

BEND-LA PINE SCHOOLS

Administrative School District No. 1

Deschutes County, Oregon

ADMINISTRATIVE POLICY

Name: Harassment/Intimidation/Bullying/Cyberbullying

Section: Required Policies

Code: JBA/GBN-AP

The Board is committed to ensuring the right of every student and employee to a safe, positive and productive learning and working environment. To that end, harassment, hazing, intimidation, menacing, bullying, cyberbullying, and teen dating violence are unacceptable and shall not be tolerated in the district.

Definitions

1. "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 inter-district and intra-district athletic competitions or other school events.
2. "District" includes district facilities, district premises and non-district property if the student or employee is at any district-sponsored, district-approved or district-related activity or function 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, 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.
3. "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., 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.
4. "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 school grounds, at any school-sponsored activity, on school-provided transportation, at any official school bus stop, may be based on, but not limited to, the protected class status of a person, or that has the effect of:
 - a. Physically harming a student or damaging a student's property;
 - b. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property;
 - c. Creating a hostile educational environment, including interfering with the psychological well being of a 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.

5. "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.
6. "Cyberbullying" means the use of any electronic communication device to harass, intimidate, or bully.
7. "Teen dating violence" means 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 person are 13 to 19 years of age; or 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.

A school employee who witnesses or has reliable information that a student has been subjected to an act of harassment, hazing, intimidation, menacing, bullying, cyberbullying, and teen dating violence must report the act to the building principal, superintendent or designee. Failure to make such a report may subject the employee to remedial action, up to and including dismissal. A student or volunteer who witnesses or has information that a student has been subjected to an act of harassment, hazing, intimidation, menacing, bullying, cyberbullying, and teen dating violence is encouraged to report the act to the building principal or superintendent. A report by a student or a volunteer may be made anonymously.

The procedures which the building principal or superintendent shall follow to respond to incidents of harassment, hazing, intimidation, menacing, bullying, cyberbullying, and teen dating violence are set forth in administrative regulation JBA/GBN-AR.

The complainant shall be notified of the findings of the investigation and, as appropriate, that remedial action has been taken.

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. Staff whose behavior is found to be in violation of this policy will be subject to discipline, up to and including dismissal. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the superintendent or Board.

Individuals may also be referred to law enforcement officials. Staff will be reported to Teacher Standards and Practices Commission, as provided by OAR 584-020-0041.

Retaliation against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is prohibited. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

The superintendent shall be responsible for ensuring notice of this policy is provided to students, staff and third parties through staff and student handbooks and on the district website. Complaint procedures, as established by the district, shall be followed.

The superintendent or designee or building principal shall incorporate into existing training programs for students and school employees information related to the prevention of and response to acts of harassment, hazing, intimidation, menacing, bullying, cyberbullying, and teen dating violence. The superintendent or

building principal shall implement age-appropriate education about teen dating violence for students in grades 7 through 12 and for employees.

END OF POLICY

Legal Reference(s):

[ORS 163](#).190

[ORS 332](#).072

[ORS 332](#).107

[ORS 339](#).240

[ORS 339](#).250

Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000(d). [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 4077 (2012)

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