Hazing, Harassment, Intimidation, Bullying, Menacing, Cyberbullying, Teen Dating Violence and Domestic Violence – Student

The Board is committed to providing a safe, positive and productive learning environment for all students. Hazing, harassment, intimidation, bullying, menacing, cyberbullying and teen dating violence by students, staff and third parties toward students is strictly prohibited.

Retaliation against any person who is a victim of, who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is also strictly prohibited. A person who engages in retaliatory behavior will be subject to consequences and appropriate remedial action. False charges shall also be regarded as a serious offense and will result in consequences and appropriate remedial action.

Students whose behavior is found to be in violation of this policy will be subject to consequences and appropriate remedial action, which may include 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 assaulting or menacing another student or employee, willful damage or injury to district property or for the use of threats, intimidation, harassment or coercion against a district employee or another student.

Staff whose behavior is found to be in violation of this policy will be subject to consequences and appropriate remedial action, which may include discipline, up to and including dismissal. Third parties whose behavior is found to be in violation of this policy will be subject to appropriate sanctions as determined an imposed by the Superintendent or the Board.

Students, staff or third parties may also be referred to law enforcement officials.

Principals and the superintendent are 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 jurisdiction of the district.

“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.

“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 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.

“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; or
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\(^1\), 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 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.

“Domestic violence” means abuse as defined by Oregon Revised Statute (ORS) 107.705 between family and/or 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 any acts of hazing, harassment, intimidation, bullying, menacing or cyberbullying toward the victim, or toward a person in response to actually or apparently reporting or participating in the investigation of hazing, harassment, intimidation, bullying, menacing, cyberbullying or teen dating violence.

“Menacing” includes any act intended to place a student, district employee, or third party in fear of imminent serious physical injury.

\(^1\)“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.
Reporting

The principal or designee will take reports and conduct a prompt investigation of any reported acts of hazing, harassment, intimidation, bullying, menacing, cyberbullying and teen dating violence. Any employee who has knowledge of conduct in violation of this policy shall immediately report concerns to the building principal or designee who has overall responsibility for all investigations.

Any employee who has knowledge of incidents of teen dating violence shall immediately report the incident to the principal.

Failure of an employee to report any act of hazing, harassment, intimidation, bullying, menacing, cyberbullying or teen dating violence to the building 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 feels they have been subjected to an act of hazing, harassment, intimidation, bullying, menacing, cyberbullying, or a victim of teen dating violence in violation of this policy is encouraged to immediately report concerns to the principal or designee who has overall responsibility for all investigations. Any volunteer who has knowledge of conduct in violation of this policy is encouraged to immediately report concerns to the principal or designee.

A student or volunteer may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate district official.

Reports against the principal shall be filed with the superintendent or designee. Reports against the superintendent shall be filed with the Board chair.

The person making the report shall be notified when the investigation has been completed and, as appropriate, the findings of the investigation and any remedial action that has been taken. The person making the report may request that the superintendent or designee review the actions taken in the initial investigation, in accordance with district complaint procedures.

Training and Education

The district shall incorporate into existing curriculum for student’s information related to the prevention of, and the appropriate response to, acts of harassment, intimidation, bullying, menacing, and cyberbullying, and this policy. The district shall incorporate age-appropriate education about domestic violence and teen dating violence into new or existing curriculum 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, bullying, menacing, and cyberbullying, teen dating violence, domestic violence, and this policy.

Notice

The superintendent or designee shall be responsible for ensuring annual notice of this policy is provided in a student and staff handbooks, school and district website and school and district office. The superintendent or designee shall develop administrative regulations, including reporting and investigative procedures in accordance with this policy. 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 ODE.

END OF POLICY

Legal Reference(s):

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


Cross Reference(s):

GBN/JBA - Sexual Harassment
JBA/GBN - Sexual Harassment
JFCM - Threats of Violence