

Hazing/Harassment/Intimidation/Bullying/Menacing

The College is committed to the elimination of hazing, harassment, intimidation, menacing, and bullying, including cyberbullying, in its programs, admissions, services and intercollegiate events. Hazing, harassment, intimidation, bullying and menacing by or of students, employees staff, Board members or third parties is strictly prohibited and shall will not be tolerated by the College.

Definitions

The following definitions will be used for reporting, investigating, and resolving complaints of hazing, harassment, intimidation, bullying and menacing.

Bullying is any act that intimidates, harasses or is otherwise intended to harm, insult or humiliate another in a deliberate, repeated or hostile and unwanted manner.

Cyberbullying is the use of any electronic communication device to convey a message in any form (text, image, audio or video) that 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.

Hazing is any act that endangers the mental health, physical health or safety of an individual, for the purpose of initiation into or as a condition of attaining membership in, or affiliation with, any College co-curricular activity, extracurricular activity, program or student organization.

Harassment is any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written or physical nature on the basis of an individual's protected class or classes*.

Intimidation is 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 an individual's protected class or classes*.

Menacing includes any act intended to place an individual in fear of imminent serious physical injury.

***Protected classes include perceived or actual race, color, national or ethnic origin, religion, sex, age, mental disability, physical disability, pregnancy, familial status, economic status, veterans' status, sexual orientation, gender identity, or marital status, of any person(s) or of any person(s) with whom the individual associates.**

Third parties include, but are not limited to, volunteers, parents, visitors, service contractors or others engaged in College business, such as employees of businesses or organizations participating in

cooperative programs with the College and others not directly subject to College control at intercollegiate and athletic competitions or other events.

College includes College facilities, College premises and non-College property if the student or employee is at any College-sponsored, College-approved or College-related activity or function, where students are under the control of the College or where the employee is engaged in College business.

Reports of Hazing/Harassment/Intimidation/Bullying/Menacing

Any employee who has knowledge of conduct in violation of this policy should immediately report their concerns to Human Resources or to a supervisor. A student may report concerns to the Student CARE Team or to an employee. If requested, the employee will promptly notify the appropriate College official.

When a College official has knowledge that conduct in violation of this policy has or may have occurred, an initial inquiry will be conducted. Students and employees have a duty to participate in any inquiry and/or investigation.

It is the intent of the Board that appropriate corrective action will be taken by the College to stop hazing, harassment, intimidation, bullying and/or menacing, prevent its recurrence and address negative consequences. Students whose behavior is found to be in violation of this policy ~~may~~ will be subject to discipline, up to and including expulsion. ~~Employees~~ Staff whose behavior is found to be in violation of this policy will be subject to discipline, up to and including dismissal, **in accordance with the applicable employee handbook and/or bargaining agreement.** 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 President or ~~designee~~ Board.

Additionally, the College ~~Individuals~~ may report individuals in violation of this policy ~~also be referred~~ to law enforcement officials.

Retaliation / False Charges

The initiation of a report in good faith about behavior that may violate this policy will not adversely affect the educational assignments or study environment of a student complainant or any terms or conditions of employment or work environment of an employee complainant. The College prohibits retaliation and discrimination against an individual who has opposed any hazing, harassment, intimidation, bullying, and/or menacing act or practice; because that person has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing; and further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising the rights guaranteed under state and federal law. False charges shall be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

Reporting Information

The President or designee **will establish a procedure for reporting incidents of hazing, harassment, intimidation, bullying and/or menacing. This policy as well as the reporting procedure will be made available to all students and employees.** ~~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 notice of this policy is provided to students, staff and third parties.~~

END OF POLICY

Legal Reference(s):

[ORS 163.190](#)

[ORS 166.065](#)

[ORS 166.155 to -166.165](#)

[ORS 341.290\(2\)](#)

[OAR 715-011-0005 to -0090](#)

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

Bartsch v. Elkton School District, FDA-13-011 (March 27, 2014).