

Hazing/Harassment/Intimidation/Bullying/Menacing/Cyberbullying--Staff

The Board is committed to providing a positive and productive learning and working environment. Hazing, harassment, intimidation, menacing, bullying and acts of cyberbullying of staff, students or third parties by students, staff or third parties towards staff is strictly prohibited and shall not be tolerated in the ESD. Retaliation against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is also strictly prohibited.

For the purpose of this policy the following definitions apply:

1. “Third parties” include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors or others engaged in ESD business, such as employees of businesses or organizations participating in cooperative work programs with the ESD and others not directly subject to ESD control at other ESD-sponsored programs and activities.
2. “ESD” includes ESD facilities, ESD premises and non-ESD property if the employee is at any ESD-sponsored, ESD-approved or ESD-related activity or function, such as field trips, athletic events or where the employee is engaged in ESD 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 ESD-sponsored activity, work group or work assignment(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 staff member); 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 regardless of the person’s willingness to participate.
4. “Harassment” includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written or physical nature on the basis of age, race, religion, color, national origin, disability, marital status, sex or sexual orientation.
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 basis of race, color, religion, national origin, or sexual orientation.
6. “Cyberbullying” means the use of any electronic communication device to convey a message in any form (text, image, audio or video) that intimidates, harasses, bullies 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.

7. "Menacing" includes, but is not limited to, any act intended to place an ESD employee or third party in fear of imminent serious physical injury.

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. Licensed staff will be reported to Teacher Standards and Practices Commission, as provided by OAR 584-020-0041.

The superintendent is directed to develop administrative regulations to implement this policy. Regulations shall include descriptions of prohibited conduct, reporting and investigative procedures and provisions to ensure annual notice of this policy is provided to staff, students and third parties.

END OF POLICY

Legal Reference(s):

[ORS 163.190](#)

[ORS 163.197](#)

[ORS 166.065](#)

[ORS 166.155 - 166.165](#)

[ORS 334.125](#)

[ORS 659A.030](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2006).

Cross Reference(s):

GBN/JBA - Sexual Harassment