	<p style="text-align: center;">BOARD POLICY</p> <p style="text-align: center;"><b>Student Anti-Harassment and Teen Dating Violence Policy</b></p>	<p style="text-align: center;"><b>4.30.060-P</b></p>
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## I. Overview and Scope

Portland Public Schools is committed to providing a safe, positive, and productive learning and working environment. Harassment, including intimidation or bullying, cyberbullying, and sexual harassment, including teen dating violence and domestic violence, are strictly prohibited and shall not be tolerated.

This policy applies to student behavior on school grounds, at any school-sponsored activity, on school-provided transportation, at any official school bus stop, and in all instances that student discipline applies as provided in [Student Conduct and Discipline 4.30.011-AD](#). Certain behavior may require the District to follow the procedures outlined in Student to Student Sex-Based Discrimination and Harassment Administrative Directive 4.30.072-AD, otherwise, the District will follow the procedures found in the [Title IX Student to Student Sex-Based Discrimination and Harassment Administrative Directive 4.30.072-AD](#).

## II. Definitions

A. "Harassment" means all forms of harassment, intimidation or bullying, cyberbullying, and sexual harassment, including but not limited to:

1. Intimidation, or bullying of students: any act that
  - a. substantially interferes with a student's educational benefits, opportunities, or performance and
  - b. 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 and
  - c. may be based on, but not limited to, the protected class status of a person.
2. Cyberbullying: the use of any electronic communication device to harass, intimidate, or bully.
3. Sexual harassment of students: includes
  - a. a demand for sexual favors in exchange for benefits;



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b. unwelcome conduct of a sexual nature that has the purpose or effect of unreasonably interfering with a student's educational performance or that creates an intimidating, offensive or hostile educational environment; and

c. assault when sexual contact occurs without a student's consent because the student is under the influence of drugs or alcohol, is unconscious, or is pressured through physical force, coercion, or explicit or implied threats.

4. Teen dating violence:

a. 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, or has been in, a dating relationship with the person, where one or both persons are 13 to 19 years of age; or

b. 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.


5. Domestic violence: abuse between family and household members as defined by ORS 107.705.

B. Protected class: 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.

C. Retaliation: experiencing an adverse impact after making or supporting a claim of Harassment, including teen dating violence or domestic violence, if the impact would deter a reasonable person from making such a claim.

D. Sexual orientation: an individual's actual or perceived heterosexuality, homosexuality, bisexuality, or gender identity.

E. Gender identity: a person's sense of being male or female regardless of whether the individual's appearance, expression, or behavior differs from that traditionally associated with the individual's sex at birth.

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**III. All schools shall use evidenced-based strategies to maintain school- wide and classroom environments that are safe, promote learning and free of harassment.**

**IV. Notice of Policy and Resources**

A. Notice: Signs, in age appropriate language, explaining the prohibition against harassment, intimidation or bullying, acts of cyberbullying, and retaliation shall be posted in all schools below grade 6. Signs posted in all grade 6 through 12 schools shall include the prohibition against sexual harassment on a sign at least 8.5 by 11 inches in size. It shall also be included annually in the *Guide*, readily available from the district office, and posted on the district website.


B. School-Wide Student Notification: Students shall be informed of the definition of, consequences for, and obligation to report Harassment and retaliation. This can be accomplished in the form of class discussion or activity. It is also found in the Student Rights and Responsibilities Handbook.

**V. Reporting Harassment**

1. Students who believe they have been subjected to Harassment or retaliation are encouraged to immediately inform a teacher, counselor, administrator, or other District employee. Each school has a School Compliance Officer (SCO) who is responsible to:

- a) receive all school-based reports of bullying, harassment & discrimination;
- b) conduct safety planning for impacted student(s);
- c) act as main point of contact for Title IX reports, investigations & associated interventions;
- d) ensure all incidents are cross-reported to DHS, Title IX etc. Current SCO's for each school are posted on [www.pps.net/titleix](http://www.pps.net/titleix)

2. Students who witness or have reliable knowledge of harassment or retaliation against any student should report their concerns to a teacher, counselor, administrator, or District official as soon as possible.

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3. Any District employee who becomes aware of Harassment against any student or who receives such a report shall immediately report the conduct to the school principal or other District administrator. Employees shall also comply with their mandatory reporting obligations.

#### **VI. Consequences for Engaging in Harassment**

Students who are found in violation of this directive are subject to disciplinary action ranging from a Level One conference to a Level Four expulsion/delayed expulsion/reassignment or referral. Disciplinary action depends on the number of occurrences and the severity of the offense and as provided in the *Guide to Procedures on Student Responsibilities, Rights and Discipline (Guide)*.


#### **VII. Procedures**

Reports and complaints of Harassment, including teen dating and domestic violence, will be investigated by the District following the procedures outlined in the [Anti-Racist & Anti-Oppression Learning Communities Bias Incident Complaint Procedure. Administrative Directive 4.30.071-AD](#). Students and their parents will be notified in writing of the investigation and will be provided information about resources and supports, including information about civil and criminal remedies, to assist them in the process.

Allegations of retaliation will also be investigated and, if substantiated, may result in discipline.

Students may report Harassment anonymously; however, corroborating evidence is required for any disciplinary action or other consequences.

District employees who have reliable knowledge of prohibited conduct by a student or an adult against any student, shall immediately report their concerns to the appropriate designated school district official. Reports of conduct violating this directive may be made anonymously; however, corroborating evidence is required for any disciplinary action or other consequences.

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### **VIII. Confidentiality**

Confidentiality: All complaints shall be handled so that the identity of the complainant and any information obtained as part of the investigation shall be kept confidential to the extent that confidentiality is compatible with a thorough investigation of the complaint and is permitted under the law. The District should strive to protect the identity of the person who files a complaint, encourage the reporting of any violations under this policy. Parents/Guardians of the impacted students will be notified by the District.

Confidentiality of student records: Any disciplinary action taken against a student shall be kept confidential to comply with federal requirements for confidentiality of student records.

Legal References: ORS 339.356; ORS 339.366; ORS 107.705; 342.704

OSBA: JFCF

History: Replaces Harassment & Bullying Policy (4.30.060-P) and Anti-Harassment (4.30.061-AD) Amended 12/10; Amended 2/15;

Adopted: 6/15/2021