



STUDENT SUPPORT PROCEDURE — SECTION 600

NUMBER: 600.612A

SUBJECT: BULLYING PROCEDURE

LAST REVIEWED: 10/21/15, 8/4/2017 (NO CHANGES), 7/6/2018, 2/22/2019; 3/4/2022

EXECUTIVE STAFF APPROVAL: 10/26/2015; 7/9/2018; 3/6/2019; 3/7/2022

EMPLOYEE REVIEW: 3/31/2022 STAFF;

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612.1 PURPOSE

- 1.1.** The purpose of this procedure is to provide safeguards for students and employees on MTECH campuses against bullying and other forms of aggressive behavior.

612.2 SCOPE

- 2.1** MTECH prohibits bullying of students or employees.
- 2.2** This policy applies to students, faculty and staff on every MTECH campus.

612.3 DEFINITIONS

- 3.1** **STUDENT:** An individual officially registered in an active program or course.
- 3.2** **HIGH SCHOOL STUDENTS:** Secondary students who are enrolled through both their high school and MTECH.
- 3.3** **BULLYING:** Harassment or intimidation through gestures, comments, threats or actions which cause or threaten to cause bodily harm or personal degradation. This includes aggressive behavior, physical, verbal and psychological abuse and violence within dating relationships.
 - 3.3.1** This includes any intentional written, verbal, electronic or physical act that a student or group of students exhibits toward another particular student(s) more than once, where the behavior both causes mental or physical harm to the other student(s) and is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for the other student(s).
- 3.4** **ELECTRONIC ACT:** An act committed through the use of a cellular telephone, computer, tablet, personal communication device, or any other electronic communication device.

Harassment, intimidation or bullying also means cyberbullying through electronically transmitted acts.

- 3.5 CYBERBULLYING:** Bullying through electronically transmitted acts on email, social media, text, etc., that a student or group of students exhibit more than once, and the behavior both causes mental and/or physical harm to the other student(s) and is sufficiently severe, persistent or pervasive, that it creates an intimidating, threatening or abusive educational environment for the other student(s).
- 3.6 PREPONDERANCE OF EVIDENCE:** This standard for determination requires that the school use a preponderance of the evidence standard in determining outcomes for investigations. This standard says that it must be more likely than not that Bullying occurred.

612.4 REFERENCES:

- 4.1** Ohio State Board of Education
- 4.2** Not in Our Town: Anti-Bullying Policy in Higher Ed.
- 4.3** Utah Code 53G-9-605 Bullying, cyber-bullying, hazing, abusive conduct, and retaliation policy.
- 4.4** Utah System of Higher Education Policy R262 Student Safety

612.5 PROCEDURE

- 5.1** The College is committed to providing a safe, positive and productive educational environment for all of its students. Positive interpersonal relations between members of the College community are encouraged.
- 5.2** The College prohibits bullying and/or cyberbullying of students and employees.
- 5.3** Any student who believes they have been a victim of bullying should immediately report the situation to an instructor, counselor, or administrator at their campus.
- 5.3.1** Such reports should be reasonably specific, including person(s) involved; the number of times and places of the alleged conduct; the target of suspected harassment, intimidation and/or bullying; and the names of any potential student or staff witnesses.
- 5.3.2** A form is available through the counseling office for students, or Human Resources for employees, to aid in the submission of the complaint.
- 5.4** MTECH will endeavor to promptly investigate and provide a resolution of any bullying complaint.

- 5.5** If the investigation finds an instance of harassment, intimidation, and/or bullying/cyberbullying, by an electronic act or otherwise has occurred, MTECH will endeavor to promptly remediate the situation, including taking disciplinary action. This may include suspension or dismissal for students; and suspension or discharge for employees. It may also include the exclusion for parents, guests, volunteers and contractors from MTECH property. Severe instances may be referred to law enforcement officials.
- 5.6** The College will endeavor to implement intervention strategies to protect a victim or other person from new or additional bullying.
- 5.7** The College will use a preponderance of evidence standard for determination of the outcome of the investigation. This standard says that it must be more likely than not that bullying occurred, based on the evidence.
- 5.8** The College prohibits the making of false reports about harassment, intimidation, bullying, and/or other aggressive behavior. Deliberately making false reports may result in disciplinary action as indicated above.

612.6 ADJUDICATION

- 6.1** MTECH will perform an investigation of the complaint, regardless of whether there is a criminal investigation.
- 6.1.1 Claims will be investigated by a Title IX Investigator who has been trained in investigating grievances.
- 6.1.2 MTECH will endeavor to respond to the complaint in a prompt and equitable manner.
- 6.1.3 College policy prohibits retaliation against those who file a complaint or third-party report, or otherwise participate in the investigative and/or disciplinary process (e.g., as a witness). The College may take responsive action if retaliation occurs.
- 6.1.4 Adjudication of any complaint will be decided using a preponderance of the evidence standard (i.e., it is more likely than not that bullying occurred.)
- 6.1.5 All complainants will be notified of the outcome of the complaint. This includes disclosing information about the sanction imposed on the perpetrator when the sanction directly relates to the bullied individual. This could include expulsion, an order that the bully stay away from the harassed student, or that the harasser is prohibited from attending school for a period of time, or transferred to another class or campus.

612.7 PREVENTION AND EDUCATION

- 7.1** The College works to prevent bullying through the education of faculty and staff at annual Opening Institute meetings and other campus meetings throughout the school year.
- 7.2** MTECH students receive information regarding the College's Bullying/Cyberbullying policies and procedures during orientation.
- 7.3** Faculty, administrators and staff receive information about bullying policies and procedures during new hire orientation. This is refreshed during regular training.

612.8 MORE INFORMATION

- 8.1** Inquiries regarding Bullying/Cyberbullying policies can be directed to:

Title IX Coordinator
Mountainland Technical College
2301 West Ashton Blvd., 230E
Lehi, UT 84043
Phone 801-753-4199
titleixcoordinator@mtec.edu

- 8.2** Bullying claims may be reported to an instructor, counselor or administrator at any MTECH campus. All claims will be forwarded to the administration for investigation.