

**WEST LINN-WILSONVILLE SCHOOL DISTRICT
SCHOOL BOARD POLICY**

Current File: JFCF
Re-Adopted: 5-3-10

Harassment/Intimidation/Bullying/Cyberbullying/Hazing – Student

The Board is committed to providing a positive and productive learning environment. Harassment, hazing, intimidation or bullying and acts of cyberbullying by students, staff and third parties toward students is strictly 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.

The superintendent is responsible for ensuring that this policy is implemented.

Definitions

“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.

"Hazing" includes, but is not limited to, illegal activity and/or 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.

“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.

“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:

1. Physically harming a student or damaging a student's property;
2. Knowingly placing a student in reasonable fear of physical harm to the student or damage to 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 orientation, national origin, marital status, familial status, source of income or disability.

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

"Retaliation" means harassment, intimidation or bullying and acts of cyberbullying toward a person in response to a student for actually or apparently reporting or participating in the investigation of harassment, intimidation or bullying and acts of cyberbullying or retaliation.

Reporting

The principal or designee will take reports and conduct a prompt investigation of any report of an act of harassment, hazing, intimidation, bullying and/or acts of cyberbullying. Any employee who has knowledge of conduct in violation of this policy shall immediately report his/her concerns to the person who has overall responsibility for all investigations. Any student who has knowledge of conduct in violation of this policy or feels he/she has been harassed, intimidated or bullied in violation of this policy shall immediately report his/her concerns to the person who has overall responsibility for all investigations. This report may be made anonymously. A student 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 and staff information related to the prevention of, and the appropriate response to, acts of harassment, hazing, intimidation or bullying.

The superintendent shall be responsible for ensuring annual notice of this policy is provided in a student or employee handbook, school and district Web site, and school and district office complaint procedures, as established by the district, shall be followed.

END OF POLICY

Legal Reference(s):

Legal Reference(s):

ORS 163.190

ORS 166.065

ORS 166.155 -166.165

ORS 332.072

ORS 332.107

ORS 339.240

ORS 339.250

ORS 339.254

ORS 339.260

ORS 339.351 -339.364

OAR 581-021-0045

OAR 581-021-0046

OAR 581-021-0055

OAR 581-022-1140

HB 2599 (2009)

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