

# Grants Pass School District 7

Code: **JFCF**  
Adopted: 2/26/02  
Readopted: 2/24/04; 3/11/08; 5/11/10;  
8/14/12  
Orig. Code(s): JFCF

## **Harassment/Intimidation/Bullying/Cyberbullying/Teen Dating Violence – Student**

The Board in its commitment to providing a positive and productive learning environment will consult with parents/guardians, employees, volunteers, students, administrators and community representatives in developing this policy in compliance with applicable Oregon Revised Statutes. To this end, hazing, harassment, intimidation, menacing, bullying or acts of cyberbullying by students are strictly prohibited and shall not be tolerated in the district. Teen dating violence is unacceptable behavior and is 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 principal and the superintendent are responsible for ensuring that this policy is implemented.

### **Definitions**

1. “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 the control of the district.
2. “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, 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 a student; 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.
3. “Harassment, intimidation or bullying” means any act that substantially interferes with a student’s educational benefits, opportunities or performance, which may be based on, but not limited to, the protected class status of a person and that takes place on or immediately adjacent to district grounds, at any district-sponsored activity, on district-provided transportation (including at any official school bus stop), as well as certain off campus actions described more fully below, which, has the effect of:
  - a. Physically harming a student or damaging a student’s property;

- b. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property;
  - c. Creating a hostile educational environment.
4. "Protected class" means a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation<sup>1</sup>, national origin, marital status, familial status, source of income or disability.
  5. "Teen dating violence" means:
    - a. 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
    - b. 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.
  6. "Cyberbullying" means the use of any electronic communication device to convey a message in any form (text, image, audio or video) that 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. This includes but is not limited to an ongoing series of actions or communications by a student (or group of students) to pick on another student (or group of students) using electronic means, such as emails, instant messaging, cell phone texts, defamatory web sites, blogs, and chat rooms. Examples include sending mean, vulgar or threatening messages or images; posting sensitive, private information about another person; and pretending to be someone else to make that person look bad.
  7. "Menacing" includes, but is not limited to, any act intended to place a school employee, student or third party in fear of imminent serious physical injury.
  8. "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. Any of the above described conduct involving off campus actions or communication or actions or communication during non-school hours are also prohibited if it causes a substantial disruption of the educational process which includes but is not limited to acts which threaten the physical or emotional safety and well being of students or staff.

All complaints about behavior that may violate this policy shall be promptly investigated. Any student, employee or third party who has knowledge of conduct in violation of this policy or feels he/she has been a victim of hazing, harassment, intimidation, bullying, teen dating violence or menacing in violation of this policy shall immediately report his/her concerns to the building principal or superintendent who have 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. 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

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<sup>1</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.

students to a district activity, shall immediately report the incident to the building principal or superintendent. Failure of an employee to report an act of harassment, intimidation or bullying, teen dating violence or an act of cyberbullying to the building principal or superintendent may be subject to remedial action, up to and including dismissal. Remedial action may not be based solely on an anonymous report.

Complaints against the building principal shall be filed with the superintendent. Complaints against the superintendent shall be filed with the Board chair.

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 review the actions taken in the initial investigation, in accordance with administrative regulations and district 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 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 and acts of cyberbullying.

The superintendent shall be responsible for ensuring that annual notice of this policy is included in a student and employee handbooks, school and district websites, as well as being posted in schools and the district office. The superintendent shall develop administrative regulations, including reporting and investigative procedures, as needed. Complaint procedures, as established by the district, shall be followed.

END OF POLICY

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**Legal Reference(s):**

[ORS 163.190](#)  
[ORS 166.065](#)  
[ORS 166.155 to-166.165](#)  
[ORS 174.100\(6\)](#)  
[ORS 332.072](#)  
[ORS 332.107](#)

[ORS 339.240](#)  
[ORS 339.250](#)  
[ORS 339.254](#)  
[ORS 339.351 to-339.364](#)  
  
[OAR 581-021-0045](#)

[OAR 581-021-0046](#)  
[OAR 581-021-0055](#)  
[OAR 581-022-1140](#)  
  
HB 4077 (2012)  
SB 1555 (2012)

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