

Hazing/Harassment/Intimidation/Bullying/Menacing

The Board is committed to providing a positive and productive learning and working environment. Hazing, harassment, intimidation, menacing, or bullying, including cyberbullying by students, staff, or third parties, is strictly prohibited and shall not be tolerated in CESD.

Staff whose behavior is found to be in violation of this policy will be subject to discipline, up to and including dismissal. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by CESD's superintendent or Board.

Individuals may also be referred to law enforcement officials. Staff will be reported to Teacher Standards and Practices Commission, as provided by OAR 584-020-0041.

CESD's 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 notice of this policy is provided to staff and third parties.

The following definitions and procedures shall be used for reporting, investigating, and resolving complaints of hazing, harassment, intimidation, bullying, cyberbullying, and menacing.

Definitions

1. "Third parties" include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors, or others engaged in CESD business, such as employees of businesses or organizations participating in cooperative work programs with the CESD and others not directly subject to CESD control at other CESD-sponsored programs and activities.
2. "District" includes CESD facilities, CESD premises and non-CESD property if the employee is at any CESD-sponsored, CESD-approved or CESD-related activity or function other events where the employee is engaged in CESD business.
3. "Hazing" includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health, or safety of an employee for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any CESD-sponsored activity or grade level attainment, i.e., forced consumption of any drink, alcoholic beverage, drug or controlled substance, forced exposure to the elements, forced prolonged exclusion from social contact, sleep deprivation, or any other forced activity that could adversely affect the mental or physical health or

safety of an employee; requires, encourages, authorizes, or permits another to be subject to wearing or carrying any obscene or physically burdensome article, assignment of pranks to be performed, or other such activities intended to degrade or humiliate.

4. “Harassment, intimidation, or bullying” means any act that substantially interferes with a staff’s opportunities or performance, that takes place on or immediately adjacent to CESD grounds, at any CESD-sponsored activity, in CESD-provided transportation, and that has the effect of:
 - a. Physically harming an employee or damaging an employee’s property;
 - b. Knowingly placing an employee in reasonable fear of physical harm to the employee or damage to the employee’s property;
 - c. Creating a hostile work environment.

“Harassment” also includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written, or physical nature on the basis of age, race, religion, color, national origin, disability, marital status, sexual orientation, physical characteristic, cultural background, socioeconomic status, or geographic location.

“Intimidation” also includes, but is not limited to, any threat or act intended to tamper, substantially damage or interfere with another’s property, cause substantial inconvenience, subject another to offensive physical contact, or inflict serious physical injury on the basis of race, color, religion, national origin, or sexual orientation.

“Cyberbullying” is the use of any electronic communication device to convey a message in any form (text, image, audio, or video) that defames, intimidates, harasses, or is otherwise intended to harm, insult, or humiliate another in a deliberate, repeated, or hostile and unwanted manner under a person’s true or false identity. In addition, any communication of this form which disrupts or prevents a safe working environment may also be considered cyberbullying. Staff will refrain from using personal communication devices or CESD property to harass or stalk another.

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

Retaliation/False Charges

Retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry is prohibited. Such retaliation shall be considered a serious

violation of CESD Board policy and independent of whether a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

END OF POLICY

Legal Reference(s):

ORS 163.190	OAR 581-021-0045
ORS 166.065	OAR 581-021-0046
ORS 166.155 - 166.165	OAR 581-021-0055
ORS 334.125(7)	OAR 581-022-1140
ORS 339.240	OAR 581-024-0240
ORS 339.250	
ORS 339.254	
ORS 339.260	
ORS 339.351 - 339.364	

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