

## **Hazing/Harassment/Intimidation/Bullying/Menacing/ Cyberbullying/Teen Dating Violence Complaint Procedures**

The following definitions and procedures shall be used for reporting, investigating, and resolving reports of hazing, harassment, intimidation, bullying, menacing, and cyberbullying of staff or third parties.

### **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 interdistrict and intra district athletic competitions or other school events.
2. “District” includes district facilities, district premises, and nondistrict property if the employee is at any district-sponsored, district-related activity or function, such as field trips, athletic events 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 staff member for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any district-sponsored work activity, work group or work assignment, or other such activities intended to degrade or humiliate regardless of the person’s willingness to participate.
4. “Harassment” is unwelcome conduct that is based on race, color, religion, sex (including pregnancy), sexual orientation, gender identity, national origin, age (40 or older), disability or genetic information. Harassment becomes unlawful when 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.
5. “Intimidation” includes, but is not limited to, any threat or act intended to tamper, substantially damage or interfere with another’s property, cause substantial inconvenience, subject another to offensive physical contact or inflict serious physical injury on the perception of the other’s race, color, religion, national origin, disability, sexual orientation or gender identity.
6. “Bullying” is a pattern of repeated mistreatment that harms, intimidates, undermines, offends, degrades, or humiliates an employee.
7. “Cyberbullying” means the use of any electronic device to convey a message in any form (e.g., text, image, audio, or video) that intimidates, harasses, or otherwise harms, insults, or humiliates 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 working environment may also be considered cyberbullying. Staff will refrain from using personal electronic devices or district equipment to harass or stalk another person or people.

8. "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.

### **Reporting Procedures**

The Title IX Coordinator has responsibility for investigations concerning hazing, harassment, intimidation or bullying, menacing, acts of cyberbullying and incidents of teen dating violence. The investigator shall be a neutral party having had no involvement in the complaint presented.

All complaints will be promptly investigated in accordance with the following procedures:

**Step 1** Any hazing, harassment, intimidation or bullying, menacing, acts of cyberbullying and incidents of teen dating violence information (complaints, rumors, etc.) shall be presented to the building principal or superintendent. Complaints against the building principal shall be filed with the superintendent. Information may be presented anonymously. Complaints against the superintendent shall be filed with the Board Chair. All such information will be reduced to writing and will include the specific nature of the offense and corresponding dates.

**Step 2** The district official receiving the complaint shall promptly investigate. Parents will be notified of the nature of any complaint involving their student. The district official will arrange such meetings as may be necessary with all concerned parties within five working days after receipt of the information or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the complaint will be reduced to writing. The district official(s) conducting the investigation shall notify the complainant and parents as appropriate, in writing, when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined.

A copy of the notification letter or the date and details of notification to the complainant, together with any other documentation related to the incident, including disciplinary action taken or recommended, shall be forwarded to the superintendent.

**Step 3** If the complainant is not satisfied with the decision at Step 2, he/she may submit a written appeal to the superintendent or designee. Such appeal must be filed within 10 working days after receipt of the Step 2 decision. The superintendent or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The superintendent or designee shall provide a written decision to the complainant's appeal within ten (10) working days.

**Step 4** If the complainant is not satisfied with the decision at Step 3, a written appeal may be filed with the Board. Such appeal must be filed within ten (10) working days after receipt of the Step 3 decision. The Board shall, within twenty (20) working days,

conduct a hearing at which time the complainant shall be given an opportunity to present the complaint. The Board shall provide a written decision to the complainant within 10 working days following completion of the hearing.

Reports against the superintendent should be referred to the Board chair on behalf of the Board. The Board chair shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within twenty (20) days, in open session what action, if any, is warranted.

Reports against the Board as a whole or against an individual Board member should be made to the Board chair on behalf of the Board. The Board chair shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within twenty (20) days, in open session what action, if any, is warranted.

Reports against the Board chair may be made to the Board vice-chair on behalf of the Board. The Board vice-chair shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within twenty (20) days, in open session what action, if any, is warranted.

Timelines may be extended upon written agreement between both parties. This also applies to reports filed against the superintendent or any Board member.

Direct complaints related to educational programs and services may be made to the U.S. Department of Education, Office for Civil Rights.

Direct complaints of discriminatory harassment related to employment may be filed with the Oregon Bureau of Labor and Industries, Civil Rights Division or the U.S. Department of Labor, Equal Employment Opportunities Commission.

Documentation related to the incident may be maintained as a part of the student's education records or employee's personnel file. Additionally, a copy of all hazing, harassment, intimidation or bullying, menacing, acts of cyberbullying and incidents of teen dating violence complaints and documentation will be maintained as a confidential file in the district office.