information confidential; however, absolute confidentiality of all information obtained through an investigation cannot be guaranteed. I

In matters of sexual harassment, the complainant has the right to be informed of the status and process of the investigation, including information regarding the person or persons who are the alleged harassers, but only as it pertains to the complaint and investigation.

D. The accused may not contact the alleged victim during an investigation without intervention by the Administration and with the permission of the complainant.

E. When conducting investigations, the Compliance Officer(s) shall disclose his/her role as a neutral investigator rather than an advocate for any party. The extent of the investigation will be determined, among other factors, by the nature and severity of the charges.

F. An investigation shall be completed as quickly as possible, but within *30 days of receipt* of the complaint, unless extenuating circumstances require a longer period. All parties shall be notified of the extension of time.

G. Within *10 working days* of the conclusion of the investigation, the Compliance Officer(s) shall provide all parties a written disposition of the complaint.

H. The parties will then have *10 working days* to provide written responses to the report and have them considered by the District Compliance Officer.

V. Retaliation

Retaliation under this policy is strictly prohibited. Individuals found to have engaged in retaliatory conduct will face disciplinary action, up to and including termination, suspension, or being expelled.

VI. Records

Records of all discrimination or harassment complaints shall be maintained by the Compliance Officer(s). The records will be kept in a separate and confidential file as required by GRAMA. Information gathered, developed and documented in the investigation will be regarded as a protected record.

VII. Outside Reporting Procedures