

# BULLYING POLICY



INS-A003

**SUMMARY**

Salem-Keizer School District is committed to providing an environment where students can study, participate in district-sponsored activities and work in an environment that is free of hazing, harassment, intimidation, bullying, cyberbullying, and menacing.

**DEFINITIONS**

**District:** Includes district facilities, district premises, 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 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 district 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 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; or 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, Bullying:** 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 school bus stop. Harassment, intimidation and bullying may be based on, but not limited to, the protected class status of a person, and has the effect of:

- Physically harming a student or damaging a student's property
- Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property; or
- Creating a hostile educational environment, including interfering with the psychological well-being of a student.

**Cyberbullying:** Use of any electronic communication device to harass, intimidate or bully. Communication of this form which occurs off district grounds but disrupts or prevents a safe and positive educational or working environment may also be considered cyberbullying.

**Menacing:** Any act which is intended to place a district employee, student, or third party in reasonable fear of imminent serious physical injury.

**Protected Class:** Has the meaning defined in Oregon Revised Statute (ORS) 339.351(3): A group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, familial status, source of income or disability.

**Sexual Orientation:** An individual's actual or perceived heterosexuality, homosexuality, bisexuality.

**Gender Identity:** An individual's gender-related identity, appearance, expression or behavior, regardless of whether the identity, appearance, expression or behavior differs from that associated with the gender assigned to the individual at birth.

**Retaliation:** Any acts of, including but not limited to, hazing, harassment, intimidation or bullying, menacing, or cyberbullying toward the victim, a person in response to an actual or apparent reporting of, or participation in the investigation of hazing, harassment, intimidation or bullying, menacing, acts of cyberbullying, or retaliation.

**INSTRUCTION**

1. Students are expected to behave in such a way that promotes a positive education environment.
2. Hazing, harassment, intimidation or bullying, menacing, and acts of cyberbullying by students, employees, or third parties toward students is strictly prohibited.
3. The school administrator shall receive reports and promptly investigate any reported acts of hazing, harassment, intimidation or bullying, menacing, or acts of cyberbullying according to procedures developed by the Superintendent.
  - a. Any employee who has knowledge of conduct in violation of this policy shall immediately report concerns to the school administrator who has overall responsibility for all investigations.
  - b. Failure of an employee to report any act of hazing, harassment, intimidation or bullying, menacing, or act of cyberbullying to the school administrator may be subject to remedial action, up to and including termination. Remedial action may not be based solely on an anonymous report.
  - c. 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 or bullying, menacing, or an act of cyberbullying in violation of this policy, is encouraged to immediately report concerns to the school administrator who has overall responsibility for all investigations.
  - d. Any volunteer who has knowledge of conduct in violation of this policy is encouraged to immediately report concerns to the school administrator.
  - e. A report made by a student or volunteer may be made anonymously. A student or volunteer may also report concerns to a teacher or counselor who will be responsible for notifying the school administrator.
  - f. Reports against the principal shall be filed with the Human Resources department or the Superintendent.
  - g. Reports against the Superintendent shall be filed with the School Board chair.
  - h. Any employee, student, or third party falsely accusing another as a means of reprisal, retaliation, or as a means of hazing, harassment, intimidation or bullying, menacing, or cyberbullying shall be subject to consequences and appropriate remedial action.
  - i. If the report involves a bias incident or a symbol of hate, the school administrator will follow the steps outlined in policy ADM-A012 – Bias Incidents and Symbols of Hate.
4. The school administrator shall notify the parents or guardians of a student who was subject to an act of hazing, harassment, intimidation or bullying, menacing, or an act of cyberbullying, and the parents or guardians of a student who may have conducted an act of hazing, harassment, intimidation or bullying, menacing, or an act of cyberbullying in accordance with the procedure INS-P006 – Bullying and Harassment, Student.
5. Students whose behavior is found to be in violation of this policy will be subject to consequences and appropriate remedial action which may include disciplinary actions in accordance with the district's student discipline policy and procedure.
6. Employees whose behavior is found to be in violation of this policy will be subject to consequences and appropriate remedial action which may include disciplinary action, up to and including termination.
7. Third parties whose behavior is found to be in violation of this policy will be subject to appropriate sanctions as determined and imposed by the Superintendent.
8. Students, employees, or third parties may also be referred to law enforcement officials.
9. Retaliation against any person who is a victim of, who reports, is thought to have reported, or files a complaint about an act of hazing, harassment, intimidation or bullying, menacing, or an act of cyberbullying, or otherwise participates in an investigation or inquiry is strictly prohibited. A person who engages in retaliatory behavior will be subject to consequences and appropriate remedial action.
10. A person may request the District to review the actions taken by staff in responding to and/or investigating a report by filing a written request with the Superintendent. Requests must be submitted within 10 working days of the person receiving notification of the findings of the investigation.
11. Information related to the prevention of, and the appropriate response to, acts of hazing, harassment, intimidation, bullying, cyberbullying and menacing will be incorporated into training programs for students and district employees.
12. The Superintendent shall be responsible for ensuring annual notice of this policy is provided in a student and employee handbook, the district website, and school and district offices. A copy of this policy at least 8.5" x 11" in size shall be posted in all Middle and High Schools.
13. The District has adopted a separate policy for Teen Dating Violence, which delineates the definitions, expectations for students, reporting and discipline processes.
14. The District has adopted a separate policy for Sexual Harassment.
15. The school administrator and the Superintendent are responsible for ensuring that this policy is implemented.

**Andrea Castañeda, Superintendent**

Salem-Keizer Public Schools promotes equal opportunity for all individuals without regard to age, color, disability, marital status, national origin, race, religion or creed, sex or gender, sexual orientation, or veteran status.