

Hood River County School District

Code: **JFCF**
Adopted: 3/12/08
Readopted: 5/14/14
Orig. Code(s): 9775

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

Hazing, harassment, intimidation, bullying, acts of cyberbullying and menacing by students, staff or third parties is strictly prohibited and shall not be tolerated in the district.

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.

Definitions

1. “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 organizations participating in cooperative work programs with the district and others not directly subject to district control at interdistrict and intradistrict athletic competitions or other school events.
2. “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.
3. “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., personal servitude, sexual stimulation/sexual assault, 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. It is not a defense against hazing that the student subject to the hazing consented to or appeared to consent to the hazing.

4. “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, and that 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 including interfering with the psychological well being of the student and may be based on, but not limited to, the protected class of the person.
5. “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.
6. “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.
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. “Cyberbullying” is the use of any electronic communication device to harass, intimidate or bully.
9. “Retaliation” means hazing, harassment, intimidation or bullying, menacing, 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 hazing, harassment, intimidation or bullying, menacing, teen dating violence and acts of cyberbullying or retaliation.

Reporting

The building principal or supervisor will take reports and conduct a prompt investigation of any report of an act of hazing, harassment, intimidation or bullying, menacing, cyberbullying or teen dating violence. Any employee who has knowledge of incidents of hazing, harassment, intimidation or bullying, menacing, cyberbullying or 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 or supervisor. Failure of an employee to report may result in remedial action, up to and including dismissal. Remedial action may not be based solely on an anonymous report.

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.

Any student who has knowledge of conduct in violation of this policy or feels he/she has been hazed, harassed, intimidated or bullied, menaced, a victim of teen dating violence or cyberbullying in violation of this policy shall immediately report his/her concerns to the building principal or school personnel. Any volunteer who has knowledge of conduct in violation of this policy shall immediately report his/her concerns to the building principal or supervisor.

This report may be made anonymously.

Complaints against a principal or supervisor 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, remedial actions taken. The complainant may request that the superintendent review the actions taken in the initial investigation, in accordance with administrative regulations.

Education

The district shall provide age-appropriate educational programs for students related to the prevention of, and the appropriate response to, acts of harassment, intimidation, bullying and cyberbullying. Additionally, the district shall provide age-appropriate education about teen dating violence for students in grade 7 through 12.

The district shall provide training programs for staff 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 annual notice of this policy is provided in a student or employee handbook, school and district's website, and school and district office.

END OF POLICY

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 -339.366](#)

[OAR 581-021-0045](#)

[OAR 581-021-0046](#)

[OAR 581-021-0055](#)

[OAR 581-022-1140](#)

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