



Blue Mountain Community College *Administrative Procedure*

Procedure Title: Hazing/Harassment/Intimidation/Menacing
Procedure Number: 03-2006-0012
Board Policy Reference: IV.B.1

Accountable Administrator: AVP for Human Resources
Position(s) responsible for updating: AVP for Human Resources
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Purpose/Principle/Definitions:

The College is committed to providing a positive and productive learning and working environment. To this end, hazing, harassment, intimidation, menacing, or bullying, including cyberbullying, by students, staff or third parties is strictly prohibited and shall not be tolerated in the College.

Definitions

1. "Third parties" include, but are not limited to, coaches, 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 inter-district and intra-district athletic competitions or other events.
2. "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.
3. "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 College co-curricular or extracurricular activity, program or year in school, i.e., 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, assignment of pranks to be performed or other such activities intended to degrade or humiliate.
4. "Harassment" 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, sexual orientation, veterans' status, (physical characteristic, cultural background, socioeconomic status or geographic location). "Menacing" includes, but is not limited to, any act intended to place a student, school employee or a third party in fear of imminent serious physical injury.

All complaints about behavior that may violate this policy shall be promptly investigated. Any student, employee or third party who has knowledge of conduct in violation of this policy or feels he/she has been a victim of hazing, harassment, intimidation or menacing in violation of this policy is encouraged to immediately report his/her concerns to the College compliance officer who has overall responsibility for all investigations or to any College administrator. A student may also report concerns to a staff member who will be responsible for promptly notifying the appropriate College official.

Complaints against the compliance officer shall be filed with the President.

Complaints against the President shall be filed with the Board chair.

The complainant shall be notified of the findings of the investigation and, as appropriate, that remedial action has been taken.

Students whose behavior is found to be in violation of this policy will be subject to discipline, up to and including expulsion. 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 President or Board.

Individuals may also be referred to law enforcement officials.

Retaliation against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is prohibited. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

The President shall be responsible for ensuring notice of this policy is provided to students, staff and third parties. Complaint procedures, as established by the College, shall be followed.

Legal Reference(s):

[ORS 163.190](#)

[ORS 166.065](#)

[ORS 166.155 - 166.165](#)

as amended, 42 U.S.C. Section 2000(d)