

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

The Board, in its commitment to providing a positive and productive learning and working environment, will consult with parents/guardians, employees, volunteers, students, administrators and community representatives in developing this policy in compliance with applicable Oregon Revised Statutes. Hazing, harassment, intimidation or bullying, menacing and acts of cyberbullying by students, staff or third parties is strictly prohibited and shall not be tolerated in the district.

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 or employee 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 or where the employee is engaged in district business.
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/staff for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any district-sponsored/work 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 subjected to 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/staff member’s educational benefits, opportunities or performance, that takes place on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation or at any official school bus stop, having the effect of:
 - a. Physically harming a student or damaging a student’s/staff member’s property;
 - b. Knowingly placing a student or staff member in reasonable fear of physical harm to the student/staff member or damage to the student’s/staff member’s property;

- c. Creating a hostile educational/work environment including interfering with the psychological well being of the student/staff member and may be based on, but not limited to, the protected class of the person.
5. “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 the protected class of the person.
 6. “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 the protected class of the person.
 7. “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.
 8. “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.
 9. “Domestic violence” means abuse as defined by Oregon Revised Statute (ORS) 107.705:
 - 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;

between family and household members, as those terms are described in ORS 107.705:

 - a. Spouses or former spouses;
 - b. Adult persons related by blood, marriage or adoption;
 - c. Persons who are cohabiting or who have cohabited with each other;
 - d. 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 ORS 107.710;
 - e. Unmarried parents of a child.

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.

10. “Cyberbullying” is the use of any electronic communication device to harass, intimidate or bully. Students and staff will refrain from using personal communication devices or district property to violate this policy.
11. “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.
12. “Menacing” includes, but is not limited to, any act intended to place a district employee, student or third party in fear of imminent serious physical injury.

All complaints about behavior that may violate this policy shall be promptly investigated. Any employee who has knowledge of conduct in violation of this policy or feels he/she has been a victim of hazing, harassment, intimidation bullying, menacing, or an act of cyberbullying in violation of this policy shall immediately report his/her concerns to the 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 district vehicle or vehicle used for transporting students to a district activity shall immediately report the incident to the principal or superintendent. Failure of an employee to report an act of hazing, harassment, intimidation or bullying, menacing, or an act of cyberbullying to the 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 he/she has been a victim of hazing, harassment, intimidation or bullying, menacing, teen dating violence or an act of cyberbullying in violation of this policy is encouraged to report his/her concerns to the principal or superintendent who have overall responsibility for all investigations. Any volunteer who has knowledge of conduct in violation of this policy is encouraged to immediately report his/her concerns to the 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.

Complaints against the building 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, that remedial action has been taken. The complainant may request that the superintendent and the Board review the actions taken in the initial investigation, in accordance with administrative regulations.

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. 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 the 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.

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 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.

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 to students, staff and third parties in a student or employee handbook, school and district websites, and the school and district office. Complaint procedures, as established by the district, shall be followed.

The principal and the superintendent are responsible for ensuring that this policy is implemented. 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.

END OF POLICY

Legal Reference(s):

ORS 163.190	ORS 332.107	OAR 581-021-0045
ORS 163.197	ORS 339.240	OAR 581-021-0046
ORS 166.065	ORS 339.250	OAR 581-021-0055
ORS 166.155 to-166.165	ORS 339.254	OAR 581-022-1140
ORS 174.100(6)	ORS 339.351 to -339.366	
ORS 332.072	ORS 659A.030	

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