

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

The Board in its commitment to provide a positive and productive learning environment will consult with parents/guardians, employees, volunteers, students, administrators and community representatives in implementing policy in compliance with applicable Oregon Revised Statutes. Hazing, harassment, intimidation, menacing, bullying, and acts of cyberbullying, 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. Student may also be referred to law enforcement officials.

**Definitions**

“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 business or organization 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.

“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.

“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.

“Harassment, intimidation or bullying” means any act that substantially interferes with a student’s /staff’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:

1. Physically harming a student/staff or damaging a student’s/staff’s property;
2. Knowingly placing a student/staff in reasonable fear of physical harm to the student/staff or damage to the student’s/staff’s property;
3. Creating a hostile educational/work 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.

“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.

“Harassment” also includes, but is not limited to, any acts which subject an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written or physical nature on the basis of age, race, religion, color, national origin, disability, marital status, sexual orientation, source of income, familial status, physical characteristic, cultural background, socioeconomic status or geographic location.

“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 the person, 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 the person, where one or both persons are 13 to 19 years of age.

“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.

“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 or acts of cyberbullying or retaliation.

“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.

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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.

## Reporting

The counselor, principal or superintendent<sup>2</sup> will take reports and conduct a prompt investigation of any report of an act of hazing, harassment, intimidation or bullying, menacing, and acts of cyberbullying. Any employee who has knowledge of conduct in violation of this policy shall immediately report his/her concerns to the counselor, principal or superintendent 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 a student to a district activity shall immediately report the incident to the counselor, 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 counselor, 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 hazed, harassed, intimidated, bullied, menaced, a victim of teen dating violence or acts of being cyberbullied in violation of this policy is encouraged to immediately report his/her concerns to the counselor, 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 counselor, principal or superintendent who has overall responsibility of 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 the district complaint procedures.

The district shall incorporate into existing training programs for student 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 grades 7-12.

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.

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<sup>2</sup>Required by state law, House Bill 2599 (HB 2599). All other bracketed language exceeds the requirements of HB 2599 and is under Board authority ORS 332.107.

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 complaint procedures.

END OF POLICY

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**Legal Reference(s):**

<a href="#">ORS 163.190</a>	<a href="#">ORS 332.107</a>	<a href="#">OAR 581-021-0045</a>
<a href="#">ORS 166.065</a>	<a href="#">ORS 339.240</a>	<a href="#">OAR 581-021-0046</a>
<a href="#">ORS 166.155 to-166.165</a>	<a href="#">ORS 339.250</a>	<a href="#">OAR 581-021-0055</a>
<a href="#">ORS 174.100(6)</a>	<a href="#">ORS 339.254</a>	<a href="#">OAR 581-022-1140</a>
<a href="#">ORS 332.072</a>	<a href="#">ORS 339.351 to -339.366</a>	

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