

Grants Pass School District 7

Code: **JFCF**
Adopted: 2/26/02
Revised/Readopted: 2/24/04; 3/11/08; 5/11/10;
8/14/12; 4/23/19
Orig. Code: JFCF

Harassment, Intimidation, Bullying, Cyberbullying, Teen Dating Violence, and Domestic Violence – Student**

The Board, in its commitment to providing a safe, positive, and productive learning environment for all students, will consult with parents/guardians, employees, volunteers, students, administrators, and community representatives in developing this policy in compliance with applicable Oregon law.

Harassment, intimidation, or bullying and acts of cyberbullying by students, staff, or third parties toward students is strictly prohibited. Teen dating violence is unacceptable behavior and is prohibited.

Retaliation against any person who is a victim of, who reports, is thought to have reported, or files a complaint about an act of harassment, intimidation, or bullying, an act of cyberbullying, or teen dating violence, or otherwise participates in an investigation or inquiry is also strictly prohibited. A person who engages in retaliatory behavior will be subject to consequences and appropriate remedial action. False charges shall also be regarded as a serious offense and will result in consequences and appropriate remedial action.

Students whose behavior is found to be in violation of this policy will be subject to consequences and appropriate remedial action which may include 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 assaulting or menacing another student or employee, willful damage or injury to district property, or for the use of threats, intimidation, harassment, or coercion against a district employee or another student.

Staff whose behavior is found to be in violation of this policy will be subject to consequences and appropriate remedial action which may include 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 the superintendent or the Board.

Students, staff, or third parties 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 jurisdiction of the district.
2. “Third parties” include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors, or others engaged in district business, such as employees of businesses or

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organizations participating in cooperative work programs with the district and others not directly subject to district control at interdistrict or intradistrict athletic competitions or other school events.

3. “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 grounds, at any district-sponsored activity, on district-provided transportation, or at 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:
 - 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; or
 - c. Creating a hostile educational environment including interfering with the psychological well-being of the student.
4. “Protected class” means a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation¹, 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. “Domestic violence” means abuse by one or more of the following acts between family and/or household members²:
 - a. Attempting to cause or intentionally, knowingly, or recklessly causing bodily injury;
 - b. Intentionally, knowingly or recklessly placing another in fear of imminent bodily injury;
 - c. Causing another to engage in involuntary sexual relations by force or threat of force.
7. “Cyberbullying” is the use of any electronic communication device to harass, intimidate, or bully.

¹“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.

² Family or household members as defined in ORS 107.705.

8. “Retaliation” means any acts of, including but not limited to, harassment, intimidation or bullying, or cyberbullying toward the victim, a person in response to an actual or apparent reporting of, or participation in the investigation of, harassment, intimidation or bullying, teen dating violence, acts of cyberbullying, or retaliation.

Reporting

The building principal or superintendent will take reports and conduct a prompt investigation of any report of any act of harassment, intimidation or bullying, cyberbullying, or teen dating violence. Any employee who has knowledge of conduct in violation of this policy shall immediately report concerns to the building principal or superintendent who have overall responsibility for all investigations. 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 vehicle used for district-provided transportation 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.

Any student who has knowledge of conduct in violation of this policy or feels they have been harassed, intimidated, or bullied, been a victim of teen dating violence or acts of being cyberbullied in violation of this policy is encouraged to immediately report their concerns to the building principal or superintendent who has overall responsibility for all investigations. Any volunteer who has knowledge of conduct in violation of this policy is encouraged to immediately report their concerns to the building principal or superintendent. A report from a student or volunteer 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.

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

The person who makes the report shall be notified when the investigation has been completed and, as appropriate, the findings of the investigation and any remedial action that has been taken. The person who made the report may request that the superintendent review the actions taken in the initial investigation, in accordance with administrative regulations and district complaint procedures.

Training and Education

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, and this policy.

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 and this policy.

Notice

The superintendent shall be responsible for ensuring annual notice of this policy is provided in a student or staff handbook, school and district website, and school and district office. The superintendent shall

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develop administrative regulations, including reporting and investigative procedures, as needed. Complaint procedures, as established by the district, shall be followed.

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 ODE.

END OF POLICY

Legal Reference(s):

ORS 163.190	ORS 332.072	OAR 581-021-0045
ORS 163.197	ORS 332.107	OAR 581-021-0046
ORS 107.705	ORS 339.240	OAR 581-021-0055
ORS 166.065	ORS 339.250	OAR 581-022-2310
ORS 166.155 - 166.165	ORS 339.254	OAR 581-022-2370
ORS 174.100(7)	ORS 339.351 - 339.368	

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2012).

Cross Reference(s):

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