

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

The Board is committed to providing a safe, positive and productive learning environment. Hazing, harassment, intimidation, menacing, bullying and cyberbullying by students 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 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. Students may also be referred to law enforcement officials.

The superintendent is directed to develop administrative regulations to implement this policy.

**Definitions**

“District” includes district facilities, district premises, areas adjacent to district grounds, on district-provided transportation, official district bus stops and non-district 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, 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, 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); requires, encourages, authorizes or permits another to be subject to wearing or carrying any obscene or physically burdensome article; assigns pranks to be performed or other such activities intended to degrade or humiliate regardless of the person’s willingness to participate.

“Harassment, intimidation or bullying” means any act that substantially interferes with a student’s educational benefits, opportunities or performance 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,” for the purposes of this policy, means a group of persons distinguished, or perceived to be distinguished, by race, color, religion, gender, sexual orientation<sup>1</sup>, gender identity<sup>2</sup>, gender expression<sup>3</sup>, national origin, citizenship, marital status, age, disability, familial status, appearance, or source of income.

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

“Cyberbullying” is the use of any electronic communication device to convey a message in any form (text, image, audio or video) that defames, intimidates, harasses or is otherwise intended to harm, insult or humiliate another in a deliberate, repeated or hostile and unwanted manner under a person’s true or false identity. In addition, any communication of this form which substantially disrupts or prevents a safe and positive educational environment may also be considered cyberbullying.

Students will refrain from using personal electronic devices or district property to harass or stalk another.

“Retaliation” means hazing, harassment, intimidation, menacing or bullying, and acts of cyberbullying toward a person in response to that person’s actually or apparently reporting or participating in the investigation of hazing, harassment, intimidation, menacing or bullying, and acts of cyberbullying or retaliation.

“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.

<sup>1</sup>“Sexual orientation” means an individual’s heterosexuality, homosexuality, or bisexuality.

<sup>2</sup>“Gender identity” refers to a person’s innate personal (psychological) sense of being male or female, which may or may not correspond to the person’s body or gender designated at birth.

<sup>3</sup>“Gender expression” refers to a persons external manifestation of gender identity and how it is presented to others, such as dress, grooming, mannerisms, behavior, voice, and social interactions.

## **Reporting**

The building principal will take reports and conduct a prompt investigation of any report of an act of hazing, harassment, intimidation, menacing, bullying, teen dating violence or cyberbullying. Any employee who has knowledge of conduct in violation of this policy shall immediately report his/her concerns to the building 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 district vehicle or vehicle used for transporting students to a district activity shall immediately report the incident to the building principal. Failure of an employee to report an act of hazing, harassment, intimidation or bullying, menacing or acts of cyberbullying 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 he/she has been hazed, harassed, intimidated, menaced, bullied, subjected to an act of teen dating violence or cyberbullied in violation of this policy is encouraged to immediately report his/her concerns to the building 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 concern to the building 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 building principal.

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 or designee review the actions taken in the initial investigation, in accordance with administrative regulations accompanying this policy.

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, intimidation or bullying and acts of 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 or bullying, teen dating violence, domestic violence and acts of cyberbullying.

The superintendent or designee shall be responsible for ensuring annual notice of this policy is provided in the student handbook (either printed or electronic), school and district's website and the school and district office.

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

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**Legal Reference(s):**

[ORS 163.190](#)  
[ORS 166.065](#)  
[ORS 166.155 to -166.165](#)  
[ORS 174.100\(7\)](#)  
[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 581-022-2310](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2012).