

**Hazing/Harassment/Intimidation/Menacing/Bullying/Cyberbullying/Teen
Dating Violence/Domestic 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. Hazing, harassment, intimidation, menacing, bullying and acts of cyberbullying by students is strictly prohibited. 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, or for 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

“District” includes district facilities, district premises and non-district property if a 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).

“Hazing” includes any act that: (a) 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, (e.g., 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); (b) requires, encourages, authorizes or permits another to be subject to wearing or carrying any obscene or physically burdensome article; and/or (c) involves the assignment of pranks to be performed, or other such activities intended to degrade or humiliate. It is not a defense against hazing that a student subjected to hazing consented, or appeared to consent, to the hazing.

“Harassment, intimidation or bullying” means any act that substantially interferes with a student’s educational benefits, opportunities or performance, and 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, and that may be based on (but not limited to) the protected class status of a person, and which has the effect of:

1. Physically harming a student or damaging the student’s property;
2. Knowingly placing a student in reasonable fear of physical harm to the student or the student’s property;
3. Creating a hostile educational environment, including interfering with the psychological well-being of the student.

“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.

“Teen dating violence” means:

1. 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 that person, and where one or both persons are 13 to 19 years of age; or
2. Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with that person, and where one or both persons are 13 to 19 years of age.

“Domestic Violence” means abuse as defined by Oregon Revised Statute (ORS) 107.705 between family and household members, as those terms are described in ORS 107.705.

“Cyberbullying” is the use of any electronic communication device to harass, intimidate or bully.

“Retaliation” means hazing, harassment, intimidation, menacing, teen dating violence, bullying or cyberbullying toward a person in response to a student actually or apparently reporting or participating in the investigation of hazing, harassment, intimidation, menacing, teen dating violence, bullying, cyberbullying or retaliation therefor.

“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.

Reporting

The principal will take reports and conduct a prompt investigation of any report of an act of hazing, harassment, intimidation, bullying, menacing, or cyberbullying. Any employee who has knowledge of conduct in violation of this policy shall immediately report his/her concerns to the principal, who has 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. Failure of an employee to report an act of hazing, harassment, intimidation, bullying, menacing, teen dating violence or cyberbullying to the principal 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 who feels he/she has been hazed, harassed, intimidated, menaced, bullied, cyberbullied or been made a victim of teen dating violence in violation of this policy is encouraged to immediately report his/her concerns to the principal, who has 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, who has 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 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 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, bullying and cyberbullying.

The district shall incorporate age-appropriate education about teen dating violence and domestic violence into new or existing training programs for students in grades 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, bullying, teen dating violence, domestic violence and cyberbullying.

The superintendent shall be responsible for ensuring annual notice of this policy is provided in a student or employee handbook, on school and district web sites, and in school and district offices, as well as for the development of administrative regulations, including reporting and investigative procedures. 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 the ODE.

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