

**Greater Albany SD 8J  
Board Policy**

Code: **JFCF**  
Adopted: 3/12/01  
Readopted: 5/20/02; 9/11/06; 1/22/07;  
2/08/10; 7/16/12; 2/09/15;  
11/16/15

**Hazing/Harassment/Intimidation/Bullying/Cyberbullying/Menacing/  
Teen Dating Violence/Domestic Violence – Student**

The Board, in its commitment to providing a positive and productive learning environment, will consult with parents/guardians<sup>1</sup>, employees, volunteers, students, administrators and community representatives in developing this policy in compliance with applicable Oregon Revised Statutes.

Harassment, intimidation, bullying, and acts of cyberbullying by students is strictly prohibited. Teen dating violence is unacceptable behavior and prohibited. Retaliation against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is also strictly prohibited. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

Students whose behavior is found to be in violation of this policy will be subject to discipline, up to and including expulsion. The district may also file a request with the Oregon Department of Transportation to suspend the driving privileges or the right to apply for driving privileges of a student 15 years of age or older who has been suspended or expelled at least twice for menacing another student or employee, willful damage or injury to district property or for the use of threats, intimidation, harassment or coercion. Students may also be referred to law enforcement officials.

The superintendent is responsible for ensuring that this policy is implemented.

**Definitions**

“District” includes district facilities, district premises and nondistrict property if the student is at any district-sponsored, district-approved, or district-related activity or function such as field trips or athletic events where students are under control of the district.

“Hazing” includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health or safety of a student for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any district-sponsored activity or grade level attainment.

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<sup>1</sup>As used in this document, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005 (4) and 125.300 - 125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, an adult student to whom rights have transferred and foster parent as defined in OAR 581-015-0005 (18).

“Harassment, intimidation or bullying” means any act that substantially interferes with a student’s educational benefits, opportunities or performance, that takes place on or immediately adjacent to district ground, at any district sponsored activity, on district-provided transportation or any official district bus stop, that may be based on, but not limited to, the protected class status of a person, having the effect of:

1. Physically harming a student or damaging a student’s property;
2. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student’s property;
3. Creating a hostile educational environment including interfering with the psychological well being of the student.

“Protected class” means a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation<sup>2</sup>, national origin, disability, marital status, age, familial status, or source of income.

“Teen dating violence” means:

1. A pattern of behavior in which a person uses or threatens to use physical, mental or emotional abuse to control another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age; or
2. Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age.

Per SB 790 (2015) "Domestic violence" means abuse by one or more of the following acts between family and household members<sup>3</sup>:

1. Attempting to cause or intentionally, knowingly or recklessly causing bodily injury;
2. Intentionally, knowingly or recklessly placing another in fear of imminent bodily injury;
3. Causing another to engage in involuntary sexual relations by force or threat of force.

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<sup>2</sup>“Sexual orientation” means an individual’s actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual’s gender identity, appearance, expression or behaviors differs from that traditionally associated with the individual’s sex at birth.

<sup>3</sup>“Family or household members” [as defined in ORS 107.705] OR [means any of the following:

1. Spouses;
2. Former spouses;
3. Adult persons related by blood, marriage or adoption;
4. Persons who are cohabiting or who have cohabited with each other;
5. Persons who have been involved in a sexually intimate relationship with each other within two years immediately preceding the filing by one of them of a petition under Oregon Revised Statute 107.710;
6. Unmarried parents of a child.]

“Cyberbullying” is the use of any electronic communication device to harass, intimidate or bully.

“Menacing” includes, but is not limited to, any act intended to place a student or third party in fear of imminent serious physical injury.

“Retaliation” means harassment, intimidation or bullying, teen dating violence and acts of cyberbullying toward a person in response to a student for actually or apparently reporting or participating in the investigation of harassment, intimidation or bullying, teen dating violence and acts of cyberbullying or retaliation.

## **Reporting**

Principals will take reports and conduct a prompt investigation of any report of an act of harassment, intimidation or bullying and acts of cyberbullying. Any employee who has knowledge of conduct in violation of this policy shall immediately report his/her concerns to the building principal. Any employee who has knowledge of incidents of teen dating violence that took place on district property, at a district-sponsored activity or in a district vehicle or vehicle used for transporting students to a district activity, shall immediately report the incident to the building principal. Remedial action may not be based solely on an anonymous report.

Any student who has knowledge of conduct in violation of this policy or feels he/she has been harassed, intimidated, bullied, a victim of teen dating violence or cyberbullied in violation of this policy is encouraged to immediately report his/her concerns to a trusted adult or the building principal. Any volunteer who has knowledge of conduct in violation of this policy is encouraged to immediately report his/her concerns to the building principal who has overall responsibility for all investigations.

This report may be made anonymously. A student or volunteer may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate district official.

Complaints against the principal shall be filed with the superintendent. Complaints against the superintendent shall be filed with the School Board.

The complainant shall be notified of the findings of the investigation and, as appropriate, that remedial action has been taken. The complainant may request that the superintendent or designee review the actions taken in the initial investigation, in accordance with Administrative Regulation, JFCF-AR, Hazing/Harassment/Intimidation/Bullying/Cyberbullying/Menacing Complaint Procedures.

The district shall incorporate into existing training programs for students information related to the prevention of, and the appropriate response to, acts of harassment, intimidation or bullying and acts of cyberbullying.

The district shall incorporate age-appropriate education about teen dating violence and domestic violence into new or existing training programs for students in grade 7 through 12.

The district shall incorporate into existing training programs for staff information related to the prevention of, and the appropriate response to, acts of harassment, intimidation or bullying, teen dating violence, domestic violence and acts of cyberbullying.

The superintendent shall be responsible for ensuring annual notice of this policy is provided in a student or employee handbook, school and district Web site, and school and district office and the development of administrative regulations, including reporting and investigative procedures.

Off campus and outside-of-school-time conduct that violates this policy may also be the basis for discipline if it has the potential to disrupt or impact the safe and efficient operation of the school or interfere with the rights of others.

Individuals may also be referred to law enforcement officials.

The superintendent is directed to develop administrative regulations to implement this policy. Regulations shall include descriptions of prohibited conduct, reporting and investigative procedures, as needed, and provisions to ensure annual notice of this policy is provided to students, staff and third parties.

Domestic violence posters provided by the Oregon Department of Education (ODE) shall be posted in clearly visible locations on school campuses in accordance with rules adopted by the ODE.

Complaints regarding the interpretation of the district's nondiscrimination policy shall be processed in accordance with the public complaints Board Policy KL. Any person with a discrimination complaint has the option of contacting and requesting assistance from the U.S. Department of Education's Office of Civil Rights, 915 Second Avenue, Room 3310, Seattle, WA 98174-1099, Telephone 206-607-1600.

END OF POLICY

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**Legal Reference(s):**

<a href="#">ORS 163.190</a>	<a href="#">ORS 332.107</a>	<a href="#">OAR 581-021-0045</a>
<a href="#">ORS 166.065</a>	<a href="#">ORS 339.240</a>	<a href="#">OAR 581-021-0046</a>
<a href="#">ORS 166.155 to-166.165</a>	<a href="#">ORS 339.250</a>	<a href="#">OAR 581-021-0055</a>
<a href="#">ORS 174.100(6)</a>	<a href="#">ORS 339.254</a>	<a href="#">OAR 581-022-1140</a>
<a href="#">ORS 332.072</a>	<a href="#">ORS 339.351 to -339.366</a>	

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2006).

**Cross Reference(s):**

GBN/JBA - Sexual Harassment  
JBA/GBN - Sexual Harassment  
JFCM - Threats of Violence